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**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Chesterfield County

Honorable Paul M. Burch, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

JAMES MONROE BROWN,

APPELLANT.

APPELLATE CASE NO. 2021-000469

---

RECORD ON APPEAL

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ROBERT M. DUDEK  
Chief Appellate Defender

ALAN WILSON  
Attorney General

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

J. ANTHONY MABRY  
Senior Assistant Attorney General  
Rembert Dennis Building  
1000 Assembly Street, Room 519  
Columbia, SC 29201  
(803) 734-3727

ATTORNEY FOR APPELLANT

KENARD REDMOND  
Deputy Solicitor- Fourth Circuit  
110 North Liberty Street  
Bennettsville, SC  
(843) 479-6516

ATTORNEYS FOR RESPONDENT

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STATE OF SOUTH CAROLINA - COUNTY OF CHESTERFIELD  
COURT OF GENERAL SESSIONS: FOURTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA	)
	) Docket No.
PLAINTIFF,	) 2018-GS-13-00424
	)
	)
V.	)
	)
	) <b>Jury Trial</b>
JAMES MONROE BROWN	)
	)
DEFENDANT	)

April 20, 2021 through April 22, 2021  
Chesterfield, South Carolina

B-E-F-O-R-E:

The Honorable Paul M. Burch, Judge; and a jury.

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

KERNARD REDMOND, Deputy Solicitor  
Attorney for the State of South Carolina

GRANT SMALDONE, ESQ.  
Attorney for the Defendant

Maria DiScioscia, RPR  
Official Court Reporter

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13

14

15 COURT'S DESCRIPTION PAGE

16 1 Jury question 371

17

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25

1 (Whereupon, at 11:21 am, April 20, 2021 before The  
2 Honorable Paul Burch, Judge, in Circuit Court, the  
3 following commenced:)

4  
5 JURY SELECTION

6  
7 THE COURT: We are all back on the record.  
8 Before I get into the actual specific case, Madam clerk  
9 mentioned to me that those of you that are not seated on  
10 the jury, before you leave, if you need an employment  
11 slip for your employer certifying you are on this jury  
12 for this week to see them before you leave. The staff  
13 will be at the back as you leave if you need one of  
14 those certified letters.

15 Ladies and gentlemen of the petit jury panel,  
16 if I can have your attention: We are about to commence  
17 the trial in the case entitled **State of South Carolina**  
18 **versus James Monroe Brown**, charged in the bill of  
19 indictment by the grand jury of Chesterfield County with  
20 the offense of murder.

21 The defendant, Mr. James Monroe Brown, is  
22 represented by Mr. Smaldone of private bar and they will  
23 be introducing themselves in just a few minutes; of  
24 course, the State is represented by the Solicitor's  
25 Office. They will be introducing themselves in just a

1 few minutes.

2 For voir dire purposes, Mr. Smaldone, I need  
3 Mr. Brown to stand and face the jury and if he would  
4 just briefly lower his mask. Thank you, sir. You may  
5 be seated.

6 Before I get into questions, I'm going to ask  
7 the attorneys that will be involved in presenting this  
8 case to introduce themselves. We'll begin to my left,  
9 Mr. Redmond.

10 MR. REDMOND: Thank you, You Honor, may it  
11 please the Court. My name is Kernard Redmond. I'm  
12 Deputy Solicitor. I work with our elected solicitor,  
13 Will Roger's. We cover four counties: Chesterfield,  
14 Darlington, Marlboro, Dillion. I am headquartered here  
15 in Chesterfield and will be prosecuting this case today.  
16 You may see Sam Thomas, who is the Assistant Solicitor  
17 in and out of this case, so I wanted to introduce him as  
18 well. Thank you.

19 THE COURT: Mr. Smaldone?

20 MR. SMALDONE: May it please the Court.

21 Good morning, my name is Grant Smaldone. I'm  
22 an attorney. I have the pleasure of representing  
23 Mr. James Brown in this case. My office was in Myrtle  
24 Beach a few years ago. About two years ago, I relocated  
25 to Charleston. Again, my name is Grant Smaldone.

1 Chesterfield.

2 Gentlemen, off the record.

3 (Whereupon, recess was taken at 12:25  
4 pm.)

5

6

**PRETRIAL MOTIONS**

7

8

MR. REDMOND: May it please the Court, Your Honor.

9

THE COURT: Yes, sir.

10

11

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21

MR. REDMOND: First order of business. We discussed this outside of the presence of -- or we discussed it off the record actually, is the amending the indictment. It has the date of the 17th on it. We'd ask for the date to be amended to the 21st. The was a scrivener's error 2017, the 17th, I'm sure that's how that happened inadvertently. But the discovery, everything established in this case, all party's are aware this incident occurred late on January 21, 2017, so that is not an issue. We would argue that is not a material change based on the totality of the circumstances and ask that that amendment be made.

22

THE COURT: Any objection?

23

MR. SMALDONE: No objection from the defense.

24

25

THE COURT: All right. So amended. I need the original.

1           MR. REDMOND: Your Honor, the next -- the next  
2 order of business is actually the defense's motion. And  
3 Mr. Smaldone did make me aware of the fact they were  
4 going to make a motion related to the search warrant.  
5 So at this time I will yield to Mr. Smaldone.

6           The State would profer Captain Wayne Jordan of  
7 the sheriff's office as it relates to the issue of the  
8 search warrant. And specifically, for the record, that  
9 being search warrant for 843-439-7060. The State  
10 contends based on evidence to be presented with the cell  
11 phone belonging to the defendant.

12           THE COURT: Counsel.

13           MR. SMALDONE: Thank you, your Honor. May it  
14 please the Court.

15           This time the defense moves to suppress  
16 evidence seized pursuant to the search warrant in this  
17 case, that Mr. Redmond mentioned. Reason being your  
18 Honor, one the vagueness and over broadness. And two,  
19 primarily with the lack of probable cause upon which it  
20 was issued.

21           If I may approach the podium.

22           I beg the Court's indulgence for me to find  
23 the specific page.

24           Your Honor, on the 24th of January, a few days  
25 after this incident there were several search warrants

1 issued and I believe four total search warrants if I'm  
2 not mistaken. They all have boilerplate language about  
3 what they're seeking. The probable cause statement  
4 however, states this: "That on January 21, 2017 James  
5 Henderson Jr., was shot and killed at his home in  
6 Cheraw, South Carolina. And during this incident he  
7 received several phone calls from the target number  
8 minutes before his murder. This is an ongoing murder  
9 investigation."

10 Your Honor, base upon that, I don't believe  
11 there's any probable cause to issue a search warrant for  
12 someone's phone. Especially, given the scope of the  
13 search warrant. The scope basically asks for anything  
14 and everything relating to that number, including call  
15 records, data and location. Nothing about why they  
16 would want the location. Nothing about why they would  
17 want the data. Just saying, this phone called that  
18 phone a few minute before a murder and so we need to  
19 know everything about this person.

20 Additionally, your Honor, I don't believe that  
21 that is even accurate. We'll get in to that in a  
22 minute. But I don't think that that number even called  
23 the victims phone in this case. So I think there's  
24 really -- on it's face theirs is probable cause to issue  
25 that sort of search warrant. And I don't even think

1 that on it's face, it's accurate. I think that is not  
2 an accurate statement that was made to the Magistrate  
3 when getting the search warrant.

4 THE COURT: Solicitor.

5 MR. REDMOND: The State's prepared to profer  
6 Captain Wayne Jordan, your Honor.

7 THE COURT: All right. Motion's noted. We  
8 will have an in-camera hearing.

9

10 **IN-CAMERA HEARING**

11 THE CLERK: Do you solemnly swear to tell the  
12 truth, the whole truth and nothing but the truth, so  
13 help you God:

14

15 W-A-Y-N-E J-O-R-D-A-N, J-R., the Witness herein, having  
16 been sworn by the Clerk of Court was examined and  
17 testified as follows:

18

19 **DIRECT EXAMINATION**

20 BY MR REDMOND:

21 Q. Captain Jordan, by whom are you employed?

22 A. Chesterfield County Sheriff's office.

23 Q. And how long have you been employed with them?

24 A. Since 2003.

25 Q. And in what capacity are you employed with

1 them?

2 A. Supervisor of the detective unit.

3 Q. Okay. And at the time this occurred in 2017,  
4 what capacity did you serve in at the sheriff's office?

5 A. I was lieutenant as well, supervisory in the  
6 detective unit.

7 Q. I'm going to hand you what's been marked for  
8 ID purposes at this point as State's 1 through 4.

9 (State's Exhibit 1, Search warrant, was  
10 marked for Identification.)

11 (State's Exhibit 2, Certificate of  
12 authentication Verizon, was marked for  
13 Identification.)

14 (State's Exhibit 3, Subscriber info  
15 Verizon, was marked for Identification.)

16 (State's Exhibit 4, Cellphone record  
17 James Brown, was marked for  
18 Identification.)

19 MR. REDMOND: If I may approach the witness,  
20 your Honor.

21 Q. (BY MR. REDMOND) Could you take a look,  
22 starting with State's Exhibit Number 1. Do you  
23 recognize State's Exhibit Number 1?

24 A. Yes. It's a search warrant I had signed by  
25 the Magistrate.

1 Q. Okay. And what phone number is the target  
2 number for that search warrant?

3 A. (843) 439-7060.

4 Q. And we'll get into who that phone belongs to  
5 in a few minutes. But what is it that lead you to --  
6 what, in this case, lead to you feeling the need to get  
7 a search warrant for this cell phone?

8 A. After doing the investigation, we had the  
9 victim's cell phone information. Numerous calls had  
10 been made to the victims cell phone and text messages --

11 Q. And let me back up. The victim in this case,  
12 to be clear is the victim, James Henderson Jr.?

13 A. That's correct.

14 Q. And is this the murder that happened January  
15 21st, 2017, on Hillian-Edwards Road vicinity?

16 A. Yes, that is correct.

17 Q. Go ahead. I'm sorry.

18 A. We got several -- we got several messages from  
19 his phone -- to his phone from numerous folks coming to  
20 speak with him or have an altercation with him.

21 Q. Pursuant to the extraction that was done from  
22 the victim's phone, did you subpoena -- excuse me, get  
23 search warrants for numbers that were on the victim's  
24 phone?

25 A. I did. I got numerous search warrants for

1 numerous numbers that were on the victim's phone.

2 Q. And was this number one that was on the  
3 victim's phone?

4 A. If I recall correctly, it was.

5 Q. Okay. Now you were asked -- defense mentioned  
6 about the face of the affidavit.

7 A. Uh-huh.

8 Q. Did you supplement that affidavit with  
9 testimony to the Magistrate? In other words, when you  
10 go to get the search warrant, do you swear an oath to  
11 protect the Magistrate?

12 A. Yes, obviously. Yes.

13 Q. Okay. And what did you -- to the best that  
14 you can recall, what did you tell the Magistrate in  
15 support of you getting the search warrant?

16 A. That this number was also associated with the  
17 victim's phone as far as numerous threats and it was  
18 part of an ongoing murder investigation.

19 Q. And to be clear, were there other phone  
20 numbers associated that were of concern?

21 A. There were numerous phone numbers. I did  
22 numerous search warrants and numerous phone numbers.

23 Q. Okay. And again, was this number one that  
24 showed up on the victim's phone?

25 A. To the best of my recollection it was.

1 Q. Now, let's move forward. So now we move to  
2 what you received from Verizon. When you received the  
3 information, and I guess that's State's 2, 3 and 4 --  
4 let's start with State's 2: What is State's Exhibit 2,  
5 what does that represent?

6 A. Two, is just a form letter that comes from  
7 Verizon. If I'm not mistaken, this is a Verizon phone.  
8 Just stating that the person that gathered the records  
9 using the search warrant. And these are all the records  
10 that I requested at the time. And I had a specific date  
11 and time I wanted them to give me a records for.

12 Q. And is that what we commonly refer to as a  
13 certificate of authenticity?

14 A. That is correct.

15 Q. Moving on to State's 3: What does State's 3  
16 represent?

17 A. State's 3 has the phone number of the cell and  
18 also has account number and also talks about who owns  
19 the phone, an address of who owns the phone.

20 Q. And who does it say owns that phone?

21 A. It says it belongs to James Brown, 308 Scotts  
22 Lane in Bennettsville.

23 Q. Okay. Now moving on to State's 4: What is  
24 State's 4?

25 A. State's 4 is the incoming and outgoing phone

1 second calls that were made during this time.

2 Q. Was that information subsequently sent to SLED  
3 for further analysis regarding cell tower mapping and  
4 such?

5 A. That is correct. I'm not -- I'm not able to  
6 map phones. I sent all -- I sent all of our stuff to  
7 State Law Enforcement. They have a special unit that  
8 takes care of all that.

9 MR. REDMOND: That's all the questions I have  
10 at this time, your Honor, for Captain Jordan.

11 Please answer any questions the defense or the  
12 Court may have.

13 MR. SMALDONE: I beg the Court's indulgence  
14 for just a moment.

15

16 CROSS-EXAMINATION

17 MR. SMALDONE:

18 Q. Good afternoon.

19 A. Good afternoon, sir.

20 Q. In this case, how did you initially -- how did  
21 you initially receive the number ending in 7060? How  
22 did you pull that phone number -- I'm sorry. How did  
23 that phone number become significant to you?

24 A. It was collected in the course of the  
25 investigation through -- several of our investigators

1 collected that number through various witness statements  
2 during the investigation.

3 Q. Okay. Did you know from who?

4 A. I do not know from who. It was not brought to  
5 my attention who gave what investigator the information.  
6 It was just collected. And at the end of the day, we  
7 debriefed and we took all the numbers that were  
8 collected, every suspect or defendant that was collected  
9 and we used that to collect our information and do our  
10 investigation.

11 Q. All right. So basically some investigator,  
12 some other investigator got that number from a witness;  
13 right?

14 A. That's correct.

15 Q. All right. Do you know if it came from the  
16 victim's phone in this case?

17 A. I believe it all came from the victim's phone,  
18 yes.

19 Q. Do you know if the victim's phone was  
20 recovered?

21 A. The victim's phone was recovered. I do not  
22 know how it was recovered. It was given to us by the  
23 girlfriend or the mother of child of the victim -- not  
24 the mother of the victim, but the victim's baby's  
25 mother.

1           Captain Vaughn did an emergency ping because  
2 he was considered missing at the time. Until we found  
3 the shots fired and found him deceased by gunshot and we  
4 started tracking and backtracking from his phone to  
5 certain various people that sent him texts and phone  
6 calls. And if I'm not mistaken, this was one of many  
7 numbers that called him that night.

8           MR. SMALDONE: I beg the Court's indulgence.

9           Q. (MR. SMALDONE) Do you know the victim's phone  
10 number? You can look at your notes if you need to.

11          A. No, not off the top of my head. I do not know  
12 the victim's phone number.

13          MR. REDMOND: Your Honor, may I approach the  
14 court reporter. I'm going to mark this, I think it's  
15 going to be State's 17.

16                       (State's Exhibit 17, Cell phone report,  
17                       was marked for Identification.)

18          MR. REDMOND: And your Honor, I apologize I  
19 mistakenly thought Mr. Smaldone was done. I will  
20 actually get back into that once he's finished.

21          MR. SMALDONE: All right. I beg the Court's  
22 indulgence, I'm trying to pull some records here that I  
23 can't seem to...

24 BY MR. SMALDONE:

25          Q. You obtained the number from a witness or from

1 an investigator that got it from a witness that said it  
2 was involved and on the victim's phone; right,  
3 essentially?

4 A. I believe that's correct.

5 Q. And you later learned that that number, the  
6 number ending in 7060 never called the victim in this  
7 case; right?

8 A. I can't say whether it did or didn't. I don't  
9 know.

10 Q. Okay. Did you ever know whether it did or  
11 didn't?

12 A. I never looked at -- like I said, I don't  
13 acquire the records. I don't analyze the records. I  
14 give them all to SLED and let them analyze it. I cannot  
15 say yes or no to that question.

16 Q. Okay. Can you say yes or no whether that  
17 number ending in 7060 texted the victim's phone in this  
18 case?

19 A. Again, I cannot answer that question.

20 Q. Can you say whether the phone number ending  
21 7050 was saved in the victim's phone in this case?

22 A. Again, I can't tell you about the phone that  
23 was saved because, to my knowledge, we never recovered  
24 the phone.

25 Q. Okay.

1           A.    We got the phone records from doing a search  
2 warrant because it was an AT&T phone at the time if I  
3 remember correctly.

4           Q.    All right.  Okay.  So you never recovered the  
5 victim's actual phone.  You just pulled of the his  
6 records?

7           A.    To my knowledge I do not know if we recovered  
8 the phone.  I don't remember.  I can't tell you that.  
9 All I know is that we did a search warrant and I'm  
10 pretty sure it was an AT&T phone because I remember us  
11 pinging that phone that night that gave us  
12 latitude/longitude coordinates.  So I'm pretty sure it  
13 was going to be an AT&T phone and that's where we got  
14 most of our records from at the time.  To tell you that  
15 we have the phone in our custody, I cannot tell you  
16 that.

17          Q.    Okay.  All right.

18               MR. SMALDONE:  Court's indulgence for one  
19 minute.

20               I don't have any further questions for you.  
21 Thank you.

22               MR. REDMOND:  Your Honor, may I approach the  
23 witness with what's now been marked as State's 17 --

24               THE COURT:  You may.

25               MR. REDMOND:  -- just to clear up some things?

## REDIRECT EXAMINATION

1  
2 BY MR. REDMOND:

3 Q. And I'll hand you, Captain Jordan, what's been  
4 marked as State's 17.

5 First of all, I will actually stipulate for  
6 the record that we do not have any phone calls being  
7 made between the victim's phone number and to the  
8 defendant's phone. However, I'm going to ask you,  
9 Captain Jordan, what is State's 17 that I just handed to  
10 you?

11 A. This appears to be, what I know it to be is a  
12 phone extraction report. And that is basically from a  
13 Cellebrite system that we have in our office, myself,  
14 First Sergeant Graig Burns. We are trained and we have  
15 been trained by the State of South Carolina Law  
16 Enforcement Division to extract phone information data  
17 that would have been on a phone through various forensic  
18 extractions.

19 Q. Let me ask you this: If you could, if I could  
20 approach, what is the date that's listed as far as that  
21 extraction? When was that extraction done?

22 A. I believe this was done on February --  
23 correction, January the 23rd 2017, at approximately  
24 20:52, which would have been eight o'clock or 8:52 at  
25 night.

1 Q. And to be clear the MDN, which is the phone  
2 number, what is the phone number listed?

3 A. MDN which is phone number (843) 703-9566.

4 Q. Ad is that the victim's phone based on your  
5 investigation of phone number?

6 Let me ask you this. Let me move on. Have  
7 you had a chance -- when you met -- being lieutenant of  
8 investigations, when you met with your officers, did you  
9 go over all that evidence especially before you got the  
10 search warrant?

11 A. Of course.

12 Q. And of course it's been four years so I'm  
13 going to ask you to move down to the text message  
14 portion of this phone. That's right towards the ends.

15 A. Yes, sir.

16 Q. And I'm going to direct your attention to the  
17 next to last page.

18 Does the defendant's phone number show up from  
19 S.dot?

20 A. Yes, it does. Which would be our line item or  
21 the extraction number 11091. It's going to be on our  
22 line 11091 coming from (843) 535-2507. The contact name  
23 in phone is Deuce S.dot DA. And at one, on January 21,  
24 2017 at 28 -- 20:37 hours, which is 8:37 in the evening,  
25 Mr. Henderson read an incoming text and incoming text

1 with a phone number and it's (843) 439-7060.

2 Q. Of course as we've established, is that -- did  
3 that number -- is that the number you discovered was the  
4 defendant's cell phone?

5 A. That is the defendant's cell phone, yes.

6 MR. REDMOND: That would be all the questions  
7 I have at this time.

8 THE COURT: Defense?

9 MR. SMALDONE: Just a couple.

10

11

RECROSS-EXAMINATION

12

BY MR. SMALDONE:

13

Q. Let me just clarify. So we know that  
14 defendant's phone never called victim's phone; right?

15

A. Uh...

16

MR. REDMOND: We'll stipulate to that, your  
17 Honor. The defendant's phone never actually called the  
18 victim's phone.

19

CAPTAIN JORDAN: Not without me going through  
20 all this, I mean, I don't know.

21

MR. REDMOND: I can stipulate to that.

22

MR. SMALDONE: All right.

23

Q. (MR. SMALDONE) And stipulate -- we can  
24 stipulate that defendant's phone never text the victim's  
25 phone?

1           A.    I guess so, yes.

2           Q.    So what we have is someone else texting the  
3 phone -- my client -- the 7060 phone number to the  
4 victim; correct?

5           A.    That's part of it, yes. Like I said, during  
6 the investigation, we had folks giving us information,  
7 giving us names. Plus we went through the phonebook, we  
8 had this number as well.

9           Q.    So it would basically be like me texting you  
10 the court reporter's phone number; right?

11          A.    And I also wouldn't say the court reporter was  
12 involved in the incident. Yes.

13          Q.    Okay. And that was not -- but that  
14 information was not on the search warrant; correct?

15          A.    No, sir.

16               MR. SMALDONE: No further questions.

17               MR. REDMOND: We need to clarify one more  
18 thing real quick for the record.

19

20                               (RE) REDIRECT EXAMINATION

21 BY MR. REDMOND:

22           Q.    As best you can recall on the 21st, it's in  
23 the record and on the cell phone records, the victim's  
24 extraction records 20:37 about 8:37; did that text  
25 message get sent within a, I guess within a couple of

1 hours or so before the victim was killed?

2 A. If I recall correctly. I think we got the  
3 call around 9:30, 10:00 in the evening, 9:30, 10:30 in  
4 that ballpark is when I remember going out there. I  
5 know it was early. I know it was before midnight. And  
6 I know it was, I think after 9:00-ish. Again, this was  
7 four years ago and so I would have to look back at the  
8 call report. But to the best of my knowledge this text  
9 message was sent at 20:37, which is 8:37 in the evening  
10 and around again, 9:30 to 10:30 in that ballpark is when  
11 we, as the sheriff's office, was dispatched in reference  
12 to this incident.

13 Q. And just to be able to put it in context, the  
14 other text, were there any other text messages that were  
15 being sent during that time that lead to search warrants  
16 being issued? Any particular numbers that you recall  
17 during that time that text messages were being sent?

18 A. Yes.

19 Q. And could you explain that to the Court.

20 A. You know, several defendants, we got their  
21 text messages -- we got their information through text  
22 messages and messages that were sent to the victim.  
23 Messages and phone calls that were sent to other  
24 witnesses.

25 Q. And would one of those people be Brenton

1 Davis?

2 A. That's correct.

3 Q. Were there in that extraction text messages  
4 between Brenton Davis and the victim, James Henderson  
5 Jr. -- I'll ask you like this: Was there a 347 number  
6 where text messages were being sent to the victim?

7 A. I believe so, yes.

8 Q. If you can look and see just to -- so it's  
9 clear for the record.

10 A. 347? What do you mean by "347"?

11 Q. The first numbers. In other words, the area  
12 code?

13 A. Area code?

14 Q. Area code 347.

15 A. For sure, yes. There's numerous, numerous,  
16 text messages between the victim and the 347 number, I'm  
17 assuming is going to be Mr. Davis.

18 Q. And since we're outside the presence of the  
19 jury, was that numbers cell records, were those records  
20 obtained for Brenton Davis?

21 A. Again, we did -- actually there was a search  
22 warrant done for his phone. We also had his phone. He  
23 would not give us the pin code to get inside his phone.  
24 So we were allowed to send his phone back to Cellebrite.  
25 Do you want me to get into all that?

1 Q. No, we don't have to get in to all of the  
2 details there.

3 A. We did a search warrant on his phone. Got  
4 those phone records. We also did an extensive further  
5 search warrant by sending his phone back to Cellebrite,  
6 which is the company that we use to extract the data and  
7 they were able to get inside the phone and get us even a  
8 2-terabyte hard drive full of phone records.

9 Q. I guess what I was asking is: Did you get  
10 Sprint, I think it was, cell phone records on Brenton  
11 Davis?

12 A. That's correct.

13 Q. Okay. And we got Verizon cell phone records  
14 from the defendant?

15 A. That's correct.

16 Q. Were those records both sent to SLED at  
17 difference times?

18 A. Everything was sent to SLED.

19 Q. Okay. And was there a mapping done on Brenton  
20 Davis' phone?

21 A. That is correct. Yes, there was.

22 Q. And was there a mapping done on the  
23 defendant's phone?

24 A. Yes, there was.

25 Q. And again, we're outside the presence of the

1 jury so I'm going to ask you this: Did both of those  
2 have the defendant's, Brenton Davis -- Brenton Davis and  
3 the defendant in Chesterfield County in the vicinity of  
4 Hillian-Edwards Road?

5 A. Most definitely.

6 Q. And is that part of the reason that you  
7 obtained the search warrant to get the records to be  
8 able to get location data to place those defendants?

9 A. That's correct.

10 MR. REDMOND: That would be all the questions  
11 I have, your Honor.

12 THE COURT: Anything further?

13 MR. SMALDONE: No.

14 THE COURT: With the objection of the  
15 testimony and having dealt with similar search warrants  
16 before, in fact, we had a trial last year or a year and  
17 a half ago before the pandemic hit and got deep into the  
18 cell phone technology. I don't see any problem with the  
19 warrant.

20 I'll deny the objection. Overrule -- I'm  
21 sorry, overrule the objection.

22 MR. REDMOND: Thank you, your Honor.

23 Your Honor, the last housekeeping matter  
24 before we're ready to begin, is that we have come to an  
25 agreement on certain exhibits. I'll get with the

1 defense tomorrow morning on the rest of the exhibits,  
2 but the exhibits that I think we'll see today coming  
3 into play, State's 5 through 15, we would ask that those  
4 be admitted into evidence without objection from the  
5 defense.

6 MR. SMALDONE: Those -- I don't object to  
7 those.

8 THE COURT: All right. In without objection.

9 (State's Exhibit 5 - 15, Photographs, was  
10 marked in evidence.)

11 MR. REDMOND: And there's one other thing I  
12 need to mention, your Honor. I forgot to, as a  
13 housekeeping matter, that -- and we won't get into this  
14 today, but just since it's already been mentioned, with  
15 the certificate of authenticity I would cite, I think  
16 it's 19-5-20 of South Carolina Code as it relates to the  
17 certificate of authenticity which was discussed during  
18 this hearing, I would ask that pursuant to such, and I  
19 think out of an abundance of caution I need to introduce  
20 as Court exhibit's at this time -- well, when I say  
21 "these," actually the search warrant -- and yes, I'll  
22 make the search warrant as State's 1 as an exhibit for  
23 the purposes of this hearing. As it relates to State's  
24 2, 3 and 4, those will come in during the course of the  
25 trial. However, pursuant to Statute 19-5-20, I would

1 ask that, because we do have the certificate of  
2 authenticity, which I will pass up to the Court, that  
3 that statute would allow us to go ahead and introduce  
4 these records in evidence. And would actually ask that  
5 State's 2, 3 and 4 also be admitted pursuant to the  
6 testimony from the hearing with Captain Jordan.

7 THE COURT: Anything for the record, Counsel?

8 MR. SMALDONE: Your Honor, just over my -- I  
9 renew my objection about the cell phone issues. I  
10 haven't researched that statute, but I recall one saying  
11 that basically a certificate of authenticity would  
12 suffice in lieu of testimony. So --

13 THE COURT: All right. Previous objection  
14 noted on this ruling, but I will overrule the objection.

15 MR. REDMOND: And with that, your Honor, I  
16 think the State -- I think that is all we have for the  
17 State and the State is ready for the jury.

18 THE COURT: All right. I'm going to give  
19 y'all a minute or two to get ready.

20 Let me meet with the officers.

21 (Whereupon, a brief recess was taken.)

22 (Jurors entered.)

23 THE COURT: First thing we're going to do is  
24 get you sworn so we can get started.

25 Madam Clerk?

**OPENING STATEMENTS**

1  
2 MR. REDMOND: Thank you, your Honor. May it  
3 please the Court, Mr. Smaldone.

4 Ladies and gentlemen, we live -- I think I'd  
5 be remiss if I did not at least address the times we  
6 live in and the challenges that you are actually  
7 experiencing right now. And unfortunately, all of us  
8 have experienced during the course of the last year  
9 plus.

10 Let me say on behalf of the State, we  
11 sincerely appreciate your willingness to serve, because  
12 again, we are living in challenging circumstances and  
13 times. But yet your willingness to come and help us  
14 keep the wheels of justice turning is very much  
15 appreciated.

16 And speaking of that, the reason that we --  
17 despite the challenges that we have faced, one of the  
18 things I strongly believe is that the wheels of justice  
19 must continue turning for all of us, for the good of  
20 society. That is why we have undertaken with these  
21 safeguards to continue moving forward with prosecution  
22 and trials of cases and that's what we're here to do  
23 today.

24 As you heard, this is a murder case. One of  
25 the most, if not the most serious types of cases that

1 you can bring to a jury. Again, as the Court -- as  
2 Judge Birch indicated earlier, I've heard it said, other  
3 than times of war, this is the highest duty that a  
4 citizen can perform. And again, I do -- with all of  
5 that said, I do express my appreciation.

6 My name is Kernard Redmond. I'm Deputy  
7 Solicitor as I told you earlier. I will tell you,  
8 please excuse me, I will definitely do my best to keep  
9 the six-foot distance. But I am not used to standing in  
10 front of a podium. I am a walker. I like to move so  
11 please excuse me. I'm going to do my best not to  
12 violate it. But I had a trial in Darlington a few  
13 months ago and a couple of times I got a little too  
14 close and the jury was kind of looking like, you know,  
15 back up a little bit. So please, if I do invade anybody  
16 personal space, I assure you, it's inadvertent and I  
17 will do my best to adhere to all safety protocols.

18 Now, the thing about this case -- getting into  
19 this case, I think is ambush. That's the key thing.  
20 You know, when I have cases that I try, usually there's  
21 something in a case you can kind of draw in on that  
22 pretty much puts it in proper context. And here, to me,  
23 is "ambush," because what we have here is on the 21st of  
24 January of 2017, on Hillian-Edwards -- off  
25 Hillian-Edwards Road, there was a park, a mobile home

1 park off of Hillian-Edwards Road between Cheraw and  
2 Chesterfield. It was considered the Cheraw section of  
3 Chesterfield County. Be that as it may, at that time  
4 between 10 -- 11 o'clock, James Henderson Jr., was at  
5 home and you'll hear who he was with, including the  
6 kids, when he was being contacted through the course of  
7 the evening, constantly contacted. Ultimately, for the  
8 good of his family, he goes outside and walks in an  
9 ambush. He walks into gentleman who had driven, not  
10 from here in Chesterfield County but had driven from  
11 Marlboro County to engage him. We contend to ambush  
12 him. You'll hear more about that as the testimony goes  
13 forward in the trial.

14           So he's at his place of residence. This is a  
15 Saturday evening I believe. So he's there with his  
16 family and he's being interrupted, and he finally comes  
17 outside and at the time he went outside, that was the  
18 beginning of the end of James Henderson Jr.'s, life.  
19 Because shortly, thereafter, the sounds of gunshots rang  
20 out in this neighborhood. And let me be clear, when I  
21 say "this neighborhood" -- and there are some photos  
22 that we'll introduce during the trial -- this is an  
23 inhabited area. This is a neighborhood. You've got  
24 several individuals and you will hear testimony as to  
25 how many guns at very least were being fired that night

1 at Mr. Henderson. But you've got an inhabited area  
2 where these folks come in to Chesterfield County with  
3 reckless abandon, engage Mr. Henderson. One on several,  
4 four or five at least, resulting in his death. He takes  
5 off running for his life. Interestingly, you will hear  
6 where he didn't run back into his residence, he ran away  
7 from his residence. To me that is significant as a  
8 father. But he runs away from the residences.  
9 Unfortunately, he ended up succumbing to his injuries.  
10 He was not found for an excess of an hour, hour and a  
11 half, if I recall correctly, and you will hear that in  
12 testimony.

13           When he was found across on the other side in  
14 the southbound -- not the southbound lane -- in the  
15 eastbound lane on Highway 9 across the road and you'll  
16 see that. We've got some non-gory pictures to show you  
17 where he was found, succumb to his injuries. He was at  
18 home basically minding his own business when these folks  
19 decided to come. We will contend that the evidence will  
20 show that the defendant, James Monroe Brown, was one of  
21 those individuals who came from Marlboro County in  
22 engage James Henderson Jr., our victim.

23           Here's the thing I want you to remember. This  
24 what we call an accomplice liability, hand of all --  
25 hand of one is the hand of all case.

1           In South Carolina, I, as the prosecutor, do  
2 not have to definitively prove to you which person fired  
3 the fatal shot or that he fired at all. All I have to  
4 do is show that he was actively involved in abetting,  
5 aiding the people that were involved -- everybody. He  
6 was a part of this group that ended up resulting and  
7 killing Mr. Henderson.

8           And as I said, evidence will show that there  
9 were several guns that were being fired at Mr. Henderson  
10 that night.

11           To be clear, the law does not require me to  
12 prove that he actually had a gun in his hand at all. I  
13 have to prove that he was a part of this group and he  
14 was an active participant in what was going on that  
15 evening. To do that, we have to place him there. And  
16 you will hear evidence as it relates to the fact that  
17 the defendant was actually in Chesterfield County. You  
18 will also hear evidence from the defendant himself,  
19 given through statements that he gave law enforcement.  
20 And you will see how it took technology to be able to  
21 rule out that the defendant was lying about his  
22 whereabouts and about what transpired. And I'm not  
23 going to get into all the evidence because it's not  
24 appropriate for me to do it at this time. This is an  
25 introduction of this case. You will hear the evidence

1 from the witness stand and through evidence and exhibits  
2 that are presented.

3 I can tell you this, ladies and gentlemen,  
4 when you have a group of folks that decide for whatever  
5 reason and that's another thing to, whatever reason, it  
6 might not be clear as to why at the end of this. It may  
7 not been clear as to why they did that but the fact that  
8 they did it is the controlling factor in this particular  
9 case.

10 The fact that they came from Marlboro County  
11 on a Saturday night to engage Mr. Henderson at this  
12 place of residence with his family, that is what  
13 controls how this case should be proceeded. That is  
14 what controls the context that we place this case in.

15 I will be much more detailed, hopefully not  
16 too much longer in my closing. This is not going to be  
17 a long case. I mean, we will have this case completed  
18 before the end of the week as long as things move  
19 smoothly. But just because the length of a case has no  
20 bearing on the importance of a case. Just because this  
21 case is not like some that you may see that last for  
22 weeks and weeks on end, it is still a very important  
23 case. A very important case to the State. It's a very  
24 important case for those folks, his family.

25 And I thank you in advance for the attention

1 that you will be paying to this case because it is  
2 important. It is important to all parties. And I will  
3 submit to you that once you hear all of the evidence,  
4 that you will find that the Defendant, James Monroe  
5 Brown, is guilty of murder under the theory hand of one,  
6 hand of all, under the legal principal of the hand of  
7 one, hand of all, accomplice liability.

8 I thank you and I look forward to speaking to  
9 you in summations.

10 THE COURT: Counsel?

11 MR. SMALDONE: May it please the Court.

12 THE COURT: Yes, sir.

13 MR. SMALDONE: Ladies and gentlemen of the  
14 jury, good afternoon. This is probably -- I think this  
15 is the second trial I've tried during COVID. I think a  
16 good motto for COVID is, "We're trying our best." No  
17 one is sure what to do. No one is sure what not to  
18 document. We're trying our best. And I'm going to try  
19 my best for y'all and respectfully, my first duty is to  
20 James. My first duty is to my client, James, and so  
21 because of that, I think it's important for y'all to  
22 hear me and understand what I'm saying. So I'm going to  
23 take off my mask and if y'all are mad about that, y'all  
24 can take it out on me. Don't take it out James and  
25 don't take it out on Judge Birch or the Court staff. I

1 just think it's appropriate that I be able to address  
2 you a little more naturally than normal. And honestly,  
3 I've -- not that we're sure if it matters or not, but I  
4 have been vaccinated.

5           So like I said, this is the second trial I've  
6 done during COVID. I've got to say, this is the first  
7 trial I've ever done where I am sitting on the same  
8 ground with no barriers in between me and about half of  
9 the jury. When I saw them sit y'all right down on the  
10 floor, I was a little perplexed by it, I guess is the  
11 right word. And then I thought more about it and I  
12 liked it. I like that y'all are on the same kind of  
13 level of me. Nothing's separating you from me and  
14 nothing separating you from James, because I think  
15 sometimes our justice system is so important and it's so  
16 maybe grandiose, is the word I'm looking for. There's a  
17 lot of pomp in circumstance and sometimes we can kind of  
18 get lost in that. Sometime we can kind of get lost in  
19 legal sayings and the beauty of a courthouse and sitting  
20 behind the podium and me asking to approach every time I  
21 approach the judge and rules of evidence. But I think  
22 it's nice that y'all are all here with me now. I hope  
23 that it let y'all or most of y'all, sorry, back there.  
24 That some of you y'all are with me and with James, so  
25 y'all can see kind of on a human level, rather than a

1 society level, on a human level of how important this is  
2 to James. How important it is to everybody. It is easy  
3 to get lost in things. This is -- this is about James.  
4 This is his day in court. And he's been waiting for  
5 this, as y'all will hear, for a long time.

6           When I say this is James' day in court, that  
7 technically true. Although, the person on trial here is  
8 really the State of South Carolina. Because right now,  
9 James sitting next to me, he can sit next to me the  
10 whole time and not do anything. He can sit next to me  
11 without a lawyer, without me there. I could be playing  
12 Pokemon Go on my phone and that doesn't change anything,  
13 because the State is on trial today. They have to prove  
14 beyond a reasonable doubt each and every element of what  
15 James is accused of. You probably hear that a lot about  
16 on TV or on legal shows, reasonable doubt and  
17 presumption of innocence. And sometimes, in my earlier  
18 years and sometimes even now, I kind of skip over that  
19 because I assume that y'all know it.

20           You went to school, you might watch TV, you  
21 might watch Law and Order or CSI if you're bored enough.  
22 I think it's important for me to tell y'all that James  
23 is innocent today. And it's the State's job to attempt  
24 to prove him guilty beyond a reasonable doubt of what  
25 he's charged with. Right? And there's no in between

1 there.

2           When I was real little, you know, sometimes  
3 you get words that sound alike mixed up. Even when  
4 you're an adult, when you're little you do it a lot.  
5 For some reason, I got the words burden and boulder  
6 mixed up, because I think I went to church and then  
7 burden is a big word, kind of, they use in churches and  
8 I thought that it meant -- a burden meant a large rock.  
9 But now that I'm older, it kind of does in a way.  
10 Because it's the State's job. It's like they have a big  
11 rock, a big boulder on themselves. They've got to  
12 either lift it off or not. There's a big rock, there's  
13 not much leeway, you don't just kind of keep it in the  
14 middle for awhile because it's going one way or the  
15 other.

16           So the State right now has to get that off the  
17 chest. And the way that they are -- they should attempt  
18 to do that is what? Evidence, right? Evidence is what  
19 makes -- evidence is the difference between me and  
20 Mr. Redmond talking at y'all right now, for lack of a  
21 better word, talking at y'all, the difference between  
22 that and things that matter in this case, things that  
23 come from that chair right next to the Judge.

24           The Judge said it before, "Evidence is  
25 anything that comes from that chair," whether it be

1 documents that a witness talks about, whether it be  
2 testimony, that's primarily what you'll hear, photos,  
3 things of that nature, evidence come from there.

4 But I submit to you, y'all aren't going to  
5 hear much of that in this case. Y'all aren't going to  
6 hear much evidence that ties James to any of this.  
7 They've got a bunch of just blank spaces. It's like  
8 when you put a puzzle together and 90 percent of the  
9 pieces are missing and then someone says, "What's that,  
10 a horse?" "No, it's a castle." You can't even tell  
11 what it is because all the holes they have and all the  
12 nonsense, all the gaps.

13 So ladies and gentlemen of the jury, I'm going  
14 to sit down in a second and I'm going to ask that y'all  
15 pay close attention to everything the State has to say,  
16 everything I have to say and all the evidence that you  
17 hear. Because you're going to hear a lot more gaps than  
18 you hear facts and that is going to easily lead you to  
19 the only true verdict in this case and that's the right  
20 verdict, that James is not guilty of this offense. And  
21 the reason will be, not that the State hasn't proven it  
22 enough or not some legal loophole or anything like that,  
23 that's because he didn't have anything to do with it.  
24 That's what the evidence and lack of evidence is going  
25 to show, that he didn't have anything to do with it.

1 And that's why we're here today. Like I said, we've  
2 been waiting a long time. I thank y'all for listening  
3 to me. I thank y'all for listening to the State and I  
4 thank you in advance for finding the right verdict in  
5 this case. Thank you.

6 MR. REDMOND: The State would first call Timmy  
7 Jordan.

8 THE BAILIFF: Come around and be sworn please.

9 THE CLERK: Place your hand on the bible and  
10 raise your right:

11

12 T-I-M-M-Y J-O-R-D-A-N, the Witness herein, having been  
13 sworn by the Clerk of Court, was examined and testified  
14 as follows:

15

DIRECT EXAMINATION

16 BY MR. REDMOND:

17 Q. Staff Sergeant Jordan, by whom are you  
18 employed? By whom are you employed?

19 A. Chesterfield County.

20 Q. And how long have you been with Chesterfield  
21 County?

22 A. Going on six years.

23 Q. And I've already told you're capacity, but in  
24 what capacity do you work with the sheriff's office?

25 A. I'm first sergeant of the shift.

1 Q. Okay. Now, with -- at the time of this  
2 incident, on the 21st of January 2017, were you employed  
3 with the sheriff office?

4 A. Yes, sir.

5 Q. And at what capacity were you employed with  
6 them at the time?

7 A. I was a deputy.

8 Q. Okay. And were you on patrol that evening?

9 A. Yes, sir.

10 Q. And did you get dispatched to the  
11 Hillian-Edwards Road vicinity?

12 A. Yes, sir.

13 Q. Could you tell us about that.

14 A. Yes, sir. On January 21, 2017, at 11:03, I  
15 was dispatched to ■ Hillian-Edwards Road in regards to  
16 shots fired.

17 Upon arrival, I made contact with Ms. Ingram  
18 at that residence, ■ Hillian-Edwards, and she was very  
19 irate, scared, frightened, didn't know what was going on.  
20 She kept saying "He's missing, he's missing." It took  
21 me a period of time to gather information from  
22 Ms. Ingram due to her actions and frightfulness. At the  
23 time when Ms. Ingram was able to tell me what was going  
24 on, she said that Mr. Henderson had come in that evening  
25 from taking a friend home, Quincy Gordan, who lived

1 right down the road and when he came in, he made a  
2 statement that, "They're trying to put me in a box."

3 MR. SMALDONE: Objection, your Honor.

4 Q. (BY MR. REDMOND) Rather than saying what she  
5 -- let me ask you this: At the time she was saying all  
6 of this, how would you describe her demeanor?

7 A. Her demeanor?

8 Q. Yeah, how was she acting? Was she -- give me  
9 -- what was her emotion?

10 A. Very upset.

11 Q. Would you -- okay. And during the time when  
12 you were asking her this, did this incident -- was this  
13 incident, did it appear to still be fresh with her?

14 A. Yes, sir.

15 Q. Okay.

16 MR. REDMOND: Your Honor, I'd ask that this be  
17 allowed under excited utterance, given the fact that  
18 based on this testimony she was still under the stress  
19 of the situation. I would cite 803-1, excited  
20 utterance, given the circumstances of what was taking  
21 place.

22 MR. SMALDONE: Your Honor, I believe he was  
23 going to get into double hearsay. If I recall  
24 correctly, he was about to get into double --

25 MR. REDMOND: I don't think I took it that

1 way. I think -- the way I took it is, that she was  
2 saying what -- I'll just ask it like this.

3 Q. (BY MR. REDMOND) Did she tell you -- with what  
4 you're about to testify to, was that what she said  
5 Mr. Henderson said or what somebody else said?

6 A. What Mr. Henderson said.

7 MR. SMALDONE: Renew my objection. She said  
8 something he said and now he's saying it.

9 MR. REDMOND: Your Honor, I can actually get  
10 into that through -- Ms. Ingram's going to testify, so I  
11 think I can get into that through her. I'll move on as  
12 it relates to Mr. -- to Sergeant Jordan.

13 THE COURT: That would certainly keep it  
14 cleaner --

15 MR. REDMOND: Yes, sir.

16 THE COURT: -- on the record.

17 Q. (BY MR. REDMOND) Moving on. So you did have a  
18 discussion with Ms. Ingram, Moniquah Ingram?

19 A. Yes, sir.

20 Q. And did she -- without saying what she said,  
21 did she give you some background information as to why  
22 she was so concerned?

23 A. Yes, sir.

24 Q. Okay. Taking that information, tell us what,  
25 in your role, did you -- yet, again, without saying what

1 she said, what did you do as a part of your role in law  
2 enforcement at the time at the scene?

3 A. At that time I did call for backup and  
4 investigators to be dispatched to that location.

5 Q. Now, and this is key, at this point had y'all  
6 found James Henderson, Jr.?

7 A. No, sir.

8 Q. Okay. So at that time was there still hope  
9 that he was alive?

10 A. Yes, sir.

11 Q. And at that time was this being treated as a  
12 murder scene?

13 A. At that time?

14 Q. At that time -- at the time before he was  
15 found?

16 A. No, sir.

17 Q. Okay. So and you were saying that other  
18 people arrived, you called for backup. So tell us about  
19 that, what transpired from there?

20 THE COURT: Let me -- can y'all hear? They  
21 are having trouble with this system. Sorry, Solicitor,  
22 go ahead.

23 Q. (BY MR. REDMOND) Staff Sergeant Jordan, could  
24 you -- could you go ahead and answer that. What did you  
25 do after that? I guess continue telling us what you

1 did. You called for backup so tell us about that.

2 A. Once backup arrived, I then turned the scene  
3 over to investigation.

4 Q. What was your role once the scene was turned  
5 over, what's your role at that point in time?

6 A. I just stayed with Ms. Ingram at that time.

7 Q. Okay. Did -- what observations did you have,  
8 the best that you can recall? What observations did  
9 you, yourself, have of the scene that you had responded  
10 to?

11 A. I want to say before the investigators were  
12 on-scene, we did notice that there was bullet holes in  
13 the trailer next door and a couple of casings on the  
14 ground there at the residence.

15 Q. At that time did you collect anything or was  
16 that left for the investigators?

17 A. That was left for investigation.

18 Q. Okay. Just to be clear, and I think -- did  
19 you prepare a report based on responding to the scene  
20 that night?

21 A. Yes, sir.

22 Q. Did you have a chance to review your report  
23 before today?

24 A. Yes, sir.

25 Q. And with what you just talked about as far as

1 the bullet holes in the trailer, shell casings, were  
2 those all observations that you, yourself, made?

3 A. I did look at them. Yes, sir.

4 Q. At that point in time had Mr. Henderson been  
5 found? Had he or his body been found at that point?

6 A. No, sir.

7 Q. So everybody else arrives. Just tell us what  
8 you were doing leading up to the time that he was  
9 actually found.

10 A. I stayed with Ms. Ingram for a period of time,  
11 continued to gather information. Once investigators and  
12 everybody arrived and they secured the area there where  
13 the casings were found and we made sure that there was  
14 no one in the residence next door, we then started  
15 searching for Mr. Henderson.

16 Q. Do you recall about how long before he was  
17 found?

18 A. It was well over an hour.

19 Q. Okay. And do you recall, were you still on  
20 scene when he was found?

21 A. Yes, sir.

22 Q. Okay. And could you tell us about that, Staff  
23 Sergeant Jordan.

24 A. Of where he was found?

25 Q. Could you tell us about -- yes, all of it.

1 The circumstance about once he was found.

2 A. Once he was found, I want to say First  
3 Sergeant Graig Burns found him across Highway Number 9  
4 in the eastbound lane. Once he was found, you know --  
5 everybody had been looking for him. A bunch of people  
6 in the neighborhood, in the trailer park had been  
7 looking for him along with us. And once Graig Burns  
8 found him, you know, we had to basically shut the  
9 highway down and hold the family back and friends so  
10 they wouldn't disturb the scene for SLED.

11 Q. And so was SLED called out?

12 A. I want to say so. I'm not sure.

13 Q. And so at that point, once his body was found,  
14 did your role then become sort of a crowd control,  
15 maintaining the scene as best you could?

16 A. Yes, sir.

17 Q. Now, just to be clear, did you see the  
18 defendant or any of the suspects that night?

19 A. No, sir.

20 Q. Okay. And as it relates to this case, was  
21 that the extent of your role in this investigation?

22 A. Yes, sir.

23 MR. REDMOND: I beg the Court's indulgence.  
24 That would be all the questions I have at this time.  
25 Please answer any questions that Mr. Smaldone may have.

1 MR. SMALDONE: I have no questions for this  
2 witness.

3 THE COURT: Thank you, sergeant, you may step  
4 down.

5 MR. REDMOND: The State will next call Captain  
6 Vince -- Vince Vaughn. Spence Vaughn.

7 And your Honor, I would ask that Staff Sergeant  
8 Jordan be excused if there's no objection from the  
9 defense?

10 MR. SMALDONE: No objection.

11 THE COURT: No problem.

12 THE CLERK: Do you solemnly swear to tell the  
13 truth, the whole truth and nothing but the truth, so  
14 help you God.

15  
16 S-P-E-N-C-E V-A-U-G-H-N, the Witness herein, having been  
17 sworn by the Clerk of Court, was examined and testified  
18 as follows:

19

20 DIRECT EXAMINATION

21 BY MR. REDMOND:

22 Q. Captain Vaughn, by whom are you employed?

23 A. Chesterfield County Sheriff's Office.

24 Q. And how long have you been employed by the  
25 sheriff's office?

1 A. This is my 25th year.

2 Q. And what capacity at this time are you working  
3 with the sheriff's office?

4 A. I'm a captain over uniform patrol.

5 Q. And in what capacity were you with the  
6 sheriff's office on January 21, 2017?

7 A. I believe I was still a captain.

8 Q. On that particular date, did you receive a  
9 call to report to Hillian-Edwards Road?

10 A. Yes, sir, I did.

11 Q. And when you got there -- and I forgot to ask  
12 Staff Sergeant Jordan this but what was the weather like  
13 best as you can recall that day -- that evening?

14 A. It hadn't started raining yet but it started  
15 raining shortly after we were there.

16 Q. Okay. And once y'all got there, you got the  
17 call to go there, tell us what you did, what took place  
18 once you got there?

19 A. They gave out the call. Timmy Jordan got  
20 there before I did. I got there a few minutes  
21 thereafter and I was met by some people in the yard.  
22 Timmy Jordan came up to me and started telling me that  
23 he had found some shell casings on the ground. I was  
24 met by a female, which ended up later -- I made a  
25 determination that was the victim's sister, Mr. James

1 Henderson's sister. She began telling me that she was  
2 trying to get her brother on the cell phone. They  
3 couldn't find her brother. There was some shell casings  
4 on the ground, they thought he might have gotten shot at  
5 or something. So I felt this was going to be something  
6 serious, might have -- somebody might have been  
7 kidnapped or moved maybe in a car and left.

8           So at the time -- and our policy then, I had  
9 to call Chief Rob Lee to let him know we was going to  
10 have to call some investigators out. I felt like we  
11 needed to call people out to come out and help.

12           Q.    So once the people -- did you make the call?  
13 You made the call?

14           A.    I did. I called Lieutenant Wayne Jordan at  
15 the time, told him what I had. He called some of the  
16 investigators. I called some of them to save time to  
17 help divide it up. I called Joey Carnes. And in the  
18 course of doing that I called dispatched because I'd  
19 gotten the victim's cell phone number from his sister  
20 and I had my dispatcher start to ping that cell phone to  
21 see if we can determine if it was still in the area or  
22 possibly maybe away from the scene.

23           Q.    And did the pinging -- were they able to try  
24 to ping the phone? And did y'all respond based on what  
25 y'all were getting?

1           A.    The first ping they give us, it takes a few  
2 minutes to get it and dispatched did call me back and  
3 said they had gotten a ping location. It would be sort  
4 of at the corner of Snow Hill Road and Zoar Road on the  
5 Chesterfield side of that intersection. There's a group  
6 of pine trees and the first ping was showing up in that  
7 area. I actually had a dispatcher send me a screenshot  
8 of her little computer, their computer to my cell phone.  
9 So myself and Tim and I, and Jerry London, we went to  
10 that particular area and I used that screenshot that  
11 they had sent me to try to narrow it down in the woods  
12 as we was walking in that particular ping location. We  
13 probably walked about 20 minutes in there looking for a  
14 cell phone or the victim that was unaccounted for.  
15 Didn't find anything so I had them ping it again. And  
16 by then, we had, you know, investigators and other  
17 people around that might know the trailer park. And it  
18 pinged again over there in the Horseshoe Acres -- I mean  
19 Horseshoe Acres Loop and it makes a loop. And on the  
20 Number 9 side of the loop, it showed up in sort of a  
21 swampy area on the Google Earth-type map.

22                So we went over in that direction, trying to  
23 look and see if we could find anything. I had them ping  
24 it one more time to see if it might have moved and then  
25 it was showing up in like a horse pasture area off

1 Horseshoe Acres Loop. We went to the people that owned  
2 the property. I guess it was 12:00 or so, you know,  
3 most people are sleeping at that time. We went and rung  
4 the doorbell, woke them up and let them know what we are  
5 doing. And we looked around in there for several  
6 minutes, never did find anything.

7           And while we were there, Lieutenant Jordan,  
8 it's Captain Jordan now, he called on the radio and said  
9 that some family members thought they heard something in  
10 the woods which would have been on the trailer park side  
11 of Horseshoe Acres Loop. That's sort of the direction  
12 we were at. So we went to go back, sort of help them  
13 walk the woods area.

14           In that mean time, I had them dispatch the  
15 ping, the last time, the final time, and it showed up --  
16 it was from the first time, it showed up actually across  
17 No. 9 on the Teals Mill side of Number 9, which is  
18 basically woods between Number 9 and Teals Mill Road.  
19 Myself and Graig Burns, we walked across the median and  
20 went over there to that side of Number 9. I went right  
21 towards Chesterfield and Graig Burns went left towards  
22 Cheraw and walked, you know, the edge of the woods line,  
23 see if we can see anything and it had been a minute or  
24 so I hadn't even probably got 30 yards from Graig, I  
25 heard Graig say he found him or "I got him," or

1 something like that. I made the turnaround and looked  
2 back towards Graig and I could see what ended up being  
3 Mr. Henderson. He was waist up into some tree branches  
4 and I could tell from where I was standing he appeared  
5 to be deceased, just the way his body was so hung up in  
6 the trees, you know, branches and stuff.

7           So the family and friends, you know, they  
8 heard us and seen us going over there. So naturally  
9 they were concerned and had they attempted to come over  
10 there. So it took us a minute or two to get the family  
11 back. Once we was able to do that, I went over to check  
12 for a pulse and there was no pulse on Mr. Henderson.  
13 And then basically what I do then is once I told the  
14 family, you know, what was going to go on, we called for  
15 crime scene to come do what they do through SLED. I  
16 just walked the median of the highway and stuff and  
17 looked for shell casings.

18           Q. About how long -- when I say "about how long,"  
19 to the best that you can recall, did SLED arrive to  
20 process that scene off of Number 9?

21           A. They did. And it probably took close to about  
22 two hours probably. That's when I -- I hate for the  
23 family to sit here and watch us just standing around and  
24 not think we're doing anything because it's looks bad.  
25 So I sort of keep them abreast of what's going on as I

1 was there, you know, letting them know they are coming,  
2 it just takes a little while.

3           And at some course of that, we was  
4 investigating and somebody was able to determine some  
5 possible suspects and we actually reached out to  
6 Bennettsville Police Department and had them looking. I  
7 don't remember which officer did that. Either way I  
8 sort of let the family know sort of what was going on  
9 just so they wouldn't think we weren't, you know, trying  
10 to help.

11           Q.    And from your standpoint -- and so let me ask  
12 you this as it relates to the scene. Did SLED finally  
13 arrive and processed the scene? Was that the end of  
14 your role in the investigation that evening or did you  
15 take a trip somewhere?

16           A.    That morning, I don't remember what time it  
17 was, but it hadn't gotten daylight yet but we went over  
18 to Bennettsville Police Department and we met with a  
19 couple of officers over there and they gave up some  
20 names. Investigator -- I believe myself, Graig Burns,  
21 and Wayne Jordan went over there, and they gave us some  
22 names and they gave us possible locations to go look for  
23 some people and we went to a couple of houses over there  
24 and came back to Chesterfield later on.

25           Q.    Back in Chesterfield, did you subsequently

1 have the opportunity, you and Jamie Myers, have an  
2 opportunity to interview Shameika Ingram?

3 A. Yes. Jamie did most of the talking, but best  
4 I remember, she told us there were some individuals that  
5 came to --

6 Q. I'm going to ask you not to say what she said.  
7 She's going to testify. So we don't have to get into  
8 any hearsay problems.

9 Just, I guess the main thing is, did you talk  
10 with her I guess within a couple days of this incident?

11 A. Yes, sir, I did.

12 Q. Was she able to give you some information?

13 A. Yes, sir.

14 Q. All right.

15 MR. REDMOND: I beg the Court's indulgence.

16 If I may with permission, approach the  
17 witness, your Honor?

18 THE COURT: Yes, sir.

19 Q. (BY MR. REDMOND) I'm going to hand you, and if  
20 you could refer, I think that's State's -- starting with  
21 State's Exhibit 5. But would you state the exhibit  
22 number and describe what that exhibit represents.

23 A. Exhibit 5 appears to be an aerial view type of  
24 the trailer park off of Google Earth.

25 Q. Okay. And move on to the next one please.

1           A.     This would be State's Exhibit Number 6. This  
2 is the aerial view of the trailer park, more of a closer  
3 view of it.

4           Q.     Okay. And next one.

5           A.     This would be State's Exhibit Number 8, this  
6 is a photograph of the edge of Number 9 towards the wood  
7 line of Highway 9.

8           Q.     Okay. And next one.

9           A.     This would be State's Exhibit Number 10. A  
10 photograph of -- into the woods where you can see a  
11 picture of Mr. Henderson.

12          Q.     Okay. And the last one.

13          A.     And this would be State's Exhibit Number 13,  
14 which would be another photograph of a closer picture of  
15 Mr. Henderson.

16          Q.     Thank you.

17                 MR. REDMOND: Your Honor, these are already in  
18 evidence. That would be all the questions I have for  
19 Captain Vaughn at this time.

20                 With Court's permission, I would like to  
21 publish them. I apologize, in the computer I have  
22 today, it's not the one we'd be using or else I'd put  
23 them on the projector screen but I anticipate tomorrow  
24 being able to do that.

25                 For today, I do have the hard copies that I'd

1 like to publish to the jury.

2 THE COURT: That's fine.

3 MR. REDMOND: From a protocol standpoint, and  
4 I know this is kind of -- I want to be able to do that.  
5 I don't know what the best protocol is for that. I  
6 don't know if everybody's been vaccinated. I've been  
7 vaccinated, Your Honor. I'll yield to the Court's  
8 discretion in that regard.

9 THE COURT: Go ahead and let them pass it  
10 around but don't touch your face. If you've been  
11 vaccinated, you don't have to take all these precautions  
12 in my opinion. But if you haven't been vaccinated and  
13 you haven't had the COVID, if you would like to, after  
14 you look at the pictures, step up and get some of this,  
15 clean your hands and we'll move from there.

16 MR. REDMOND: I will go ahead and with the  
17 Court's permission --

18 (Whereupon, photographs published to the  
19 jury.)

20 MR. REDMOND: Your Honor, again, that's all  
21 the questions I have. Captain Vaughn, please answer any  
22 questions Mr. Smaldone might have.

23

24

CROSS-EXAMINATION

25 MR. SMALDONE:

1 Q. I just want to clarify a few things briefly.  
2 You were the second responding officer on the scene; is  
3 that correct?

4 A. Yes, sir.

5 Q. Do you know how long, about how long after  
6 shooting you arrived?

7 A. It wasn't very long because I was just  
8 finishing up on a call on Snow Hill Road. A loud music  
9 call, lasted less than probably five minutes or so I'd  
10 imagine.

11 Q. Okay.

12 A. Jerry was riding with me.

13 Q. All right. So about five minutes after or  
14 after it happened, you arrived and you were second  
15 there?

16 A. Yes, sir.

17 Q. All right. And because of the information you  
18 received, you got, was it a warrant or just a request to  
19 ping the phone?

20 A. I just called dispatch, I had emergency  
21 service to ping a phone on the individual's cell phone  
22 because they couldn't get him to answer the phone,  
23 didn't know where he was at.

24 Q. About how long afterward was that?

25 A. Probably 15, 20 minutes I guess for the first

1 ping to come back and it was on Snow Hill Road and it  
2 was all the way at the intersection area.

3 Q. And how far away was that from the scene?

4 A. That's probably six miles probably.

5 Q. Okay. And then you got a total of four pings;  
6 correct?

7 A. Yes, four. Two -- first one was Snow Hill  
8 over there and two on Horse Shoe Acre Loop area and one  
9 across Number 9, so it was four total.

10 Q. And how far away were they from where  
11 Mr. Henderson was recovered?

12 A. I can't -- the forth and final ping, which is  
13 the only one that actually put us on the other side of  
14 Number 9 Highway, I don't remember how far over into  
15 cross -- Number 9 or close to Teals Mill area it was, I  
16 don't know. I just know that's the only one we had  
17 across the road and that's why we went across the road.

18 Q. And throughout your course of the  
19 investigation, you never recovered the cell phone, did  
20 you?

21 A. No, sir. Not that I did. I don't recall if  
22 anybody ever recovered it.

23 Q. And you never recovered the weapon used in  
24 this?

25 A. Not that I recall, I didn't.

1 Q. And did you recover any weapons at scene?

2 A. I do not recall. I remember seeing some shell  
3 casings. I don't recall getting any guns.

4 Q. And just to make sure we're on the same page,  
5 you didn't see -- you didn't witness any suspicious  
6 vehicle leaving or anything? You didn't witness anyone,  
7 any suspects; correct?

8 A. No, sir. I was just met by some family and  
9 friends and some people that were obviously concerned,  
10 you know, of what was going on and no mention of  
11 evidence.

12 Q. That's pretty much the course of your  
13 investigation, right, everything you've testified to?

14 A. As far as my involvement. Yes, sir.

15 MR. SMALDONE: No further questions.

16 MR. REDMOND: Just briefly, your Honor.

17

18 REDIRECT EXAMINATION

19 BY MR. REDMOND:

20 Q. Were there other investigators that came and  
21 that were actually involved in the collection of  
22 evidence?

23 A. Oh yes, sir. When I called Lieutenant Jordan,  
24 we called all the investigators that we had on staff  
25 that, you know, was available to come. I can't

1 remember. I know Joey Carnes came. Graig Burns came,  
2 Wayne came. There were several of them that came. Of  
3 course we was doing different things once people getting  
4 there. We called everybody that was available to call.

5 Q. I guess the point that I'm getting at here as  
6 it relates to recovered evidence, did you actually  
7 collect any evidence or would they investigators have  
8 done that?

9 A. That would be the investigators. I just  
10 helped look for him and anything else I needed to do.

11 MR. REDMOND: That would be all the questions  
12 I have. Thank you Captain.

13 THE COURT: You may step down.

14 Ladies and gentlemen of the jury, we are going  
15 to take a brief recess. At first we'll take you out  
16 into the lobby, there's some restrooms out there.  
17 There's other restrooms scattered around. Please don't  
18 crowd to get into the restrooms, take your time. If you  
19 need to do that, we'll try to convene back here in about  
20 10 or 12 minutes.

21 (Jurors exited.)

22 THE COURT: Jury is clear, we stand at ease.

23 (Whereupon, a brief recess was taken.)

24 MR. REDMOND: May it please the Court, your  
25 Honor. I figured, and I spoke with Mr. Smaldone, but as

1 indicated before the trial, there was an issue regarding  
2 one of our witness possible, in so far as possible *Neil*  
3 *v. Biggers* situation. Looks like that might be coming  
4 in to fruition, so I was going to make a proffer -- I  
5 figured since the jury was out rather than calling my  
6 next witness, having them leave and then doing this,  
7 we'd go ahead and do this -- she would be my last  
8 witness for today. I have one witness, the girlfriend  
9 Moniquah Ingram. Then I'm actually going to call her as  
10 far as the jury goes, but I figured we could at least do  
11 the proffer now and get that out the way.

12 THE COURT: All right.

13 MR. REDMOND: With that, your Honor, I would  
14 call Ms. Shameika Ingram.

15 THE COURT: Sheriff, If you'll make sure  
16 nobody from the jury enters.

17 Come around and be sworn, please.

18 (Whereupon, testimony was taken not in the  
19 presence of the jury.)

20 THE CLERK: Do you solemnly swear to tell the  
21 truth, the whole truth and nothing but the truth, so  
22 help you God:

23  
24 S-H-A-M-E-I-K-A I-N-G-R-A-M, the Witness herein, having  
25 been sworn by the Clerk of Court, was examined and

1 testified as follows:

2 THE CLERK: And can we please get the correct  
3 spelling of your first name.

4 MS. INGRAM: S-H-A-M-E-I-K-A.

5

6 DIRECT EXAMINATION

7 BY MR. REDMOND:

8 Q. Ms. Ingram, you can lower your mask and speak  
9 as loudly in the microphone as you can.

10 This is what we call a "proffer" outside of  
11 the presence of the jury. We do have to ask you a few  
12 questions related to identification. First of all, on  
13 January 21, 2017 did you reside on Hillian-Edwards Road?

14 A. Yes, sir.

15 Q. In the trailer park on Hillian-Edwards?

16 A. Yes, sir.

17 Q. Now, if I can get you to speak a little bit  
18 louder into the microphone so that...

19 A. Yes, sir.

20 Q. Okay, that's better. Now, and at that time,  
21 I'll just ask you point blank and then we'll get into  
22 the foundation. Have you ever seen the defendant  
23 before?

24 A. Yes, sir.

25 Q. Where did you see the defendant?

1 A. At the trailer park.

2 Q. When did you see him at the trailer park?

3 A. The night of the murder, before the murder.

4 Q. Okay. Now, tell us about that. Tell us about  
5 what you saw. Tell us about the events leading up to  
6 you seeing him and what took place?

7 A. Well, actually we fell asleep waiting on a  
8 family member to return to the house, just to sit around  
9 and whatever.

10 Q. And when you say "we," who else was in the  
11 house?

12 A. It was me, my baby boyfriend (sic) -- well, my  
13 boyfriend at the time, Thomas Lyle, his mother and his  
14 brother.

15 Q. Okay. So go ahead. Continue please.

16 A. I was the last one to go -- and it was in the  
17 middle of the night, I heard car doors outside. I seen  
18 lights shinning through the windows. So I woke Thomas  
19 up and told him to let his cousins in because I figured  
20 his cousins was back. But when he went to the door, I  
21 kept hearing three -- I heard three times somebody  
22 saying -- I don't know if I can say it.

23 Q. Go ahead. I want to hear exactly what they  
24 said.

25 A. They said, "SB, bring your mother fucking ass

1 here," and he kept saying, "Nigga, my name's not SB."

2 Q. And do you know who was saying that?

3 A. No, not at the time.

4 Q. And that's fine. But that's what you heard?

5 A. Yes, sir.

6 Q. And did the person who said it, did it sound  
7 like they were aggravated?

8 A. Yes, sir.

9 Q. So then what happened next. Was that the end  
10 of it or did you actually see some more -- before I ask  
11 you that because this is important, about how long from  
12 the time you first, this first -- you first -- this  
13 first happened until you last saw those folks, who came  
14 to the house?

15 A. While he was there?

16 Q. Yeah, how long -- about how long were they  
17 there?

18 A. About 15 minutes because -- they were over I'm  
19 pretty sure about 15 minutes.

20 Q. Okay. That's important. Now, getting back to  
21 when you first heard that that profanity, those  
22 obscenities, so then what happened?

23 A. So Thomas came down and he didn't turn the  
24 light on. He started -- he grabbed the shoes from under  
25 the bed and he told me to come to the window and look

1 out the curtain. He said it was a black dude in the  
2 yard looking for little James and they had guns. So I  
3 went to the window after he went outside.

4 Q. And so what did you see once they went  
5 outside? And I think that might have gone off so I'm  
6 going to need you to talk a little bit louder if you  
7 can.

8 A. Okay.

9 Q. Go ahead.

10 A. When I went to the window, I peeked out the  
11 curtain, I seen the group of guys talking to Thomas and  
12 the two that was talking to him, one of them was  
13 deceased and the other one is already incarcerated.

14 Q. And did you actually -- and we'll get to this  
15 in a little while -- but were you given a lineup back in  
16 March of 2019?

17 A. Yes, sir.

18 Q. Were you able to pick some people out?

19 A. Yes, sir.

20 Q. Were you able to pick out the defendant?

21 A. There was two of them that looked alike but  
22 their heights were different and he happens to be one of  
23 them. I do know that for a fact. He's just the shorter  
24 one that had the bald head at the time.

25 Q. And I will show you those in a minute, but --

1 so going back, and let's take a second to see if we can  
2 get that working.

3           What I'll ask is this: You peeked out the  
4 window. That's where we left it. So what did you see  
5 and who did you see? Just what did you see when you  
6 looked out the window?

7           A. When my looked out the window, I seen, I think  
8 it's Harris. I noticed him from seeing him somewhere  
9 previous before that, like months before that. I  
10 noticed him, he was talking to Thomas and the taller  
11 balded headed dude was talking to Thomas. After they  
12 finished talking to him -- this is what I did. I went  
13 and laid back on the bed real quick. I was scared. I  
14 was already nervous. So he came in the house and he was  
15 like, "They're supposed to go up there and jump on him,"  
16 they said, "they just want to fight him." He's the one  
17 that showed them where the house was and I didn't know  
18 because I could not hear the actual conversation  
19 outside. I could see them talking. That's when I  
20 was -- he's like, "I want to show you something." So I  
21 went to the window, I seen the dark colored car going  
22 down towards his house and I could see -- at that point  
23 I could hear because it was like -- you could hear  
24 people outside.

25           Q. And about how far from your trailer is where

1 they went to, where SB really was?

2 A. Oh, Lord. It would be a little farther past  
3 that wall behind you. Just a little further, but I  
4 could see directly, it was street lights.

5 Q. Okay. Now let me ask you this: When is the  
6 first time that you saw the defendant?

7 A. That night.

8 Q. I mean -- no, I mean, when that night, when  
9 was the first time you saw him?

10 A. When I looked out the window and I seen them  
11 in the car lights. They never cut the car lights off,  
12 they was still shinning on everyone. So I was basically  
13 facing them. So they was facing him, which is facing  
14 basically his trailer.

15 Q. In other words, were you able to see their  
16 faces?

17 A. Yes, I did.

18 Q. What did you see and where did you see the  
19 defendant?

20 A. He was standing but he wasn't talking. He was  
21 standing on the opposite side of Thomas, he wasn't  
22 talking though. But I know that when they was walking  
23 there, he got back in the car because when they was  
24 walking there, it was Harris and the other dude be  
25 walking in front of the cars. One was holding a gun, a

1 long -- large gun and the other one, which was Harris  
2 was on the phone telling Little James to, "bring his ass  
3 outside and face his deal."

4           And that's when we opened the screen door and  
5 Thomas was like, "Well, I'm gonna go --" I was like, I  
6 need a phone. They're not supposed to fight him.  
7 They're gonna kill him. I can see what's going on. So  
8 Thomas was like, "No, I'm gonna to help him." I pulled  
9 him back in the door because being my boyfriend at the  
10 time, I felt like well, I can't just sit there and watch  
11 all this happen, like, we need to get help. But nobody  
12 was trying to get me a phone to call anybody. So I  
13 watched them approach the house. Then went around  
14 towards to back, way around to get into the front yard.  
15 And I seen when Harris was at Little James' window,  
16 talking. Little James' light was on. He was standing  
17 in the window, like, a curtain -- with no curtain there,  
18 no blinds, or nothing. They was having an argument. So  
19 by that time we was on the front porch. They're not  
20 paying to attention to us, you know, so I just seen when  
21 they come outside, Little James comes outside. The way  
22 he comes out the door, he makes their back face -- their  
23 backside face this trailer and make them face him.

24           Q.     Okay.

25           A.     He was facing them at his house.

1 Q. Okay.

2 A. And they was having words. Then I heard --  
3 the last thing I heard was, "Nigga," something and  
4 that's when the guns started going off and I seen Little  
5 James running and I seen someone running behind him.

6 Q. Now, let me ask you this: Did you see the  
7 defendant, at SB, at Little James' house?

8 A. Yeah. They all got out the car.

9 Q. Okay.

10 A. That's not the only car I seen.

11 Q. Okay.

12 A. When they was in the front yard arguing before  
13 the shooting happened, it was a white Honda. It had a  
14 lot of people in it. They pulled up to the backdoor and  
15 they had the light shinning on his backdoor, like they  
16 was trying to stop somebody from coming out or  
17 something.

18 Q. And what did you see? So when you said he was  
19 standing out there, what was taken -- you've describe it  
20 but I'm going to ask you again. What was taking place  
21 when they got to SB's trailer, little James' trailer,  
22 what were the people doing? What was everybody doing?

23 A. Standing in his yard. When I seen Harris walk  
24 to the window on the side of the house.

25 Q. When he came out, who was outside that you

1 could -- well, was the defendant outside with him?

2 A. Yes, sir, he was. Everyone that was in that  
3 dark colored car was in that front yard.

4 Q. What were they doing? What could you see it  
5 looked like they were doing?

6 A. Just passing words back and forth before the  
7 shootings started.

8 Q. Were they -- how were they standing, like, how  
9 were they -- how were the people that were there to see  
10 SB, how were they standing?

11 A. They were close together. They was, like, all  
12 facing him. Like, I could really see they was really  
13 going to do something they had no business doing.

14 Q. And just to be clear, was the defendant one of  
15 the people that you saw outside both at your house and  
16 down the road at SB's house?

17 A. Yes, sir.

18 Q. Is there any doubt in your mind whatsoever  
19 that this defendant is one of the people you saw?

20 A. No, sir. I see that face every night when I  
21 go to sleep.

22 Q. Now let me show you. We talked about a  
23 lineup. I'm going to show you what's been marked as  
24 State's Exhibit 16.

25 (State's Exhibit 16, Photo lineup, was

1                   marked for Identification.)

2                   MR. REDMOND:  If I may approach the witness,  
3 your Honor?

4                   Q.     (BY MR. REDMOND)  Actually, it's the -- I'm  
5 going to just have you take a look at that.  Is that one  
6 of the lineups that you were shown?

7                   A.     Yes, sir.

8                   Q.     And for the record, this is the first page of  
9 it.  When you say -- do you see anybody that you  
10 recognize?  Let me ask you this:  Is this a copy of the  
11 lineup that you were shown to the best of your memory in  
12 March 2019?

13                  A.     Uh-huh.

14                  Q.     Were you able to pick out anybody in that  
15 particular lineup?

16                  A.     Yes.  The bottom first one in the first row.

17                  Q.     No, I'm saying at the time when they showed  
18 you the lineup.

19                  A.     I was kind of confused because both of the --  
20 two of the guys had bald heads, they favor each other a  
21 whole lot, but one was taller and one was shorter.

22                  Q.     So just to be clear.  Did you pick him out of  
23 this lineup?  Did you pick the defendant out of this  
24 lineup?

25                  A.     Yes, sir.

1 Q. Huh?

2 A. Yes, sir.

3 Q. No, I'm saying: Did you pick him out of --  
4 the lineup at the time, did you pick him out?

5 A. Oh, no. I knew, like, when I seen him. I  
6 remember his face and everything because he had lights  
7 on him. When I seen the picture, like, it wasn't no  
8 problem. It's not no problem telling somebody -- it was  
9 just that both of them had a bald head at the same time,  
10 they favor each other but individually it was kind of  
11 difficult at first.

12 Q. Let me clarify. Let me show you the second  
13 page where you circled. Is that your circle and  
14 initial?

15 A. Yes, sir.

16 Q. Now what I'm asking is on the first page. Did  
17 you circle and initial anybody?

18 A. No, I don't -- I didn't.

19 Q. And why didn't you -- why were you not able to  
20 circle and initial anybody on that first page?

21 A. Because I was kind of confused because two of  
22 them were running with each other.

23 Q. And could you point -- just so -- which two  
24 was it that confused you, which two on this page, on the  
25 first page?

1           A.    It was this one and this one.

2           MR. REDMOND:  For the record, your Honor, she  
3 is indicating that picture two and four were close and  
4 that's why she was not able to pick one out of the  
5 lineup.  If I may present this to the Court's --

6           MR. SMALDONE:  I just wanted to see which ones  
7 were two and four.

8           THE COURT:  All right.

9           Q.    (BY MR. REDMOND)  And the second page, when you  
10 circled that one, who was person that you circled, what  
11 did that person do?

12          A.    He was one of the people talking to Thomas and  
13 he was one of the people walking in front of the car on  
14 the way to Little James' house.

15          MR. REDMOND:  And for the record, that is  
16 actually Brenton Davis.

17          Q.    (BY MR. REDMOND)  And page 3, did you circle  
18 someone there?

19          A.    Yes, sir.

20          Q.    Who did you -- what did you see -- when did  
21 you see that person?

22          A.    In the yard talking to Thomas and actually  
23 when I first saw the picture, the day I circled it, I  
24 almost fainted when I saw that picture.

25          Q.    Why?

1 A. It scared me.

2 Q. Why did it scare you?

3 A. Because like really all them scare me because  
4 I've seen what they're capable of and I seen they had no  
5 remorse for what they was doing. Because there's not no  
6 way you going to come in a neighborhood where community  
7 people live and they just walk through like that, like  
8 you own it, with guns in their hands, like a parade to  
9 murder somebody. That does scare me.

10 Q. Finally, the last page you were shown, were  
11 you able to pick out anybody on that particular page?

12 A. No, sir.

13 Q. Okay. Now, and again, I ask you, about how  
14 long did this whole encounter take place were you were  
15 able to view the defendant?

16 A. At least 15 minutes, maybe more.

17 Q. Again, I ask you, is there any doubt in your  
18 mind, any doubt whatsoever that this defendant is one of  
19 the people that you saw that night both at your  
20 residence and then down the road at SB's residents?

21 A. No, sir. I'm one hundred percent positive  
22 he's the one.

23 MR. REDMOND: That's all the questions I have.  
24 Please answer any questions Mr. Smaldone might have.

25

## CROSS-EXAMINATION

1  
2 BY MR. SMALDONE:

3 Q. Just to be clear, how long afterwards did you  
4 talk to the officers about a lineup?

5 A. How long after that?

6 Q. Yes, how long?

7 A. Well, I started to talking to officers like  
8 the next day when I went to do my statement.

9 Q. Okay. You got the lineup that Mr. Redmond  
10 showed you.

11 A. Not up -- I think I did that one with  
12 Mr. Jordan one day after work. And y'all started  
13 talking to the police officers like -- well, I'm going  
14 to be honest like right that night because I seen two  
15 sheriffs looking at a gun that pieces were apart of  
16 laying there and I went and I ran up to them and I  
17 started telling them what I saw. But I stopped because  
18 in the mist of telling them what I saw, someone caught  
19 my attention that was behind me and they were deceased  
20 and there was another person that was involved. So I  
21 just went on about my business. I felt unsafe if they  
22 seen me talking to the cops because that made me to  
23 believe I was in danger, which I was, because the next  
24 day, I got a visit concerning the same situation.

25 Q. All right. So your answer is: The next day

1 that you got this lineup?

2 A. No. I -- I can't remember exactly what date  
3 that was. I mean that was -- I know the first picture I  
4 saw was of Jovanni.

5 Q. Okay.

6 A. And he's deceased.

7 Q. And this happened -- this happened one day  
8 short of 51 months ago?

9 A. Which?

10 Q. This happened January 21st of 2017; right?

11 A. Okay. I know what day it happened on. Yes, I  
12 do. I know what day it happened on. No, I can't  
13 remember what date I did that lineup on. It was a  
14 couple years later. The first lineup I -- the first  
15 picture I got, it wasn't never none of them. It was of  
16 Jovanni because the name is vague. Jovanni and a group  
17 of other people came up to my home and threatened my  
18 life with someone, whoever name is Frank White. When I  
19 looked Frank White up on Facebook, it happened to be  
20 that same man sitting right there.

21 Q. Did he come the next day?

22 A. Who? Jovanni?

23 Q. No. Did --

24 A. No. He didn't come to my house. Jovanni did.

25 Q. Who's -- what about Frank -- I thought you

1 said Frank White came to your house?

2 A. That's the name that he gave me.

3 Q. Okay. All right.

4 A. Excuse me if I'm being agitated.

5 Q. Now this is the first time you've told anyone  
6 that you recognize James; right?

7 A. No. This not the first time I told anyone I  
8 recognized him. I was saying that I recognize -- I was  
9 calling these people's descriptions the night of the  
10 murder right after the body was found.

11 Q. Okay. But --

12 A. And they was still out there. I don't know  
13 how much more am I supposed to do when these stank  
14 people was helping us -- some of these stank people were  
15 helping us look for the deceased.

16 Q. This was the first time you picked him out;  
17 right?

18 A. No. The night in the yard when the sheriff  
19 was out there talking about it. They saw two shotgun  
20 shell -- shell casings on the ground where somebody was  
21 holding the gun in the yard and it was somebody out  
22 there tipping them off on names. Because I was giving  
23 descriptions and I don't know who that person was. They  
24 just said it was a male. And they was showing, the  
25 detective was showing -- the sheriff was showing me

1 pictures of people they were saying and that was the  
2 first picture I saw, was this picture. And I was like,  
3 yes, I did seen that dude right in this yard. I just  
4 seen him do grown work. I just seen him kill him.  
5 Yeah, yeah. I said that right there on the spot.

6 Q. Okay. So you picked him out of -- I don't  
7 understand what you're saying. You picked him out of a  
8 lineup then?

9 A. Basically if that's what you want to call it.  
10 Because I didn't need somebody to bring me a piece of  
11 paper to my house to show me something that I saw, that  
12 I described the person the same night, right here. I  
13 watched these people do what they do. How do you forget  
14 something like that?

15 Q. But you did; right?

16 A. Did I forget it?

17 Q. Uh-huh.

18 A. How did I forget it when I'm the one who told  
19 everybody which way he ran to find his body? Like, I  
20 seen him running.

21 Q. Saw who running?

22 A. Little James.

23 Q. Okay.

24 A. Yeah, during the shooting.

25 Q. But you forgot what James -- my client looked

1 like, though; right?

2 A. How?

3 Q. Did you pick him out of a lineup or not?

4 A. That's funny. If that's what you want to call  
5 it. No, I don't forget what he looked like.

6 Can I get down please?

7 Q. No.

8 A. Or do I have to keep answer -- saying --

9 THE COURT: Yes, ma'am. You need to answer,  
10 but no arguing.

11 MS. INGRAM: I'm not arguing. I don't have  
12 nobody snarking at me and trying to be picky.

13 MR. REDMOND: In light of what she just said,  
14 if he is doing that, I can't see him, I would ask that  
15 he refrain from badgering the witness. That could be  
16 form of badgering so that she doesn't get agitated. She  
17 just said -- I didn't see it because his back is turned  
18 to me but I would ask if that did occur, that the  
19 defense attorney, Mr. Smaldone, refrain from that  
20 activity.

21 THE COURT: Do you some need water?

22 MS. INGRAM: No.

23 THE COURT: You're fine.

24 BY MR. SMALDONE:

25 Q. So --

1 MR. SMALDONE: I'll pause.

2 THE COURT: Just take deep breaths and relax.

3 All right.

4 Q. (MR. SMALDONE) All right. So I just want to  
5 be clear.

6 One, it's confusing because there are both --  
7 the two parties involved are named James. I want to  
8 make sure we're talking about the same person rather  
9 than going off on tangents and that -- both of us, not  
10 me and not just you.

11 So you said that was James Brown, I'll call  
12 him Mr. Brown. You said Mr. Brown was at your house  
13 looking for SB; correct?

14 A. Yes, sir.

15 Q. Did you see him with a gun or anything like  
16 that?

17 A. I didn't see him with a gun, no.

18 Q. All right. Do you remember what he was  
19 wearing at the time?

20 A. Dark clothes. Like, it was like, the only  
21 clothes like -- only clothes that really, really that  
22 only stand out to me was what Mr. Harris had on.

23 Q. Okay. And you said he looked -- I think  
24 earlier you told the Solicitor that he looked similar to  
25 someone else in the lineup; one was taller and one was

1 shorter?

2 A. Yeah, because it was two people and they both  
3 with bald heads. One was taller and one was shorter.  
4 But I don't forget their face.

5 Q. All right. To be clear, I think Brenton Davis  
6 was one of them. Did you later learn that Brenton Davis  
7 was one of the ones with the bald head?

8 A. When I found out -- be honest with you, I  
9 found out through social media about the difference  
10 between the heights. Like, the heights was a whole lot  
11 different.

12 Q. But they had the same hair?

13 A. At the time both of them had a bald head and  
14 that's when I was like, well, that's what was confusing  
15 me because one was taller then the other one.

16 MR. SMALDONE: Court's indulgence, I don't  
17 have this on paper. May I briefly approach the witness?

18 Q. (MR. SMALDONE) I'm going show you a picture  
19 and just say -- when you see the pictures, let me know  
20 that you've seen it so the court reporter can jot that  
21 down, okay?

22 You see this picture?

23 A. Uh-huh. (Indicating.)

24 Q. Is one of those James Brown in the courtroom  
25 right now?

1 A. Uh-huh.

2 Q. Is the other one Mr. Davis?

3 A. Uh-huh. That one right there, that's the tall  
4 one.

5 Q. And you see the date is January 24, 2017?

6 A. Uh-huh.

7 Q. And that appears -- I'm sorry, I usually have  
8 a piece of paper but I didn't have this ready. Does  
9 that look like a news website or something like that?

10 A. Yes.

11 Q. It's fair to say they don't have the same  
12 hair, do they?

13 A. I did get that description of them with the  
14 bald head off of the news. I got that off Facebook. I  
15 was on social media looking up stuff and that's how I  
16 got the bald head picture, not from the news.

17 Q. Let me be clear. You said they both had bald  
18 heads at scene; right?

19 A. Yes. And I could be wrong of the picture.  
20 But I know for a fact he's one of the people there. I  
21 ain't never seen somebody chase somebody and kill  
22 somebody. I never seen somebody call somebody and do  
23 that. Yeah, I saw him. I don't care. I know how I  
24 feel about it. I saw him.

25 Q. Okay. When you say "Facebook," you looked up

1 people's information on Facebook to see the pictures?

2 A. I just wanted everybody -- because I wanted  
3 everybody to be arrested for what I saw. You know, I  
4 wanted to make sure that I was catching the right  
5 people, that I was doing the right thing.

6 MR. SMALDONE: At this time I don't have any  
7 further questions for you.

8 MR. REDMOND: Brief redirect, your Honor.

9

10 REDIRECT EXAMINATION

11 BY MR. REDMOND:

12 Q. Just to kind of bring it back a little bit.  
13 That particular night, when you said there was -- who  
14 are you saying had the bald heads. That's one of the  
15 things that's unclear to me. Who actually had the bald  
16 heads?

17 A. It was him -- him and maybe, like I said --

18 Q. Maybe what? I didn't hear you.

19 A. Maybe they was running back and forth but I  
20 seen two bald heads and I know I seen his face for a  
21 fact.

22 Q. Let me ask you this: How many people were out  
23 there that you saw?

24 A. It was more than four.

25 Q. And just to be clear as it relates to the

1 defendant, what, to the best that you can remember, if  
2 you can remember, describing what he had on at that  
3 time, what he was wearing and just tell us what you  
4 remember about defendant from that night in the times  
5 you saw him and take your time.

6 A. He really was -- like, in Thomas yard, he  
7 wasn't doing anything. It was just the other two that  
8 was talking. They were -- Harris and the other dude  
9 that's incarcerated, they was the ones that was doing  
10 the talking. When they were going to the house, they  
11 was the only two still out of the car, Harris and the  
12 other dude. Everybody else got out once they got in the  
13 yard.

14 Q. Just to be clear, where was this defendant in  
15 the yard, in your yard? Starting out there, where was  
16 he?

17 A. Standing on the other side of Thomas.

18 Q. They were?

19 A. Standing on the other side of Thomas.

20 Q. And again, is there any doubt in your mind --  
21 we've talked about getting into this hair thing, but is  
22 there any doubt in your mind that this is the defendant?

23 A. I don't got no doubt about that.

24 Q. So then they go down the street and you were  
25 able to see and here some of what was going on?

1           A.    I could hear Harris on the phone because he  
2 was being loud.

3           Q.    And then what did you see?  And we're just  
4 talking about this defendant, what did you see him  
5 doing?

6           A.    Like they was just standing in his yard.  
7 Like, when they got there and they got in the car, it  
8 was still in the yard.  And then that's when I heard  
9 somebody's like -- when him and one -- Little James and  
10 Harris was having their words or whatever.  I heard  
11 somebody was like, "Nigga," something and that's when  
12 the guns started going off.  And it was more than one  
13 gun and I seen Little James running and I seen another  
14 guy running behind him but I never seen Little James  
15 come back.

16          Q.    Were you able to see who was doing the  
17 shooting?

18          A.    It was coming from different guns.  I could  
19 see the fire but I could see -- and then the person that  
20 was running behind him was the shooter.

21          Q.    At this point you can't say whether or not the  
22 defendant was shooting?

23          A.    No, I can't say he was shooting.

24          Q.    Would you say, based on what you observed, was  
25 he an active participant on whatever was going on?

1           A.    Yes, sir.  They was all for what was going on.  
2   The way they came, the way they approach.  It wouldn't  
3   have woke up out my sleep, I wouldn't be here talking to  
4   you because they was getting out and they was ready to  
5   do it, they was ready to take action.  Our trailer was  
6   actually mistaken for Little James trailer that he moved  
7   to another trailer.  So they thought that that was the  
8   actual trailer that he lived in.

9           Q.    Now, you talk about this "visit."  Was it  
10  after this visit that you started looking on social  
11  media?

12          A.    After I got the name Frank White.

13          Q.    And how did you get that name?

14          A.    Through Jovanni.

15          Q.    And was Jovanni the one that came to your  
16  house the next day?

17          A.    Yes, sir.  When I came back from talking,  
18  doing my statement with the sheriffs, I got home and  
19  Jovanni walked in the door unannounced with like six,  
20  seven other young dudes with him.  And he was  
21  questioning Thomas and then he looked at me and said,  
22  "You the girlfriend?"  Like, it clicked.  And they're  
23  like, "This is the girl I had seen."  So he started  
24  asking me, like, "You said the person you seen chasing,  
25  they had dreads."

1                    "They had dreads."

2                    "Come on. You can tell me."

3                    "What they had on?"

4                    "Did they have dreads?"

5                    And he had a hoodie and while he was asking me  
6 this, he tilt his head and the dreads fell from under  
7 his hoodie. Then right off, I was like, No, if you want  
8 to know any information, you talk to authorities or you  
9 talk to the family because I don't have permission to  
10 give you that type of information. If you're a friend,  
11 you shouldn't no problem with going to the family,  
12 asking the family for questions.

13                    Then that's when he started getting aggressive  
14 saying, I'm gonna get a pistol, that there big homie  
15 supposed to be all -- Frank White was in charge and  
16 nobody was supposed to know. Nobody was supposed to be  
17 knowing this. I better get a pistol. I better be ready  
18 because he's coming for me. So I looked him up.

19                    Q. When you looked him up, was he the same person  
20 you saw that night?

21                    A. Yes, sir.

22                    Q. And just to be clear on how long you would  
23 have been seeing him that night, about when he was at  
24 your house, when you looked out the window -- we talked  
25 about how far you were away from SB's trailer. About

1 how close were you -- how far away was he from you when  
2 you were looking out the window seeing him?

3 A. This the window (indicating.) With this the  
4 window, I'm standing right here to the window, probably  
5 to that chair right there. That's how close the window  
6 is and I was able to took it...

7 Q. Just for the record, I am standing --

8 A. No, go back.

9 Q. -- about six feet. Actually, I'm  
10 approximately six feet away.

11 A. They was -- they was just that close to that  
12 trailer. Yes, they was.

13 Q. And how close were they to you where you could  
14 see them?

15 A. Right, there. Like, I was looking out the  
16 curtains. They couldn't see me because the house lights  
17 was still off. The curtain was peeped and I was peeping  
18 -- I had the curtains a certain way so I could peep.  
19 You know, look out my eyes and see what I'm seeing.  
20 Because at the same time, by him telling me this and  
21 them calling him outside, calling him SB, I was  
22 thinking, like, these people might don't believe him.  
23 Like, you know what I'm saying. What if something  
24 happened to him.

25 Q. Just to be clear, when they were at your

1 table, the defendant was approximately how far away?

2 A. Like about where you at, just standing besides  
3 Thomas. But he wasn't doing nothing. He was just  
4 standing there.

5 MR. REDMOND: That be all the questions I  
6 have, Your Honor.

7 MR. SMALDONE: That's all the questions I have  
8 too.

9 THE COURT: You may step down.

10 MR. REDMOND: Your Honor, out of an abundance  
11 of caution, I think the State would go ahead and I guess  
12 move to admit this for the hearing purposes and  
13 depending on the Court's ruling, then move to admit it  
14 because it would obviously be coming into play at trial  
15 if the Court needs to see this again.

16 THE COURT: All right. You weren't planning  
17 on calling her before the jury next, were you?

18 MR. REDMOND: No. I was actually going to  
19 call Moniquah Ingram next and then I was going to call  
20 her. I was just doing this to try to get it out the  
21 way.

22 THE COURT: I will reserve any findings on the  
23 hearing until I can get my notebook up here because I  
24 want to cover everything that I got to cover.

25 MR. REDMOND: Yes, sir.

1           THE COURT:  So let's get the jury in here and  
2  it's getting close to 5:00.  They've been out there  
3  now --

4           MR. REDMOND:  Your Honor, I can go ahead with  
5  Ms. Ingram, Moniquah Ingram.  It shouldn't be too long  
6  and then we can proceed however the Court sees fit.

7           (Jurors entered.)

8           THE COURT:  Ladies and gentlemen of the jury,  
9  thank you for your patience.  I know we kept you out  
10 there longer than ten, fifteen minutes but we did that  
11 so I could handle some matters of law and keep from  
12 playing musical chairs with you again in a few minutes.

13          MR. REDMOND:  I think they're going to get  
14 Moniquah Ingram.  She was my next witness.

15          Your Honor, the State would next call Moniquah  
16 Ingram.

17          THE COURT:  Come around and be sworn please.

18          THE CLERK:  Do you solemnly swear to tell the  
19 truth, the whole truth and nothing but the truth, so  
20 help you God?

21

22 M-O-N-I-Q-U-A-H I-N-G-R-A-M, the Witness herein, having  
23 been sworn by the Clerk of Court, was examined and  
24 testified as follows:

25

## 1 DIRECT EXAMINATION

2 BY MR. REDMOND:

3 Q. Ms. Ingram, you can actually take your mask  
4 down since you've got the Plexiglass there.5 Ms. Ingram, and I'll go directly into asking  
6 you, did you know James Henderson Jr.?

7 A. Yes.

8 Q. Did you let -- well, let me ask you this:  
9 Where did you-all reside?

10 A. ■ Hillian-Edwards Road.

11 Q. If I can get you to speak a little bit louder.  
12 As a matter of fact, a lot louder so that this last  
13 juror can hear you.14 A. Before it was ■ Hillian-Edwards Road. But  
15 then we moved right across the street into another  
16 trailer in the trailer park home. I think it's Number ■  
17 -- ■.18 Q. Okay. About how long did y'all live there, to  
19 the best that you ask estimate, doesn't have to be  
20 exact?

21 A. In the new trailer or?

22 Q. Just how long had y'all lived out there in  
23 Hillian-Edwards Road?24 A. I had lived out there with him for a year and  
25 some change. He had been out there before me though.

1 Q. So you came -- he was already there and then  
2 you came?

3 A. Yes, sir.

4 Q. And then you moved into a different location?

5 A. Yes, sir.

6 Q. Now -- but still on Hillian-Edwards in the  
7 same park?

8 A. Yes, sir.

9 Q. Now, do y'all have any children?

10 A. Yes, sir.

11 Q. Okay. Tell us about them. How many children?

12 A. We have, he's now four. At the time he was  
13 five months.

14 Q. Were you at home on the 21st of January 2017?

15 A. Yes.

16 Q. Were you there with your baby, your five month  
17 old?

18 A. Yes.

19 Q. Now at that time, were you there at the  
20 time -- well, we'll call him SB but James Henderson,  
21 Jr., were you there at the time he exited the residence  
22 for the last time?

23 A. Yes.

24 Q. Tell us what y'all had been doing that day in  
25 general. What had y'all been doing that day leading

1 before the events took a turn that night?

2 A. That morning I got up and went to work.

3 Q. Where did you work?

4 A. At Bojangles in Chesterfield. Got off work  
5 and came home. I took a shower, and me and our baby had  
6 went to sleep. Our baby woke up and James Henderson  
7 Jr., and his older son, they came in there and got my  
8 baby and they went in the living room. By the time I  
9 woke up, he had done cooked dinner, which was macaroni  
10 and cheese and pork chops. And they was in there  
11 watching TV and feeding the baby and stuff like that.

12 Q. And how many kids did Mr. Henderson have?

13 A. Two.

14 Q. Go ahead. I'm sorry.

15 A. After I had eventually got up, James Henderson  
16 Jr., he went outside. He stood out there for a minute.  
17 So I was in there with the kids, you know, cleaning up  
18 and doing stuff around the house. Then Mr. James  
19 Henderson Sr., he stopped by. And then he came in and  
20 seen the kids, the grandchildren and stuff and then he  
21 left out. And then James Henderson, Jr., he came in.  
22 It had gotten dark. He came in and he told me he was  
23 going to take one of his homeboy's home. So I was like,  
24 okay, whatever. He left and took him home and when he  
25 came back, he came in the house and he was like, "Baby,

1 they want to put me in the box."

2 Q. Okay. And now tell me about that. Did he --  
3 let's backup and lay some foundation here.

4 So before the part about him being put in the  
5 box, what was taking place that led to him making that  
6 comment?

7 A. What you mean by that?

8 Q. Let me rephrase the question. Did anybody  
9 come by the house? Did anybody call up? What was it  
10 that made him let you know that something was going on?

11 A. He was getting phone calls.

12 Q. Were you able to see who was calling him?

13 A. No.

14 Q. When he made that comment, how would you  
15 describe his demeanor? What was -- just describe his  
16 demeanor, his emotions at the time he made the comment  
17 about being put in the box.

18 A. He was concerned, worried and in disbelief.

19 Q. And again, so with that foundation, what did  
20 he tell you before he went outside?

21 A. That they wanted to put him in the box.

22 Q. Now, and I'll -- before you answer directly,  
23 yes or no, I will just lay this foundation. Were you  
24 familiar with what that term meant?

25 A. Yes.

1 Q. What did it mean based on your understanding  
2 of that term?

3 A. Where one guy is in middle and he has to fight  
4 multiple guys at one time.

5 Q. So before he went outside, did he know what  
6 was about to happen it seems?

7 A. Yes.

8 Q. Now, did he seem concerned?

9 A. Yes.

10 Q. But in the house at the time -- who was in the  
11 house at that time?

12 A. When?

13 Q. I'm talking about before he went outside, who  
14 was in the house?

15 A. Me, my baby, and his older son.

16 Q. So both of his kids were in the house?

17 A. Uh-huh.

18 Q. And how old was his oldest son at the time  
19 best as you can remember?

20 A. I think he was maybe eight.

21 Q. He has an 8 year old, a 5 year old, you in the  
22 house and he tells you they want to put him in the box?

23 A. Eight and five months.

24 Q. Eight and five months. I'm sorry.

25 A. Uh-huh.

1 Q. Eight and five months. So after he told you  
2 that, what did Mr. Henderson Jr., do?

3 A. It's, like, he was just -- like I said, he was  
4 concerned, he was in disbelief. Then he told me to --  
5 he kept asking me to come in the living room with him  
6 and turn on my hotspot, but I wouldn't. But he came in  
7 there and hugged his babies and told them that he loved  
8 his little kings. And next thing I know his phone  
9 started ringing. Like, he got maybe three or four phone  
10 calls, like, they was back to back. And the last phone  
11 call, it lasted maybe a couple seconds and then he was,  
12 like, "Okay," and he went out the door.

13 Q. And is that the last time you saw him alive?  
14 Is that the last time you saw him face to face alive?

15 A. Yes.

16 Q. Did he go outside?

17 A. Yes.

18 Q. What did you do once he went outside?

19 A. Once he went outside, I got up and went to the  
20 back window thinking it was a female. So I got up and  
21 went out to the backdoor -- went to the back window and  
22 looked out the window and I seen him and one of the guys  
23 far off at the trailer talking, two guys on one side of  
24 the vehicle, black vehicle in the middle and two or  
25 three guys on the other side of the vehicle.

1 Q. And so there were several guys out there?

2 A. Uh-huh.

3 Q. What were you able to see or hear?

4 A. I didn't hear anything. I just seen Mr. James  
5 Henderson Jr., and another guy talking. And like I said  
6 it was two guys on one side, a black vehicle in the  
7 middle and there was two, three guys on the other side  
8 of the vehicle with the light shinning on James  
9 Henderson Jr., and the other guy.

10 Q. Were those the only two people you were able  
11 to see, the other guy and James Henderson Jr.?

12 A. Uh-huh.

13 Q. Do you know who that other guy was?

14 A. Now, yes.

15 Q. Who was he?

16 A. His name is Bliz.

17 Q. But those were the only two you were able to  
18 see?

19 A. Yes.

20 Q. And did you just tell me the light was  
21 shinning on them?

22 A. Uh-huh.

23 Q. To be clear, you weren't able to identify  
24 anybody else that was out there?

25 A. No.

1 Q. But do you know that there were other people  
2 out there?

3 A. Yes.

4 Q. Okay. Now, so then what happened, what did  
5 you do? You're seeing all this, tell me what took place  
6 next.

7 A. I went back in the room with the kids because  
8 they was in bed. And next thing I know I start hearing  
9 gunshots. So I ducked down and grabbed the kids and I  
10 had thought about it, that he was outside. When I went  
11 to the -- when I went outside, it was another guy asking  
12 me where was SB? And another guy was asking me where  
13 was SB? And I was, like, "I don't know." So I ran in  
14 the house to go get my phone to call my mom and then and  
15 I was getting the kids ready and putting them in the car  
16 to go look for him. By that time a whole bunch of  
17 policemen and everybody had pulled up.

18 Q. Just to be clear, once you went to go and  
19 check on the kids, were you able to see or hear what  
20 took place before the gunshots?

21 A. No.

22 Q. Again -- and so about how long, to the best  
23 you can remember, were y'all able to find him  
24 immediately or did it take some time for you to find SB?

25 A. I think it was a couple hours.

1 Q. Were you still -- well, let me ask you this:  
2 Were you actively -- what were you doing as far as  
3 trying to find him and whatever? What were you doing  
4 before he was found, before his body was found?

5 A. Calling his phone, texting his phone, walking  
6 around the trailer park looking for him until we  
7 eventually -- his brother walked across the highway and  
8 found him.

9 Q. Now let me ask you this: Obviously after he  
10 was found, did you see who had shot him?

11 A. No.

12 Q. Were you able to see -- other than Bliz, were  
13 you able to identify anybody else that was out there?

14 A. No.

15 Q. To be clear, you testified to the fact that  
16 again, he was -- was he stressed about being put in the  
17 box.

18 A. Yes.

19 Q. Did he seem worried --

20 A. Yes.

21 Q. -- about being put in the box?

22 A. Yes.

23 MR. REDMOND: I beg the Court's indulgence.

24 Q. (MR. REDMOND) Did you subsequently give -- did  
25 you give a statement to law enforcement obviously? Did

1 you talk with police that were out there basically  
2 describing what you described to us?

3 A. Yes.

4 MR. REDMOND: That would be all the questions  
5 I have. Please answer any questions that Mr. Smaldone  
6 has.

7

8 CROSS-EXAMINATION

9 BY MR. SMALDONE:

10 Q. Good afternoon.

11 A. Good afternoon.

12 Q. I just wanted to make sure we're all on the  
13 same page about what happened that night and what you  
14 saw and heard that night. All right?

15 A. Uh-huh.

16 Q. You said you saw a few people at the  
17 residence.

18 A. I saw one.

19 Q. You saw one person there?

20 A. Yeah. I saw the face of one but I saw it was  
21 multiple people out there that night.

22 Q. And the one that you pointed out or the one  
23 that you recognized wasn't James; right?

24 A. No.

25 Q. Wasn't Mr. Brown?

1 A. No.

2 Q. And the vehicle you saw, you said that was a  
3 gray Honda; is that right?

4 A. No, I said it was a black car.

5 Q. A black car?

6 A. Uh-huh.

7 Q. Okay. And do you know the make of a car was?

8 A. No.

9 Q. Was it a few hours beforehand when you started  
10 talking about being worried about being put in the box?

11 A. No. It was right after he took his homeboy  
12 home, which was maybe 20 -- maybe 20 minutes later when  
13 -- when the guys arrived.

14 Q. Okay. And you knew that to mean basically  
15 like boxing; right?

16 A. Where one guy is in the middle and he has to  
17 fight multiple guys, more than maybe four.

18 Q. When people came to his house, did you see him  
19 get a gun or anything like that?

20 A. No.

21 Q. You didn't see the phone number that was  
22 calling him; right?

23 A. No.

24 Q. And you never knew who that was calling?

25 A. No.

1 MR. SMALDONE: I don't believe I have any  
2 further questions for you. I don't, thank you.

3 MR. REDMOND: No redirect, your Honor.

4 THE COURT: You may step down. Thank you.

5 MR. REDMOND: I would ask that Ms. Ingram be  
6 allowed to remain in the courtroom since she has  
7 testified.

8 MR. SMALDONE: No objection.

9 THE COURT: That would be okay.

10 Do you want to go forward with the next  
11 potential witness?

12 MR. REDMOND: Your Honor, I guess we are -- I  
13 guess wondering about the resolution to the outstanding  
14 issue regarding that.

15 THE COURT: Okay. Ladies and gentlemen of the  
16 jury, if you'll step back out and give me a couple of  
17 minutes please. We are going to have one more witness  
18 and we'll stop for the evening.

19 (Jurors exited.)

20 THE COURT: Anything for the record after you  
21 heard the testimony?

22 MR. REDMOND: As far as the -- on Shameika  
23 Ingram, I would ask that the *Neil v. Biggers* and one of  
24 the reason we ask about taking in the totality of the  
25 circumstance, the time that she had to perceive the

1 defendant, the distance that she testified at the end.  
2 Obviously, this goes to admissibility. He's going to  
3 have plenty of time, "he" being Mr. Smaldone will have  
4 plenty of time and opportunity to cross-examine.

5 On the issue of admissibility, the State would  
6 submit we have met the *Neil v. Biggers* to allow this  
7 in-court identification. I think even presenting  
8 State's Exhibits, I think that's 19 -- 16 or 19, I  
9 forget. The lineups, I think even she was able to  
10 explain in that regard. And I think her explanation is  
11 prevalent as to why she was not able to pick out of a  
12 lineup. I think in-court identification is allowed for  
13 a reason. I think based on her testimony, this meets  
14 the standards and we would ask that her testimony on the  
15 in-court identification be allowed.

16 THE COURT: Counsel?

17 MR. SMALDONE: Thank you, Your Honor. May it  
18 please the Court.

19 The defense would move to suppress and exclude  
20 any in-court identification from the witness because of  
21 the discrepancy and accuracy of identifying him. And  
22 additionally, the amount of time which is, I calculate  
23 51 months has passed between the time of the  
24 identification and the first identification, which is  
25 today. Due to that amount of time, additionally due to

1 the fact that the record will reflect she could not  
2 point him out through a lineup. Additionally, I think  
3 that her ID may have been tainted by her subsequent  
4 research on either Facebook or the news, I think it was  
5 Facebook. So she's had opportunity to be tainted. So  
6 Your Honor, I move to suppress identification on *Neil v.*  
7 *Biggers*.

8 THE COURT: As I see it, the totality of the  
9 circumstance as testified to by the witness, you got to  
10 keep in mind I don't get into the weight of it and the  
11 weight can be subject to your cross-examination.

12 With the *Biggers* decision and also, I think  
13 under *Scipio*, I have to look at the opportunity of the  
14 witness to view the accused, she testified to that,  
15 through the window and other testimony concerning her  
16 sight, the witnesses degree of attention, the accuracy  
17 of the witnesses prior description, the level of  
18 certainty demonstrated by the witness at confrontation,  
19 and the length of time between the crime and the  
20 confrontation.

21 In this particular case, there is an extended  
22 amount of time; however, I find that that goes more to  
23 the weight of the evidence. Putting it all together as  
24 far as admissibility, I'm satisfied and find that the  
25 concerns that I have to address under *Biggers* and *Scipio*

1 are met, I'll allow it. But once again, the Court does  
2 not get in to the weight.

3 MR. REDMOND: Thank you, your Honor. With  
4 that, the State's ready to proceed if we can get  
5 Ms. Ingram in here.

6 (Jurors entered.)

7 MR. REDMOND: State would next call Shameika  
8 Ingram.

9 THE CLERK: Please place your left hand on the  
10 bible and raise your right:

11

12 S-H-A-M-E-I-K-A I-N-G-R-A-M, the Witness herein, having  
13 been sworn by the Clerk of Court, was examined and  
14 testified as follows:

15

16 DIRECT EXAMINATION

17 BY MR. REDMOND:

18 Q. Ms. Ingram, I'm going to ask that you speak  
19 into the microphone. You can lower your mask and speak  
20 into the microphone as loud as you can.

21 A. Okay.

22 Q. Let me ask you this: Just because you also  
23 got the last name Ingram, and I don't think I've ever  
24 asked you, are you and Moniquah related?

25 A. No, sir.

1 Q. Okay. I needed just to clarify that even  
2 though y'all got the same last name. I didn't think so.

3 Let me ask you this: In January of 2017,  
4 January 21st to be exact, 2017, where did you live?

5 A. In the trailer park on Hillian-Edwards Road.

6 Q. Was the same trailer park that this incident  
7 occurred at --

8 A. Yes, sir.

9 Q. -- involving James Henderson, Jr.?

10 A. Yes, sir.

11 Q. Who lived at that residence where you lived  
12 at?

13 A. I stayed there with my boyfriend at the time,  
14 his mother and little brother.

15 Q. His mother and?

16 A. His little brother.

17 Q. His little brother. Okay. Now, on that  
18 particular evening, what had you done leading up to I  
19 guess the night taking a dramatic turn?

20 A. Well in the beginning of that day, I wasn't  
21 even home. I was with family. And then I finally went  
22 home and just sat around. Their family -- his cousins  
23 came over and then they left and we thought they was  
24 coming back, that's what we was waiting on before we all  
25 laid down to go to sleep.

1 Q. When you laid down to go to sleep, were you  
2 able to sleep through the rest of the evening or did you  
3 get awakened?

4 A. I got woken up like as soon as I started  
5 dozing off in my sleep.

6 Q. Tell us what happened. Tell the ladies and  
7 gentleman of the jury what happened.

8 A. I got woken up by a car door, then car lights  
9 outside the house.

10 Q. Now, tell us what took place as far as the car  
11 lights outside the house and all, what -- did anybody  
12 come to the door to your residence?

13 A. No, sir. Once I heard a car door and seen the  
14 lights, I thought it was my boyfriend's family that was  
15 coming back. So I woke him up to go let them in. But  
16 when he went outside, I could hear three times what they  
17 were saying.

18 Q. Oh. Go ahead. I was going to say, when you  
19 say what was said, at the time, was it I guess profane?  
20 Was there profane language being used?

21 A. Yes, sir.

22 Q. Okay. But we need to hear exactly what you  
23 heard in that moment of excitement so tell us.

24 A. Three times I heard somebody say back to back,  
25 "SB, bring your ass outside." And I heard my boyfriend

1 at the time tell him three times, "Nigga, my name's not  
2 SB."

3 Q. To be clear, so at that time, based on what  
4 you heard, were they looking for SB? Is SB the nickname  
5 for James Henderson, Jr.?

6 A. Yes, sir.

7 Q. Were they looking -- based on what you heard,  
8 did they seem to be looking for him at your residence?

9 A. Yes, sir. They mistaken the trailer for his  
10 trailer because he did stay on the other side of us.  
11 His trailer was torn out and he had moved to a different  
12 trailer in the area.

13 Q. You hear this exchange, so what happens, what  
14 do you do?

15 A. I'm still laying there because the lights were  
16 still on. Thomas was standing there, he never turned  
17 the room light on, he just reached under the bed and  
18 grabbed the shoes. He told me that he wanted to show me  
19 some of those guys outside with guns and they was  
20 looking for SB and he went back out there. So I went to  
21 the window and I was peeking out the window and I seen  
22 them talking to him. I see two of the people talking to  
23 him and I couldn't see what they were saying at the time  
24 because they wasn't screaming or anything so you  
25 couldn't make it. By the time he came in, by the time

1 he came back in the house, I had laid back down. I  
2 didn't want nobody see me, catch me, you know, or I  
3 didn't want him to know I was up or anything like that.

4 So when he came back in the house, he wanted  
5 to show me something, they was just talking about going  
6 to fight SB and I looked out the window and I seen the  
7 car going towards his area where he lived, where the two  
8 people standing -- well, walking in front of the car.  
9 One of them was holding a gun and one of them was on the  
10 phone with SB, telling him to come outside and answer to  
11 him. He was screaming it out over the phone.

12 Q. Let me go back to who you saw out there,  
13 that's the critical thing in this case. Who is it that  
14 you saw? I'll just ask you: Did you see the defendant  
15 out there that night? Did you see the defendant out  
16 there that night?

17 A. Yes, sir.

18 Q. What -- tell us -- well, let me back up and  
19 clarify. Where was it that you first saw him?

20 A. In our yard.

21 Q. And about how far were you from where he was?

22 A. From probably right where I'm sitting to where  
23 he's sitting at (indicating.)

24 Q. When you say "he," are you talking about the  
25 first juror on the floor?

1 A. Yes, sir.

2 Q. So approximately six feet?

3 A. Yeah. When I was peeping out the window.

4 Yeah.

5 Q. Say that again. Speak into the mic.

6 A. When I was peeping out the window curtain,

7 yeah.

8 Q. To be clear, did you see the defendant the

9 first time when you were peeking out the window?

10 A. Yes, sir.

11 Q. Tell us where he was and what, if anything, he

12 was doing at the time.

13 A. He wasn't doing anything. He was just

14 standing there but he was standing on the other side,

15 the opposite side of my boyfriend at the time.

16 Q. But did you see anybody with guns out there

17 that night in your yard?

18 A. Yes, sir.

19 Q. Did you see him with a gun?

20 A. No, sir.

21 Q. But here's the thing: Was he outside of the

22 car with the people that had guns?

23 A. Yes, sir.

24 Q. So any doubt in your mind that the defendant

25 is one of the people that you saw there that night?

1           A.    No, I don't doubt that.  I'm a hundred percent  
2   sure he was there.

3           Q.    Then we moved down -- about how long would say  
4   they were out there in front of your yard?

5           A.    Fifteen minutes or just little over.  Just a  
6   little over.

7           Q.    Where did they go after that?

8           A.    They went do SB's house, Little James' house.

9           Q.    So when they got to SB's house, about how far,  
10   best that you can guesstimate, was SB's trailer from  
11   where you were?

12          A.    Probably from here to that door (indicating.)  
13   A little further, only a little further from here.

14          Q.    A little further from here.  Just for the  
15   record, to the backdoor --

16          A.    It was close enough, I could see him in his  
17   bedroom window, standing in his bedroom window and  
18   Harris was one of the other people involved.

19          Q.    And I didn't ask you this:  About how many  
20   people did you see out there total?  First at your  
21   house, about how many did you see at your house?

22          A.    I want to say, that got out of the car, at  
23   least about five people.

24          Q.    When they got down to SB's residence, about  
25   how many -- guesstimate obviously to the best you can

1 estimate, how many people --

2 A. When they got -- when they was in his front  
3 yard, I could see everybody got out of car. A second  
4 car did pull up, but it never went in the front, it  
5 stayed -- nobody got out, it stayed parked facing his  
6 backdoor with the bright lights on.

7 Q. Did you see the defendant after he left your  
8 yard? Were you able to see him?

9 A. They was all standing in SB's yard.

10 Q. How were they standing in -- well, did SB  
11 eventually come outside?

12 A. Yes, sir. He did.

13 Q. How were they all standing once they got  
14 outside, to the best that you can remember?

15 A. They were facing his house until he got out  
16 there. The way he walk around the crowd like those  
17 guys, their backs were facing his front door and they  
18 were facing him.

19 Q. And so were you able to see their faces?

20 A. From that far?

21 Q. Yes.

22 A. Not from that far, but I still know who that  
23 was from the faces from when they were in my front yard.

24 Q. And from when they were in your yard -- and  
25 from when they were in your yard and you saw them, did

1 you see the defendant down at SB's place?

2 A. Yeah. He got back in the car at my front yard  
3 and they all got out in SB's yard.

4 Q. Okay. So he got in the car and got back out  
5 again?

6 A. Yes, sir.

7 Q. In SB's yard, was he actually outside?

8 A. Yes, everybody was out the car.

9 Q. Were they to joking around? Were they  
10 slapping high fives? What could you tell was going on?

11 A. I could tell there was some words being passed  
12 and the only thing I heard loud was the last word and it  
13 was something "Nigga," that's all I heard. And then I  
14 started hearing the shooting and I could see the fire  
15 and I seen him running and I think somebody else was  
16 running behind him and I never seen him anymore after he  
17 went in the woods.

18 Q. To be clear, are you here testifying that you  
19 actually saw the defendant with a gun at any point,  
20 Ms. Ingram?

21 A. No, I can't say that I seen him with the gun  
22 in his hands but I seen people with guns. I can't say  
23 that he was one of them.

24 Q. But was he out with people with guns?

25 A. Yes, he was.

1 Q. And he was an active participant it seemed of  
2 what was going on?

3 A. Yes, he was.

4 Q. Did you -- were you interviewed by law  
5 enforcement, I guess, within a couple days after?

6 A. The next day.

7 Q. Did you tell them I guess what you had  
8 observed?

9 A. Yes, sir.

10 Q. Now at that time you didn't know their names  
11 -- and I'm not going to get into that -- but you didn't  
12 know their names at the time. You just knew their  
13 faces?

14 A. I knew their faces and nicknames by social  
15 media or something like that. But their government  
16 names, no, sir.

17 MR. REDMOND: The State would move at this  
18 time to admit for purposes of trial State's 16. I think  
19 that' without objection.

20 MR. SMALDONE: That's without objection.

21 THE COURT: In without objection.

22 (State's Exhibit 16, Photo lineup, was  
23 marked in evidence.)

24 MR. REDMOND: Your Honor, if I may approach  
25 the witness and just -- if I may approach the witness

1 and actually stay there for a little while to ask her  
2 about this Exhibit 16 in evidence.

3 Q. (BY MR. REDMOND) I'm going to show you the  
4 first page -- let me do it like this.

5 Do you remember in March of 2019, March 13th  
6 of 2019, being shown by Captain Jordan a lineup?

7 A. Yes, sir.

8 Q. I guess several lineups of different people?

9 A. Yes, sir.

10 Q. I'm going to start on page 2.

11 A. I don't remember the exact date but I remember  
12 that.

13 Q. I'm sorry?

14 A. I don't remember the exact date but I remember  
15 that.

16 Q. Let me show you the second page of State's 16.  
17 Are those your initials next to that person circled?

18 A. Yes, sir.

19 Q. Who was that person that you described? Where  
20 did you see him?

21 A. I seen him standing in my front yard. He was  
22 the one of the two people that was talking to my  
23 boyfriend at the time.

24 Q. Did you subsequently determine, discover that  
25 his name was Brenton Davis?

1 A. Yes, sir.

2 Q. The next page, Page 3 of State's 16. Did you  
3 circle anyone on that one?

4 A. Yes, sir.

5 Q. Is that your initials?

6 A. Yes, sir.

7 Q. Was that somebody that you determined to be  
8 Jamarcus Sellers?

9 A. Yes, sir.

10 Q. And had you seen both of them out there on the  
11 21st that night that SB was killed?

12 A. Yes, sir.

13 Q. Now, the fourth page, were you able to pick  
14 anyone out on the fourth page?

15 A. No, sir.

16 Q. On the first page, were you able to pick  
17 anyone out on the first page?

18 A. No, sir.

19 Q. However, was there anyone on that page or any  
20 -- was there anything on that page that was familiar but  
21 you were not comfortable picking out?

22 A. Yes, sir.

23 Q. And why were you not able to pick anyone out?

24 A. Because it was confusing.

25 Q. What exactly confused you on that particular

1 lineup, page 1?

2 A. They looked the same.

3 Q. Which one? Point to whoever favored each  
4 other.

5 A. This one on the top row and the first one on  
6 the bottom row (indicating.)

7 MR. REDMOND: Just for the record, she said  
8 the second one on the top row and the first one on the  
9 bottom row favored each other.

10 Q. (MR. REDMOND) And is that why you were not  
11 comfortable picking one?

12 A. Yes, sir.

13 Q. Now, of course, these are pictures. Is it  
14 easier to make an identification with a live person?

15 A. Yes, sir.

16 Q. Now, of course, these are pictures. Is it  
17 easier to make an identification with a live person  
18 versus a picture?

19 A. In some cases, yes, it is.

20 Q. And is that the case today? In other words,  
21 are you able to make an identification today?

22 A. Yes, I can.

23 Q. Again, who is the person that you saw -- who  
24 is -- was one of the people that you saw out there, is  
25 that person in the courtroom?

1           A.    Yes, he's standing right over there  
2   (indicating.)

3           MR. REDMOND:  Let the record reflect that she  
4  actually did point out the defendant, James Monroe  
5  Brown.

6           Q.    (BY MR. REDMOND) Are you absolutely sure that  
7  he was one of the people that you saw out there that  
8  night?

9           A.    Yes, sir.

10          MR. REDMOND:  Beg the Court's indulgence.

11          That would be all the questions I have at this  
12  time.  Please answer any questions that Mr. Smaldone may  
13  have.

14    CROSS-EXAMINATION

15  BY MR. SMALDONE:

16          Q.    Good afternoon.

17          A.    Good afternoon.

18          Q.    Just to be clear, this happened January 27th,  
19  2017; correct?

20          A.    I guess.

21          Q.    It's your testimony now that you saw Mr. Brown  
22  at your house?

23          A.    Yes, sir.

24          Q.    And then you also say you assume he was at  
25  SB's house but you didn't see his face over there;

1 right?

2 A. No, I never said I didn't see that. I watched  
3 him get in the car. I watched him leave. I watched him  
4 go there. And I watched him get out.

5 Q. You didn't see his face over there; right?

6 A. I didn't matter if I seen his face. I  
7 physically seen him get in the car on my own.

8 Q. Did you see his face over there?

9 A. I didn't have to. I wasn't in SB's yard.

10 Q. You did not see his face in the yard?

11 A. I didn't see -- technically, I didn't even see  
12 SB's face. I practically know who those people were.  
13 Like, those people were just in my yard with lights  
14 shinning in their face. So if you get in my yard and  
15 get in the car at my yard and leave and go, the same car  
16 that you just got in, stop in the middle of the yard  
17 down the street from me and I watched everybody get back  
18 out, the same people that I saw in my yard, I saw got  
19 out.

20 Q. Shortly after is when you were given the  
21 lineup; right?

22 A. Uh-huh.

23 Q. And again, you -- in the lineup was James  
24 Brown; correct?

25 A. Uh-huh.

1 Q. And you did not pick James Brown out of that  
2 lineup; correct?

3 A. Because the first time -- the first time that  
4 I seen pictures of these people, it wasn't actually a  
5 paper lineup. It was a sheriff out in my front yard  
6 getting tips from somebody out there in crime that was  
7 still involved. And as I was doing the description of  
8 the people. They was given the names and the sheriff  
9 kept walking back to me on social media, on Facebook,  
10 social media pulling up different people. And he was  
11 just showing me pictures, not their pages. So he's  
12 showing me a picture and I said, "I just saw him in my  
13 yard, that's was one of the people in my yard." That's  
14 how that came about.

15 Q. So after seeing -- so after supposedly seeing  
16 him in your yard and also being shown a picture of him  
17 by the sheriff, you still could not identify him out of  
18 a lineup; is that correct?

19 A. Because I was confused on how him and someone  
20 else looked at the time when I was being shown that  
21 particular picture you're speaking of.

22 Q. If that person was here right now on trial,  
23 you would say it was him; right?

24 A. No, because I -- like in the flesh, like, I  
25 could really tell -- you can tell when the person is --

1 when that person is in front of you, you can feel it. I  
2 been sick on my stomach, blood pressure up since I been  
3 here. So I know exactly who I'm looking at when I look  
4 at him.

5 Q. Because of the feeling?

6 A. No, because I know for a fact what I saw. You  
7 can't just watch somebody get murdered or watch somebody  
8 come to murder somebody and just forget it, you can't do  
9 that.

10 Q. But you did forget when it was time to pick  
11 him out of a lineup; right?

12 A. No, I did not. Ain't I just say that?

13 MR. REDMOND: Your Honor, I would ask that he  
14 specify which lineup he's referring to because she  
15 talked about one earlier and one in March of 2019.

16 MR. INGRAM: Thank you.

17 MR. REDMOND: I think in fairness to the  
18 witness, I would object unless he clarifies that.

19 BY MR. SMALDONE:

20 Q. I'm unclear also. Did you have two lineups?

21 A. The ones the police did on his phone the night  
22 in the yard. The day after the murder, after I went and  
23 did my statement, I came home, that's the same day that  
24 Mr. Jovanni, one of the deceased came to my house.

25 Okay? That same afternoon, a sheriff came right back to

1 my house with a picture of Jovanni and told me he was  
2 arrested. That's the second time I seen a picture. The  
3 third time I see a picture is when Mr. Jordan came to my  
4 house and I just got off of work.

5 Q. The third time is that the only -- is that the  
6 only one that's in court today? The only picture that  
7 we've seen today?

8 A. That I had to lineup --

9 Q. Right.

10 A. -- that you can show me?

11 Q. Yes.

12 A. On paper? Yeah.

13 Q. That's the lineup I'm talking about, when it  
14 was time and I'll show you the lineup.

15 MR. SMALDONE: May I approach?

16 THE COURT: Sure.

17 Q. (BY MR. SMALDONE) Just to be clear because  
18 apparently there's different lineups we're talking about  
19 now. I want to be clear, this lineup was --

20 A. Yes.

21 Q. Is that from March of 2020 -- I'm sorry, 2017?

22 MR. REDMOND: 2019.

23 Q. (BY MR. SMALDONE) 2019. So four years later,  
24 you can now identify Mr. Brown?

25 A. I mean, I did -- I did know it was him like

1 before when the police showed me that picture. But  
2 nobody never came to me with that actual lineup paper.  
3 We just told him, like, so -- I mean, I never got the  
4 chance to actually get all my story out like I was  
5 supposed to.

6 Q. So law enforcement never approached you and  
7 talked to you about this?

8 A. Yeah, but I'm just saying as far as the  
9 lineups are concerned, I got that lineup on the second  
10 date that I circled those other pictures when I did that  
11 lineup. Yeah.

12 Q. That night, earlier, you describe James Brown  
13 and someone else at scene as favoring each other.

14 A. Yeah, it was dark. They did favor. One was  
15 taller and one was shorter.

16 Q. They both had bald heads?

17 A. Yeah, it appeared that way. They both had  
18 bald heads. I could have been wrong but like I just  
19 said, I had just went to sleep. I had just had woke up.

20 Q. All right. So --

21 A. I know for a fact there ain't no questions  
22 about that, that's him.

23 Q. Okay. But you know now he didn't have a bald  
24 head at the time; right?

25 A. I know he had a bald head on the picture that

1 was shown to me, that the officer showed me in my yard  
2 that night on social media. He had a bald head on that  
3 picture. I noticed the bald head. Then when I seen  
4 that the other dude's pictures, when he was showing me  
5 pictures of the other dude, had a bald head too, you  
6 know what I'm saying? So I was kind of confused between  
7 the two when it came down to their heads. I can't help  
8 the kind of picture I seen at the moment. It was what  
9 was shown to me.

10 Q. Are you describing what you saw that night or  
11 what you saw on social media?

12 A. I'm describing what I saw that night. I'm  
13 describing what the police officer came to show me. I  
14 mean, take it however. I mean --

15 Q. I just want to be clear. Because it's fair to  
16 say we know now he did not have a bald head that night;  
17 right?

18 A. Yeah, it's fair to say that I guess by looking  
19 at what you showed me. But at the same it's also fair  
20 to say I know I seen him there that night of that murder  
21 and I did see him. That's not going to change that.  
22 Nobody knows really what I saw. I'm not the type of  
23 person who's going to say something about somebody and  
24 jeopardize their freedom.

25 Q. But you admit you got the hair wrong; right?

1           A.    Yeah, a lot of people get hair wrong.

2           Q.    And you admit that's pretty much the only  
3 characteristic you described about him; right?

4           A.    That he was short. He was stocky. He had on  
5 dark colored clothes. He was with a whole car full of  
6 other murderers, that's how I describe him. He's a  
7 murderer and that's what I saw. Whether you pull the  
8 trigger or not, in my eyes, if all y'all came together  
9 and y'all was on the same mission, then all y'all are  
10 murderers.

11          Q.    Now as far as facial features and things like  
12 that, the only thing you described about him was wrong;  
13 right?

14          A.    What? Hair? Yeah. The only apparently was  
15 wrong was the hair. But the face, yeah, that's his  
16 face.

17          Q.    You didn't describe his face though, did you?

18          A.    Did y'all ask me to? Was I ever asked to  
19 describe his face or was I shown a picture and said, "Is  
20 this the person you seen in your yard?" Is that the  
21 question?

22          Q.    Right.

23          A.    Yeah. So, yeah, soon as I was shown a picture  
24 of him, and I was like, that's who I just seen in my  
25 yard. That is what was described to me. I don't get --

1 I really don't get the whole concept of that question.

2 I mean, I described him the best I can.

3 MR. SMALDONE: All right. Court's indulgence.

4 Q. (MR. SMALDONE) Fair to say you did identify  
5 several other people there; right?

6 A. Uh-huh.

7 Q. Ever though it was dark outside?

8 A. Well, I did say earlier that Harris, I had met  
9 through mutual people months before that, but not as far  
10 as knowing him. I seen him in an area when I was with  
11 mutual people that he knew. I did not know he knew, but  
12 as far as, I never spoke with him. I never shook his  
13 hand, you know, never did nothing, just passed by.  
14 Jovanni, he came to my house the next day with other  
15 guys threatening my life. I mean, like, how can you not  
16 remember these people. Like, that's what I want to  
17 know. How can you unsee something like that, that's  
18 what I want to know.

19 Q. Right. And with that comment, again, you  
20 didn't pick him out of a lineup later did you?

21 A. No, I didn't because they had already -- first  
22 of all, from the night of the murder, when I said the  
23 picture was the person I seen in my yard, I knew --  
24 right then I knew what I was talking about.

25 Q. Okay. Again, it was dark outside; correct?

1           A.    Yeah, it was dark.

2           Q.    Cloudy that night?

3           A.    This is how I can describe things.  They never  
4 cut the car lights out.  They never cut the car lights  
5 out.  Like, they -- whatever they was about to do, it  
6 was going to be in and out regardless.  If I wouldn't  
7 have woken up out my sleep, I would be dead right now.  
8 They were about to shoot our house up.  That's what they  
9 was in our yards doing, they was loading guns to shoot  
10 our house because they mistaken it for Little James'  
11 house.

12          Q.    That was just a feeling you got, they never  
13 said they were going to shoot your house; right?

14          A.    Oh, yes.  That's not just a feeling I got.  
15 When you call somebody to a door and you're not sure who  
16 they are and you supposed to be sure, you're calling a  
17 different man by somebody else.  You mistaken the house.  
18 You mistaken Thomas for Little James.  You're aggressive  
19 with how you calling him.  He was going outside --  
20 aggressive that he's not the person you saying he is and  
21 y'all out there was loading guns.  It was shotgun shells  
22 in the yard.  Y'all stood out there and loaded the guns  
23 in our front yard.  Like, yo, the cops got that too.

24          Q.    And just to be clear, this is the first  
25 courtroom proceeding today and the first time that you

1 told the Solicitor today that you now recognize James  
2 Brown; correct?

3 A. Yes.

4 MR. SMALDONE: No further questions.

5

6 REDIRECT EXAMINATION

7 BY MR. REDMOND:

8 Q. Have you had a chance to see him since that  
9 night? Had you seen him before today -- I mean, seen  
10 him in the flesh?

11 A. This is my first time seeing him in the flesh  
12 since that night.

13 Q. I'm going to ask you again: Are you sure that  
14 the person that you saw there in your yard that night  
15 with guys with guns, including Bliz, and they go down to  
16 SB's yard, are you sure that he was among those people  
17 that were there?

18 A. Yes, sir.

19 Q. Even though it's been, as he says, 51 months or  
20 however many months it's been, are you sure that he was  
21 one of the people out there in your yard?

22 A. Yes, sir. There might have been 51 months but  
23 that's something I'm never gonna forget for the rest of  
24 my life.

25 Q. How close were you when you looked -- peeked

1 out that window? About how far away were he and the  
2 other guys from you?

3 A. From where I'm at right now to where this  
4 first gentlemen is sitting there (indicating.)

5 Q. So within six feet.

6 MR. REDMOND: That would be all the questions  
7 I have, your Honor.

8 THE COURT: Is that it?

9 MR. REDMOND: I apologize, I do need to follow  
10 up with one thing. I apologize, with the Court's  
11 permission.

12 Q. (BY MR. REDMOND) As it relates to the lineup  
13 that you were shown, is this -- the line up that  
14 Mr. Jordan -- just to clear and to clarify for the jury,  
15 is this the first formal lineup that you were shown and  
16 asked to circle anybody?

17 A. Yes, the one Mr. Jordan gave. Yes, sir.

18 Q. The other lineups, well, we call them lineups.  
19 The other times, were you shown pictures of people?

20 A. The first time was at -- like when I seen the  
21 pictures the man was showing me on his phone because he  
22 was getting tips --

23 Q. Who was that? Do you remember who that  
24 picture was? Was one of those pictures the defendant?

25 A. Yes, sir.

1 Q. And so go ahead continue. Was there another  
2 time?

3 A. The -- one the second time I got to see a  
4 picture from a sheriff's office was when they came the  
5 next afternoon with a picture of Jovanni.

6 Q. The first day they showed you several  
7 pictures. The second day you saw a picture of Jovanni  
8 McClain?

9 A. Uh-huh.

10 Q. Okay. Not the defendant?

11 A. No, sir. It was just Jovanni that day.

12 Q. But as it may be, were these pictures you  
13 being shown on a phone, they were not formal like this?

14 A. No, sir. On that first night -- no, sir.  
15 From the one with Jovanni, it was on paper. It was just  
16 one picture, that was just an actual picture of him.

17 Q. I gotcha. So in other words, is this the only  
18 time you were shown a group of pictures, what we refer  
19 to --

20 A. Yes, sir.

21 Q. -- as a formal lineup?

22 A. Yes, sir.

23 Q. And that was in March of 2019?

24 A. Yes, sir.

25 Q. And even then were you able to pick out Bliz

1 and Jamarcus?

2 A. Yes, sir.

3 Q. And tell us again --

4 MR. REDMOND: If I may approach the witness  
5 briefly.

6 BY MR. REDMOND:

7 Q. Just to be clear, looking at page 1, could  
8 tell us again why you were not able to make a definitive  
9 identification.

10 A. Because the second man was on the top row and  
11 the first man was on the bottom row.

12 Q. What about them?

13 A. They favor.

14 Q. Because they favor, were you comfortable  
15 circling them at that time?

16 A. No, sir.

17 Q. Now that you're in the courtroom. Now that  
18 you are able to see the defendant in the flesh live, is  
19 there any doubt in your mind that he was one of those  
20 people out there that night?

21 A. No, I have no doubt about that. I'm positive.

22 MR. REDMOND: That be all the questions I  
23 have.

24 THE COURT: Anything else from the defense?

25 MR. SMALDONE: No, sir.

1 call Malinda Worley.

2 THE CLERK: Do you solemnly swear to tell the  
3 truth, the whole truth and nothing but the truth, so  
4 help you God:

5

6 M-E-L-I-N-D-A W-O-R-L-E-Y, the Witness herein, having  
7 been sworn by the Clerk of Court, was examined and  
8 testified as follows:

9

10 DIRECT EXAMINATION

11 BY MR. REDMOND:

12 Q. Special Agent Worley, how are you doing this  
13 morning?

14 A. Doing well. How are you?

15 Q. Okay. Fine. Let me do this. I don't know if  
16 the microphone is working. And let's try it again.

17 How are you doing this morning?

18 A. Doing well.

19 Q. Okay. And if I could, just so that everybody  
20 can hear you, just going to ask you to speak up. With  
21 that Plexiglass, it reflects sounds. So if you could  
22 speak up a little bit, that would help everybody out.

23 A. All right.

24 Q. And by whom are you employed?

25 A. The State Law Enforcement Division, commonly

1 referred to as SLED.

2 Q. And how long have you been employed with SLED?

3 A. Almost ten years.

4 Q. And what is your role at SLED?

5 A. I work in the crime scene unit.

6 Q. And of course you are a special agent with

7 SLED?

8 A. Yes, sir.

9 Q. And are you classified as a forensic  
10 scientist?

11 A. Yes.

12 Q. Okay. Now, in this particular case on the  
13 20 -- actually, in the early morning hours on the 22nd  
14 of January 2017, were you dispatched to come to  
15 Chesterfield County?

16 A. I was.

17 Q. Could you tell us what transpired. Did you  
18 get the call -- before we do that, let me kind of get  
19 those things in its proper context.

20 Tell the ladies and gentlemen of the jury,  
21 what exactly your role with SLED is?

22 A. In the crime scene unit, we respond to the  
23 crime scene as been requested by agencies all over the  
24 state. Usually it's homicide, death investigations. We  
25 process the crime scene. We take photographs to

1 document and collect evidence.

2 Q. And where are you headquartered at?

3 A. In Columbia.

4 Q. When a call comes out, do you respond anywhere  
5 in the state where a call may be?

6 A. Yes.

7 Q. And of course, did you do that in this case?

8 A. I did.

9 Q. And so you get the call to respond to  
10 Chesterfield County. Take us through what transpired  
11 next.

12 A. When I arrived on scene about 3:00 or 4:00  
13 a.m., I met with Lieutenant Jordan, Chesterfield County  
14 Sheriff's Office and they kind of gave us a brief  
15 rundown of what they knew at that point.

16 Q. Did you recall what the weather was like that  
17 evening?

18 A. It was raining.

19 Q. I said evening, that morning actually. So let  
20 me be clear on something, because in essence, there are  
21 two scenes here.

22 Did you respond to the trailer park or did you  
23 respond to the roadway off No. 9 where he was found --  
24 where the victim was found?

25 A. Where the victim was found on the side of the

1 road.

2 Q. In this particular case, you had -- and let me  
3 ask you this, were you made aware that that scene had  
4 already been dealt with by the sheriff's department?

5 A. Yes, I was.

6 Q. Okay. So by the time you got there you  
7 responded to the roadway on Highway 9. What did you do  
8 once you got there?

9 A. We did an initial walkthrough to see exactly  
10 what the scene entailed and documented the area with  
11 photographs and searched it for evidence.

12 Q. And of course were you able to document  
13 anything photographic?

14 A. Yes, sir.

15 Q. And just give us an idea and explain I guess  
16 the scene as you saw it.

17 A. The victim was seen off the side of the road.  
18 He was kind of hung up in some trees on the -- and brush  
19 on the side of the road. His back was facing the road.  
20 The sheriff's office had marked an item of evidence with  
21 an orange cone so it was just off the side of the road,  
22 off the edge of the road.

23 Q. So what did you proceed to do in your duties  
24 at the time?

25 A. We photographed the -- the item that was

1 marked with the orange cone turned out to be the back of  
2 a cell phone. And then we photographed the victim in  
3 the area where he was found.

4 Q. At that particular time were there any  
5 suspects or anything that you were asked to process as  
6 far as any suspects were concerned?

7 A. No, sir.

8 Q. Okay. Were there any suspects that you were  
9 aware of that was still on scene?

10 A. No, sir.

11 Q. In this situation, your main role was to just  
12 document what you had seen, what you observed and I  
13 believe some evidence had already been collected by  
14 Chesterfield County?

15 A. Right.

16 Q. Okay. Now, again, did you take any pictures?

17 A. Yes, sir.

18 Q. All right. Let me ask you and it's a little  
19 challenging now, but if I could ask you to step down and  
20 I'm going to have you come over here near me, I'm going  
21 show some pictures. I'm going to attempt to show some  
22 pictures. I'm hoping that --

23 MR. REDMOND: And if I could ask the jury,  
24 Your Honor, if everybody is at least within view of  
25 being able to see? I know this is a little different

1 than we normally have.

2 THE COURT: Could everybody see?

3 Q. (BY MR. REDMOND) Now, could you explain to us  
4 what this represent.

5 A. That is the scene as I found it when I arrived  
6 on the southbound side of Highway 9.

7 Q. Okay. Let me ask you this: Do you recall  
8 these -- all of this -- just explain what is in this  
9 picture, what we're looking at here.

10 A. Since it was, you know, the middle of the  
11 night, it was dark so the sheriff's office had provided  
12 lights.

13 Q. Next, what is this picture?

14 A. That's another photo of the same area. You  
15 can see the victim, that's his aqua jacket in the trees  
16 there.

17 Q. For the record, is that on the right side -- I  
18 guess, on the left side actually -- left side of the  
19 picture?

20 A. Yes.

21 Q. Next one, what does this represent?

22 A. I believe this is from the other side looking  
23 in the opposite direction.

24 Q. Okay. What does this represent?

25 A. That one is looking from the road toward the

1 woodline. You can see the orange cones marking the back  
2 panel of the cell phone and the victim in the brush  
3 there.

4 Q. Tell me about this cone. Do you recall what  
5 that cone represents? And I think we'll get to that in  
6 some other picture, but what's that cone represent?

7 A. It was the back -- back panel of the cell  
8 phone.

9 Q. And while you're standing there, since we're  
10 talking about that -- actually, we'll go to the next  
11 one. Then I'll show you something.

12 Is that a closer picture?

13 A. Yes.

14 Q. I will show you what has been marked as  
15 State's Exhibit 2 for ID purposes. Does that look like  
16 the back cover of what you -- what is represented in  
17 there?

18 A. Yes.

19 Q. Okay. I think this next one -- is that just a  
20 closer picture of what I just gave you, State's Exhibit  
21 27?

22 A. Yes.

23 Q. And the last one. And tell us, what this  
24 picture shows?

25 A. This was how we found the victim when we

1 arrived on the scene. He was in a seated position. His  
2 arm -- his left arm was caught, his jacket was caught on  
3 the branches of that tree there and his knees were both  
4 bent with his feet on right side of his body.

5 Q. Did you observe any -- I guess, any injuries  
6 or any wounds on the victim, on his body?

7 A. As he's in this position, we were able to see  
8 since his jacket's pulled up you can see on his right  
9 side there were two -- what appeared to be two bullet  
10 wounds.

11 Q. Thank you. You can have a seat.

12 And I didn't ask this, but did you take those  
13 pictures? Were those pictures that you or your partner  
14 took?

15 A. My partner took them.

16 Q. And your partner, I think Nick Sprouse, was  
17 out there with you that night?

18 A. Yes, that's right.

19 Q. And about that, y'all usually work in tandem  
20 when you report to crime scenes?

21 A. We do.

22 Q. So the pictures that we just saw, again, is an  
23 accurate representation of what you saw that night?

24 A. Yes, sir.

25 Q. And about how long were y'all out here in

1 Chesterfield County in the Hillian-Edwards Road  
2 vicinity?

3 A. At that location, we were there I believe it  
4 was a little less than an hour.

5 Q. And again, you did not actually go to the  
6 trailer park where the shooting had taken place?

7 A. Right, we didn't.

8 MR. REDMOND: That would be all the questions  
9 I have. Please answer any questions Mr. Smaldone may  
10 have.

11 MR. SMALDONE: No questions for this witness.

12 MR. REDMOND: I'd ask that Agent Worley be  
13 excused, your Honor.

14 MR. SMALDONE: No objection.

15 THE COURT: Thank you.

16 MR. REDMOND: Next witness would be Ms. Janet  
17 Ross.

18 THE CLERK: Do you solemnly swear to tell the  
19 truth, the whole truth and nothing but the truth, so  
20 help you God?

21

22 J-A-N-E-T R-O-S-S, the Witness herein, having been  
23 sworn by the Clerk of Court, was examined and testified  
24 as follows:

25

## 1 DIRECT EXAMINATION

2 BY MR. REDMOND:

3 Q. Dr. Ross, good morning.

4 A. Good morning.

5 Q. Let me ask you this. At the time of this  
6 incident, by whom were you employed?7 A. With Newberry Pathology Associates in  
8 Newberry, South Carolina.9 Q. And you are by trade or by profession a  
10 pathologist?

11 A. Correct.

12 Q. And let's get into your background. Could you  
13 give us your educational and experience background?14 A. Yes. I have a bachelor's degree from the  
15 University of South Carolina and did four years of  
16 medical school, which I finished in 1972. Then over  
17 four years of the training pathology -- pathology is a  
18 field of medicine where we are trained to identify  
19 tumors, blood diseases, whatever, through the microscope  
20 and through the use of the laboratory in a hospital. We  
21 are also trained on doing autopsy to find a cause of  
22 death. I did further training over several years in the  
23 field of forensic pathology where we do forensic  
24 autopsies. We identify patterns of injury in things  
25 like rapes, murders, suicide, accidents, and still

1 natural deaths. We are trained how to document those  
2 findings and take fluids at the time of the autopsy for  
3 toxicology. I was board certified. In order to be  
4 board certified you have to take a nationwide test. I  
5 was board certified in three areas of pathology  
6 including anatomic, clinical, and forensic pathology.

7 Q. And of course performing autopsies is part of  
8 what you do regarding -- I guess, to determine cause of  
9 death in cases such as this?

10 A. Yes.

11 MR. REDMOND: At this time, Your Honor, I  
12 would ask that Dr. Ross be qualified as an expert in the  
13 field of forensic pathology.

14 MR. SMALDONE: No objection.

15 THE COURT: So qualified without objection.

16 Q. (BY MR. REDMOND) Now Dr. Ross, let's talk in  
17 general about an autopsy. You touched on it some, but  
18 tell us what an autopsy encompasses. What is it when a  
19 body is brought to you for examination, what is your  
20 protocol?

21 A. It usually -- first of all, the coroner calls  
22 us and schedules an autopsy and authorize it for us to  
23 do it. The patient is transported to us at that time to  
24 Newberry County Memorial Hospital, to the morgue. We  
25 receive the body. We identify the body bag, whether or

1 not it's sealed. We open the body bag, identify the  
2 patient, the patient's clothing, take photographs,  
3 remove the clothing, take further photographs and  
4 identify whatever patterns of injury we can see  
5 externally. In this case, there were gunshot wounds so  
6 we did further x-rays of the body to identify whether or  
7 not the bullets were still present within him. Then we  
8 do an internal examination to see what organs were  
9 involved and to retrieve any bullets present or any  
10 other evidence, as well as, drawing blood and urine and  
11 whatever fluids we need for toxicology.

12 Q. In this particular case the autopsy of James  
13 Henderson, Jr., did you perform that autopsy you've  
14 already answered it, but did you perform that autopsy?

15 A. Yes.

16 Q. And of course, did you follow your protocol  
17 that you just outlined in performing the autopsy of  
18 Mr. Henderson?

19 A. Yes.

20 Q. And were you able to determine a cause of  
21 death?

22 A. Yes.

23 Q. Let me approach with what is marked as State's  
24 Exhibit 18 and ask you if you recognize that document?

25 (State's Exhibit 18, Autopsy report, was

1                   marked for Identification.)

2                   MR. REDMOND: And Your Honor, I apologize, I  
3 forgot to ask for permission to approach.

4                   THE COURT: It's all right.

5                   THE WITNESS: Yes. This is my autopsy report  
6 and evidence transfer form on James Henderson from the  
7 autopsy done -- performed on January 21, 2017.

8                   Q. (BY MR. REDMOND) And in this autopsy, let's  
9 talk about this finding specific to Mr. Henderson. What  
10 were your findings -- and let me just ask you like this.

11                   How many gunshot wounds did you identify?

12                   A. Four.

13                   Q. Four gunshot wounds. Out of those four, how  
14 many ended up being fatal?

15                   A. One.

16                   Q. Let's talk about the nonfatal shot first. Can  
17 you just go through and tell us the three nonfatal  
18 shots, what that evidence yielded?

19                   A. Yes, sir. The one went into the back of the  
20 left upper arm and all the way through and came out the  
21 front of the left upper arm. One went just underneath  
22 the skin on right side of the hip. It just went through  
23 the skin, didn't hit any bone or anything. That was in  
24 and out. That went from the back to the front. One  
25 went into the back just to the right of the middle and

1 it just went under the skin, it did not enter the chest  
2 cavity. And that bullet was found in the skin of the  
3 right upper arm or shoulder.

4 Q. So those were the three. Neither of those  
5 wounds that you've -- gunshots that you've described  
6 would have caused this death?

7 A. Correct.

8 Q. Or did -- neither of them did cause his death.  
9 Let's talk about the shot that did end Mr. Henderson's  
10 life. Could you explain the, I guess pathology, of that  
11 particular shot?

12 A. Yes. That one entered the back again, just to  
13 the left of midline and kind of the midway down the  
14 back. It continued going towards the front and towards  
15 the right. So it's going back to front and left to  
16 right and upward, and that bullet was found in the right  
17 arm underneath the skin of the right armpit.

18 Q. And what -- I guess, what organs were effected  
19 and what ultimately caused his death?

20 A. Yes. That went through his chest cavity. So  
21 it went through two lobes in the right lung and it  
22 caused a lot of hemorrhage.

23 Q. Of course -- and I guess there's no good way  
24 to ask this. Can you describe, based on the fact that  
25 he was running at the time -- first of all, was he shot

1 in the back multiple times?

2 A. Yes.

3 Q. Would that be consistent with someone that is  
4 running away from danger?

5 A. Yes.

6 Q. And speaking of "him running," after he got  
7 hit with the fatal shot, could you explain to us from a  
8 pathological standpoint, biological standpoint, would he  
9 have been able to continue running and I didn't show you  
10 a picture of him as he lay.

11 MR. REDMOND: And I beg the Court's  
12 indulgence. If I can show you what's been marked as  
13 State's Exhibit -- I beg the court's indulgence. Can I  
14 approach the witness and show her what's been marked as  
15 State's Exhibit 13.

16 THE COURT: Yes, sir.

17 Q. (BY MR. REDMOND) I'm sorry, Dr. Ross. I just  
18 thought about this. Can you take a look at the picture  
19 and I want to ask you a few questions.

20 Now, you see how he is situated. He had run.  
21 About how far -- after he got shot that last time, could  
22 you describe for us if somebody's running, they get shot  
23 with that fatal shot, what would have transpired leading  
24 to him ultimately ending up as we saw him in that  
25 picture?

1           A.    In this case the spinal cord was not injured.  
2    The bullet did not hit the spinal cord.  That would have  
3    dropped him pretty much immediately.  Instead, it went  
4    through the lungs.  So he started loosing blood and he  
5    could have continued on for sometime, for some feet  
6    until he bleed out enough to basically faint and  
7    eventually got him.  It appears that he kind of ended up  
8    trying to hold himself up on a tree on something.

9           Q.    And I appreciate that Dr. Ross.  Let's talk  
10   about the actual evidence, physical evidence that was  
11   recovered.  Did you in the course of your autopsy  
12   recover, I think it was three bullets from the victims  
13   body?

14          A.    Two bullets.

15                       (State's Exhibit 19, Bullets/Shell casing  
16                       from autopsy, was marked for  
17                       Identification.)

18          Q.    Two bullets, I'm sorry.  I'm going to show you  
19   what's been marked as State's Exhibit 19.  And I have a  
20   pair of scissor.  Can you open State's Exhibit 19  
21   please.  I will direct your attention to what is labeled  
22   Items 8, 9, and 10.

23          A.    Yes.

24          Q.    Do you recognize -- what is that that you're  
25   holding in that --

1           A.     These are bullets.  In our packages we put  
2     them in clear plastic bags and seal them and initial  
3     them and it includes bullets.  There are three of them  
4     and that includes a small fragment that we found along  
5     -- I'm not sure which wound, but in the two; one in the  
6     right arm or one in the right armpit.

7           Q.     So two bullets and a fragment were recovered  
8     during the autopsy.  Are those the items that you  
9     extracted from the body of James Henderson, Jr.?

10          A.     Yes.

11          Q.     If I can get you to put that back in the bag,  
12     I appreciate it.

13                 MR. REDMOND:  With Court's permission to  
14     approach the witness, I apologize.  I can actually take  
15     back all of the exhibits.

16          Q.     (BY MR. REDMOND)  And did you -- did Caroline  
17     Tyler attend the autopsy from the sheriff's office?

18          A.     Yes.

19          Q.     Were the items of evidence transferred to her  
20     for further testing?

21          A.     Correct.  Yes.

22          Q.     And is that protocol that someone from the  
23     agency of law enforcement, is -- if the evidence is  
24     turned over to them and then, of course, it goes towards  
25     whatever investigative techniques are used?

1 A. Correct. Yes.

2 MR. REDMOND: Beg the Court's indulgence.

3 Q. (BY MR. REDMOND) Could you just -- to be  
4 clear, could state again, the victim, James Henderson's,  
5 cause of death?

6 A. Yes. It's Exsanguination, which means bleed  
7 out, exits out of and bleeding out due to laceration of  
8 the lungs, the right lung due to gunshot wound in chest  
9 -- of the back.

10 Q. Thank you, Dr. Ross. No further questions.  
11 Please answer any questions Mr. Smaldone may have.

12

13 CROSS-EXAMINATION

14 BY MR. SMALDONE:

15 Q. Good morning, Dr. Ross.

16 A. Good morning.

17 Q. In this case, did you establish an idea of how  
18 long Mr. Henderson would have stayed alive after being  
19 shot?

20 A. It's hard to say. It depends on so many other  
21 things. He had a little bit of an enlarged heart, but  
22 he didn't have any major artery problems. So it's  
23 difficult to identify. He had some small units of blood  
24 in his chest cavity.

25 Q. What's a unit of blood?

1           A.    It's about 250, 300 cc's of blood.  So he had  
2  1300 cc's, which is a liter plus 300 cc's of units of  
3  blood.

4           Q.    So do you have any idea of how long that would  
5  have taken to get there or any kind of timeframe I  
6  guess?

7           A.    No.

8           Q.    All right.  No.  That's fine.  And you said  
9  there was only one fatal shot?

10          A.    Correct.

11          Q.    Did you notice any stiffling or anything or  
12  that nature on him?

13          A.    No.  And I have pictures of the back of his  
14  red shirt, stiffling and powder come out of a gun from  
15  the muzzle along with te bullet.  The soot and the  
16  powder only go a certain distance whereas the bullet  
17  will go further.  So if you have any evidence of  
18  stiffling hitting the target or soot hitting the target,  
19  you can estimate a range.  But in this case, we just  
20  said you have to say a distant range, which means  
21  greater than two feet.

22          Q.    Greater than two feet?

23          A.    Yes.

24          Q.    And I don't any other questions for you.

25          Thank you.

1 MR. REDMOND: Your Honor, one light  
2 housekeeping matter I failed to do is I need to move  
3 into evidence, State's 18 and 19.

4 MR. SMALDONE: No objection.

5 THE COURT: In without objection.

6 (State's Exhibit 18, Autopsy report, was  
7 marked in evidence.)

8 (State's Exhibit 19, Bullets/Shell casing  
9 from autopsy, was marked in evidence.)

10 MR. REDMOND: And I would ask that Dr. Ross be  
11 excused at this time.

12 MR. SMALDONE: No objection.

13 THE COURT: You may step down.

14 MR. REDMOND: The State would call Suzanne  
15 Cromer.

16 THE CLERK: Do you solemnly swear to tell the  
17 truth, the whole truth and nothing but the truth, so  
18 help you God?

19

20 S-U-Z-A-N-N-E C-R-O-M-E-R, the Witness herein, having  
21 been sworn by the Clerk of Court, was examined and  
22 testified as follows:

23 MR. REDMOND: May it please the court, Your  
24 Honor.

25 (State's Exhibit 20, All shell casings,

1                   was marked for Identification.)  
2                   (State's Exhibit 21, Cobra .380 (gun) with  
3                   fired and unfired cartridge casing, was  
4                   marked for Identification.)  
5                   (State's Exhibit 22, Cobra .380 (gun) test  
6                   specimen, was marked for Identification.)  
7                   (State's Exhibit 23, Test specimen  
8                   (Model-FS380), was marked in evidence.)  
9                   (State's Exhibit 24, Test specimen  
10                  (Model-CA380), was marked in evidence.)  
11                  (State's Exhibit 25, Firearms report, was  
12                  marked for Identification.)

13

14                   DIRECT EXAMINATION

15                  BY MR. REDMOND:

16                  Q.    Ms. Cromer, how are you doing this morning?

17                  A.    I'm good, thank you.

18                  Q.    By whom are you employed?

19                  A.    I'm employed by the South Carolina Law  
20                  Enforcement Division, commonly referred to as SLED.21                  Q.    Suzanne, you can actually take your mask off  
22                  since we have the Plexiglass -- until you exit the  
23                  Plexiglass.

24                               How long have you worked with SLED?

25                  A.    I've been with SLED 22 years and 7 months.

1 Q. Wow, I didn't realize it to be that long. And  
2 of course, you and I had the opportunity to work on  
3 several cases together.

4 A. Yes, sir, we have.

5 Q. And so you pretty much know I'm not going to  
6 get too fancy with you cause, you know, I'm dumb with  
7 these things. So I'm just going to ask you if you could  
8 give us your educational background and your experience  
9 in the field of firearms analysis.

10 A. Okay. I have a bachelors degrees from Clemson  
11 University. I did some graduate work at the University  
12 in South Carolina in criminal justice. I was hired on  
13 at SLED and completed their in-house training program  
14 for firearm and tool mark examiners, which is a  
15 multi-tier intense study program. It's more of an  
16 apprenticeship, if you will. We work under other  
17 qualified firearms examiners taking tests, written  
18 tests, oral tests, practical exercises and preparing  
19 cases for other firearms examiners.

20 Upon completion of all the modules in our  
21 training manual, we are given a comprehensive final exam  
22 which includes essay and mock case and demonstration of  
23 firearm knowledge.

24 Once that's graded by your training officer  
25 and your lieutenant, if you pass case you're allowed to

1 take casework on by yourself.

2 I've taken training classes with the  
3 Association of Firearm and Tool Mark Examiners, which is  
4 an international organization for our profession.  
5 Pre-COVID, we meet every year for a week to discuss  
6 relevant issues in our field and also they offer extra  
7 workshops. I've been fortunate enough to attend  
8 numerous of those training seminars and also extra  
9 workshops like machine gun conversion, high point  
10 firearms familiarization, gunshot residue ethics, barrel  
11 making.

12 I've also taken classes with the South  
13 Carolina Chapter of International Association of  
14 Identification. And the most pertinent being I took two  
15 different three-day shooting scene reconstruction  
16 workshops. I've taken classes with the Bureau of  
17 Alcohol Tobacco Firearms and Explosives, commonly  
18 referred to as the ATF, on Serial Number Restoration and  
19 National Integrated Ballistic Identification Network.  
20 We call it NIBIN. NIBIN is a digital database for  
21 images of fire cartridge cases and test firearms. I'm  
22 also the NIBIN program administrator for SLED. I have  
23 taken a class that allows me to be a NIBIN authorize  
24 trainer. I can teach other people how to use the NIBIN  
25 program internal. I've taken, in total, numerous

1 firearms manufacturers Smith and Wesson -- Smith and  
2 Wesson, FN firearms, Patriot Ordnance, just to name a  
3 few. I've also toured tool manufacturers such as Maten  
4 Tools, KA-BAR, CUTCO to name a few.

5 Q. Let me ask you this. How many times have you  
6 been qualified an as expert -- guesstimate. How many  
7 times have you been qualified as an expert in the field  
8 of firearms analysis?

9 A. Approximately 120.

10 MR. REDMOND: Your Honor, at this time I would  
11 move that Ms. Cromer would be qualified as an expert in  
12 the field of firearms analysis.

13 MR. SMALDONE: That's without objection.

14 THE COURT: So qualify without objection.

15 Q. (BY MR. REDMOND) We just qualified you as an  
16 expert. Did you have an opportunity to do an analysis  
17 in this case specifically, lab No. L17-01188?

18 A. Yes, I did.

19 Q. Before we get into that, let's talk about how  
20 you go about doing what you do.

21 A. Okay.

22 Q. And I guess the rudimentary version of what it  
23 is you do. Could explain to the jury what it is you do,  
24 what equipment you use to do it and how you go about  
25 doing it?

1           A.    What I do is basically called firearms  
2    identification.  I am looking at ammunition components,  
3    bullets, cartridge cases, bullet fragments, cartridges,  
4    to determine whether they are fired by or limiting to  
5    and extracted from a specific weapon.  If I don't have a  
6    specific weapon, I can microscopically examine these  
7    fire components and give investigators an idea of how  
8    many firearms they're looking for and potentially even  
9    what type of firearms they're looking for, based on the  
10   markings that are left on those ammunition components  
11   from the firearm.

12                 Cartridge cases are marked by several  
13   different spots by the particular firearms, such as the  
14   breach face, the firing pin, the extractor, the ejector,  
15   and the chamber itself can all leave individual marks on  
16   those cartridge cases.

17                 Bullets, we call it general life-link  
18   characteristics.  You have certain characteristics that  
19   lead you to examine these bullets.  First we start with  
20   caliber.  What caliber is that projectile.  Caliber is  
21   the size designation for the type of ammunition used in  
22   particular firearms.  So we determine the caliber.  Then  
23   we determine what type of rifling we have.  Rifling is  
24   what's put on a gun barrel or put in the gun barrel by  
25   the manufacturer to give that blue rotary motion, very

1 similar to a quarterback who throws a football, it wants  
2 to go into a tight spiral. So what the rifling does in  
3 the barrel of the gun is it makes that bullet rotate so  
4 it goes more accurately to it's target and makes it  
5 spin. Rifling is made up of raised and depressed areas.  
6 We call them lands and groves. There's two different  
7 types of rifling. There's two different types of  
8 rifling. There's conventional rifling and then there's  
9 polygonal rifling and the number of raised and depressed  
10 areas, number of lands and groves, is another general  
11 life-link characteristics. Some guns have three, guns  
12 some have five, six, seven, nine. All of those are  
13 individual to that particular firearm. And then lastly,  
14 it's how is that bullet going spin. Is it going to turn  
15 to the left or is it going to turn to the right. We  
16 look at all of those things on fired bullet to give us  
17 an idea of what firearm could have fired that gun. And  
18 most of my work is done on a comparison microscope.  
19 That is optical bridge where we can look at two objects  
20 together side-by-side under magnification. And we do a  
21 lot of test firing into a bullet recovery tank. Our lab  
22 is on the second floor of the build and our tank, our  
23 water tank goes down to the first and we shoot down into  
24 water with our specific firearms. And that water does  
25 not add anything to the bullet or take anything away

1 from what was put there by the gun.

2           So we'll examine those test fires and compare  
3 them to what ammunition components we received in a  
4 case.

5           Q.   Now, let's talk about receiving evidence. How  
6 is evidence received by SLED including the --  
7 importantly the packaging, the way it's packaged?

8           A.   Evidence comes into SLED through agencies all  
9 over the state. And we expect it to come in, especially  
10 firearms unloaded, but sealed. When I go down to our --  
11 excuse me. Let me step back. When an agency brings it  
12 in, they're supposed to make sure it is in a container,  
13 it's sealed with initials and a seal date. It will stay  
14 in our evidence control department until someone is  
15 alerted this evidence needs to be worked. Our evidence  
16 control department will let each agency know what needs  
17 to be done.

18           So if there there's like a firearm they want  
19 fingerprints on or swabbed for DNA, it will go to those  
20 departments before it will come to me. In each case  
21 that I pick up from our evidence control department, we  
22 always check to make sure it is still sealed in a  
23 container with initials in a sealed bag.

24           Q.   And importantly, if it does not meet the  
25 protocol -- if it is sent in and it does not meet the

1 protocols as it relates to how it's packaged, how it's  
2 sealed, do you test those items?

3 A. What I'll do is, I'll photo-document how it  
4 was when I received it and then I'll call the submitting  
5 agency and we'll talk about from there where we go. But  
6 it will be noted and sometimes I won't test it. If it's  
7 not been properly sealed and secured.

8 Q. Was that a problem in this case?

9 A. No, it was not.

10 Q. Did you have the opportunity to I guess,  
11 examine several items of evidence that were presented to  
12 you?

13 A. Yes, I did.

14 MR. REDMOND: And if the Court would indulge  
15 me, if I may approach with several exhibits then we can  
16 proceed.

17 THE COURT: You may.

18 Q. (BY MR. REDMOND) To avoid confusing everybody,  
19 I'm going to actually in away, turn it over to you in a  
20 sense like this, if you could go through -- let me ask  
21 you this. Is one of the items I gave you a copy of your  
22 report?

23 A. Yes, it is.

24 Q. Which exhibit is that? I apologize.

25 A. A copy of my report is State's Exhibit Item

1 25.

2 Q. And I think that the probably most organized  
3 way to do this is, whatever is best for you as it  
4 relates to what exhibits you want to start with. And  
5 let me give you a pair of scissors, if I may approach  
6 the witness again.

7 And if you would just note for the record, the  
8 exhibit number that you are handling.

9 A. Let me just note this is still in a sealed  
10 container with my initials and seal tape.

11 Q. Which exhibit number is that that you just  
12 referred to?

13 A. This is State's Exhibit No. 22.

14 Again, State's Exhibit 21 is in a sealed  
15 container with my initials and seal tape. I'm just try  
16 to open everything first so I can go through it.

17 Q. By all means take your time. Let me ask you  
18 this before we start going through everything. Once  
19 you've opened everything, was everything in accordance  
20 with the protocol and policies as it relates to making  
21 sure to maintaining the integrity of each of those  
22 items?

23 A. Yes, sir.

24 Q. Now, I will turn it over to you as it relates  
25 to going through each of the exhibits as it's relates --

1 first, before we get to your findings, if you would just  
2 go through each of the exhibits that was presented to  
3 you?

4 A. Okay. So I had -- in State's Exhibit 19, I  
5 had my items 5 and 7, which are two fired 380 auto  
6 caliber cartridge cases. I also had items 8 -- my items  
7 8, 9, and 10, which are two fired bullets and one bullet  
8 jacket fragment.

9 In State's Exhibit 20, I had three fired 9mm  
10 Luger caliber cartridge cases and one fired 380 auto  
11 caliber cartridge case.

12 State's Exhibit 21, I had my item -- this is  
13 my item 20. Again, it's unloaded, I can tell by looking  
14 into the chamber. It is a Cobra Enterprises Model  
15 CA380, caliber 380 auto semiautomatic pistol.

16 Would you like me to read the serial number?

17 Q. You can. There are two of them so we might as  
18 well just add it in the record.

19 A. Serial No. CP103710 with a magazine and  
20 unfired ammunition and also one fired 380 auto caliber  
21 cartridge case, which is my Item 24.

22 And State's Exhibit 22 -- Exhibit 22, I had my  
23 Item 22, which is a Cobra Enterprises Model FS380 auto  
24 caliber semiautomatic pistol, Serial No. FS111321 with  
25 magazine and unfired ammunition, 380 auto ammunition and

1 a swab that I took from the firearm during my  
2 examination. I believe that's everything.

3 Q. Take us through the testing protocol as far as  
4 what you tested as it relates to each of those items and  
5 we'll get to your conclusions and findings in a little  
6 while.

7 A. What I typically do when I have a case like  
8 this is, I start with the fired ammunition components.  
9 I take the package, I photograph the package as I  
10 receive it. Then I open the package, I photograph  
11 what's inside the package as I receive it. All while  
12 marking my item number and initials.

13 Then, from those ammunition components I take  
14 notes. For a fire cartridge case I note it's  
15 construction, how it's made. A brace case with an  
16 nipple primer. Is it, you know, a brace case with as  
17 brace primer and what caliber and what type of  
18 manufacturer.

19 For bullets, again, I still open the packaging  
20 photographing as I go. For bullets, what I do is if  
21 they came from autopsy I will first photograph them and  
22 then I will clean them and then I will do my exam, which  
23 entails measuring the diameter of the bullet, weighing  
24 it and also again, take a page of notes for each fired  
25 projectile.

1           Firearms, again, I do the same thing. I take  
2 a lot of photographs about how it came to me. Then what  
3 I've done is, since I already know what type of evidence  
4 I have, ammunition evidence, then I will take this  
5 firearms after I have looked at them, determined that  
6 they are safe to fire and I will test fire similar  
7 ammunition in these guns, take those test fires back  
8 microscopically compare those cartridge cases and  
9 bullets to each other and then start to look at them  
10 versus my ammunition or my evidence.

11           Q. And in this particular case, were you able to  
12 conduct -- were you able to come up with findings based  
13 on your examination?

14           A. Yes, I was.

15           Q. And could you go through your findings?

16           A. Out of the seven cartridge cases that I  
17 received in this case, four of them were 380 auto and  
18 three were 9 millimeter Luger. Out of those cartridge  
19 cases, I determined that three -- let me show these  
20 three. These 380 auto caliber cartridge cases were all  
21 fired by one firearm. The 9 millimeter Luger caliber  
22 cartridge cases were fired by a second firearm. And  
23 then, this other 9 millimeter Luger -- sorry. The other  
24 380 auto caliber cartridge case was fired by a third  
25 firearm. So I at least have three firearms represented

1 here in the cartridge cases.

2 Q. And just to be clear. So the items that were  
3 turned over from Chesterfield county to you, involved  
4 three separate firearms that were being used as the  
5 evidence was collected by the sheriff's office?

6 A. That's correct. And the cartridge cases I had  
7 at least three different firearms represented.

8 Q. Three different firearms. Okay, go ahead.  
9 Please continue.

10 A. In the bullets that I served, the two fired  
11 bullets were consistent with 380 auto caliber bullets.  
12 And in my opinion they were fired by the same firearm  
13 but, they were not either of these. The two firearms  
14 that I received in this case, did not fire any of the  
15 fire components that I received. So I gave  
16 investigators a list of potential firearms that could  
17 have fired those two 380 auto caliber bullets. And the  
18 one bullet jacket fragment that I received had no  
19 markings that I needed for identification purposes. So  
20 it was unsuitable for identification.

21 Q. Just to be clear, as an expert, if all of this  
22 evidence was collected at one crime scene, at one scene,  
23 how many guns again, does it indicate were fired?

24 A. A minimum of three, there could be four. We  
25 cannot determine whether the bullets in the cartridge

1 cases came from the same gun unless I have a firearm to  
2 compare it to. So a minimum of three, potentially four.

3 MR. REDMOND: I beg the Court's indulgence.  
4 One thing as a housekeeping matter. If I may approach  
5 Ms. Cromer, so I can go through the exhibits. I would  
6 move all of these exhibits into evidence at this time.  
7 If I could ask Ms. Cromer to put them back in there  
8 containers and then I'll collect them and move them in  
9 to evidence.

10 MS. CROMER: State's Exhibit 20, was the three  
11 fired 9 millimeter caliber and one 380 caliber cartridge  
12 case.

13 MR. REDMOND: I would move State's 20 into  
14 evidence at this time.

15 MR. SMALDONE: No objection.

16 THE COURT: In without objection.

17 (State's Exhibit 20, 9mm and 380 caliber  
18 cartridge case, was marked in evidence.)

19 MS. CROMER: State's Exhibit 19 had the  
20 two fired 380 auto caliber cartridge  
21 cases and the two fired bullets and one  
22 jacket fragment.

23 MR. REDMOND: State would move State's 19 in  
24 to evidence at this time.

25 MR. SMALDONE: No objection.

1 THE COURT: In without objection.

2 (State's Exhibit 19, two fired 380  
3 caliber cartridge cases, was marked in  
4 evidence.)

5 MS. CROMER: State's Exhibit 21, was one of  
6 the Cobra's auto caliber cartridge cases and unfired  
7 ammunition.

8 MR. REDMOND: Move State's 21 in at this time.

9 MR. SMALDONE: No objection.

10 THE COURT: In without objection.

11 (State's Exhibit 21, cobra caliber  
12 cartridge cases, was marked in evidence.)

13 MS. CROMER: State's Exhibit 22 is another  
14 Cobra 380 firearm and unfired ammunition.

15 MR. REDMOND: We would move State's 22 in  
16 evidence at this time, your Honor.

17 MR. SMALDONE: No objection.

18 THE COURT: In without objection.

19 (State's Exhibit 22, fired and unfired  
20 cobra 380 ammunition, was marked in  
21 evidence.)

22 MS. CROMER: And State's Exhibit 25 is a copy  
23 of my report.

24 MR. REDMOND: And we would move State's 25, a  
25 copy of the report into evidence at this time.

1 MR. SMALDONE: No objection.

2 THE COURT: In without objection.

3 (State's Exhibit 25, firearms report, was  
4 marked in evidence.)

5 MR. REDMOND: Thank you Ms. Cromer. Please  
6 answer any questions Mr. Smaldone might add.

7

8 CROSS-EXAMINATION

9 BY MR. SMALDONE:

10 Q. Good afternoon or good morning, I'm sorry.

11 A. Good morning.

12 Q. Seems like a lot of guns were recovered and a  
13 lot of guns were involved in this. I just want to clear  
14 things up for me and for the jury. You found, there  
15 were two of the same gun recovered; correct?

16 A. Two of the same manufacturer, they were  
17 different models.

18 Q. Okay. I'm sorry, they were different models,  
19 but they're both 380 Cobra's; right?

20 A. Correct.

21 Q. They're 380 caliber?

22 A. Correct.

23 Q. Then there were also 9 millimeter shells  
24 recovered; correct?

25 A. Yes. There were three 9 millimeter Luger

1 caliber cartridge cases.

2 Q. And from your understanding they were  
3 collected at the scene?

4 A. I believe so.

5 Q. Okay. And could you tell when any of those  
6 shells were fired or how new or old they were?

7 A. No, I can't.

8 Q. Okay. So all you know they were at the house  
9 at some point, you don't know at what point they were  
10 fired; correct?

11 A. All I know is that they were collected and  
12 brought to me.

13 Q. Okay. All right. And so you had -- you got  
14 the bullets from the autopsy; is that correct?

15 A. They were labeled from autopsy; that's  
16 correct.

17 Q. Did you say those bullets didn't match any of  
18 the guns?

19 A. The two bullets and one bullet jacket that I  
20 had did not match the two firearms that was given to  
21 compare too.

22 Q. Okay. Were those bullets, were those 380 or 9  
23 millimeter?

24 A. They were consistent with being 380.

25 Q. And that's a little tougher to tell the

1 difference between the two; is that correct?

2 A. What do you mean.

3 Q. They are the same size bullet; correct?

4 A. They're the same diameter, but they're not the  
5 same in length or weight.

6 Q. Okay.

7 A. So it might be a little harder for the naked  
8 eye, but we're kind of used to looking at that.

9 Q. Right. And I said, from an autopsy standpoint  
10 they couldn't tell from the hole, but you could tell  
11 from the bullet; right?

12 A. The hole would be the same size.

13 Q. Right.

14 A. They're both .355 inches in diameter. It's,  
15 like I said, the 380 auto is just a little shorter  
16 bullet than the 9 millimeter Luger.

17 Q. Okay. So 380's -- and there were two that  
18 were fired into the victim, right, that you recovered?

19 A. There were two bullets that I received.

20 Q. Right. There were two bullets you received  
21 and neither one matched those gun; correct?

22 A. That's correct.

23 Q. The 9 -- and how many 9 millimeter shells did  
24 you get?

25 A. I receive three, 9 millimeter Luger cartridge

1 cases.

2 Q. And through all the cartridge cases you can't  
3 tell when they were fired and what timeframe they were  
4 fired; right?

5 A. No, I cannot tell that.

6 MR. SMALDONE: I don't have any further cross.

7 MR. REDMOND: No redirect. And I would ask  
8 that Ms. Cromer be excused.

9 MR. SMALDONE: Without objection.

10 THE COURT: You're excused.

11 MR. REDMOND: This might be a good time for a  
12 morning break, because our next witness is going to be  
13 Investigator Graig Burns, we have stuff to set up.

14 So this is probably a good time for a break,  
15 to give us a chance to get set up.

16 THE COURT: We'll take a quick break. If you  
17 will follow Ms. Hurst out to the temporary jury room.  
18 We will stand at ease for about 15 minutes.

19 (Jurors exited.)

20 (Whereupon, a short recess was taken.)

21 (Jurors entered.)

22 MR. REDMOND: Your Honor, may it please the  
23 Court.

24 The State would call First Sergeant Graig  
25 Burns.

1           THE CLERK: Do you solemnly swear to tell the  
2 truth, the whole truth and nothing but the truth, so  
3 help you God:

4  
5 G-R-A-I-G B-U-R-N-S, the Witness herein, having been  
6 sworn by the Clerk of Court, was examined and testified  
7 as follows:

8                   (State's Exhibit 26, Shotgun shells, was  
9 marked in evidence.)

10                   (State's Exhibit 27, Back cover of cell  
11 phone, was marked in evidence.)

12                   (State's Exhibit 28, James Henderson, Jr.  
13 Cell phone, was premarked for  
14 Identification.)

15                   (State's Exhibit 29, James M. Brown cell  
16 phone, was premarked for Identification.)

17                   (State's Exhibit 30, Brenton Davis cell  
18 phone (Cellebrite box), was premarked for  
19 Identification.)

20                   (State's Exhibit 31, James Henderson Jr,  
21 cell phone records, was premarked for  
22 Identification.)

23                   (State's Exhibit 32, Certificate of  
24 authenticity on Brenton Davis cell phone,  
25 was premarked for Identification.)

1 (State's Exhibit 33, Brenton Davis cell  
2 phone, was premarked for Identification.)

3 (State's Exhibit 34, Brenton Davis cell  
4 phone extraction report cover page, was  
5 premarked for Identification.)

6 (State's Exhibit 35, Brenton Davis  
7 extraction report, was premarked for  
8 Identification.)

9 (State's Exhibit 36, Brenton Davis cell  
10 phone analysis, was premarked for  
11 Identification.)

12 (State's Exhibit 37, James M. Brown cell  
13 phone analysis, was premarked for  
14 Identification.)

15 DIRECT EXAMINATION

16 BY MR. REDMOND:

17 Q. First Sargent Burns, how are you doing today.

18 A. I'm doing good.

19 Q. Good. Good. Good. Tell us, by whom are you  
20 employed, sir?

21 A. Employed with the Chesterfield County  
22 Sheriff's Office.

23 Q. And what capacity are you employed at this  
24 time?

25 A. Right now I'm currently SRO, Commissions

1 Officer I'm stationed at Long Middle School, enforcement  
2 officer.

3 Q. Okay. Up in Cheraw. And you are First  
4 Sergeant?

5 A. Yes, sir.

6 Q. And in 2017 in what capacity did you serve the  
7 sheriff's office?

8 A. I was a criminal investigator sergeant.

9 Q. And how long have you been with sheriff's  
10 office?

11 A. Since January of 2007.

12 Q. Did you have any law enforcement experience  
13 before that?

14 A. No, sir. I was in the US Navy.

15 Q. And in what capacity did you serve in the US  
16 Navy?

17 A. I served on a sailor ship as operation  
18 specialist and I also did County Intel.

19 Q. And but, of course, y'all respect the corpsman  
20 with the name thing, I'm sure.

21 A. Sure.

22 Q. As you know I was a corpsman in the Navy. We  
23 do appreciate your service.

24 A. Thank you.

25 Q. Now, First Sergeant Burns, on Januarys 21st of

1 2017, did you have the opportunity to be called to  
2 Hillian-Edwards Road?

3 A. Yes, sir.

4 Q. Again, were you working with the investigative  
5 division at the time of this incident?

6 A. Yes, sir.

7 Q. Were you the investigator on-call at the time  
8 of this incident?

9 A. Yes, sir.

10 Q. You were called out. Tell us what your  
11 observations were once you arrived on the scene.

12 A. I got a phone call around -- between around  
13 10:50 p.m. that night. I left my home to go to the  
14 scene on Hillian-Edwards Road. It was -- it had rained  
15 earlier. On my way, it was still a misty rain. Got  
16 down into Hillian-Edwards, went into the second driveway  
17 on Hillian-Edwards; and when I got there, it was some  
18 people out there in the trailer park area. Got there, I  
19 was directed by the blue lights of a deputy on scene.  
20 Went to where he was at, met with him, which is First  
21 Sergeant Timmy Jordan. I spoke with him and asked him  
22 what was going on. He met me at my truck. He explained  
23 that we had a shots fired and possible victim could not  
24 be located and the possible suspects had left the area.  
25 He walked me around to the front of the house.

1           As I walked around to the front of the house,  
2 I observed a black in color 4-door sedan parked at the  
3 corner of the house. I believe it was a Hyundai -- it's  
4 a Honda, which turned out to be the sister of the  
5 victim. Walked around to the front of the house. He  
6 showed me the area, some bullet holes in the trailer  
7 adjacent to the mobile home that Mr. Henderson lived in.  
8 And walked around that area and from that point on, I  
9 took out my camera, got my notebook out my truck -- got  
10 my camera and my notebook and proceeded to make some  
11 phone calls to Lieutenant Jordan, told him what I had  
12 and we needed more investigators on the scene.

13           Q. Did more investigator and did more personnel  
14 come to the scene?

15           A. Yes, sir. For protocol with the sheriff's  
16 department, when we have a possible homicide anything in  
17 that manner, all investigators come to the scene.

18           Q. In this particular case, what role did you  
19 take -- at this point, had you found Mr. Henderson's  
20 body?

21           A. No, sir. At that time my role at that  
22 pertinent time was one of investigator role.

23           Q. And did you participate in a searching for Mr.  
24 Henderson?

25           A. Yes, sir. I did.

1 Q. Can you describe to the best that you can  
2 recall, what was the weather like that -- that day --

3 A. It was a rainy night --

4 Q. Or that evening. Excuse me.

5 A. It had rained earlier that day. That night  
6 was still overcast. It wasn't raining at all, but it's  
7 like a mist in the air.

8 Q. Now, you talk about observations you made and  
9 whatnot. Did you at some point in time that evening  
10 collect evidence?

11 A. Yes, sir. I did.

12 Q. Did you start collecting before or after Mr.  
13 Henderson's body was found?

14 A. Prior to it.

15 Q. Let me -- if I may approach the witness.

16 I'm going to approach with State's Exhibit 26.  
17 I forgot to give you the scissors. While you're opening  
18 that, let me ask you real quickly. I forgot to ask you  
19 this part. Did you -- were you present when Suzanne  
20 Cromer from SLED testified? They're from SLED, the  
21 firearms analysis.

22 A. Yes, sir.

23 Q. Of course she had several items of evidence  
24 that are in evidence at this time. That were several  
25 items that were collected, shell case. Were those among

1 the items you collected that night?

2 A. Yes, sir.

3 Q. Now that you've opened the packet, do you  
4 recognize those items as State's 20 -- I think that was  
5 26.

6 A. State's Exhibit 26.

7 Q. State's 26. Do you recognize those items?

8 A. Yes, sir.

9 Q. Could you tell the ladies and gentlemen of the  
10 jury what those items represent?

11 A. I got two shotgun shell casing and firearm.

12 Q. Let's talk about where you found these items  
13 of evidence that you collected. Could tell the ladies  
14 and gentlemen of the jury where you found these items of  
15 evidence?

16 A. Yes, sir. When we was doing the walk around  
17 of the trailer park where Mr. Henderson had live at,  
18 there was a trailer that was behind him that  
19 Mr. Henderson used to live in prior to the trailer he  
20 currently resided in. From everything that we gathered,  
21 the individuals the harmed him went to that mobile home  
22 first. And I went to -- we did a ping and scanned the  
23 whole entire area looking for any possible shell casing,  
24 any evidence possible. And during that time period, I  
25 ended up getting these two shell cases, because from

1 witnesses in the area, somebody said they think somebody  
2 might have had a shotgun. They weren't sure, so we  
3 collected any possible shell casings. Shot anything we  
4 could see.

5 Q. Where did you collect those shell casings?

6 A. In the front yard next to the driveway of the  
7 mobile home that Mr. Henderson used to give in.

8 Q. In other words, the place they went first?

9 A. Yes, sir.

10 Q. So that's the shell casing. Of course you  
11 were in here with Ms. Cromer. Where those items  
12 submitted to SLED for any analysis -- was there a need  
13 to submit them for any analysis?

14 A. No, sir.

15 Q. In that particular situation -- so we've  
16 already heard at least three guns, but would this be an  
17 additional weapon? In addition to the three handguns,  
18 would this also be an additional weapon that was  
19 possibly out there that night?

20 A. Yes, sir.

21 Q. Now, I cut you off. Continue as far as where  
22 you were collecting items. The shell casing, tell us  
23 where you collected all those items.

24 A. So I went back to the area of, where Mr.  
25 Henderson had resided at and we walked back to the area

1 doing a scan, myself and then detective, Caroline  
2 Thomas. She was also photographing, I was collecting  
3 everything. We went back to Mr. Henderson residents and  
4 by this time the rain had started to pick up. And one  
5 of the things we like to do is, we like to collect  
6 evidence prior to it getting wet and any DNA and  
7 anything being washed away. So we took photographs of  
8 the shell casings, where they laid in the property in  
9 front of the residents and we collected all shell  
10 casings. And we did -- during that time we spread out  
11 some more and we started walking more into the woods  
12 area looking for Mr. Henderson, not knowing that he was  
13 hurt laying in the woods or something. We knew somebody  
14 had fired some shots, we did not know the possible  
15 location, if he was hurt, we did a scan for safety  
16 reasons. So we walked out to the woods area at the  
17 trailer park at that time.

18 Q. About how long -- best that you can estimate,  
19 not exact. But how long was it before Mr. Henderson  
20 located?

21 A. I'd say it was about an hour after we got  
22 there.

23 Q. Where was he located -- tell me the  
24 circumstance upon him being located?

25 A. Well we first contacted dispatch asked them to

1 ping Mr. Henderson's cell phone number. Gave them his  
2 cell phone number, tried to get a possible location.  
3 And the cell phone ping was sending different locations.  
4 So while we was walking around looking for Mr.  
5 Henderson, someone said, "I hear some movement in the  
6 woods down next to the roadway to the left of Mr.  
7 Henderson's house." If you stand at his house and you  
8 look towards the roadway it's to the left. So we went  
9 down into the woods area, was checking around, there was  
10 nothing. So, we proceeded to continue, the rest of the  
11 deputies came, investigators. We made a single file  
12 line best we could with the woods and the trailers in  
13 the way and we proceeded to walk towards the highway,  
14 and see if we could see anything. We walked towards the  
15 highway, went across Highway 9. When we went across  
16 Highway 9, I located Mr. Henderson in the brush area  
17 across Highway 9.

18 Q. Was he deceased?

19 A. Yes, sir. I went down the hill and checked  
20 for a pulse. There was none.

21 Q. Was he, the pictures that we've seen a couple  
22 times, does that represent how you found him?

23 A. Yes, sir.

24 Q. So, at that point you find Mr. Henderson, he  
25 is deceased, tell us what took place next?

1           A.    At that point in time Lieutenant Jordan made  
2 contact with SLED and the sheriff at that time was  
3 already on scene. We made contact with EMS to come out  
4 on the scene. The family was there. We called in for  
5 extra help because of the large crowd. They was not  
6 violent, but we wanted to protect the scene, to make  
7 sure that nobody didn't go down and touch his body. We  
8 wanted to preserve as much as we possibly could. And to  
9 make sure no one could interfere with the crime scene.  
10 At that point it time it was no longer -- it became a  
11 crime scene at that point this time.

12           Q.    And I talked with you about evidence that was  
13 being collected. I forgot to mention one thing or show  
14 you one thing. I'm going to show you what's been marked  
15 as State's 21. Do you recognize State's 21, the  
16 handgun?

17           A.    Yes, sir.

18           Q.    Could you tell us about that handgun.

19           A.    That handgun was the handgun I found down into  
20 the wooded area next to where someone said they heard a  
21 noise, they thought that Mr. Henderson was possibly at.  
22 As I was walking back I was shining my flashlight. I  
23 noticed that it shined and it was located in the dirt  
24 area headed into the wooded area. From the area that  
25 Mr. Henderson saw his body, you walk straight back, this

1 handgun was laying in the dirt next to the wood-line  
2 right there.

3 Q. Were y'all able to surmise who that gun  
4 belonged to?

5 A. From speaking with the family members and  
6 everyone that was out there, they would determine that  
7 particular handgun belonged to Mr. Henderson.

8 Q. And of course we've already heard the  
9 examiner, Suzanne Cromer testify about any results or  
10 lack there of regarding that gun. But was that gun  
11 submitted for testing?

12 A. Yes, sir.

13 Q. Was that testing, what Ms. Cromer testified to  
14 earlier today?

15 A. Say again, sir.

16 Q. Was the testing that it was sent for  
17 consistent with what Ms. Cromer testified to today?

18 A. Yes, sir.

19 Q. Now, let's get back to that night. Of course  
20 you found this gun. Tell me what else took place once  
21 the -- once you found Mr. Henderson's body?

22 A. We preserved the crime scene. We contacted  
23 the fire department to bring the appropriate lights. So  
24 once SLED get on scene we have plenty of light for them  
25 to help with the photography. Once they got there, we

1 secure it. I stayed with SLED, crime scene photography  
2 the whole entire time, photograph the body. I helped  
3 them -- the corner in loading him into the bag and put  
4 him in the car. I went to the morgue with SLED and the  
5 corner. And when they undressed him and took pictures  
6 at the morgue, I was there with them the whole time.

7 Q. Let me ask you this. Was that the end of your  
8 night or was there more that took place. Let me back up  
9 and ask you this. Were y'all able to talk, without  
10 saying what anybody told you, were y'all able to talk  
11 with folks around in that area about what had transpired  
12 that night?

13 A. Yes, sir. While I was in the wooded area  
14 looking around for Mr. Henderson, I overheard some  
15 gentlemen talking.

16 Q. And without getting into what they said, did  
17 that lead you -- what steps did -- whatever you heard,  
18 what steps did that lead you to go to?

19 A. Once we got Mr. Henderson to the morgue, it  
20 had me go online and look for the names of the person  
21 that I overheard and it lead me to Marlboro County.

22 Q. Lead you to Marlboro County. So tell us about  
23 that. When you get to Marlboro County, again, without  
24 saying what anybody said, tell us what took place once  
25 you got into Marlboro County.

1           Now, keep in mind, this is all still -- you  
2 are still working the case. This is into the early  
3 morning hours of the 27th.

4           A.    Yes, sir.

5           Q.    Tell us about that.

6           A.    I think we leave the morgue probably about  
7 three o'clock in the morning. Finally, done with SLED,  
8 we leave the morgue between 3:00, 3:30 in the morning.  
9 Myself, Captain Vaughn, Cap Jordan. We get in Captain  
10 Wayne Jordan's truck. We go to Marlboro County. We go  
11 to Bennettsville PD. We speak with shift sergeant, give  
12 her a list of names and say, hey, we're trying to talk  
13 to these three people.

14                   Do you know where they live?

15                   Last known address.

16                   What do you know about them?

17                   Can you give us some background information?

18                   She took us to two different locations in  
19 Marlboro County. Both locations where they live but  
20 they don't live there at the present time.

21           Q.    Was one of those individuals you were looking  
22 to speak with the defendant?

23           A.    Yes, sir.

24           Q.    And who were the individuals that you wanted  
25 to speak to?

1           A.    Mr. James Brown, Jamarcus Sellers and Brenton  
2    Davis.

3           Q.    And again, on that evening, were you able to  
4    actually be able to talk to them?

5           A.    No, sir.

6           Q.    Were you subsequently able to talk to them?

7           A.    Yes, sir, after a very long day. We went back  
8    to is Chesterfield. I think we might have slept about  
9    an hour and a half and got back up and met back at the  
10   office and went back to Bennettsville. And by this  
11   time, we knew -- we was at Marlboro County sheriff's at  
12   this time speaking with them and they discovered they  
13   had an outstanding warrant for Mr. Davis. So they  
14   picked him up and brought him over to the sheriff's  
15   office, Bennettsville PD. And we attempted to speak  
16   with him at that time.

17          Q.    Without saying what he said, was he  
18   interviewed at that time?

19          A.    Yes, sir.

20          Q.    Now, let's talk about Mr. Sellers. Without  
21   saying anything that he said, were y'all able to talk  
22   with him at some point?

23          A.    Yes, sir. We spoke with him twice that day.

24          Q.    When you went back the second trip to  
25   Bennettsville?

1 A. Yes, sir.

2 Q. Where did y'all talk to him?

3 A. All this took place at Bennettsville PD.

4 Q. Now, at this particular time, again, without  
5 saying anything that was said, how many times did you  
6 speak with Mr. Sellers?

7 A. Twice.

8 Q. Let's talk about Mr. Brown, the defendant.

9 A. Yes, sir.

10 Q. Were you able to talk with him?

11 A. Yes, sir.

12 Q. And did you have an opportunity to, I guess to  
13 -- well, we'll get into a little bit more with him.

14 Where did you talk with the defendant?

15 A. At Bennettsville Police Department.

16 Q. Before we get into what he said, I guess we'll  
17 play the video after lunch -- play his video statement.

18 Was his statement videotaped?

19 A. Yes, sir.

20 Q. Were you able to observe him?

21 A. Yes, sir.

22 Q. When it comes to interviews, was that the only  
23 thing you did or did you actually go out and, I guess,  
24 to Mr. Davis' residence, I believe it was.

25 A. On the day that we spoke with Mr. Brown, we

1 also went to his residents on 38 in Marlboro.

2 Q. Highway 38?

3 A. Highway 38. We spoke and we went to his home  
4 where his father lived at.

5 Q. And did you, without saying what was said, did  
6 you have a chance to speak with this father?

7 A. Yes, sir.

8 Q. Now, did you find out from the interview what  
9 kind of car the defendant drove?

10 A. Yes, sir.

11 Q. What kind of car was it?

12 A. Chevy Impala.

13 Q. Did you find that Impala?

14 A. Yes, sir. We went to his house. It wasn't  
15 there. Once we did the search warrant at Mr. Davis'  
16 house, it was located in the backyard.

17 Q. Let me stop you right there. Where was the  
18 defendant's Impala located?

19 A. In the backyard of Mr. Brenton Davis' home.

20 Q. Was this before or after he gave y'all this  
21 interview?

22 A. After.

23 Q. After your interviewed him. Okay.

24 So let's talk about the interview a little  
25 bit. About what the defendant told you. Of course we

1 will have the video. But to the best of your  
2 recollection, did the defendant ever acknowledge being  
3 in Chesterfield County that night?

4 A. He denied being in Chesterfield County. He  
5 stated that he was at a club.

6 Q. Club Envy?

7 A. Yes, sir.

8 Q. Did he deny having anything to do with what  
9 happened to Mr. Henderson?

10 A. Yes, sir, he did.

11 Q. Interestingly, did he give you what you later  
12 discovered to be -- did he give his correct cell phone  
13 information?

14 A. No, sir.

15 Q. Were you able to get the correct cell phone  
16 information eventually?

17 A. Yes, sir.

18 Q. And we'll get into that shortly.

19 MR. REDMOND: I will say, your Honor, based on  
20 what we've discussed, it is the noon hour now, I do have  
21 a little bit more to get into with Mr. Burns even before  
22 we play the video. So I just want to yield to the  
23 Court's discretion as to what you want to do.

24 THE COURT: Any objection if we take lunch  
25 now?

1 MR. SMALDONE: No.

2 THE COURT: Let's take a lunch break.

3 Ladies and gentlemen of the jury, they're  
4 several restaurants in the Chesterfield area. I'll  
5 leave that to you. I need y'all back here in one hour.

6 (Jurors exited the courtroom.)

7 (Recess was taken.)

8 (Jurors entering the courtroom.)

9 THE COURT: Solicitor.

10 MR. REDMOND: May it please the Court. We  
11 would recall First Sergeant Graig Burns.

12 THE CLERK: Remember Sergeant Burns, you are  
13 still under oath.

14 THE WITNESS: Yes, ma'am.

15

16 (CONTINUED) DIRECT EXAMINATION

17 BY MR. REDMOND:

18 Q. I think where we had left off --

19 MR. REDMOND: May it please the Court, Your  
20 Honor.

21 Q. (BY MR. REDMOND) I think where we had just  
22 finished discussing the defendant's statement. Just to  
23 briefly recap, I'll just ask you. I think we left off  
24 by asking you what information he gave you.

25 Did he tell you that he was in Chesterfield

1 County that night?

2 A. No, sir.

3 Q. Did he specifically deny being in Chesterfield  
4 County that night?

5 A. Yes, sir.

6 Q. Where did he say he had gone that night to the  
7 best that you can remember? Again, the interview was  
8 recorded.

9 A. He said he went to the nightclub in Marlboro  
10 County.

11 Q. Did he give you information about a possible  
12 alibi?

13 A. Yes.

14 Q. Did you follow up on that information?

15 A. Yes, sir. He told us he left the club that  
16 night and he told me about the two guys that worked the  
17 door. One dude by the name of Rock. I can't remember  
18 the second guy's name. But we went to Marlboro County  
19 and we spoke to --

20 Q. And don't tell me what they said. But tell us  
21 who you spoke to?

22 A. We went the venue and spoke with the owner and  
23 at that particular time. He didn't know of anyone by  
24 the name of Rock.

25 Q. Let me ask you this. And following up on the

1 defendant's information, did you get any useful alibi  
2 information?

3 A. No, sir.

4 Q. And I'm going to go back just for a second,  
5 about the gun -- not the gun, about the cell phone  
6 records -- the information. Excuse me. Information  
7 about his cell phone number. I think I asked you, did  
8 he give you his correct cell phone number?

9 A. No, he did not.

10 Q. Do you recall how y'all ended up getting his  
11 actual correct cell phone number?

12 A. Yes, sir. One day we was over in Marlboro  
13 County, Bennettsville PD and we was interviewing -- I  
14 believe that's when I discovered who his baby mother was  
15 and found out where she worked out and made contact with  
16 her and asked her to come up to Bennettsville PD and  
17 speak with me. She came to Bennettsville PD and she  
18 came in and I asked her, how did she know Mr. Brown and  
19 she said --

20 Q. Without getting into what she said, were you  
21 able to get information regarding his cell phone?

22 A. Yes.

23 Q. And also, did you perform an extraction on  
24 Mr. Henderson's cell phone?

25 A. Yes, sir. I did.

1 Q. Did that number also show up there?

2 A. Yes, sir.

3 Q. And now we'll get into that shortly, but let  
4 me go backtrack a minute as it relates to evidence.

5 While you were in Bennettsville, did y'all --  
6 you mentioned executing search warrants for Mr. Davis.  
7 Was there anything of any evidentiary value that was  
8 obtained in the search warrants that were issued?

9 A. The only thing we have of value was a picture  
10 of Mr. Brown's car in Mr. Davis' residence.

11 Q. And just to recap, where was, Mr. Brown, the  
12 defendant's car?

13 A. In the backyard of Mr. Davis residence.

14 Q. Mr. Brenton Davis?

15 A. Yes, sir.

16 Q. Did you encounter -- because there was another  
17 gun as you heard Ms. Cromer testify, there was another  
18 gun. Were you present where that other gun came from?

19 A. Yes, sir.

20 Q. Tell us about that.

21 A. There was a search warrant conducted at the  
22 residence of Mr. Harris' in Marlboro County.

23 Q. Is that Kurtis Harris?

24 A. Yes, sir.

25 MR. REDMOND: If I may approach the witness

1 with State's Exhibit 22, which is in evidence.

2 Q. (BY MR. REDMOND) Is that the gun that you  
3 procured from Mr. Harris?

4 A. Yes, myself along with Investigator Campbell.

5 Q. Brian Campbell?

6 A. Yes, sir.

7 Q. And of course we heard the testimony -- and  
8 was that the gun sent to be tested that Ms. Cromer  
9 testified today?

10 A. Yes, sir.

11 Q. And of course are you aware that neither of  
12 the guns matched any of the items collected at the  
13 scene?

14 A. Yes, she notified us.

15 Q. In other words, were those guns of any  
16 evidentiary value?

17 A. No, sir.

18 Q. Now, I'll -- I started to touch on the cell  
19 phone analysis. Did you do any extraction of the  
20 victim's phone?

21 A. Yes, sir. I did.

22 Q. Before we get into that. Let me approach you  
23 with State's Exhibit, I think that's 23. 28, I'm sorry  
24 State's Exhibit 28.

25 Do you recognize State's Exhibit 28?

1           A.    Yes, sir.

2           Q.    Could you tell the ladies and gentleman of the  
3 jury, what State's Exhibit 28 is?

4           A.    It's a grey in color, Samsung model cell  
5 phone.

6           Q.    And what is the significance of that cell  
7 phone.

8           A.    That cell phone belongs to my victim.

9           Q.    James Henderson, Jr.?

10          A.    Yes, sir.

11          Q.    Is that the cell phone you did the extraction  
12 on?

13          A.    Yes, sir.

14          Q.    Let's talk about that.  When you say  
15 "extraction," explain that process.  What are we talking  
16 about when we're talking about extractions?

17          A.    Extraction is a system -- We got a system  
18 called Cellebrite.  It's a machine that we take and put  
19 in the type of phone into the machine and the machine  
20 will tell you what cable to use to extract data out from  
21 the phone.  Once you hook it up, it downloads anything  
22 on the phone that is saved to the hard drive, i.e.,  
23 telephone numbers, phone call logs, pictures, SMS  
24 messages.  It won't pick up apps like Facebook and  
25 stuff, but it will pick up things if it's saved to the

1 hard drive on the phone.

2 Q. Okay. And did you perform an extraction on  
3 that particular phone?

4 A. Yes, sir. I did.

5 Q. Before we get into the proceeds of that  
6 extraction, tell us about the training that you went  
7 through to be able to perform that extraction or any  
8 extraction?

9 A. I was trained by the US Navy and US Army back  
10 in 2014. I spent 2012 in Afghanistan. My job to go to  
11 Afghanistan was to do cell phone extractions and media  
12 extraction from the Taliban. So I went to Virginia and  
13 we went to school. It's an eight-week school. Went  
14 through rigorous, aggravating and we went through  
15 multiple training. Once we got to Afghanistan, we went  
16 through OJT, on-the-job training for another month  
17 before we took over fully from the outgoing unit that  
18 was there.

19 Q. When you got back stateside and back to the  
20 sheriff's office, was that technology utilized with the  
21 sheriff's office?

22 A. Yes, sir. The machine that we use here at the  
23 sheriff's office is the exact same material and machine  
24 that we used with the US Navy in Afghanistan.

25 Q. Now, did you perform an extraction pursuant to

1 the training that you had?

2 A. Yes, sir.

3 Q. Let me show you what's been marked as --

4 MR. REDMOND: I beg the Court's indulgence. I  
5 think it's State's 19. There it is. State's 17  
6 actually that I'm looking for. If I may approach the  
7 witness with State's 17?

8 THE COURT: Yes, sir.

9 Q. (BY MR. REDMOND) And does State's 17 look  
10 familiar to you?

11 A. Yes, sir.

12 Q. Could you tell the ladies and gentlemen of the  
13 jury, what is State's 17?

14 A. State's 17 tells you what type of phone, who  
15 manufactured it, the model number of the phone. The  
16 victim's cell phone number. It also gives you all  
17 incoming calls to that number, outgoing calls to that  
18 number, missed calls, outgoing text messages, incoming  
19 text messages, photographs that were shared either via  
20 social media, wherever. If it is saved to the gallery  
21 on the phone, it all showings up on extraction data.

22 Q. Is that an accurate and true copy of the  
23 extraction you performed?

24 A. Yes, sir.

25 MR. REDMOND: I'd move to admit State's 17 in

1 evidence at this time.

2 (State's Exhibit 17, Cellphone report,  
3 was marked in evidence.)

4 MR. SMALDONE: No objection.

5 THE COURT: Without objection.

6 Q. (BY MR. REDMOND) And we'll discuss State's  
7 Exhibit 17 shortly. Let me show you what has been  
8 marked as State's Exhibit 3 and 4. I think State's 2 is  
9 already in evidence, but I will give it to you as well.  
10 I'm going to also, since we're up here, give you State's  
11 32 and 33.

12 MR. REDMOND: With the Court's permission, can  
13 I approach the witness.

14 Q. (BY MR. REDMOND) I think State's 2 is already  
15 in evidence, certificate of authenticity. And I was  
16 asking you, State's 2 is that the certificate of  
17 authenticity for the defendant's phone?

18 A. Yes, sir.

19 Q. And State's 3, are those the cell phone  
20 records for the defendant's phone?

21 A. Yes, sir.

22 Q. State's 31 I think it is.

23 A. 32.

24 Q. 32. Is that the certificate of authenticity  
25 for Brenton Davis' phone?

1 A. Yes, sir.

2 Q. And 33 I believe it is, are those the phone  
3 records for Brenton Davis?

4 A. Yes, sir.

5 MR. REDMOND: May I approach the witness your  
6 Honor.

7 Q. (BY MR. REDMOND) were all of these items  
8 collected as a part of your investigation from the  
9 respective cell phone companies?

10 A. Yes, sir.

11 MR. REDMOND: Your Honor, at this time I would  
12 move State's -- I think State's 2 is already in  
13 evidence. But I will, out of an abundance of caution  
14 move State's 2, which is the certificate of authenticity  
15 or the records. State's 3 is the cell phone record of  
16 subscriber data for the defendant.

17 Oh, I forgot to ask you about State's 4. If I  
18 may approach the witness again.

19 Q. (BY MR. REDMOND) State's Exhibit 4, are those  
20 the actual cell phone records for the defendant?

21 A. Yes, sir.

22 Q. Okay.

23 MR. REDMOND: State's 4, I would move in to  
24 evidence at this time, along with State's 31 and 32.  
25 I'm sorry, 32 and 33. Yes, 32 and 33.

1 (State's Exhibit 32, Certificate of  
2 authenticity, Sprint, was marked in  
3 evidence.)

4 (State's Exhibit 33, Brenton Davis cell  
5 phone records, was marked in evidence.)

6 MR. SMALDONE: The defense renews it's previous  
7 objection.

8 THE COURT: I will standby the rule.  
9 Overruled.

10 Q. (BY MR. REDMOND) What was the purpose of  
11 getting all these cell phone records?

12 A. The main purpose was to show communication  
13 between Mr. Brown and his codefendant's and  
14 communication between the defendant's and the victim.

15 Q. Speaking of codefendant's, we had talked about  
16 -- you had talked about the three people. Jamarcus  
17 Sellers, Brenton Davis and the defendant that you talked  
18 to. Were those three individual's arrested in this  
19 case?

20 A. Yes, sir.

21 MR. REDMOND: Now -- I beg the Court's  
22 indulgence. Your Honor, at this time if I could show  
23 State's Exhibit 29. I think you've had a chance to see  
24 it. This is a disk encompassing all of the interviews  
25 -- all of the parts of the interviews that Mr. Brown --

1 that was conducted with Mr. Brown. If there's no  
2 objection, the State would move these into evidence at  
3 this time and then, move to publish those statements at  
4 this time.

5 MR. SMALDONE: No, your Honor. Provided there  
6 are redactions in place.

7 MR. REDMOND: And I did provide the redaction  
8 I think I might have provided them to -- if I didn't  
9 provide them to Madam Court Reporter, I will, just to  
10 make them apart of the record, as far as a court's  
11 exhibit. We do have the redactions listed. If I could,  
12 if I could sit there, that way I can make sure that we  
13 hit the right buttons at the right time. So if the  
14 Court would indulge me. We actually already had it in a  
15 flash-drive. I will introduce this into evidence. I  
16 beg the Court's indulgence.

17 THE COURT: So it's in with -- subject to the  
18 redactions worked out with the defense.

19 Exhibit 29 in evidence.

20 (State's Exhibit 29, CD Statement of

21 James Brown, was marked in evidence.)

22 (Whereupon, a video was played for the jury.)

23 MR. REDMOND: Your Honor, I'm skipping over  
24 hearsay and inadmissible evidence.

25 THE COURT: Okay.

1 Q. (BY MR. REDMOND) Before I play the next part,  
2 just to clarify for the jury. Was the defendant brought  
3 back to Chesterfield County and brought back for another  
4 interview?

5 A. Yes, sir.

6 Q. Is that what we're about to see play right  
7 here?

8 A. Yes, sir.

9 (Whereupon, a video was played for the jury.)

10 MR. REDMOND: Your Honor, for some reason we  
11 lost audio. It's up to one hundred. I don't know what  
12 just happened. For some reason it was just a minute of  
13 that last of the beginning of the interview in  
14 Chesterfield County. But moving on to the next one,  
15 it's playing fine. So I'll just skip to that one.

16 Before we do this, if I could ask him briefly,  
17 just some foundational questions.

18 Q. (BY MR. REDMOND) The first officer we saw  
19 interviewing the defendant who was that?

20 A. In Chesterfield County or in Marlboro County.

21 Q. Well, let's go back to Marlboro County. In  
22 Marlboro County.

23 A. Brian Campbell.

24 Q. In Chesterfield County, who's the first  
25 officer?

1 A. Vincent Reeves.

2 Q. Okay. Is he still with the sheriff's office?

3 A. No, sir.

4 Q. And Brian Campbell, is he with the sheriff's  
5 office?

6 A. No, sir.

7 Q. And of course, was that you that interviewed  
8 him the second time briefly?

9 A. Yes, sir.

10 Q. And who are we about to see briefly?

11 A. Investigator Myers.

12 Q. Okay. Thank you.

13 (Whereupon, a video was played for the  
14 jurors.)

15 MR. REDMOND: Your Honor, that is actually the  
16 end.

17 Q. (BY MR. REDMOND) Investigator Burns, just a  
18 couple questions and I might actually have to have you  
19 step down as we go through some of these exhibits.

20 Now, in the interview we just heard, did the  
21 defendant in Bennettsville, with Bennettsville PD claim  
22 that he lost his phone that Saturday?

23 A. Yes, sir.

24 Q. And obviously, during the course of your  
25 investigation did you determine that to be an accurate

1 assessment of what really happened?

2 A. No, sir.

3 Q. And again, were you able to obtain the records  
4 from the defendant's phone that we do have in evidence?

5 A. Yes, sir.

6 Q. And do those records indicate activity on the  
7 defendant's phone and up until and past the murder of  
8 Mr. Henderson?

9 A. Yes, sir.

10 Q. Now, I did not ask you, I don't think I asked  
11 you about -- I think, as far as, Mr. Davis' phone, I  
12 don't think I asked you about that.

13 MR. REDMOND: If I may approach. I beg the  
14 Court's indulgence, with what is marked as State's 30.

15 Q. (BY MR. REDMOND) You can go ahead and open it  
16 up if you need to. Do you recognize what that exhibit  
17 is?

18 A. It has some zip ties on both ends.

19 Q. Do you need a pair of scissors?

20 A. I don't know if a pair of scissors will do it?

21 Q. Do you recognize State's 30?

22 A. Yes, sir.

23 Q. Could you tell us what State's 30 is?

24 A. It's a cell phone belonging to the defendant

25 -- excuse me, Brenton Davis.

1 Q. Was there an extraction performed by Joey  
2 Carnes of that phone?

3 A. The extraction was actually done by  
4 Cellebrite.

5 Q. Was he the examiner I guess that did it?

6 A. Yes, sir.

7 Q. How did you come to be in possession of  
8 Mr. Davis' cell phone?

9 A. When Mr. Davis was arrested, his cell phone  
10 was seized off his person at the detention center in  
11 Marlboro County. And we did a chain of custody from  
12 Marlboro County to Chesterfield County Sheriff's office.

13 MR. REDMOND: That's for ID purposes only --  
14 actually, I'll go ahead and move this into evidence at  
15 this time. Just the phone at this time, not the  
16 extraction report, if there's any objection. That's  
17 State's 30.

18 MR. SMALDONE: No objection.

19 THE COURT: In without objection.

20 (State's Exhibit 30, Breton Davis  
21 Cellphone, was marked in evidence.)

22 Q. (BY MR. REDMOND) Actual, investigator Burns,  
23 if you could bring that down.

24 MR. REDMOND: With the Court's permission, I  
25 would like him to step down I've got some exhibits to go

1 through on the TV.

2 Q. (BY MR. REDMOND) Now, that is an enlargement  
3 of State's Exhibit 2 that is in evidence. Do you  
4 recognize that, that area photo?

5 A. Yes, sir.

6 Q. Could you explain, if you would, where the  
7 areas -- based on your investigation, the areas where  
8 certain events occurred?

9 A. This is Highway 9.

10 Q. And you can take -- since you're 6 feet away  
11 from the jury. If you would just maintain 6 feet away  
12 at least, just for clarity. And speak loudly since  
13 you're already in front of the microphone, so Madam  
14 Court Reporter can pick you up.

15 A. I can do that. This is Highway 9 right here  
16 headed towards Chesterfield. This is towards Cheraw.  
17 This is the house that the victim, Henderson lived in.  
18 Right here, this empty lot, it used to be another  
19 trailer that was in front of his. This area right here  
20 is the actual home that he used to live in that they  
21 went to the first time by accident.

22 Once the incident happen and everybody began  
23 to assume the shots fired, and Mr. Henderson ran away  
24 from the incident. Came in front of this residence,  
25 right here. Came down -- it's a path that comes down

1 this roadway, came all the way through. Came across  
2 Highway 9, both lanes over here. This area right here,  
3 where the trees at is where I located the firearm in the  
4 dirt and followed the footpath of Mr. Henderson to the  
5 area we located him in.

6 Q. For the record, I misspoke. That is area  
7 photo number 2. It's actually State's Exhibit Number 6  
8 is what First Sergeant Burns was just discussing. Now,  
9 I'm going to move to State's Exhibit 14, an enlargement  
10 of State's 14. What is that?

11 A. That's the gray color, I guess they call it  
12 machine gray, Chevy Impala. This is the back patio  
13 pavement section here that leads up to the back door of  
14 the home of Brenton Davis.

15 Q. And is that where and in the condition and  
16 location that you found that vehicle?

17 A. Yes, sir.

18 Q. And the next one. What does that photo  
19 represent?

20 A. It's a side view of that same vehicle.

21 Q. And is that, again, in the position that you  
22 found it?

23 A. Yes, sir.

24 Q. And again, where was that location?

25 A. In the yard -- backyard of Mr. Brenton Davis.

1 Q. Okay. This actually State's 17. An  
2 enlargement of State's 17. And I'll actually just --  
3 this is actually State's 17. What is State's 17. What  
4 does that represent?

5 A. This is the phone information, when I  
6 extracted his cell phone from Mr. Henderson, this is the  
7 actual record.

8 Q. And what you're holding in your hand, State's  
9 17, is that the complete extraction?

10 A. Yes, sir.

11 Q. I will go through portions of it. Starting  
12 right here in the highlighted portion. What is the  
13 significance of this cover page here?

14 A. It just states the maker of the phone,  
15 telephone number, you know, the date and time of the  
16 cell phone.

17 MR. REDMOND: Your Honor, I apologize, this is  
18 a new computer that I'm working with. So I'm having  
19 some growing pains.

20 Q. (BY MR. REDMOND) What is this on the screen  
21 now? This is also from State's 17.

22 A. This is basic phone extraction, telling you  
23 all the incoming calls, the numbers.

24 Q. Now, zero in on the highlighted portion. What  
25 do the highlighted portions represent?

1           A.    It's a telephone number for people he has  
2 saved in this phone.

3           Q.    Starting with the top one. 843-535-2507 who  
4 does that indicate is calling him?

5           A.    S.dot.

6           Q.    S.dot. Do you know who that is from your  
7 investigation?

8           A.    Yes, sir. It's the first cousin of Mr.  
9 Henderson.

10          Q.    Do you remember his name?

11          A.    Kasean Smalls.

12          Q.    Kasean Smalls. Okay. What time was that call  
13 placed?

14          A.    20:28, which is 8:28 p.m.

15          Q.    And the next number down.

16          A.    It's a 347-564-3467.

17          Q.    Who did that number belong too?

18          A.    That number belongs to Brenton Davis with a  
19 New York telephone number.

20          Q.    Is he also known as Bliz, when we heard Bliz.  
21 Is Brenton Davis also Bliz?

22          A.    Yes, sir.

23          Q.    So then what time did that call come through?

24          A.    That call came in at 8:29.

25          Q.    So like a minute after S.dot.

1 A. Yes.

2 Q. Kasean. The next number down. Number 83 on  
3 the list.

4 A. It's S.dot calling again.

5 Q. What time was that call placed?

6 A. At 8:33 p.m.

7 Q. Now, number 84, the next one. Let's talk  
8 about numbers 84, 86, 87, and 88, who was placing those  
9 calls?

10 A. Those calls were placed by Mr. Brenton Davis.

11 Q. And what time were those calls being placed?

12 A. The one at 84 came in at 8:36 p.m. 86 came in  
13 at 10:40; 87, 10:42; 88, 10:43.

14 Q. Now, let's go to the outgoing calls. The  
15 highlighted portion, could you tell us about those?

16 A. Mr. Henderson called Kasean, S.dot at 8:35.  
17 Then he had an outgoing call to Mr. Davis at 8:35 as  
18 well. He also called Mr. Kasean Smalls again at 9:12.  
19 And then an outgoing call again to Mr. Davis at 9:21.

20 Q. Let's scroll down to -- and again, these are  
21 just portion of State's 17. Now as best I can recall, I  
22 don't have anything highlighted, but do those represent  
23 missed calls that were even past the time that he was  
24 shot?

25 A. Yes, sir.

1 Q. And finally, as it relates to this item. What  
2 does the last page there represent with -- those text  
3 messages?

4 A. Those are text messages.

5 Q. And the highlighted portion, could you  
6 navigate us through the highlighted portion?

7 A. It's a text message from Brenton Davis to  
8 Mr. Henderson at 5:34 on the 21st asking him "Yo, you  
9 couldn't make it?" Then he text him again 8:02 p.m.  
10 saying, "Yo, bro, you need to get here." And then  
11 Mr. S.dot, Kasean Smalls text him at 8:27 saying, "Call  
12 me ASAP." And shortly after that at 8:37 Mr. Smalls  
13 texted Mr. Henderson a telephone number 843-439-7060.

14 Q. Okay. Who was that number that was texted by  
15 Kasean Smalls, whose number is that?

16 A. That number belongs to Mr. James Brown.

17 Q. And again, S.dot, Kasean Smalls, what is his  
18 relationship to the victim?

19 A. He's first cousins.

20 Q. Let's talk about the highlighted portion here.  
21 And this is from the phone calls -- I don't have his  
22 exhibit right in front of me, but this is from the phone  
23 records from Brenton Davis that are in evidence. And  
24 the highlighted portions, could you tell us, I guess the  
25 calls and navigate us through the highlighted portion?

1           A.    The highlighted portions here shows phone  
2   calls from Mr. Davis to Mr. Brown.  And also it had  
3   phone calls showing on the dates of those is the 21st,  
4   starting at 01:00 in the morning.  At 1:21 dialing into  
5   1:21, Mr. Davis is calling Mr. Brown and Mr. Brown is  
6   also calling Mr. Davis.

7           Q.    You're saying 1:00 in the morning on the 21st.  
8   This is approximately 24-hours, a little less than  
9   24-hours before the murder.  In other words, after  
10  midnight on the 21st leading up to the murder, not after  
11  the murder?

12          A.    Let's see --

13          Q.    Oh, I didn't get that.  Is that correct?  In  
14  other words --

15          A.    Yes, sir.

16          Q.    Okay.  I just want to make sure the record is  
17  clear.  This is actually the calls made before the  
18  murder.  Early morning hours of the 21st of the day of  
19  the murder.

20                Now let's see.  Now, as far as, the calls that  
21  were being made, the highlighted portions --

22          A.    Yes, sir.

23          Q.    Who are -- who was that an outgoing call to?

24          A.    The first one in green or the yellow one.

25          Q.    In the on that's highlighted.

1           A.    All right, that's an outgoing call from Mr.  
2   Davis to Mr. Brown.

3           Q.    Let me scroll up.  There's also -- there was  
4   also -- there were some calls listed -- I'm going to  
5   direct your attention to I think it's a blue shade.  Who  
6   was that number being called?

7           A.    843-862-9221.

8           Q.    Yes.

9           A.    Jamarcus Sellers.

10          Q.    What time was that call being made to Jamarcus  
11   Sellers?

12          A.    10:48.

13          Q.    And if I scroll back down, 10:48 -- and this  
14   is 10:48 on the night of the murder?

15          A.    Of the murder.

16          Q.    And based on your investigation, would this  
17   have been shortly prior to the murder taking place?

18          A.    Yes, sir.

19          Q.    Now at 12:25 am on the 22nd, who was there an  
20   outgoing call to?

21          A.    Mr. Davis called Mr. Sellers.

22          Q.    And again, Mr. Davis, Mr. Sellers, and Mr.  
23   Brown were people who were arrested in this case?

24          A.    Yes, sir.

25          Q.    These are Mr. Brown's records.  If you could

1 -- this is Mr. Brown's phone records. If you could  
2 navigate us through the highlighted portions please?

3 A. Yes. It's a phone call to -- from Mr. Brown's  
4 cell phone to Jamarcus Sellers 843-862-9221 at 22:34.  
5 Also, there's a phone call to -- the rest of them are  
6 Mr. Davis -- Mr. Brown's phone number.

7 Q. Look to the right. The right are the call  
8 numbers. What numbers are being called?

9 A. Mr. Brown is calling Jamarcus Sellers.

10 Q. Tell me the times, go through the times when  
11 these phone calls are being made?

12 A. The first one is made at 10:34 p.m., 10:45  
13 again, another one is at 10:50 and then 11:23 and is  
14 11:29.

15 Q. So let's stop there for a second. We skip  
16 calls from 11:50-ish to about -- I mean, 10:50 to 11:23.  
17 The calls between them stopped 10:50 pick back up about  
18 11:23. Based on your investigation, would that have  
19 been during the time that the murders would have taken  
20 place?

21 A. Yes, sir. It was a window we were notified of  
22 a shooting in progress.

23 Q. Based on your investigation, were there  
24 numerous vehicles involved in this incident?

25 A. Yes, sir. We were told there were two

1 vehicles involved at the incident location.

2 Q. Based on your investigation, is it unusual for  
3 people who are traveling in different vehicles to be  
4 calling each other?

5 A. No, sir.

6 Q. Thank you. Just for the record to see, we  
7 went through the calls that Mr. Davis made to Mr. Brown  
8 the defendant. Are there any for -- are there a whole  
9 lot of calls between the two of them on the day, between  
10 Mr. Davis and the defendant? The defendant, Mr. Brown  
11 and Mr. Davis. There aren't a whole lot of calls  
12 between them?

13 A. No, sir.

14 Q. You testified earlier that you found Mr.  
15 Davis' car -- I'm sorry. Mr. Brown's car at Mr. Davis'  
16 residence?

17 A. Yes, sir.

18 Q. And based on your investigative experience,  
19 because they're not contacted each other a lot it seems,  
20 what would you surmise from that?

21 A. He automatically knew where to go, where  
22 Mr. Davis lived. So he had free range to come back to  
23 Mr. Davis' residence.

24 Q. As it relates to the day of the murder and the  
25 time of the murder, the fact that they're not calling

1 each other much, what do you surmise from that as it  
2 relates to their proximity to each other?

3 A. From our investigation, they was together.

4 Q. And one other thing that is also in evidence.  
5 This is I don't remember the State's Exhibit. I think  
6 it's State's Exhibit 3, with the -- is this the  
7 subscriber information from Verizon?

8 A. Yes, sir.

9 Q. And let me scroll up. Is this the cell phone  
10 number that is attributed to Mr. Brown?

11 A. Yes, sir.

12 Q. Who does it indicate is the owner of that  
13 particular phone?

14 A. Mr. James Brown.

15 Q. Now, in the interview -- and you can actually  
16 have a seat. Thank you. I am also first sergeant.  
17 In that interview, did the defendant fail to give y'all  
18 the 439-7306 I think it was -- 60, 7060. Excuse me.

19 A. Yes. He did not provide that phone number.

20 Q. And I did fall to mention one other thing as  
21 it relates to Mr. Brown's records. But in Mr. Brown's  
22 phone records, did you see a call that was made  
23 approximately 10:24 between the defendant and Kasean  
24 Smalls?

25 A. Yes, sir.

1 Q. And is that in the records. I failed to put  
2 that up. But does it show a call being made between  
3 Mr. Smalls and the defendant at about 10:24 p.m. that  
4 night?

5 A. Yes, sir.

6 Q. Approximately, 30 minutes before the murder?

7 A. Yes, sir.

8 Q. And again, just to recap. Did Mr. Smalls text  
9 the defendant's phone number to him earlier that night.  
10 Let me back up. I said 10:24, it was actually 8:24 that  
11 evening. And did Mr. Smalls immediately forward the  
12 defendant's number to the victim James Henderson?

13 A. Yes, sir.

14 Q. Did the defendant ever acknowledge ever being  
15 in Chesterfield County that night?

16 A. No, sir.

17 Q. Or ever being involved?

18 A. No, sir.

19 Q. Were you able to have the phone sent out to be  
20 tested for cell tower analysis?

21 A. Yes, sir.

22 Q. Without saying the outcome of that, were you  
23 able to get results as it relates to the cell tower  
24 analysis on the Mr. Davis' phone and on the defendant's  
25 phone?

1           A.    Yes, sir.

2           MR. REDMOND:    That would be all the questions  
3 I have.  Please answer any questions Mr. Smaldone might  
4 have.

5           MR. SMALDONE:   Your Honor, I request a short  
6 recess for a bathroom break.

7           THE COURT:    Ladies and gentlemen, brief  
8 recess, about 10 minutes.

9                         (Jurors exited.)

10          MR. REDMOND:   Your Honor, if I may briefly.  
11 If I can make this redaction a Court exhibit.  I do want  
12 to add that one of the things, I just made a note we  
13 skipped the Bloods discussion.  Just to make it apart of  
14 the record.  There was almost a discussion about Bloods.  
15 At the time, before I did the redaction, we had not  
16 settled in on that issue.  I did skip that portion.  I  
17 don't have the exact times that I skipped it, but that  
18 was early I think in the second part of the interview  
19 with then, Lieutenant Jordan started questioning.  I  
20 actually skipped that part even though it's not  
21 reflected in the timestamps.  But I did just make a note  
22 that we did skip the Bloods discussion.  And if I could  
23 make this a Court's exhibit.

24                         (State's Exhibit 38, Redacted statement,  
25                         was marked in evidence.)

1 Exhibit 38 marked in evidence.

2 THE COURT: All right. We're in recess.

3 (Whereupon, a short recess was taken.)

4 THE COURT: Are we ready?

5 MR. REDMOND: The State is ready, your Honor.

6 MR. SMALDONE: As is the defense.

7 (Jurors entered.)

8 MR. REDMOND: Your Honor, it was cross  
9 examination.

10

11 CROSS-EXAMINATION

12 BY MR. SMALDONE:

13 Q. Good afternoon.

14 A. How you doing.

15 Q. All right. Forgive me, you had a lot of  
16 testimony. So forgive me if I jump around a little bit,  
17 because it was a lot to cover.

18 A. Yes, sir.

19 Q. And I decided to stop taking my ADD medicine a  
20 few weeks ago, it was making me to sweaty. So forgive  
21 me.

22 I think we'll probably agree on a lot and  
23 disagree on a little bit, so let's start. Let's start  
24 with kind of your role to sum up what you testified to  
25 earlier. Your role was kind of twofold, right. You

1 were responding officer on the scene; correct?

2 A. I was an investigator that was called out.

3 Q. Okay. And responding investigator.

4 A. Yes, sir.

5 Q. I don't want to demean your rank or anything  
6 like that. I wouldn't try to do that.

7 A. Yes, sir.

8 Q. So you were responding investigator.

9 A. Yes, sir.

10 Q. And your were called out. You weren't even  
11 working; right?

12 A. I was at my house waiting, couldn't leave, had  
13 to be on-call. If there's an emergency, they would call  
14 me and I would be the investigator and come out to the  
15 scene.

16 Q. All right. And of course this was a  
17 emergency.

18 A. Yes, sir.

19 Q. So you responded to the call. You went and  
20 collected some evidence; right?

21 A. Yes, sir.

22 Q. All right. And one of those things was the  
23 victim's in the cases gun; right?

24 A. Yes, sir.

25 Q. And now that gun, was that loaded?

1 A. Yes, sir.

2 Q. All right. And do you know if it had a safety  
3 mechanism or anything like that?

4 A. I don't remember.

5 Q. Okay?

6 A. If you want me to have look.

7 MR. SMALDONE: If it's okay with the Court to  
8 examine the firearm. I don't like to tell people to  
9 mess with the firearms without the judges permission.  
10 Your Honor, may he examine the firearm in  
11 question.

12 THE COURT: Sure, go ahead.

13 Q. (By MR. SMALDONE) And I know you're a veteran  
14 and law enforcement, I just wanted to make sure the  
15 Court was all right.

16 Did that have any kind of safety or anything  
17 like that?

18 A. No, sir.

19 Q. And when you got it, when you found it, you  
20 noticed it was loaded?

21 A. It was loaded.

22 Q. And did you notice if there was a round in the  
23 chamber or not?

24 A. There was not a round in the chamber. It was  
25 in the dirt facing nose down. When I got it, I dropped

1 the magazine out of it. Along with Ms. Caroline, we  
2 took pictures, we dropped the magazine out of it and  
3 locked the bolt to the rear and secured it.

4 Q. And then you took the magazine out?

5 A. Yes, sir.

6 Q. And you also recovered the victim's cell phone  
7 in this case?

8 A. Yes, sir. The following day we got a phone  
9 call about location of cell phone, possible cell phone.

10 Q. Okay.

11 A. We went out there a cell phone was laying in  
12 the area that we searched that night.

13 Q. Was that near the victim in this case?

14 A. No, it was in the pathway.

15 Q. What pathway?

16 A. Where he ran towards the roadway, it was in  
17 that area in the sand.

18 Q. Do you know about how far that was from where  
19 he was recovered?

20 A. From here to the parking lot.

21 Q. Less than a quarter mile?

22 A. Yes, sir.

23 Q. Do you know about how far total, according to  
24 your investigation he was, the victim was found from  
25 where the victim's house was?

1 A. I don't know exact distance.

2 Q. Do you know if it was feet, miles?

3 A. It wasn't miles.

4 Q. Okay. All right. Now, I say your  
5 investigations twofold. The other part of your  
6 investigation was after the scene; correct?

7 A. Yes, sir.

8 Q. It was talking to witnesses; right?

9 A. Yes, sir.

10 Q. Interviewing people; right?

11 A. Yes, sir.

12 Q. And helping either draw up warrants or helping  
13 draw up arrest warrants?

14 A. Yes, sir.

15 Q. And search warrants; right?

16 A. Yes, sir.

17 Q. Now, you talked to a few people in this case;  
18 correct?

19 A. Yes, sir.

20 Q. I know you talked to Brenton Davis; right?

21 A. Attempted to.

22 Q. Okay. Right. Right. You talked to him, but  
23 he didn't probably talk back; right?

24 A. Yes, sir.

25 Q. And at that point Brenton was under arrest;

1 right?

2 A. Yes, sir.

3 Q. And in this case, James came to talk to you  
4 voluntarily; correct?

5 A. Yes, sir.

6 Q. He wasn't under arrest. He showed up to talk  
7 to you?

8 A. Yes, sir.

9 Q. And that was within days after this happened?

10 A. That was that Monday, two days later.

11 Q. Two days later. All right. One other thing  
12 just to clarify, one of my scattered ideas. Throughout  
13 and I don't know if was you, but you watched the  
14 interviews; right?

15 A. Yes, sir.

16 Q. It's fair to say you know what was going on at  
17 the time and now with the interviews?

18 A. Yes, sir.

19 Q. And one deputy or investigator, it might have  
20 been yourself, it might not have been, said something  
21 about GPS records with James Brown. Do you recall that?

22 A. Yes, sir.

23 Q. Now, we know that we'll talk about -- we know  
24 that we're probably going to talk about phone records  
25 later; right?

1 A. Yes, sir.

2 Q. But we know that there were no GPS -- actual  
3 global positioning system records of James being there;  
4 right?

5 A. By the cell phone towers, that's it.

6 Q. Right. But there's no GPS monitor?

7 A. No, sir.

8 Q. Just making sure. Just a small point. And  
9 then you did talk to James; right?

10 A. Yes, sir.

11 Q. Again, he came to talk to you; right?

12 A. Yes, sir.

13 Q. And now you talked about it earlier. In your  
14 opinion, James was not being truthful; right?

15 A. No, sir. I didn't think he was being truthful  
16 at all.

17 Q. Now, that's probably, you're probably used to  
18 that; right?

19 A. Yes, sir.

20 Q. And you know that people have a lot of reasons  
21 for not being truthful with law enforcement; correct?

22 A. Yes, sir.

23 Q. I'm sure a lot of people aren't truthful to  
24 law enforcement because they did something they don't  
25 want to admit; right?

1 A. Yes, sir.

2 Q. A lot of people aren't truthful with law  
3 enforcement because they're protecting somebody; right?

4 A. Yes, sir.

5 Q. A lot of people are not truthful with law  
6 enforcement because they, themselves are being  
7 threatened; right?

8 A. Yes, sir.

9 Q. A lot of people are not truthful with law  
10 enforcement just because, in general, they don't trust  
11 law enforcement; right?

12 A. Yes, sir.

13 Q. And you don't really have -- you can't always  
14 tell which method or which reason they're not truthful;  
15 correct?

16 A. Correct.

17 Q. All right. Moving on. Was it you that saw  
18 James' car at Brenton Davis' house?

19 A. It was myself along with several others, all  
20 investigators and also the officers from the town of  
21 Marlboro.

22 Q. Now, there was no fence around that house;  
23 correct?

24 A. At Mr. Davis' house?

25 Q. At Mr. Davis' house.

1 A. Yes, sir.

2 Q. There was not; right?

3 A. I don't think there was a fence around that  
4 house at all.

5 Q. It's safe to say, it's not necessarily the car  
6 was being hidden?

7 A. The location it was parked?

8 Q. Right.

9 A. No, sir.

10 Q. It was visible from the road; right?

11 A. As soon as you turn into the little side road  
12 and turn into the driveway area, you can see the car.

13 Q. So when we say "backyard" that's truthful, but  
14 it's not like some people. Like my backyard, you cannot  
15 see in unless you're in my house.

16 A. I understand. The way his house was set up is  
17 you can get to his residents from both either way. You  
18 can come in on the side road and turn to the right and  
19 his house is there or you come from the main highway and  
20 you see the front of the house.

21 Q. And you saw the car right away?

22 A. We turned up the side road, made a quick left  
23 and right there.

24 Q. And you heard from your interview at least  
25 that James and Brenton are good friends, I think since

1 8th grade; right?

2 A. Yes, sir.

3 Q. Talking a little bit about cell phone  
4 records --

5 A. Yes, sir.

6 Q. You never got my client's phone, did you?

7 A. No, sir.

8 Q. James' phone was never found?

9 A. No, sir.

10 Q. We just know location and things of that  
11 nature, that we'll talk about; right?

12 A. Yes, sir.

13 Q. As far as weapons, things like that. No  
14 weapons were found on James; right?

15 A. No, sir.

16 Q. And no weapons were found in James' car;  
17 right?

18 A. No, sir.

19 Q. No real evidence of -- that we've seen today  
20 that you would think is of useful value was taken out of  
21 James' car; right?

22 A. No, sir.

23 Q. Was there any kind of analysis, like DNA or  
24 anything done to determine who was ever in James' car  
25 whether it be Brenton Davis, Jamarcus Sellers I think

1 another defendant who I can't recall the name.

2 A. McGevier.

3 Q. I was going to say MacGyver. McGevier, No  
4 analysis was done to see if they were ever in or not in  
5 the car; correct?

6 A. No, sir.

7 Q. And no analysis was done to -- no, GPS tracker  
8 was on the car at the time or afterwards; right?

9 A. No, GM does make a tracker that come on their  
10 car, but after a year of the original date it was not  
11 renewed. So there was not a GPS tracker on the car.

12 Q. So that free trial was up; right?

13 A. Yes, sir.

14 Q. And common sense, when James turned himself  
15 in -- not turned himself in. When he showed up  
16 voluntarily to talk to you, he was not armed or anything  
17 like that; right?

18 A. No, sir. He wasn't.

19 Q. In fact, during the course of your  
20 investigation you determined that Mr. Brown doesn't  
21 really have a criminal record; correct?

22 A. Correct.

23 Q. And you determined, he's a father; right?

24 A. Yes, sir.

25 Q. And her worked at Mohawk Carpet; right?

1 A. Correct, sir.

2 Q. I think you said he was a father of four;  
3 right?

4 A. Yes, sir.

5 Q. And that was kind of brought up during the  
6 interview; right?

7 A. Yes, sir.

8 MR. SMALDONE: I beg the Court's indulgence.

9 Q. (By MR. SMALDONE) You have the victim's phone;  
10 right?

11 A. Yes, sir.

12 Q. You have the cell phone extraction of it;  
13 right?

14 A. Yes, sir.

15 Q. And again, the cell phone extraction is  
16 basically a copy of the phone; right?

17 A. Yes, sir.

18 Q. And I know that we've determined that James  
19 has probably never called the victim in this case;  
20 right?

21 A. Yes, sir.

22 Q. We know that James has never texted with the  
23 victim in this case; right?

24 A. That's correct.

25 Q. And vice versa, the victim has never called or

1       texted Mr. Brown?

2             A.     That's correct.

3             Q.     We did have someone else texting the victim  
4 James' phone number; right?

5             A.     Yes, sir.

6             Q.     And that's without any context, we don't have  
7 -- nothing else was in that cell phone message; right?

8             A.     No, sir.

9             Q.     Just a plain number, that's it; right?

10            A.     Yes, sir. But there was a -- never mind.

11            MR. SMALDONE: And I don't have any further  
12 questions, thank you.

13            MR. REDMOND: Briefly, on redirect Your Honor.

14

15                                    REDIRECT EXAMINATION

16       BY MR. REDMOND:

17            Q.     You were asked just a minute ago -- let me go  
18 back a little bit. You were asked about what are the  
19 different reasons people lie to you that you encounter.  
20 So I want to engage that a little bit.

21                                    Do people also lie about their location?

22            A.     Yes, sir.

23            Q.     In your experience as an investigator, do  
24 people lie about where they were to avoid being placed  
25 at the scene of a crime?

1 A. Yes, sir.

2 Q. Is that an unusual occurrence in your role as  
3 in investigator, in your experience as an investigator?

4 A. No, sir.

5 Q. The other thing I was going to ask you based  
6 on what you were just asked as far as contact. We've  
7 stipulated that the defendant and Mr. Henderson didn't  
8 have direct contact.

9 However, did your investigation yield that  
10 there was plenty of contact between, Jamarcus Sellers  
11 and Brenton Davis?

12 A. Yes, sir.

13 Q. Even on the night and around the time, both  
14 before and after murder?

15 A. Yes, sir.

16 Q. And again, they both have been charged in this  
17 incident?

18 A. Yes, sir.

19 Q. And both cell phone records were sent to SLED  
20 for further analysis as it relates to location of  
21 specifically, Mr. Davis and the defendant?

22 A. Yes, sir.

23 MR. REDMOND: That would be all the questions  
24 I have.

25 THE COURT: Thank you. You may step down.

1 MR. REDMOND: The State would next call Joey  
2 Carnes.

3 THE CLERK: Do you solemnly swear to tell the  
4 truth, the whole truth and nothing but the truth, so  
5 help you God:

6  
7 J-O-E-Y C-A-R-N-E-S, the Witness herein, having been  
8 sworn by the Clerk of Court, was examined and testified  
9 as follows:

10

11 DIRECT EXAMINATION

12 BY MR. REDMOND:

13 Q. First Sergeant Carnes, how are you doing  
14 today.

15 A. Doing well. How about yourself?

16 Q. I'm fine. This probably should take too long.  
17 By whom are you employed?

18 A. Chesterfield County Sheriff's Office.

19 Q. And how long have you been employed with them?

20 A. With the sheriff's office 13 years.

21 Q. And what is your -- what are your duties with  
22 the sheriff's department at this time?

23 A. Currently I'm road patrol supervisor and I  
24 also do IT stuff.

25 Q. And we'll get to some of the IT stuff in a

1 minute. In 2017, January 21, 2017 to be exact. Were  
2 you with the sheriff's office?

3 A. I was.

4 Q. And what capacity were you with the sheriff's  
5 office at that time?

6 A. I was an investigator assigned to the  
7 narcotics division.

8 Q. Specifically, in this case, were you involved  
9 and did you assist them as far as maybe some witness  
10 interviews and things of that nature in this case?

11 A. Yes, sir. It was kind of a major case. So it  
12 was like all hands on deck situation, everybody was  
13 helping out.

14 Q. However, would it be fair to say that your  
15 main role in the case had to do with Brenton Davis' cell  
16 phone?

17 A. That's correct.

18 Q. If I may approach with what is in evidence as  
19 State's 30. What is marked as State's 34 and 35?

20 If you would take a moment to take a look at  
21 those items and see if you recognize them and we will  
22 proceed?

23 A. Yes, sir. I do.

24 Q. And first, as it relates to the phone, I  
25 forget what exhibit number it is.

1           A.    Number 30.

2           Q.    As it relates to State's Exhibit 30, do you  
3 recognize that?

4           A.    Yes, I do.

5           Q.    What is State's Exhibit 30?

6           A.    This was the Cellebrite case that was returned  
7 to use after the completion of the extraction from  
8 Cellebrite.

9           Q.    And before we get to the other two items,  
10 let's talk about that Cellebrite. Did you perform a  
11 Cellebrite analysis on the phone?

12          A.    I did.

13          Q.    Could you tell us how that works. We've heard  
14 a little bit about Cellebrite. Tell us in your own  
15 words what Cellebrite is and how you utilize it  
16 specifically in this case?

17          A.    Cellebrite is an extraction tool made by  
18 Cellebrite. That's a service we pay for through the  
19 sheriff's office. In different scenarios and different  
20 cases, if a phone is unlocked, most of the time we can  
21 extract it ourselves and read the data that's contained  
22 on the phone. Some phones are locked, the Cellebrite  
23 can unlock for us. And also, sometimes depending on the  
24 phone, it has to be sent off to Cellebrite for  
25 Cellebrite to unlock it.

1 Q. And is that what happened in this case, hence  
2 the get up that' its in. Was it sent off, in this case  
3 to be unlocked?

4 A. Excuse, me I think I misspoke. Not unlocked,  
5 but extracted.

6 Q. Extracted?

7 A. Yes, sir. We sent it to Cellebrite, it's an  
8 additional fee outside of the normal fee we pay to use  
9 their machine. And we contacted them and they said they  
10 could do it. We sent it to them with a copy of the  
11 search warrant and they sent us back the phone and an  
12 encrypted hard drive.

13 Q. So the phone and encrypted hard drive. So  
14 then what do you do once you receive that back from  
15 Cellebrite. What do you do?

16 A. I take the encrypted hard drive and I plug it  
17 up to our Cellebrite machine and at that point, it's an  
18 exact replica of his phone, the data that it contains.  
19 And at that point, I can do the extraction from there.

20 Q. Did you in fact do the extraction in this  
21 case?

22 A. I did.

23 Q. Let me refer you to what I would call the  
24 cover page. I don't remember the exact exhibit number  
25 that I handed to you. Yes, that.

1 A. Exhibit 34.

2 Q. Which exhibit number is that?

3 A. Exhibit 34.

4 Q. Tell us, what is exhibit 34?

5 A. This is just the extraction report. It  
6 basically kind of gives you the basis of the phone, the  
7 date and time, that sort of thing.

8 Q. What kind of phone was it?

9 A. It was a Samsung -- I want to say S7 Edge. At  
10 the time of the incident it was a very new phone.

11 Q. And when you -- where did you do the  
12 extraction on that, is that reflected on that cover  
13 page?

14 A. On 3/1/2017 at 11:16 a.m.

15 Q. So a couple months after the incident, after  
16 the murder. . Were you able to extract data from it?

17 A. I was, yes, sir.

18 Q. Was it a lot of data?

19 A. It was a lot.

20 Q. Now, we streamlined that segue into State's  
21 35, and it's redacted. You know this is pretty heavily  
22 redacted for hearsay purposes and I don't want to get  
23 into hearsay.

24 When you did your redaction, not your  
25 redaction, your extraction, did you extract in whole and

1 then go through a process of trying to separate?

2 A. Yes, sir. So what I did when I received the  
3 hard drive, it was a copy of everything and it was an  
4 extremely large file. So what I did was, I immediately  
5 ran a report on the entire thing. And I don't recall  
6 the exact number of pages. But it was a huge file.

7 Q. I think it was over, 3,000.

8 A. I remember it being several thousand. I don't  
9 remember the exact numbers. I handed that over to the  
10 investigators and I started digging through it myself  
11 over the next couple of days and kind of narrowed it  
12 down around the date of the incident, who talked to who,  
13 who sent what messages. Then I compiled a report there  
14 and gave it to investigations.

15 Q. And in this situation, what I just handed you,  
16 are those the text messages, not the actual messages,  
17 but I guess the stamps --

18 A. Yes.

19 Q. And with the defendant's cell phone number  
20 (843) 439-7060?

21 A. Yes.

22 Q. And are those again, to be clear, are those --  
23 is that extraction from Brenton Davis' phone?

24 A. That's correct.

25 Q. And those are reflecting text message

1 exchanges between the defendant and Mr. Davis over a  
2 certain period of time?

3 A. That's correct.

4 Q. And at this time --

5 MR. REDMOND: First of all, at this time, I  
6 would move State's 34 and 35 in evidence.

7 MR. SMALDONE: No objection.

8 THE COURT: In without objection.

9 (State's Exhibit 34, Brenton Davis  
10 extraction report cover page, was marked  
11 in evidence.)

12 (State's Exhibit 35, Brenton Davis  
13 extraction report, was marked in  
14 evidence.)

15 Q. (BY MR. REDMOND) In looking at those, does it  
16 appear having been in law enforcement for several years,  
17 does it appear they know each other?

18 A. That's correct.

19 Q. And are actively interactive with each other?

20 A. Yes, sir.

21 Q. And again, without getting -- I've edited out  
22 what is being said as hearsay. Again, are those items  
23 that you extracted from Brenton Davis' cell phone?

24 A. Yes, sir.

25 MR. REDMOND: I beg the Court's indulgence.

1 That would be all the questions I have at this time.

2 Just out of an abundance of caution, I think

3 -- I think I may have moved State's 30 in evidence.

4 Just out of an abundance of caution, I just wanted to

5 make sure I had moved State's 30, the phone, into

6 evidence.

7 MR. SMALDONE: No objection.

8 THE COURT: In without objection

9 MR. REDMOND: Thank you. That is all the

10 question I have. Please answer any questions

11 Mr. Smaldone might have.

12 MR. SMALDONE: No questions for this witness.

13 MR. REDMOND: We'd ask if First Sergeant

14 Carnes can be excused?

15 THE COURT: Any objection?

16 MR. SMALDONE: No objection.

17 THE COURT: The witness is excused.

18 MR. REDMOND: We would now call Lieutenant

19 Christopher Johnson from State Law Enforcement Division.

20 THE CLERK: Do you solemnly swear to tell the

21 truth, the whole truth and nothing but the truth, so

22 help you God?

23

24 C-H-R-I-S-T-O-P-H-E-R J-O-H-N-S-O-N, the Witness

25 herein, having been sworn by the Clerk of Court, was

1 examined and testified as follows:

2

3

DIRECT EXAMINATION

4

BY MR. REDMOND:

5

Q. Lieutenant Johnson, sorry about the delay.

6

A. That's okay.

7

8

Q. We had a little bit of a different set up then before. So indulge us if you would.

9

Lieutenant Johnson, by whom are you employed?

10

A. South Carolina State Law Enforcement Division.

11

Also, known as SLED.

12

Q. How long have you been employed with SLED?

13

14

A. I've been Class I Officer for going on 15 years now.

15

Q. And in your role -- what is your role at SLED?

16

17

A. Currently I supervise one of our fugitive teams; and as a part of that, our team specializes in the analysis of cellular phone records, cellular data, wire taping, different aspects.

18

19

20

Q. Let's talk about your training first. Talk about your training as it relates to getting involved and you work with the Fusion team at SLED don't you?

21

22

23

A. Yes, sir. My unit is based out of the Fusion Center which is basically our intelligence unit.

24

25

Q. I was going to say, that's the intelligence

1 unit and also attached to, if I'm not mistaken, attached  
2 to coordinates with Homeland Security?

3 A. Yes, sir. We're with HSI, Homeland Security  
4 Group, the FBI. We're actually on the task force for  
5 secret service so --

6 Q. So obviously a very important role. And let's  
7 talk about that. Your experience, let's lay the  
8 foundation as far as you being an expert. Could you  
9 give us, not your experience but your training and  
10 education in the field of cell tower analysis?

11 A. Yes, sir. There's a company called Cellular  
12 Forensics that offers cell site analysis, call record  
13 analysis. We've also done through the CAS program,  
14 which is sponsored by the FBI, it's their cellular  
15 analysis and survey team. Also, I'm our administrator  
16 for our PenLink system, which is one of the software  
17 that we utilize for analyzing call records, as well as,  
18 conducting wiretaps, different analysis, phone records  
19 we can do in addition to phone mapping.

20 Q. And how long have you been doing that?

21 A. So I've been in that role since 2006. I've  
22 been supervisor of that unit for eight years now.

23 Q. And how many times would you say you've been  
24 qualified as an expert?

25 A. Five.

1 Q. And I think two of those times were with me.  
2 This would be the third.

3 A. Yes, sir. Two here, one in Newberry, one in  
4 Florence and I think one in Horry County.

5 Q. And don't forget Darlington.

6 A. Well, Darlington is the first. Darlington and  
7 here.

8 MR. REDMOND: With that your Honor, I would  
9 move to have Lieutenant Johnson qualified as an expert  
10 and I'm going to call it cellular analysis and maybe  
11 that's more of -- all encompassing. And that is what is  
12 reported. I would ask that he be qualified as an expert  
13 in the field of cellular analysis.

14 MR. SMALDONE: No objection.

15 THE COURT: So qualified without objection.

16 MR. REDMOND: Thank you.

17 Q. (BY MR. REDMOND) Lieutenant Johnson, let's  
18 talk about what it is you do. And obviously, I will  
19 never understand how you do what you do. To the best  
20 that you can, explain to the, ladies and gentlemen of  
21 the jury, what it is you use, what equipment, how you go  
22 about it. If you get cell phone records, how it is that  
23 you go about mapping for the purposes like what we're  
24 here today for?

25 A. Yes, sir. So all your major carriers T-Mobile,

1 Sprint, Verizon, AT&T, they all produce the same generic  
2 records, all within a little bit different formate. But  
3 they're going to provide you with a date and time the  
4 call occurred. They're going to provide you with the  
5 telephone number that was called or received a call from  
6 to indicate whether it's an incoming, outgoing call.  
7 They'll tell you whether it's text message or voice.  
8 And then they're going to provide, what we utilize the  
9 most, is the cell tower and the face of that tower that  
10 the call utilizes when it makes that call. Most towers  
11 are split up into three faces. And they do it on a  
12 compass setting. So it's in, you know, degrees, whether  
13 it's zero, 120 degree, 240 degree. It usually makes up  
14 360-degree circle, the different powers of that tower.  
15 Several companies, T-Mobile, Sprint, and Verizon also  
16 provide what's called, call measurement dial. Basically  
17 what that is, is they're able to send a signal out to  
18 that phone be it a transaction, whether it's voice,  
19 text. We usually do not use data, but there's some  
20 instances where it's an actual transaction. And if  
21 there's an actual transaction, then we'll use those.  
22 But it basically sends a signal out and whatever that  
23 return trip back from the phone is, they have an  
24 internal calculation that will provide an estimated  
25 distance from that tower. And so those reports we

1 utilize as well in our mapping and analysis.

2 Q. When you're doing your mapping and analysis,  
3 is it a situation where when you map, you're mapping  
4 based on the tower and the direction that the tower is  
5 being bounced off of?

6 A. Yes, sir. So we're looking at the timeframe  
7 that's requested, you know, around whatever incident  
8 occurred. And then we're going to look at what towers  
9 and what face they utilized. And then we're going, you  
10 know, based off of several different intelligence  
11 information that the phone companies provide, what they  
12 call Assima, which is the direction off the tower. And  
13 from that, we can develop what the cone is, that you'll  
14 see in the map. And then again, with the call  
15 measurement data we can provide that estimated distance  
16 off the tower the call occurs.

17 Q. If I may approach. Let me ask you this. Were  
18 you asked to do analysis -- well, actually, let me back  
19 up. Were you asked to do two analysis; one on the phone  
20 with area code 347 and one with cell phone (843)  
21 439-7060?

22 A. Yes, sir. I believe the 347 number, I  
23 completed the analysis and report on. The other 843  
24 number, one of my agents were assigned the case. But  
25 with all of our cases that go out, if I don't conduct

1 the mapping, then I conduct the peer review for my  
2 agents. So there's a second set of eyes that come out  
3 of our office.

4 Q. And in this case, in essence, are you able to  
5 assess the accuracy of what had been done?

6 A. Yes, sir. That's the purpose of the peer  
7 review process. It's to look at what they're provided  
8 and making sure there's no errors in what they looked  
9 at. There was no errors in the call records in this way  
10 they were interpreted and, you know, when they come out  
11 they've had two sets of eyes to look over for accuracy.  
12 As well as typos, but most importantly the mapping.

13 Q. And just for the record, that's 347-564-3467  
14 was the first number you had?

15 A. Yes, sir.

16 Q. That was back in 2019, I think you did a  
17 report in August 2019 and then one in March of 2021 at  
18 my request on this phone?

19 A. Yes, sir.

20 Q. If I may approach Lieutenant Johnson, with  
21 State's 36 and 37. I'll ask you if you recognize those  
22 exhibits. Once you had a chance to peruse them and make  
23 sure that they are accurate copies?

24 A. Yes, sir. 36 is the report I completed on the  
25 347 number.

1 Q. Yes.

2 A. And 37, yes. 37 is the one senior agent  
3 Bradshaw completed, that I peer reviewed.

4 MR. REDMOND: At this time I would show -- I  
5 think Mr. Smaldone has had a chance to see them. I  
6 would move them into evidence at this time, that being  
7 State's 36 and 37.

8 MR. SMALDONE: Subject to previous objection  
9 because it's based on objectionable merits.

10 THE COURT: Previous objection is noted. I  
11 standby my previous ruling.

12 MR. REDMOND: Thank you, Your Honor. And I  
13 take that to mean, 36 and 37 are admitted into evidence.

14 THE COURT: Yes.

15 (State's Exhibit 36, Brenton Davis  
16 Cellular analysis, was marked in  
17 evidence.)

18 (State's Exhibit 37, James Brown Cellular  
19 analysis, was marked in evidence.)

20 Q. (BY MR. REDMOND) Before we publish, I'll have  
21 you step down in a moment. In this particular case,  
22 were you asked to do an analysis?

23 A. Yes.

24 Q. And were you forwarded cell phone records by  
25 either myself or Captain Jordan?

1           A.    Yes, sir.

2           Q.    And base on the information that you received  
3 from the cell carriers, was the 347 number, was that a  
4 Sprint?

5           A.    Yes, sir.  That was Sprint carrier and the 843  
6 number was Verizon.

7           Q.    Let's talk about towers real quick before I  
8 have you step down.  Based on what you've had the chance  
9 to review and based on your experience, do all carriers  
10 use the same towers or are they different towers?

11          A.    No, sir.  They're different.  Some carriers  
12 will rent space on their own towers to other carriers.  
13 You've got a few companies that have roaming agreements  
14 with each other.  So Verizon phone may very well use a  
15 Sprint tower, but it would still be documented in the  
16 record.

17          Q.    And some times they don't use, it might be two  
18 totally different towers even if they're in the same  
19 vicinity?

20          A.    Right.  Yes, sir.  You can have two towers  
21 right next to each other but one company may choose to  
22 build their own tower.

23               MR. REDMOND:  With that, your Honor, I would  
24 ask if Lieutenant Johnson could step down so we could  
25 publish first, State's Exhibit Number 36.

1 THE COURT: Yes, sir.

2 Q. (BY MR. REDMOND) Is this the cover page of  
3 your report from 2019, August 5th?

4 A. Yes, sir.

5 Q. Briefly, would you explain what this  
6 represents?

7 A. This is basically paragraph one is basically  
8 telling how we received the request that came from  
9 Deputy Solicitor Redmond for a request to analyze phone  
10 records on the 347 number. And it was believe to be  
11 involved in a homicide investigation that occurred on or  
12 about January 21, 2017 at approximately 23:00 hours,  
13 which is 11 o'clock eastern time.

14 Q. And Lieutenant, I'm going to let you use the  
15 podium. If you want to step back, you'll be six feet  
16 away. If you want to take your mask off, the Court  
17 Reporter may be able to hear you better and it won't be  
18 as muffled. I'll just stand back here out of the way.

19 So the next page is the sample of three,  
20 section tower?

21 A. Yes, sir. So most towers are what I indicated  
22 before, there are three sectors to the tower. You'll  
23 see the triangle, that's each side of it and each side  
24 is assigned a compass setting degree, whether it's zero,  
25 whether it's 120 or whether it's 240. It will provide a

1     compassing setting. And then, based off that compass  
2     setting is how we divided up our maps. That way it  
3     tells us what face matches up with what sector. It will  
4     make a little more sense when you see the actual call  
5     records.

6             Q.     And I think that is the --

7             A.     Yes, sir. This is the sample of a network.  
8     When cellphones first started, for the folks that are  
9     probably my age, you would make a telephone call and  
10    you'd be talking on your phone driving down the road and  
11    all of a sudden you would loose your phone call. In  
12    order to combat that, they came up and closed up these  
13    networks, that's why you have so many more towers. You  
14    have these areas that are called handoff zones. So what  
15    happens is, as you're traveling and you're on your  
16    phone, your phone is constantly looking at other towers  
17    and it's going to see this next tower that is close by  
18    and it's going to say: "Hey, my signals getting weak  
19    over here." "My signal is getting stronger over here."  
20    So it would transfer that call to the next tower, so  
21    theoretically you shouldn't loose your phone calls. It  
22    still happens, but it's not as often as it used to be.  
23    So what you'll see in a lot of phone records, is if a  
24    phone gets in the middle of those two towers, it's  
25    called a handoff zone. And you can see in the records

1 where that call will show up on one tower and then  
2 they'll show up on the other tower and it will bounce  
3 back and forth and back and forth. Usually, that is an  
4 indication that that phone is in the middle of those two  
5 areas, what we call a handoff zone. So that is the  
6 purpose of that slide is to kind of show how that phone  
7 is going to communicate with the towers.

8 Q. And the next one, it just give you the  
9 timeframe that was analyzed?

10 A. Right. A lot of times, we'll have a lot of  
11 call records, thousands, tens of thousands, hundreds of  
12 thousands pieces of data. So typically, we'll ask the  
13 investigators and solicitor's office to narrow that down  
14 as much as we can. Because that makes less work on us  
15 with the number of requests we get to do this around the  
16 state. This just indicates that the call records may be  
17 huge this is the timeframe that we looked at in our  
18 analysis.

19 Q. And 21:00 to 01:00?

20 A. That's 9:00 p.m. to midnight eastern time.  
21 Typically, phone records are in military time, so that's  
22 how we do a lot of our reports. But not everyone  
23 recognizes military time, so we try to make sure we  
24 articulate that when we're dealing with...

25 Q. And that is just the analysis that was done --

1 provided by Sprint?

2 A. Yes, sir.

3 Q. And briefly, just explain what that is?

4 A. Yes, sir. Again, like I talked about before,  
5 the different phone companies provide the same  
6 information, but they all provide it in a little bit  
7 different formate some times. So each phone company  
8 will provide a call detail explanation form. Basically  
9 telling you this column means this. This column means  
10 this. And so, in return, when we produce exhibits for  
11 court or as part of our Intel packet, not everyone is  
12 versed and used to doing this kind of work that we are.  
13 So we provide that explanation form, so that when they  
14 look at it they can see it without necessarily having to  
15 call us every time to ask questions.

16 Again, this is more of the same thing. One  
17 thing Sprint has started doing and I think it explains  
18 it probably in that second paragraph, is sometimes you  
19 have -- which they don't provide tower information with  
20 text messages, so it's not really important to what  
21 we're doing today, but depending on where the switch is,  
22 which is -- they call it the "switch," basically your  
23 area code where you're at. So you've got 123 Main  
24 Street in Chesterfield.

25 Well, there's 123 Main Street in Myrtle Beach

1 or 123 Main Street in Greenville, and they have to have  
2 switches to isolate these towers. Otherwise, you don't  
3 know which tower is which based off a number.

4 So based on the switch, it also changes the  
5 time zone that the phones in. So it will explain in  
6 this explanation form, text messages are in Central Time,  
7 but most of your phone calls with Sprint are going to be  
8 Eastern Time.

9 So if you look at the call records and you see  
10 a text message, it's not going to be location  
11 information but the timeframe is going to be off. So if  
12 that's important, realize that Central Time is going to  
13 be an hour behind when you're looking at the actual  
14 phone records.

15 Again, just more explanation of what short  
16 codes are and that type of thing. It shouldn't be  
17 relevant to what we're doing today. Those are your key  
18 codes, star 67 means.

19 Q. The sector layout?

20 A. So you'll notice with Sprint cell sites and  
21 this will be important. If you are trying to look at  
22 just the Sprint printout that they send, their towers  
23 are going to be numbered 1,2,3. But when you look at it  
24 on the actual tower records, it's 2,3,4, because it's  
25 what they call a lucent tower.

1           It became extremely frustrating for us when we  
2 first started doing this and they changed their numbers  
3 up like that. But luckily we utilize some software from  
4 the FBI, as well as PenLink that automatically makes  
5 those changes for us. My agents hate me because in  
6 order for them to be signed off on work cases alone,  
7 they have to be able to do this manually without using  
8 software. Because they have to be able to fact check  
9 the software they're using because, as good as computers  
10 are, they make mistakes. And so they have to be able to  
11 understand this. I don't think I've had an agent yet  
12 that I haven't called on this, when they go through and  
13 they map 123. And they're like no, it's 123. No, it's  
14 234. It just because you have to look up what type of  
15 tower it is. So I say that if you start looking at  
16 these calls records and you look at my maps, the call  
17 records may say one thing but the maps indicate  
18 something different. Understand that they correlate  
19 together based off that that time layout and that will  
20 be in the report as well.

21           Q. And detail report explanation form, I guess  
22 it's several pages --

23           A. Yes, sir. And this goes into, we start  
24 talking about switches and MEID list, which is their  
25 switch number and where these towers are located. And

1 so we provide all that with our reports just incase  
2 anybody wants to fact check us to make sure.

3 Q. Transparency?

4 A. Yes, sir absolutely.

5 Q. Okay. Call detail records. Let's talk about  
6 that for a minute.

7 A. Yes, sir. This is where you will start seeing  
8 and I -- see, you'll see here the first column is their  
9 telephone number and that's going to change depending on  
10 whether it's an incoming or outgoing call. The columns  
11 actually change which telephone number, based off of  
12 your forth columns tells you whether it's incoming or  
13 outgoing. Sometimes there's numbers -- you're going to  
14 see that there's numbers that show up in three different  
15 columns. A lot of times that's our routing numbers as  
16 well. So don't let that confuse you as far as what's  
17 incoming, what's outgoing and what number may be a  
18 routing number, but that will indicate that. You'll  
19 have your date and time and you'll see just like I  
20 talked about before, you'll see text detail, you'll see  
21 voice and then you'll see text detail. Voice calls are  
22 in eastern time. Text calls, text details, you're going  
23 to have to take an hour away for central time. Your  
24 last two columns are going to be your towers and that's  
25 where we talked about -- let me catch up so I don't have

1 to walk up there.

2           So if you look at the last two columns and you  
3 may not be able to see from far away, the last four  
4 digits are the actual tower numbers. The first digit on  
5 a Sprint tower is the actual face of the tower. And  
6 that's where you'll see the 234, you'll see the 4 is the  
7 first digit, that's actually sector three. And you'll  
8 have to go back to that other slide to correlate them,  
9 but that's what I'm talking about. And that it changes  
10 the face and the face being that sector of the tower and  
11 you'll see that when we show the maps.

12           Q. And that?

13           A. This is what I sort of call "measurements."  
14 PCMD is per call measurement data. That is what Sprint  
15 entitles their reports. Again, they like to make it  
16 hard on us. Verizon calls it something different and  
17 T-Mobile calls it something different. So for the  
18 purposes of these phone records, it's PCMD. Again, you  
19 get the telephone number; you get the ESM, which is the  
20 serial number of the telephone. You get the duration of  
21 the call or you get the time of the call duration.  
22 Vendor, is Lucent. That's what I was talking about  
23 before. You have Lucent tower and you north cell towers.  
24 So depending which one they are, is whether it's 1,2,3,  
25 or 2,3,4. So put those in reports again, to help us map

1 the latitude and longitude. That is their best guess  
2 estimate of what they think the phone is. We do not  
3 utilize that in our mapping. We found that the actual  
4 call measurement is way more accurate than the call, the  
5 GPS coordinates. So for that purpose we do not utilize  
6 that in any report that we do. The distance and miles,  
7 is what we do utilize. They provide a confidence higher  
8 than GPS coordinates, but again, we do not utilize that.  
9 And then the cascade is basically the way for us to  
10 match up the switch. Again, it's just information for  
11 use on making sure that we're pulling the right towers  
12 and mapping the right locations.

13           Again, same thing, just before you're getting  
14 your distance and getting your sectors. You'll notice  
15 on -- it's not showing on that one, but on the previous  
16 one, you'll see a second cascade and a second sector.  
17 Again, we do not use the second cascade number because  
18 that is sometimes a handoff. The handoff can be because  
19 of location, but sometimes it can be because of tower  
20 loading. So if it's the middle of the day and there's a  
21 lot more activity on that tower, the second -- after the  
22 call initiates it could get pushed off. So we only use  
23 the first location and the first times that the tower  
24 sees it. That, again, is probably more accurate to us  
25 than the secondary. So you will not see secondary in

1 our reports.

2 Q. The next one is that pretty much more the  
3 same?

4 A. More of the same. Yes, sir.

5 Q. Let's talk about this. I think this is the  
6 26th slide.

7 A. Okay. This is again, it's switch 214.  
8 Basically, it's the tower in the group for this portion  
9 of the state. Again, tower 33657; Sector 3 of tower  
10 3657. So again, it's a Lucent tower. So sector 3 is  
11 actually, sector 2 now. I apologize, I don't get to  
12 pick the phone companies. These are much more confusing  
13 sometimes to work with, but when you look at the  
14 explanation form, this is actually sector 2, if you  
15 actually started looking at the actual call record and  
16 the tower record.

17 Q. And let's go to the next one. Right there.  
18 This is reflected at 22:18, on January 21st. Explain  
19 the significance of what we see here?

20 A. So initially, if all I have were call records  
21 to go on and I didn't have call measurement data, then  
22 the first slide that only provided you with the cone,  
23 the sector of the tower, that would be my best ability  
24 to tell you remotely where that device was most likely  
25 located. That it was somewhere inside that cone.

1 Usually, this rural area, those sectors can go out two  
2 and-a-half three miles. Fortunately, call measurement  
3 data, we have found great accuracy in the fact that not  
4 only now can I tell you that that phone was on that  
5 tower and on that sector, but it was most likely  
6 somewhere along that blue arch, that's out from the  
7 tower. Which I think that one was like eight miles,  
8 maybe not quite that much. And it's going to be  
9 somewhere give or take a little bit that I that line.

10 Q. For the record, that is going to be -- and  
11 that reflects Wallace, Cheraw. And the cell tower  
12 actually looks like it's off of Highway 52 northwest of  
13 Cheraw.

14 Next slide please.

15 A. Again, you will see 43/657. If you look,  
16 that's basically the same tower as we were talking but  
17 it's changed sectors. It gone from 33/657 to 43/657.  
18 And all it's done is moved around -- that phone it was  
19 either, traveling across those sectors or it maybe along  
20 that line at the bottom of where those two sectors come  
21 together. It's not enough information I don't believe  
22 in these call records to be able to tell it was bouncing  
23 between sectors, but that is very possible where it is  
24 just along that bottom line where the two sectors come  
25 together.

1 Q. And the cone, I guess is facing in the  
2 direction of Chesterfield I believe in that.

3 A. Yes, sir.

4 Q. And that -- and the times just for the record,  
5 the times listed on that are 10:29, 10:42, 10:43 and  
6 10:48?

7 A. Yes, sir.

8 Q. And let's go to the next one. Tell us about  
9 this one.

10 A. Okay. This was call measurement data again,  
11 for tower 43/657 at those times listed. And again, with  
12 some degree of certainty we can tell you that phone was  
13 somewhere along that blue arch from that tower in that  
14 direction.

15 Q. 2305, it says on the 21st at 23:05 is the next  
16 slide.

17 A. Yes, sir. Again, that call bounces back to  
18 33/657. So you get a little bit of the bounce. It's  
19 not as much as we have seen in other cases. But you get  
20 that sector 3, section 4, sector 3, back to sector 4.

21 Q. Just to be clear, all of those are in the  
22 vicinity I guess Cheraw, Chesterfield?

23 A. Yes, sir. Everything from Highway 9 up to  
24 along Highway 145. It kind of parallels up top there.

25 Q. Thank you.

1 A. Yes, sir.

2 Q. Now we move to State's Exhibit 37 I believe it  
3 is. That being the defendant's cell tower. And again,  
4 as you testified earlier, you peer reviewed this  
5 particular information?

6 A. Yes, sir. I actually had a chance to work  
7 with special agent or actually, he's a Senior Agent  
8 Bradshaw now on these mapping records, because of the  
9 fact they were from 2017 we had to go back and make sure  
10 the towers that we had that we were comparing these  
11 records to were from 2017 and not from 2021. So that we  
12 made sure the network was consistent with what we were  
13 looking at because the phone company from time to time  
14 will change networks and so you have to make sure the  
15 towers you are utilizing are from the right time period.

16 Q. And you can scroll on down. The background  
17 information, is that consistent with what you testified  
18 to regarding State's Exhibit 36?

19 A. Yes, sir. Same thing just a different phone  
20 company, different telephone company.

21 Q. And we'll continue to scroll down. Starting  
22 at the timeframe analyzed.

23 A. This was a Verizon phone. I think it was  
24 requested that we widen the timeframe on this one from 6  
25 o'clock, which is 18:00 hours to 02:00, which is 2

1 o'clock in the morning from the 22nd.

2 Q. And let's scroll down. What does the, I think  
3 it's the seventh slide, what does that show?

4 A. Okay, this is going to be -- for this  
5 particular mapping product, we utilized our software and  
6 for that reason the towers look a little bit different.  
7 You see the shading out on the end of them, versus the  
8 ones that I've done, which was used we utilize a  
9 different program. The only reason for that is the fact  
10 that is a time difference of when it was done. I've  
11 done my report in 2019 and Senior Agent Bradshaw's  
12 report was done in 2021. And so by that time the towers  
13 and the records were not loaded into the passed used  
14 program, because it had grown past that timeframe and so  
15 we utilized PenLink. The only thing I caution you is  
16 look at these towers, because that blue shad stops, that  
17 does not mean a cell phone signal stops. That just  
18 recognizes that we indicate it's probably a two  
19 and-a-half three mile range but we know the cell phone  
20 towers can go less or it can go more.

21 Q. There is nothing exactly?

22 A. Right. We don't have anyway of knowing  
23 exactly what it is without what they call "dry fitting"  
24 the tower and currently we do not have that capability  
25 here.

1           Q.    Now let me stop you there.  Verizon's records  
2 explanation may be a little different.

3           A.    Yes, sir.  Same theory, just different format.  
4 You get your start time, start date.  You get your  
5 duration of the call, the subscriber number that was  
6 called.  They provide an IMEI, which is an International  
7 Mobile Equipment Identifier.  That's basically, again,  
8 the serial number of the telephone.  And then they have  
9 what is called IMSI, which is the International Mobile  
10 Subscriber Identifier.  And that's basically if  
11 anybody's ever had to change their SIM card.

12                    If you ever look at it, there's a big long  
13 string of numbers on it.  That is your IMSI.  And so  
14 they provide that because -- it becomes beneficial to us  
15 when we're working major fugitive cases.  They like to  
16 hop swop sim cards and so we know whether it's the same  
17 phone and same subscriber or whether it's transferred to  
18 somebody else and they pass the phone off or different  
19 things.  And then we have again, the market ID like we  
20 talked about.  Starting with the ENIB ID which is the  
21 third column from the end.  That is basically how they  
22 identify towers in the LTE markets now versus CDMA and  
23 GSM networks, the older markets.  The LTE stuff is all  
24 identified by what they call E Node ID and then you have  
25 your starting cell ID and possible distance on RTT

1 stuff. I do not believe we had RTT here or range to  
2 towers, Verizon calls it for this particular phone.

3 THE COURT: Let me ask the members of the jury  
4 to step up or stand up and stretch a minute. Does  
5 anybody need a cup of coffee.

6 MR. REDMOND: If I may continue. May it  
7 please the Court, sir.

8 THE COURT: Yes, sir.

9 Q. (BY MR. REDMOND) Now, with the report and this  
10 is a little different then what we saw on the other one.  
11 Could you explain this form to them?

12 A. Yes, sir. Again, Verizon like I indicated  
13 they produced their report a little bit different. So  
14 for that reason, the actual tower number and the first  
15 serving -- what they, call first serving cell face are  
16 in separate columns, they are not grouped together. And  
17 the good thing with Verizon, sector one is sector one,  
18 sector two is sector two. There is not a lot of back  
19 and forth with this one, so it's not quite as bad.

20 But again, everything that we map is always  
21 off the first serving cell site. We do not utilize the  
22 second serving cell face, those records we -- for our  
23 purposes we ignore it.

24 Q. Is this more of the same thing?

25 A. Yes, sir. More of the same thing just more of

1 the timeframe we analyze.

2 Q. Stop right there. Now, what does this  
3 represent.

4 A. This is going to be the transactions for tower  
5 282, sector 3 during the timeframe of 19:01, 19:57,  
6 19:59 and again, 19:59. And again, that is 7:01 p.m.,  
7 7:57 p.m. and 7:59 p.m.

8 Q. And do those reflect being northeast of McColl  
9 South Carolina, Marlboro County?

10 A. Yes, sir.

11 Q. And we have a transaction on tower 1816-2.

12 A. Yes, sir. Again, new tower which is closer  
13 down into Bennettsville at 8:24 and 9:46.

14 Q. And just on this one, there's an A that is  
15 marked on here, on the maps.

16 A. Yes, sir.

17 Q. What does that represent?

18 A. When we take in a request for service from a  
19 local agency or solicitor's officer or whoever, we'll  
20 ask for any pertinent locations that they want mapped on  
21 the records. So if there's a location we are trying to  
22 see if they were close to or away from, then we will  
23 include that on the map just for visual reference. That  
24 is what A is, you'll see there should be a slid in here  
25 for the front.

1 Q. That we probably skipped.

2 A. There is one that says "locations of interest"  
3 and that A is Hillian-Edwards Road and Highway 9 trailer  
4 park.

5 Q. Thank you for clearing that up. We can scroll  
6 down. On this slid that we're looking at, that shows as  
7 I think you just said in the vicinity of Bennettsville  
8 South Carolina, in Marlboro County?

9 A. Yes, sir.

10 Q. Transaction on tower 1816-3.

11 A. Again, if you look at these in order, the  
12 first one 282 is pointing down from McColl towards Tatum  
13 which is just to the west or east of where you see  
14 1816-3 the little blue box. That road, come down, the  
15 first tower pointing down towards that road 1816-2 was  
16 pointing to the wast, I'm sorry. Yeah, 1816-2 was  
17 pointing to the east. Now we're 1816-3, which is  
18 pointing to the west. Based off our opinion the phone  
19 or that device was traveling down from McColl and comes  
20 in through Bennettsville and makes that turn as you see  
21 the towers change and follow that pattern.

22 Q. And let's scroll to the next. This would have  
23 be after midnight on the 22nd?

24 A. Yes, sir. This was on the -- yes, I'm sorry.  
25 1816-3 is on the 22nd.

1 Q. Now back on the 21st transaction on tower  
2 1784-3?

3 A. Yes, sir. That one starts at 8:00 on the 21st  
4 and continues through the 22nd at 01:22 in the morning.  
5 It covers the entire town of Bennettsville coming back  
6 up 24th and North.

7 Q. And the times that are delineated, are those  
8 the times that this phone was having activity in that  
9 particular time?

10 A. Yes, sir.

11 Q. Transaction on tower 1876-2.

12 A. That is looking like a tower just to the  
13 northwest of Bennettsville pointing back towards  
14 Bennettsville. Again, it hits that tower once at 8:00  
15 and then again at 11:17 and 11:23.

16 Q. Tower 1885-2.

17 A. Again, it's indicating on that tower at 8:46  
18 on the 21st up through 9:20. So it looks like that  
19 phone was moving around of the device was moving around  
20 in that area a good bit.

21 Q. And I think it reflects in the vicinity  
22 Blenheim in Marlboro County?

23 A. Yes.

24 Q. Transaction on tower 1875-1.

25 A. That is at 21:14 and it's pointing back to the

1 north of Blenheim again. It's such a rural area, it  
2 very well may be handoff areas and bouncing between  
3 towers. They are all kind of -- they all map to the  
4 direction, one points back at the other one. So that to  
5 me would indicate a handoff area or just as lot of  
6 movement.

7 Q. Transaction on tower 1773-3.

8 A. Yes, sir. So again, that tower there is in  
9 Cheraw pointing towards the west at 10:34, which is  
10 22:34 and 52 seconds.

11 Q. And with that cone, we see it. We're moving a  
12 little closer. Are we moving a little closer to the  
13 designated location?

14 A. Yes, sir. That tower is much closer towards  
15 the location that was provided to us.

16 Q. And based on the cone area, as far as, the  
17 direction, does that help you determine the direction  
18 the defendant would have been or that phone, excuse me,  
19 would have been during that particular time?

20 A. Yes, sir. So that device would have been off  
21 the west-side of that tower out of Cheraw.

22 Q. In essence, now, we are in Chesterfield  
23 County?

24 A. Yes, sir.

25 Q. Last slide.

1           A.    Last slide is 1545, Sector 1, which is the  
2 tower - and it cuts off my map, but I believe that's in  
3 Chesterfield maybe.

4           Q.    Yes.

5           A.    And it's pointing back towards the tower in  
6 Cheraw.

7           Q.    So does that tell you that that phone is east  
8 of Chesterfield and west of Cheraw?

9           A.    Yes, sir.  During the timeframe of --

10          Q.    That be 10:45 and 10:50.

11          A.    Yes, sir.  Between 10:34 which is west of  
12 Cheraw.  20:50, which is 10:50 it was east of  
13 Chesterfield.  So it was in the middle or in between  
14 that.  I can't say it's in the middle because the  
15 timeframes not short enough, but it was in between those  
16 two towers during that timeframe.

17          Q.    And again, is that in Chesterfield County?

18          A.    Yes, sir.

19          Q.    And is that west of the town of Cheraw?

20          A.    It is west of Cheraw, east of Chesterfield.

21          Q.    Thank you very much.  And I forgot to point  
22 out in pen.  On Number 8, the incident location is that  
23 still reflected as Hillian-Edwards?

24          A.    Yes, sir.  And Highway 9.

25          Q.    And based on your experience, would that put

1 that phone in the vicinity of Hillian-Edwards Road?

2 A. It would put it in the vicinity that would be  
3 consistent with Hillian-Edwards Road. I can't say it  
4 was in that vicinity, but those two towers basically  
5 point to that incident location.

6 Q. And just to be clear for the ladies and  
7 gentlemen of the jury, this information ain't going to  
8 pinpoint the exact location.

9 A. Yes, sir. These are not GPS coordinates, like  
10 a tracker or even, you know, we talk about with the  
11 round trip stuff. GPS trackers are much more accurate.  
12 This is not that. This is a tower that was utilized  
13 where it got service and that was the closest tower that  
14 it found to the first service cell site.

15 Q. Based on your experience as an expert in this  
16 field, the holder of that cell phone -- was the holder  
17 of that cell phone in Chesterfield County at the time  
18 reflected in the last two slides?

19 A. Yes, sir.

20 Q. And was that person, the holder of that cell  
21 phone, I guess on the last slide, between Cheraw and  
22 Chesterfield?

23 A. During that timeframe at some point. Yes,  
24 sir.

25 Q. And does the map reflect that Hillian-Edwards

1 Road lies between Cheraw and Chesterfield?

2 A. Yes, sir. It is consistent with the area of  
3 service by those two towers.

4 Q. Thank you very much. You can take your seat.

5 MR. REDMOND: I beg the Court's indulgence.

6 Q. And the last thing to clarify before -- and  
7 you can refer to the reports if you need to, but on  
8 Davis phone, during the same approximate timeframe was  
9 his phone also listed in the -- not in the exact  
10 vicinity because they're different towers, but also  
11 reflecting being in the Cheraw area?

12 A. So again -- yes, sir. This phone on the 21st  
13 between 22:29, which is 10:30 and 22:48, which is 10:48,  
14 we have call measurement data that again, stretches down  
15 to Highway 9 just west of Chesterfield up to,  
16 paralleling Highway 145.

17 MR. REDMOND: Thank you, your Honor. That  
18 would be all the questions I have. Please answer any  
19 questions that Mr. Smaldone may have.

20 MR. SMALDONE: May it please the Court?

21

22 CROSS-EXAMINATION

23 BY MR. SMALDONE:

24 Q. Good afternoon.

25 A. Good afternoon.

1           Q.    I want to clarify something you said just a  
2 minute ago.  You said -- you've been saying that a  
3 holder of a cell phone would be in between certain  
4 locations.  Do you recall answering that?

5           A.    Yes, sir.

6           Q.    Now, that's not really entirely true; is it?

7           A.    Absolutely.

8           Q.    So if I leave my cell phone at home, you still  
9 know where I am?

10          A.    That's where the device is.

11          Q.    Right.  Right.  The holder of the cell phone  
12 is the person; right?

13          A.    Whatever's holding that phone, wherever it's  
14 located, it's going to be in that area.

15          Q.    Right.  Right.  So you can't -- you don't know  
16 where the holder is, you just know where the phone is;  
17 right?

18          A.    Right.

19          Q.    In fact, you don't really know where the phone  
20 is do you, you know where the tower is; right?

21          A.    I know the general area where the device is.  
22 No, I don't know an address where it's at.  I know the  
23 device -- I know where the tower is, but I know where  
24 the device -- the general geographic area based off of  
25 the information that is provided in those reports.

1           Q.    Right.  And when you get cell phone reports  
2 from the company, they don't come in that format;  
3 correct?

4           A.    That's -- which format?

5           Q.    They don't come in a slide show or anything  
6 like that?

7           A.    No.  That's based off our analysis.

8           Q.    Right.  There's no pie slices or anything like  
9 that with the cell phone record; right?

10          A.    No, sir.

11          Q.    That's your analysis.  In fact, most of the  
12 time we you cell phone records they have a warning or  
13 something on there that says, "this is not to be used to  
14 determine exact location"; right?

15          A.    Not for exact location, no.

16          Q.    Okay.  In fact, you know that cell phone  
17 records, cell phone carriers, they don't keep track of  
18 location information to locate people.  They keep track  
19 of location information to better their network; right?

20          A.    Right.

21          Q.    So there's no way for James or me or anyone,  
22 there's no way using that type of information to locate  
23 someone; right?

24          A.    Not necessarily.  We just located a suicidal  
25 female yesterday based of off call measurement data.  I

1 had an address that fell right up under the call  
2 distance measurement that it provide. We went to that  
3 address, car was in the yard and made contact with her.  
4 So yes, it is use for that. That's how we have found --  
5 that we find it accurate and dependable, is when used in  
6 realtime cases to be able to use it in historical cases.

7 Q. Okay. So sometimes in realtime cases, what do  
8 you do, you send out a ping; right?

9 A. No, sir. This is historical, they provide it  
10 in a report.

11 Q. Okay. All right. But still, that's not GPS;  
12 right?

13 A. No, it's not GPS.

14 Q. And your phone doesn't always necessarily  
15 connect to the closest tower; right?

16 A. The initial call typically does. Yes, sir.

17 Q. Typically does, but there's other factors in  
18 play; right?

19 A. There are.

20 Q. And that's sometime weather?

21 A. Potentially, yes.

22 Q. And that topography, like hills and stuff like  
23 that; right?

24 A. That's right.

25 Q. And buildings?

1 A. Right.

2 Q. Even foliage; right?

3 A. Yes.

4 Q. So it's not always -- usually common scene  
5 says you're going to connect to the closest tower, but  
6 that's not always the case; right?

7 A. Not hundred percent of the time, no.

8 Q. And cell phone towers, the signal can go a  
9 pretty long way; right?

10 A. Depends on the area. Like I said, you've got  
11 some that typically go two and-a-half, three miles, but  
12 the phone is typically not going to connect to it. It  
13 does every so often, but most of the time it's going to  
14 connect to that local closest tower, which is we see  
15 with call measurement data.

16 Q. Right, the closest tower. But let's say  
17 you're in a -- let's say you're in a completely flat  
18 area with competing towers; right?

19 A. Yes, sir.

20 Q. There can be -- you can get signal on, let's  
21 say a CDMA device up to about 35 miles; is that right?

22 A. I have not seen it that far, no. The closets  
23 I've seen to that is up in the Upstate, in the rural  
24 counties, they got towers up on mountains. They can  
25 jump mountain tops in 10 to 15, but I've never seen 30

1 around here, no.

2 Q. Okay. I didn't say around here. But just in  
3 general, towers can go along time; right?

4 A. Depending on the power of them. They can turn  
5 the power of these towers up depending on what's going  
6 on. I can tell you the towers around Columbia,  
7 Williams-Brice on Saturday, in the fall, are stronger  
8 than they are right now. They're trying to cover the  
9 route.

10 Q. I understand. Just generally, you cannot  
11 typically and in this case, you can't pinpoint where  
12 anyone was?

13 A. No.

14 Q. Right?

15 A. No, sir.

16 Q. You can say in general, probably in certain  
17 vicinity; right?

18 A. That's right. Yes, sir.

19 Q. And again, no GPS records exist in this case;  
20 right?

21 A. No, sir. What GPS coordinates the phone  
22 companies provide, the call measurements data, we do not  
23 utilized. We only utilized the distance.

24 Q. Okay.

25 A. We found that through our work and through our

1 investigations, it is more accurate than the GPS  
2 coordinates.

3 MR. SMALDONE: I beg the Court's indulgence.  
4 I don't have any further questions for you.

5 MR. REDMOND: The State doesn't have any  
6 redirect, your Honor.

7 THE COURT: Thank you, sir. You may step  
8 down. Good seeing you.

9 MR. REDMOND: Actually, I got one question  
10 real quick.

11 REDIRECT EXAMINATION

12 BY MR. REDMOND:

13 Q. I just thought of something that he asked you.  
14 I guess he gave the example of 30, 35 miles, but he  
15 preface it by saying if -- and he being Mr. Smaldone, if  
16 there were not any other towers. So in other words, if  
17 there was one tower in a 30 mile radius, does it make a  
18 difference and in your analysis in this case were there  
19 several towers both Sprint and Verizon in the path  
20 between Marlboro County, Bennettsville and Chesterfield,  
21 Cheraw area.

22 A. No, sir. Not from what we've seen. Those  
23 were the only two towers that were in that area.

24 Q. And based on what he asked, would there be a  
25 way that I could be sitting in Bennettsville bouncing

1 off of a tower 20 miles to the west here in Chesterfield  
2 County, based on your knowledge?

3 A. It would be highly unlikely, not that far  
4 away.

5 Q. And based on your analysis, are you -- is.  
6 Let me put it like this. Did that phone bounce off of  
7 any towers in Marlboro County in the vicinity of 10:00  
8 to 10:50 that evening?

9 A. No, sir. Everything that that activity that  
10 was on that phone's records are mapped that they never  
11 left that area that was provided.

12 Q. With that said, are you comfortable as an  
13 expert -- is your testimony today, that that phone,  
14 whoever was holding that phone, was, as I said earlier,  
15 between the towns of Chesterfield and Cheraw between  
16 10:00 and 11:00 that night?

17 A. Yes, sir.

18 MR. REDMOND: That would be all the questions  
19 I have.

20 MR. SMALDONE: Nothing further.

21 THE COURT: Can the witness be excused?

22 MR. REDMOND: Yes, sir.

23 MR. SMALDONE: No objection.

24 MR. REDMOND: Your Honor, may we approach, I  
25 guess, on administrative matters.

1           MR. REDMOND: I think the victim's family is on  
2 their way in now.

3           Your Honor, the State would move -- and I  
4 talked with the defense about this. The victim's phone  
5 is actually State's Exhibit 28. It was inadvertently  
6 not moved into evidence. We would move that exhibit  
7 into evidence at this time. All the exhibits that the  
8 State has requested to be admitted, have been admitted.  
9 That's the only omission. So we would move State's 28,  
10 the victim's phone, into evidence at this time.

11           THE COURT: Counsel?

12           MR. SMALDONE: No objection.

13           THE COURT: In without objection.

14                     (State's Exhibit 28, James  
15 Henderson, Jr.'s cellphone, was marked in  
16 evidence.)

17           MR. REDMOND: Your Honor, with that, the State  
18 would respectfully rest in this case.

19           THE COURT: Any motions?

20           MR. REDMOND: One other thing, your Honor.  
21 I'm sorry and this is a substitution. Mr. Smaldone and  
22 I had talked about, just to avoid confusion for the  
23 jury, I think it's State's Exhibit 30 -- State's Exhibit  
24 4. This is actually a better, more concise printout of  
25 the defendant's cell phone records. The other one is

1 kind of chopped up in a whole bunch of different pages  
2 and can be confusing. We've agreed to substitute these  
3 exhibits reflecting the defendant's cell phone records.  
4 It's easier to read and follow for State's Exhibit 4,  
5 that's all in evidence.

6 MR. SMALDONE: And that's the agreement.

7 MR. REDMOND: I beg the Court's indulgence.

8 And that would be all the matters that the State has at  
9 this time.

10 State rests.

11  
12 **MOTIONS**

13 THE COURT: The State rests. Motions?

14 MR. SMALDONE: Thank you, your Honor.

15 At this time the defense would move for a  
16 directed verdict on this matter, certainly on general  
17 grounds and more specifically because the State has not  
18 proven that my client has committed any sort of overt  
19 act in this case. And furtherance of the crime murder.  
20 As your Honor knows, he's charged with murder. Even  
21 under the hand of one is the hand of all theory, it  
22 requires some sort of overt act that my client has  
23 alleged to have committed. I haven't heard even an  
24 allegation that an overt act occurred or that he acted  
25 in furtherance of any plan, common scheme, conspiracy,

1 anything of that nature. So because of that defense  
2 moves for directed verdict.

3 MR. REDMOND: Your Honor, I think the evidence  
4 is such that and not to recount the entire case but we  
5 do have both direct and circumstantial evidence of the  
6 defendant's role. And this is, again, in its proper  
7 context. This was a group of guys who came over  
8 Marlboro County in separate vehicles, a group, a posse  
9 you might even say. And if you read the law, it also  
10 talks about encouraging, aiding and abetting,  
11 encouraging. It talks about overt acts. But an overt  
12 act can encompass a whole bunch of things. You have to  
13 look at things in the totality of circumstances and in  
14 its context.

15 And you heard from Shameika Ingram about the  
16 fact that he was there. He was actively involved in  
17 what was going on. She didn't say he had a gun. She  
18 didn't say she saw him fire any guns. But she did see  
19 him as a participant in what was going on.

20 Further, when they got down the street, she  
21 testified about the fact that he got out of the car and  
22 he was -- an over act can be serving as backup. And  
23 when you put it in the context of being put in the box,  
24 he was one of the people that were forming the box, just  
25 by the nature of what the box is. And we heard that

1 from Moniquah Ingram.

2 With all that said, Your Honor, and with all  
3 the evidence that we provided, I would submit that the  
4 State has met its burden of showing in the light most  
5 favorable to the State that we have introduce enough  
6 evidence to have the jury make a finding on this issue.

7 THE COURT: That motion, in my opinion, would  
8 carry the simple weight. If it wasn't for the fact of  
9 that movement from the initial premises, apparently,  
10 that was gone to by mistake, but the movement, the  
11 alleged movement by the defendant, from there down to  
12 the victim's abode, makes a big difference in my  
13 opinion. And from the testimony about "the box." The  
14 fact of all traveling across county-line allegedly  
15 substantiated by the cell phone evidence, I'm going to  
16 have to deny that motion.

17 MR. REDMOND: Thank you, your Honor.

18 THE COURT: Anything -- any presentation from  
19 the defense?

20 MR. SMALDONE: I believe, just to cover  
21 everything, I don't plan on putting anything up. I'm  
22 not going to put anything up. But just for the record,  
23 I have advised my client about his Fifth Amendment right  
24 to testify or not to testify.

25 THE COURT: Okay. Thank you, Counselor.

1           Mr. Brown?

2           THE DEFENDANT: Yes, sir.

3           THE COURT: If I could have your undivided  
4 attention. I need to talk to you about your Fifth  
5 Amendment rights. Your attorney has just advised the  
6 Court that he has spoken with you about your right to  
7 testify. Which, in turn, you have a constitutional  
8 right to elect not to testify. That's under the Fifth  
9 Amendment of the United States Constitution. If you  
10 elect to testify, you would be treated as any other  
11 witness. You could be direct examined. You could be  
12 cross-examined. You could be impeached if you know that  
13 that was applicable to your particular testimony if you  
14 testify. That's a constitutional right that you have  
15 not to testify. I will even tell the jury, if you elect  
16 not to testify, that it cannot be held against you. It  
17 can't even been discussed in the jury room. But as I  
18 said, you have a right to testify but you also have a  
19 constitutional right not to testify.

20           Do you understand your attorney's advice in  
21 regards to your Fifth Amendment rights?

22           THE DEFENDANT: Yes, sir.

23           THE COURT: And you understand what I went  
24 over with you?

25           THE DEFENDANT: Yes, sir.

1           THE COURT: You understand a decision as to  
2 you testifying or not testifying has to be made by you  
3 personally?

4           THE DEFENDANT: Yes, sir.

5           THE COURT: And it should be done without any  
6 duress, any intimidation, any threats or promises.

7           Have you reached a decision about testifying?

8           THE DEFENDANT: Yes, sir.

9           THE COURT: And what is your decision?

10          THE DEFENDANT: I don't want to.

11          THE COURT: Okay. And that is a decision made  
12 by you of your own freewill and accord?

13          THE DEFENDANT: Yes, sir.

14          THE COURT: Nobody is forcing you to do that?

15          THE DEFENDANT: No, sir.

16          THE COURT: All right. I think that covers  
17 that.

18          Thank you, sir. You may be seated.

19          Anything else?

20          MR. SMALDONE: With that, Your Honor, the  
21 defense would rest and renew the motion made two minutes  
22 ago of directed verdict.

23          THE COURT: And on the record, I'll still deny  
24 it based on my understanding of the evidence.

25          Do I have the Cheraw Detention here?

1 MR. REDMOND: Yes, there he is.

2 THE COURT: Again, gentleman, what we  
3 discussed back in chambers -- come on back. My law  
4 clerk's printing out a case, Gore versus Leak concerning  
5 the felony murder rule. You better take a look at it.  
6 Everybody stand at ease.

7 (Whereupon, a short recess was taken.)

8 THE COURT: Madam Bailiff, do we have all 14  
9 jurors?

10 MADAM BAILIFF: Yes, sir.

11 THE COURT: Counsel for the State, Counsel for  
12 the defense, are you ready to go forward with your  
13 closing arguments?

14 MR. REDMOND: State's ready, your Honor.

15 MR. SMALDONE: Defense is ready.

16 THE COURT: Bring them in.

17 (Jurors entered.)

18 THE COURT: Good morning. Thanks, once again,  
19 for promptly reporting. We handled matters of law. The  
20 State has rested and the defense has rested. So we are  
21 moving on to the next phase of the case, closing  
22 arguments. I'll turn it over to counsel at this time.

23

24

**CLOSING ARGUMENTS**

25 MR. REDMOND: Thank you, Your Honor. May it

1 please the Court, Mr. Smaldone.

2 Ladies and gentlemen, as I told you in my  
3 opening statement, this would not be a long drawn-out  
4 case. But it is an important case, as you know, just by  
5 what you've seen and been told so far. The fact that  
6 James Henderson, Jr., lost his life needlessly that  
7 night January 21, 2017, here in Chesterfield County.

8 Let me start off by thanking you again for  
9 your willingness to serve, your attentiveness during the  
10 course of the trial, the attention that you paid to all  
11 of the evidence that was presented. It was appreciated  
12 by the State, the victim's family -- I'm speaking on  
13 their behalf -- we appreciate your attentiveness and  
14 consideration in this particular case.

15 I want to thank law enforcement for helping me  
16 in absences -- Ms. Thutton is here today, she was not  
17 able to be here yesterday. So as you saw, I was kind of  
18 struggling some with the technological stuff and I  
19 appreciate them stepping in to helping me out yesterday.

20 But let's get to brass tacks in this case. At  
21 the beginning I mentioned to you one word to keep in  
22 mind. I think I said "ambush." I talked about ambush.  
23 As the trial proceeded -- a couple other words -- well,  
24 several words, but a couple of them that really stand  
25 out to me that put this in its proper context.

1           One is, when Shameika Ingram's testified, she  
2 told you what she saw. And of course, the defense  
3 cross-examined her about certain things it considers  
4 inconsistencies. But the word I'm getting at is  
5 "corroboration." Because you heard from her, but that  
6 is not all that you heard related to where the defendant  
7 was that day. And we'll get into that in a little  
8 while, and the fact that there's other evidence that  
9 actually corroborates what Ms. Ingram told you from the  
10 witness stand.

11           Also, "show of force" is another phrase that  
12 comes to mind. Because as you heard described as far as  
13 what took place out there that night, these guys came  
14 from Marlboro County as a posse, almost as a show of  
15 force against one person, James Henderson, by himself,  
16 there with his family. You have this crew of folks from  
17 Marlboro County coming into Chesterfield County for the  
18 purposes of confronting and putting him "in the box."  
19 And this was all a show of force that ended up  
20 tragically taking the life of Mr. Henderson. The  
21 defendant was an active participate in that show of  
22 force. And the reason I say that is because I'm going  
23 to talk to you about the law. One of the aspects is an  
24 overt act. I have to show an overt act and I'll explain  
25 that in just a minute.

1           Let me talk about reasonable doubt briefly.  
2 Reasonable doubt -- and you go by what the Court tells  
3 us. Like we told you in opening, what Mr. Smaldone and  
4 I say is not evidence. Your instructions come from  
5 Judge Burch. I think he's going to say something along  
6 the lines that relates to reasonable doubt. That it's  
7 defined in South Carolina "that doubt which causes a  
8 reasonable person to hesitate to act" or better said, is  
9 "evidence that leads you firmly convinced of a person's  
10 guilt."

11           We have met our burden of proving to you  
12 beyond a reasonable doubt if you are firmly convinced in  
13 a defendant's guilt. All doubt is not going to be  
14 removed because none of us were there that night. But  
15 if you are firmly convinced of the defendant's guilt,  
16 then you must find the defendant guilty. We submit to  
17 you, as I go through the evidence, that we have shown  
18 that.

19           The defendant is charged with murder. And as  
20 I told you in the opening, murder does not require that  
21 he actually be the person that fired the fatal shot or  
22 fired a shot at all. And I'll get into that in a minute  
23 when we talk about accomplice liability, hand of one,  
24 hand of all. But murder in South Carolina is simply  
25 defined as: Taking of the life of another with malice

1     aforethought. The taking of the life of another with  
2     malice aforethought. What do we have here in this case?  
3     We've got, again, this posse coming into Chesterfield  
4     County, calling out Mr. Henderson, confronting him in a  
5     show of force, ambushing him. And keep in mind, he was  
6     shot as he ran. He was shot -- you heard from Dr. Ross.  
7     He was shot, including the fatal shot, all were from the  
8     back. He was shot as he ran for his life away from his  
9     family, away from the trailer. Please keep that in  
10    mind. I also say that's evidence of malice. I think  
11    murder -- it's clear that he was murdered. Mr.  
12    Henderson was murdered.

13                 Then we get into accomplice liability. Hand  
14    of one, hand of all. And that's where this case is  
15    going to be. What it's going to involve? Because the  
16    defendant was actively involved. Whether he was armed  
17    or not, he was actively involved in the events that lead  
18    to Mr. Henderson's death. And I will get into that in  
19    more detail in a little while. But hand of one and hand  
20    of all is basically I'm required to show that he is not  
21    just merely present but a participant either aiding,  
22    abetting, encouraging or committing some overt act. An  
23    overt act in this case is just being a member of the  
24    box. He was a part of the box. You heard testimony  
25    from Ms. Ingram. You heard her talk about how he was an

1 active participant. Whether he was armed or not, he was  
2 an active participant in this encounter.

3 Also, you heard from Ms. Moniquah Ingram who  
4 explained to you what a box was. The defendant was  
5 there. He was an active participate -- an active member  
6 of that box, therefore, he has committed an overt act.

7 I'll get into other acts, which I think the  
8 cell phone records and the call history will illustrate  
9 an underling of exactly what I'm telling you as it  
10 relates to this defendant's involvement.

11 Let me talk to you a little while about direct  
12 and circumstantial evidence because we have a bit of  
13 both in this case.

14 Direct evidence is evidence where for example  
15 Ms. Ingram saw what was taking place. That's direct  
16 evidence. She's able to put him there by her own  
17 perception and vision -- able to put him there and to  
18 tell you what she saw him do. She told you he was an  
19 active participant. She told you -- when they left --  
20 and keep in mind -- and I forgot to mention this -- they  
21 went to the wrong house to start with. These  
22 individuals were so engaged in confronting SB,  
23 Mr. Henderson, Jr., they went to the wrong house.  
24 Stayed there 15 or 20 minutes accosting them to make  
25 sure that they were not trying to hide Mr. Henderson or

1 misleading them.

2           And when they finally went to Mr. Henderson's  
3 house, she was still able to see what was transpiring.  
4 She was able to see when the defendant got out of the  
5 vehicle. Remember, she told you she was within six feet  
6 of the defendant when she saw him.

7           Circumstantial evidence: Circumstantial  
8 evidence is evidence while not direct, it's evidence  
9 that leads you to a particular conclusion. In other  
10 words -- and I'm not good at explaining -- giving the  
11 example, the Court will, I think, give you an example  
12 but basically when you're talking about circumstantial  
13 evidence, it's not where, okay, I've seen him. But I've  
14 got things like cell phone records. If we had not seen  
15 him there -- let me just put it like this. If you take  
16 Shameika Ingram out of the equation, the cell phone  
17 records constitute circumstantial evidence that the  
18 defendant was at that residence. Cell phone call  
19 histories, circumstantial evidence of his relationship  
20 between the two people that she was able to pick out --  
21 Ms. Ingram's was able to pick out of a lineup, Jamarcus  
22 Sellers and Brenton Davis. Those things constitute  
23 circumstantial evidence. Moniquah explained to you  
24 about the box. That's circumstantial evidence of the  
25 defendant's overt involvement in this incident. We know

1 these guys came to Chesterfield County on a mission.  
2 Let me repeat that because it is very pertinent to the  
3 context of what was going on. These guys, including the  
4 defendant, came to Chesterfield County. They were on a  
5 mission. That mission ultimately took the life of James  
6 Henderson, Jr.

7 Let's talk about defendant for a little while.  
8 And we've established the fact that the defendant lied  
9 about his whereabouts that night. Why does a person  
10 lie? And we all know the answer to that. They lie to  
11 conceal something. Here, these aren't just little lies.  
12 These are material substantive lies. He lied repeatedly  
13 about his whereabouts that night. He lied about his  
14 phone. He lost his phone but yet that same phone is  
15 making calls to Brenton Davis and to Jamarcus Sellers  
16 right -- making calls to Jamarcus Sellers right before  
17 the incident, during the time they were in Chesterfield  
18 County and then afterwards.

19 Once they returned to Marlboro County, he's  
20 calling both Jamarcus Sellers and Brenton Davis but yet  
21 that phone is lost as he tried to tell Bryan Kent.  
22 Those are very material lies that you are absolutely  
23 entitled to take into consideration as it relates to  
24 your ultimate verdict in this case.

25 Let me talk about the case itself and the

1 evidence that we have as it relates to murder. And I  
2 have already told you the evidence that we have as it  
3 relates to murder. The fact that this was a murder.  
4 The fact that these guys came to his residence and  
5 chased him. Got him in -- basically ambushed him.  
6 Ambushed him. He tried to run for his life, shot in the  
7 back. Their intention was to kill him. That is clear.  
8 So the issue, like I said, comes down to accomplice  
9 liability. Hand of one, hand of all. Let's talk about  
10 certain aspects of that.

11 First let's talk about presence, the  
12 defendant's presence. What evidence do we have as it  
13 relates to the defendant's presence? Well, we got  
14 evidence showing that, one, we've got testimony, excuse  
15 me, from Shameika Ingram. Shameika told you that -- and  
16 granted she wasn't clear as it relates to his hairstyle.  
17 But she made it clear to you she remembered his face.  
18 She also said that she was shown a picture and she  
19 followed up on social media and was like, yeah, that's  
20 the guy that I saw in front of my house. So there was a  
21 perception of this right there at the time this all had  
22 occurred. Keep that in mind. She also told you that  
23 the reason in the lineup that she was -- and you'll have  
24 the lineup. We introduced it into evidence. We're not  
25 trying to hid anything from you; in fact, we want to be

1 transparent. She was not able to pick out because two  
2 of the individuals looked very closely alike. One in  
3 the bottom on the left and one in the middle, top  
4 middle. You'll see that. You'll have that to make your  
5 own determination. I will submit to you that that is a  
6 very reasonable explanation on her part. And let's keep  
7 in mind, it is way easier to pick out somebody live,  
8 then it is in a picture so I think from a common sense  
9 standpoint.

10           Keep in mind, you don't leave your common  
11 sense in the chambers. Your common sense goes into --  
12 well, I wouldn't say there but goes into your  
13 deliberation, I think, in the family court courtroom or  
14 the other room, but wherever y'all deliberate, common  
15 sense goes along with you. But Shameika told you -- she  
16 also told you about this visit she got the next day from  
17 the guys from Bennettsville. And keep in mind, the  
18 people we're talking about, and this goes to  
19 corroboration, all these people we're talking about are  
20 from Bennettsville. So the defendant, where's he from?  
21 Bennettsville. Who do we have evidence that we've  
22 talked about and will talk about, that the defendant is  
23 tied to these people? From Bennettsville. So at some  
24 point it ceases to become a coincidence that all of  
25 these things are occurring and the defendant is right in

1 the middle of it.

2 Let me get back to where I was. So with  
3 Shameika, she told you, just to be clear in the recount,  
4 that they came to the house. They were looking for SB  
5 and used rather foul language looking for SB,  
6 Mr. Henderson, the victim. Her boyfriend went outside,  
7 confronted them for a while. They were out there 15 to  
8 20 minutes, going back and forth trying to find  
9 Mr. Henderson because they were on a mission. They then  
10 leave once they were directed to the right residence and  
11 at that point confronted Mr. Henderson. She was able to  
12 see all of this. The defendant -- and she was very  
13 clear in this, the defendant was actually one of the  
14 people that got out along with Brenton Davis. She was  
15 able to identify out of the lineup Brenton Davis and  
16 Jamarcus Sellers who also happened to be on these call  
17 logs.

18 Brenton Davis, we've got his cell phone  
19 location data. You heard Chris Johnson testify, they  
20 were both in the same area, the defendant and Brenton  
21 Davis. She picked Brenton Davis out of a lineup.  
22 Again, at some point these things cease to become -- to  
23 be a coincidence and it becomes fact. It becomes fact  
24 that I would submit that you must take into  
25 consideration.

1           Call history: The call history illustrates,  
2 like I said earlier, the fact that he didn't lose his  
3 phone. He was just telling law enforcement that because  
4 he knew that phone had a treasure trove of evidence that  
5 would implicate him. That's why he lied. But the call  
6 history also corroborates what Ms. Shameika Ingram was  
7 saying. Because of the fact that it -- that call  
8 history leads us to being able to get his location.

9           During the time he's in Chesterfield County,  
10 he is calling Jamarcus Sellers. Jamarcus Sellers,  
11 again, is one of the people she picked out of a lineup.  
12 This is during the time leading up to the events of the  
13 murder. Again, all of that corroborates with what she's  
14 telling you.

15           Another important aspect that we have to prove  
16 to you related to accomplice liability is as it relates  
17 to I guess an overt act, aiding and abetting,  
18 encouraging. Even though he was not the shooter, I have  
19 to show you that he was involved materially. Not just  
20 merely present, that he was involved materially. And  
21 that's why I submit that you look at the entire picture,  
22 the totality of the circumstance. Shameika saw the  
23 defendant as part of this show of force. So when  
24 Shameika was out there and she was explaining to you  
25 what she saw, there were several individuals out there.

1 There were several individuals engaging with her  
2 boyfriend, looking for the defendant when they went down  
3 to the house, to the victim's house, Mr. Henderson's  
4 house. He was one of them that got out. They were  
5 engaging him. They were talking loud. They were  
6 engaging him and then the shooting started.

7           The reason I'm mentioning that as part of a  
8 show of force, I would submit to that even though I  
9 don't have a gun, if I'm there as sort of back-up. If  
10 I'm there for moral support, that in and of itself is an  
11 overt act when you've got that many guns out there. I  
12 might have forgotten to mention how many guns we've  
13 already heard about being out there. We've heard three,  
14 at least from our forensic expert, Ms. Cromer. But also  
15 remember Graig Burns found shotgun shells and Ms. Ingram  
16 told you about somebody with a shotgun. So again,  
17 corroboration, corroboration. The shells were not spent  
18 so we couldn't have them tested. But those shells were  
19 out there. So we know that there were at least three  
20 handguns and a shotgun that were brought from Marlboro  
21 County to Chesterfield County in this engagement with  
22 James Henderson, Jr.

23           Again, when you take everything in its proper  
24 context, the totality of the circumstance, this  
25 defendant was not merely present, he was a part of a

1 plan that was concocted in Marlboro County and ended up  
2 resulting in the death of James Henderson, Jr., in  
3 Chesterfield County.

4 I haven't talk much about Moniquah yet. But  
5 Moniquah also establishes this use of force because she  
6 explained to you about the fact that when SB -- and I  
7 apologize, I'll say Mr. Henderson, Jr., sometimes. I've  
8 called him by his nickname but of course I'm talking  
9 about the victim. She told you when he got off the  
10 phone he was stressed. He was worried because "they  
11 want to put me in the box." And I asked her, "What's  
12 the box?" And she explained that is where they surround  
13 you and you have to fight multiple people. One person  
14 has to fight multiple people. And he was stressed and  
15 concerned.

16 And I would submit to you that actually some  
17 of the text messages that I'll show you later evidence  
18 that he was supposed to go to Marlboro -- they wanted  
19 him in Marlboro County. When he wasn't in Marlboro  
20 County, they came to Chesterfield County. They were on  
21 a mission as I said earlier. But we'll get to that  
22 later.

23 But anyway, Ms. Ingram told you that he was  
24 worried about them wanting to come here and put him in  
25 the box. And he did not go out there. I mean, they

1 called him repeatedly. That, in and of itself shows his  
2 reticence to go out there because I suspect he knew that  
3 there was no good going to come of this. But he was at  
4 home with his eight-year-old son and five-year-old  
5 child -- five-month-old child, excuse me. He did what  
6 any father would and even once the shooting started,  
7 rather than trying to run inside the house, he ran away  
8 from the house which I would submit to you was a further  
9 act to try to protect his family.

10 You also heard from -- about the fact that  
11 this group was well armed. I talked about that earlier.

12 Another aspect of this that you can take into  
13 consideration, ladies and gentlemen, is the  
14 prearrangement aspect of it. The fact that this started  
15 in Marlboro County. All of these gentlemen are from  
16 Marlboro County. All the names that you've heard, I  
17 think you've heard Harris; you've heard Sellers; you've  
18 heard Davis. All of the names you heard are people from  
19 Marlboro County and I probably skipped some names. As a  
20 matter of fact Graig Burns told you. Spence Vaughn told  
21 you as well. That night, where did they go? They went  
22 to Marlboro County. That night, after they finished at  
23 the scene, they got information that led them to  
24 Marlboro County. These things are not coincidences,  
25 ladies and gentlemen.

1           But anyway, back to what I was saying about  
2 the prearrangement. What evidence do we have that this  
3 defendant was involved in a prearrangement? Well, you  
4 look at his call histories. The call he made -- there's  
5 a call he made with S.dot. And for the record, it's  
6 Kasean Smalls, the victim's first cousin. Right after  
7 that call, I think about three minutes after that call,  
8 what do we see on the victim's phone? S.dot texted the  
9 defendant's number to the victim's phone. Even though  
10 we don't have much interaction between those two, we've  
11 got the defendant's number on the victim's phone during  
12 the course of time that this is all about to occur. I  
13 think it was about 8:24, they were still in Marlboro  
14 County.

15           And you'll see another text message from  
16 Mr. Davis, Brenton Davis. Davis says, "You need to get  
17 out here at some point." I think it was around 8:00 or  
18 after 8:00. They're still in Marlboro County at this  
19 time. Mr. Henderson wasn't coming to Marlboro County.  
20 So what did they do? These individuals, including the  
21 defendant, decided to come to Chesterfield County.  
22 That's not something people do by accident. That is  
23 evidence of a common plan, a common design, plan to come  
24 to Chesterfield County and engage Mr. Henderson. So  
25 everybody who decides to make that trip -- everybody who

1 decides to make that trip, falls under this hand of one,  
2 hand of all category.

3           As you've heard in the testimony, I think from  
4 Mr. Burns, we were able to get evidence on some but  
5 based on evidence, we have reason to believe there were  
6 more people out there. But we do know Mr. Davis was out  
7 there and we know Mr. Brown was out there. We know  
8 Mr. Sellers was out there that night.

9           Another aspect is the fact that these calls,  
10 and I will illustrate that for you, but these calls are  
11 between Sellers. If I recall correctly, it's Davis and  
12 Sellers. Calls between Davis and Sellers and then calls  
13 between the defendant and Sellers. So those three  
14 individuals around the time of the murder, I mean  
15 leading up to the murder, within 15, 20 minutes of the  
16 murder, these calls are being made and these three  
17 parties are being involved in these calls. That is not  
18 by accident, ladies and gentleman, and that is evidence  
19 that these individuals were acting in concert in order  
20 to lure Mr. Henderson outside. And the reason I say  
21 "lure," keep in mind, they were telling him, "You need  
22 to get out here. You need to get out here." They were  
23 trying to lure him so they could ambush him. This was  
24 not a one-person operation. This was a group operation,  
25 ladies and gentlemen. That is the epitome of hand of

1 one is the hand of all.

2 Now let's talk about his relationship with  
3 Mr. Davis because you heard that Ms. Shameika Ingram was  
4 able to pick him out of a lineup. But you also heard  
5 Moniquah Ingram tell you that she saw Mr. Davis and when  
6 I say "Mr. Davis," Brenton Davis. She saw him out there  
7 because the light was on the two of them. She didn't  
8 see everybody else. But the way the light was as the  
9 residence, she saw Mr. Davis and she saw, of course, her  
10 boyfriend, Mr. Henderson.

11 Let's talk about their relationship. If  
12 you -- you have cell phone records, that week I think  
13 the records for Mr. Davis we got started on the 15th of  
14 January. Seventy calls between the two of them in that  
15 week. What does that show? What's the big deal with  
16 that, Kenard? Well, it shows that there's a  
17 relationship between those two. Interestingly, the day  
18 of and I also have that highlighted off of my exhibit  
19 here. The day of, early morning hours, I think there's  
20 several calls in the early morning hours of the 21st,  
21 about 20, 23 hours from the murder. Then you don't have  
22 any calls between the two of them. And you remember, I  
23 asked Investigator Burns, what does that tell you? That  
24 tells you they were together. Because they don't need  
25 to call each other if they are right there together.

1           Mr. Sellers was in that other car and that's  
2 why they were having to call to coordinate with him.  
3 Again, these are things that are just common sense,  
4 ladies and gentlemen. When you look at the phone  
5 records, you're not going to see many calls between the  
6 defendant and Brenton Davis that day because they were  
7 together. Again, that's just common sense. The reason  
8 I highlight that is that if you recall the testimony  
9 from First Sergeant Burns: "Where was the defendant's  
10 car found?" "It was found at Mr. Davis' house." The  
11 reason I highlight that again, that shows you the nature  
12 of their relationship. When they went to pick him up to  
13 have him interviewed, the car -- when they went after  
14 that day, and after the interviews, they went out and  
15 got the search warrant for Mr. Davis' house, lo and  
16 behold, the defendant's car is at Brenton Davis' house.  
17 So we know there is a relationship between those two.  
18 The reason I say that is because it eliminates the  
19 coincidence aspect that both of them are bouncing off  
20 towers in Chesterfield County specifically between  
21 Cheraw and Chesterfield which, by the way, is where  
22 Hillian-Edwards Road lies.

23           And let me just highlight the overt act part  
24 of this. The fact that they were put "in the box," I  
25 mentioned it earlier, but I want to highlight it because

1 it's an important aspect of what you have to determine.  
2 The overt act is many. There are different ways you can  
3 have an overt act. Again, it's not what I say; it's  
4 what you hear in evidence. The fact that this defendant  
5 was a part of this box, he was a part of everything  
6 going on, he was with them the whole time. This is not  
7 a mere presence situation. Merely present, would be if  
8 he happened -- everybody just happened to be in  
9 Chesterfield County and he walks outside his door. He's  
10 standing in the crowd, something goes down. Yeah, he's  
11 present at the time. He may have heard them talking  
12 about it and saw what happened. That's the difference.  
13 That would be mere presence.

14 Here, keep in mind, he engaged to ride with  
15 these folks for at least 20 miles, I would say, from  
16 Bennettsville to Hillian-Edwards Road. That is  
17 something you can absolutely take into consideration, on  
18 the issue of whether or not he was merely present.

19 But so let's talk about overt acts. As I've  
20 said, we've got testimony of Moniquah in the record  
21 corroborating about the fact that these guys were all --  
22 they were all engaging Mr. Henderson, Jr., James  
23 Henderson, Jr., That, in and of itself, constitutes an  
24 overt act. Being a part of that box constitutes an  
25 overt act. You can't have a box with just one person.

1 You have to have multiple people. That show of force,  
2 that intimidation. That is an overt act. I would ask  
3 that you take that into consideration. The fact that he  
4 was involved, and I would say, aiding and abetting  
5 during the course in time when they were arguing at  
6 Shameika Ingram's house trying to find Mr. Henderson.  
7 The defendant was right there during that whole time.  
8 Sometimes a show of force can be solid, but it's there.

9           When you're talking about the circumstances as  
10 they were that night, I don't have to say a word. But  
11 if any of you walked outside, if anybody walk outside  
12 their house and even though there are five people there,  
13 only one of them can be doing the talking, but you're  
14 going to be looking at all five of them as a potential  
15 threat to you. That could constitute an overt act.  
16 Just their presence there in the context of what was  
17 going on constitutes an overt act. Constitutes part of  
18 that show of force. Constitutes part of what ultimately  
19 became an ambush.

20           Now let's talk about his lies. I touched on  
21 them before but they deserve being recounted. And let  
22 me say something. And this is no disrespect meant but I  
23 think I have to address it. One of the interviews, I  
24 think it was the first interview here in Chesterfield  
25 County. You heard the officer, I think it was Major

1 Brim got a little testy and aggressive with the  
2 defendant. Different people have different styles. I  
3 would ask you not to -- if you were effected by it, not  
4 to let that effect your decision in this case. Because  
5 you also saw Bryan Campbell. You saw investigator --  
6 excuse me, First Sergeant Burns. You saw Ms. Myers and  
7 you saw how they questioned him. You saw the respect  
8 that they questioned him with.

9 Like I said, there are different ways people  
10 have different tactics. I feel that I'd be remise if I  
11 did not address it. Because to be honest with you, I  
12 was a little bit concerned. When he slammed the table  
13 and was a little more aggressive then quite frankly he  
14 probably needed to be. Thankfully, you also saw the  
15 other officers that came in and what he got from them.  
16 So let me focus on that.

17 Because Brian Campbell encountered him first  
18 in Marlboro County, when they're in Bennettsville. He  
19 continuously told Brian he was not there, "wasn't in  
20 Chesterfield."

21 "I went to so and so place."

22 "Went to Club Envy."

23 "Past out in my dad's yard."

24 "Never been to Chesterfield County."

25 He told Brian he hadn't been to Chesterfield

1 County in several months. Obviously, the cell phone  
2 data shows different. He lied about the phone number.  
3 He gave them a totally different phone number. Did not  
4 give them (843) 439-9706 number, which is the actual  
5 number he was using that day. That's actually the phone  
6 he was using that day.

7 "Oh, I lost it."

8 "But I lost the phone."

9 Gave him the wrong number and he lost the  
10 phone that day. But yet that phone that is -- and  
11 you've got the data. That phone is actually listing him  
12 as the subscriber -- excuse me. James Brown is making  
13 calls after he supposedly lost it. Again, common sense  
14 lies, you know he had that phone. And as Chris Johnson  
15 told you, the holder of the phone, whoever was holding  
16 that phone was in Chesterfield County, in the  
17 Hillian-Edwards vicinity that evening.

18 When you look into his -- these lies, these  
19 are not just little lies, they are major material lies.  
20 They are substantive lies. They are lies that  
21 thankfully through technology we were able to expose.  
22 So his lies have been exposed and as I told you earlier,  
23 you are absolutely entitled to take that into  
24 consideration. What's he trying to hide? What's he  
25 trying to cover? I think the testimony and evidence

1 that we've presented shows you both the direct and  
2 circumstantial evidence, what he was trying to hide and  
3 conceal.

4 Now, if I could turn this on, I just want to  
5 highlight a few things and I'm actually about to  
6 conclude. But I do want to show you a few things.  
7 Technology is a beautiful thing until it isn't. I  
8 apologize for the delay. But what I talked about  
9 earlier, I wanted to highlight a few things before I sit  
10 down. These are the cell phone records from Brenton  
11 Davis. And as I talked about earlier, you've got these  
12 calls that were made at one o'clock.

13 Now, this is on the 21st, the early morning  
14 hours of the 21st. This is before the murder. This is  
15 almost 22 hours, 23 hours before the murder. It  
16 shows -- and you can scroll down I'll tell you when you  
17 can stop. It shows the number of calls between the two.  
18 The reason I highlight that is to show you, yes, there  
19 is a relationship between these two. They know each  
20 other, they corresponded. This isn't just coincidence  
21 that some of these things occurred. You can stop right  
22 there. So this is -- you can go up actually. And okay,  
23 scroll down. I'm sorry. We can go down to the next  
24 page.

25 Now, what this shows -- and again, this is

1 also Mr. Davis' cell phone records. This shows around  
2 the time of the murder. This is after ten o'clock and  
3 you're seeing right there, 22:31, there's a call made to  
4 what Investigator Burns told you was the cell phone  
5 number belonging to Jamarcus Sellers. So this is within  
6 30 minutes of Mr. Henderson's murder. And you'll also  
7 see from the cell phone mapping, this call took place in  
8 Chesterfield County. Mr. Davis was in Chesterfield  
9 County when this call occurred. You don't have to  
10 scroll yet.

11           And you go down and you see, of course, this  
12 is Mr. Davis' cell phone number. You see the different  
13 numbers he's calling here, the 703-9566 number. That's  
14 him calling at 22:42 -- 10:42, 10:43. He is calling the  
15 victim, Mr. Henderson. That's what Moniquah Ingram  
16 testified to. He's calling -- he's in Chesterfield  
17 County in front of his house, out in that neighborhood  
18 trying to lure Mr. Henderson out. Also, you see during  
19 that same time 22:50, he's putting in a call to Jamarcus  
20 Sellers as well. Again, they are coordinating their  
21 attack, for lack of a better word. You can scroll down  
22 to the next page. Still on Mr. Davis' records. This, I  
23 show you, because it's afterwards, Mr. Davis calls both  
24 Jamarcus Sellers and the defendant right there after  
25 midnight. Once they get back to -- they've already

1 killed Mr. Henderson. They get back to Marlboro County  
2 and then they are contacting each other again. There's  
3 certain things when you put it all together, it ceases  
4 to be coincidence. It becomes fact. You can scroll to  
5 next one.

6           Now these are the defendant's records. As you  
7 see the number, 439-7060. And the highlight right there  
8 at 10:24 -- 20:24, 10:24 -- excuse me 8:24. 20:24 is  
9 8:24, I was in the military, I should have remembered  
10 that. Who does he call? And as you heard Investigator  
11 Burns tell you, that is S.dot, Kasean Smalls, the  
12 victim's first cousin. So we know that there was that  
13 call made. You can scroll to the next. The reason  
14 that's important to remember is that you'll see in a  
15 little while, that number, the defendant's number ends  
16 up on the phone of the victim. Now, this is also still  
17 his records. Look at these calls that are being made.  
18 Look at the times 10:34, 10:45, two of them, 10:50.  
19 He's calling Jamarcus Sellers. That's Jamarcus Seller's  
20 number. 10:50, then you go to 11:17. So less than 30  
21 minute of the murder, who is he calling again? He's  
22 starting back calling Jamarcus Sellers and several  
23 calls. 11:17, 11:23, 11:29, he's calling Jamarcus. And  
24 then about 1:23 and 1:26, he and Brenton Davis are in  
25 contact with each other.

1           Again, certain thing ceases to become  
2 coincidence. And when you line them all up together,  
3 then you start realizing you're dealing with facts and  
4 not coincidence.

5           This is what I referred to earlier, to put in  
6 context what was taking place from SB's standpoint. And  
7 this is just a few of them. You've got all of his  
8 records in evidence. But the ones I wanted to  
9 highlight:

10           "Yo, you couldn't make it?" That's at 17:34,  
11 which is 5:34.

12           "You couldn't make it." And we know that  
13 Mr. Davis is still in Marlboro County at this time, but  
14 here "Yo, bro, you need to get out here." This is at  
15 8:02 and he's in Marlboro County still, telling the  
16 victim you need to get out here. Well, did the victim  
17 go to Marlboro County? No.

18           And then remember, we saw earlier S.dot,  
19 Kasean Smalls talked with the defendant at 10:24 -- at  
20 8:24, excuse me. Three minutes later at 8:27 S.dot  
21 tells the victim "Call, me ASAP." And then at 10:37  
22 texts the number belonging to the defendant. Again, it  
23 ceases to be coincidence.

24           Next page, yes. If you would scroll that up a  
25 little bit. This is where we get to what Chris Johnson

1 talked about. And I just want to highlight this. Chris  
2 Johnson showed you, and this is from Brenton Davis'  
3 phone. And this shows -- if you'll scroll up, you'll  
4 see this is outside the town of Chesterfield. And right  
5 in here is the vicinity of Hillian-Edwards Road. You'll  
6 see that Mr. Davis' bouncing off of this tower in  
7 Chesterfield County. So Remember that and you'll have  
8 it back there to compare.

9           Next one, please. And go back to the last  
10 one, page 8. I forgot to highlight one thing. Look at  
11 the times.

12           You remember we went through some of those  
13 calls. Look at the times. He was making those calls,  
14 including calls to the victim and Jamarcus Sellers while  
15 he was in the vicinity of Hillian-Edwards Road. We  
16 submit while he was at Hillian-Edwards Road in that  
17 trailer park. So you see those times that Brenton Davis  
18 was there. You can scroll down and go up. As you  
19 see -- scroll up a little bit more. Here's Highway 9  
20 and this is, if you recall the testimony, because it's  
21 pointed in the -- heading east, you can surmise that at  
22 11:05, he is leaving the vicinity on his way back. "He"  
23 being Brenton Davis on his way back to Marlboro County.

24           Next one. Now this is the defendant's cell  
25 phone records, mapping information. I just want to

1 highlight this again. At 22:34, 10:34 p.m., where is  
2 the defendant? This is the time in Cheraw.  
3 Hillian-Edwards is right here. He is bouncing off of  
4 the tower, again, pointing in the direction of  
5 Hillian-Edwards. So we know that, one, he is in  
6 Chesterfield County at this point in time, despite him  
7 claiming to not be here in several months heading  
8 towards Hillian-Edwards Road, if he is not here already.  
9 And you can go to the next one, the last one.

10           And finally, you see the timestamps 22:45 and  
11 22:50, 10:45 and 10:50. Where is he at? He's actually  
12 bouncing on the tower west of Hillian-Edwards. Right  
13 there, closer in Chesterfield. So when you put those to  
14 together, where does that put them? Between Cheraw and  
15 Chesterfield. What lies between Cheraw and  
16 Chesterfield? Hillian-Edwards Road. What happened on  
17 Hillian-Edwards Road? What happened on Hillian-Edwards  
18 Road was that' James Henderson, Jr., was at home minding  
19 his own business with his family, on a Saturday night.  
20 Keep this in mind, on a Saturday night he is at home  
21 with his family. But he was not able to enjoy the rest  
22 of that evening with his family because the defendant  
23 and his confederates decided that they needed to go on a  
24 mission to accost, harass and ultimately kill James  
25 Henderson, Jr., and unfortunately they succeeded at

1 that. But do not let this defendant's lies carry the  
2 day. Because as we've shown you through direct  
3 evidence, through circumstantial evidence, you've seen  
4 the cell phone tower data, do not let his lies carry the  
5 day, ladies and gentleman.

6 I submit to you that the State has more than  
7 met its burden in this case. And this defendant, while  
8 we may not be able to say he was a shooter, he, under  
9 the theory hand of one is hand of all because he was an  
10 active participant in this endeavor. He is just as  
11 responsible, as you will be instructed. He is just a  
12 responsible as the person that pulled the trigger. And  
13 we submit that that be the verdict today. I thank you  
14 very much for your time.

15 THE COURT: Thank you, Solicitor.  
16 Counselor?

17 MR. SMALDONE: Thank you. May it please the  
18 Court.

19 Ladies and gentlemen of the jury, good  
20 morning. It's nice to talk with y'all again. And I'll  
21 try to keep my distance. I do apologize.

22 Like Mr. Redmond, I wander and I kind of move  
23 around a little bit. If I get to close to you, you can  
24 just swat me away and I won't take it personal. But  
25 it's good to be able to talk with y'all again. Last

1 time I spoke with you directly, I talked a little about  
2 what to expect in this case. I said that the State  
3 would basically put together a puzzle. And at the end  
4 of the day, you still wouldn't be able to see what it  
5 was because of the missing pieces. They have puzzle  
6 pieces and their job is to put it completely together  
7 and they haven't done that. But what have you heard.  
8 This isn't about whether or not James Henderson, Jr.,  
9 was murdered or not. Because, let's be honest, he was.  
10 It was a sad event and I'm not taking anything away from  
11 that and neither is James. But this isn't about whether  
12 or not he was murdered. This is about James Brown.  
13 This is his day in Court. He has been waiting over four  
14 years for this day. I was doing a little bit of  
15 research the other day, just kind of putting in  
16 perspective about how long ago this was and about how  
17 long James had been waiting for this day. This happened  
18 the day after Donald Trump got inaugurated. That's how  
19 long James has been waiting. That seems like quite a  
20 long time ago, because it was. And James has been  
21 waiting for this day.

22 I know y'all paid attention to the State and I  
23 know it's -- you might be due for a coffee break, but  
24 I'll try to be as brief as possible while I explain  
25 everything.

1           The State, like I said, the State showed that  
2 Mr. Henderson was murdered. But it's not up to them  
3 just to prove that. They have to prove that James is  
4 guilty. Not as an accessory. Not for being there but  
5 guilty of murder. What they're trying to do is they're  
6 trying to hide behind a hand of one is the hand of all,  
7 right? And that is the law. But it's one of those  
8 things that sounds good when you put it on a bumper  
9 sticker.

10           Well, there's a lot to it and you'll hear that  
11 from the judge. You'll learn exactly what that means  
12 and Mr. Redmond talked a little bit about it. What it  
13 does, it requires an overt act. You've got to do  
14 something. You've got to do something as part of the  
15 murder. We haven't heard anything that he did as part  
16 of the murder. Even if -- and this is assuming you  
17 believe everything that the State has presented, this is  
18 assuming, like I said, I could not be here at all and  
19 they still have to prove -- this is assuming I wasn't  
20 here at all this week. You didn't hear any of my  
21 cross-examination questions. This is their best case  
22 scenario, he's still not guilty of murder. Because the  
23 keyword in a hand of one is a hand of all, is "hand."  
24 You have to have a "hand" in the murder. A "hand" in  
25 the murder would be, let's say there's proof or they

1 showed anything involving James helping plan it, helped  
2 in saying let's kill this guy, let's commit a murder.  
3 Nothing about that. A "hand" would be, he's obviously  
4 the shooter. If they proved that or showed that or even  
5 suggest that, we would be having a different discussion.  
6 And even if he had a gun at all, maybe was shooting at  
7 the victim and missed, that would be -- that would be a  
8 hand of one, is a hand of all case. That's not what we  
9 have.

10           We have a guy who, again, in their best case  
11 scenario that they've shown was present at the scene.  
12 And the judge will instruct you that mere presence is  
13 not enough to convict. In fact, the judge -- again, if  
14 I differ from what the judge says, the judge is the law.  
15 I'm telling you what I expect the judge to say. Pay  
16 close attention to the judge. The judge will likely say  
17 something to the effect of, "The mere knowledge that  
18 another person is going to commit a crime, even if  
19 defendant is present, is not sufficient to convict."  
20 And now we don't even have that. We don't even have  
21 knowledge that there -- we don't have anything showing  
22 James knew there was going to be a murder. In fact,  
23 I'll explain why we have the opposite of that. But even  
24 if James had knowledge that there was to be a murder,  
25 and if there were text messages saying let's do murder

1 together, meet me at 10:30 for the murder, something  
2 just blatant like that, which obviously we haven't seen,  
3 even if there is that and James showed up and was there,  
4 that is not sufficient to convict. And I'm saying the  
5 same thing the State said. We're operating under the  
6 same law. I'm not saying what they're saying is wrong.  
7 I'm just saying the other side of that coin, right?  
8 This hand of one is the hand of all is the law in South  
9 Carolina. What I'm saying that means is that you have  
10 to have a hand in it. Which he obviously didn't.  
11 Because if James had any knowledge or any idea that  
12 there would be a murder, then wouldn't he have a gun not  
13 just -- not just to murder or shoot or even intimidate  
14 but because he's going to a dude's house in  
15 Chesterfield. And he's in South Carolina -- let's be  
16 honest. Most people in South Carolina have guns at  
17 their house to protect themselves. Nothing wrong with  
18 that in my opinion. That's a whole different  
19 discussion. Most people, to some degree, a large  
20 percentage of people have guns at their home to protect  
21 themselves. He's going to that house to commit a murder  
22 and he doesn't have a gun. That really is inconsistent  
23 with what the kind of person they think James is. They  
24 think he's a murderer. Well, where's his gun?

25 If I'm a carpenter, where's my hammer?

1           If I'm a clown, where's my little red nose?

2           That's what they think y'all are.

3           Ladies and gentlemen of the jury, it doesn't  
4 add up. It doesn't add up. It's the State's job to  
5 prove each and every element beyond a reasonable doubt.  
6 And a friend of my taught me this. He says, it's not  
7 James' case; it's the State's case. It's the State's  
8 job to do everything. It's their job and they haven't  
9 done it. They probably -- again, according to the best  
10 case scenario, they can show that James was either there  
11 or in the vicinity. But nothing. Even their own  
12 witness, who didn't identify James out of a lineup and  
13 now has a revelation 51 months later: "Oh. Yeah,  
14 that's the guy."

15           Even though I described him wrong, "that's the  
16 guy."

17           Even if you believe her, which I submit that's  
18 up to you, even if you believe her, you just have him  
19 there. Is it illegal to be somewhere? Is it illegal to  
20 text with someone? It is illegal to be in a County of  
21 Chesterfield? Is it illegal to be from Marlboro County?  
22 We heard a lot of bad talk about Marlboro County. It's  
23 not illegal to be from Marlboro County. Nothing that  
24 they've shown -- one, is it illegal; or two, nothing  
25 they've shown makes James commit any overt act in the

1 murder. Even if -- and this a big stretch, okay? I'm  
2 not conceding this, but let's say you're like, I love  
3 all their witnesses. I love the State of South  
4 Carolina. I believe everything they say. That's up to  
5 y'all. But even if you take them at their best possible  
6 word and you put -- you make some logical bounds and  
7 leaps. Let's say you do that, right? Let's say, you  
8 just -- you try to put it all together like a detective  
9 and you make those leaps. Let's say you say you think  
10 that James Brown was there to fight. Let's say you  
11 think, despite really no evidence of this, let's say you  
12 think he was kind of backup or watching, maybe -- you  
13 know, they have the box. Maybe he was there to watch or  
14 monitor things or be a referee, something like that.

15 Well, the law of South Carolina will tell you  
16 there has to be some intent, right? There has to have  
17 been a common design or intent to commit the crime. And  
18 the crime must have been committed within aiding or  
19 abetting. The crime being murder. So even if you  
20 think, yes, which you shouldn't, but even if you think,  
21 yes, James was there as either a bodyguard or a fighter,  
22 despite the fact of that you heard he really doesn't  
23 have any criminal history --

24 MR. REDMOND: Your Honor, I would object as to  
25 facts not in evidence.

1           MR. SMALDONE: I got that out through their  
2 investigator.

3           MR. REDMOND: I don't recall. I don't recall.  
4 I would strongly object to that and ask that that be  
5 stricken from the record.

6           MR. SMALDONE: May we approach? I do recall  
7 getting that out through their investigator.

8           MR. REDMOND: If he said it in the -- if he  
9 did say it in there, then I would withdrew that  
10 objection. But I would ask that that be -- because  
11 again we're getting close to testifying and that's my  
12 concern. That's why I stand up -- that's my big concern  
13 is the testifying aspect.

14           THE COURT: With that said, you may proceed.

15           Q. (BY MR. SMALDONE) Now, I apologize if I  
16 forget where I was. Even if you think that he was part  
17 of a fight or something or intended to be part of a  
18 fight because, again, you didn't hear anything about a  
19 fight. Even if you are thinking that, that's mere  
20 presence. Because he wasn't a participant in a murder.  
21 And there's no evidence showing that he -- nothing  
22 showing that he was participating in a murder. With  
23 that, it's a clear not guilty ladies and gentlemen.  
24 He's not on trial for being there. I think I said that  
25 at nauseam. I think I said it enough, being there is

1 not a crime. He's not on trial for not being truthful  
2 to the police. If I had a perfect case, if I had a  
3 perfect client, if I had a perfect scenario, you would  
4 not have heard him talk to the police. But I take the  
5 defendant as I find him. I take James as I find him.  
6 And yeah, he talked to the police. And were there  
7 possibly some inconsistencies? Listen, I'm not up here  
8 arguing he was at Club Envy that night. I'm arguing  
9 that he made a mistake. The mistake was telling the  
10 police something -- probably the evidence doesn't show  
11 that. But you've heard why someone would do that,  
12 right? You heard why. Was it to protect himself  
13 because he doesn't know the law? He doesn't know that  
14 mere presence is not a crime. Maybe.

15           Is it to protect himself around other people  
16 that he knows has guns and are capable of putting people  
17 in the box or committing worse crimes? Have we heard  
18 about that? Maybe.

19           Is it a distrust of law enforcement like I  
20 talked about? Maybe. But look, he's not on trial for  
21 that. He's not on trial about whether his talk with  
22 police was necessary or not. And frankly, at some  
23 points, I don't blame him.

24           You heard the way that they treated him at  
25 times, even through the snidbits they played.

1 Disrespectful. That's not what we're here about. We're  
2 not here about fighting. We're not here about lying.  
3 We're not here about being friends with some bad people,  
4 probably. We're here about murder. It's a scary word.  
5 It's a strong word. Even the word is kind of, it's bold  
6 and it's terrible and that's what they're accusing James  
7 of.

8           Did he commit murder? Did he aid and abet by  
9 doing something involving the murder? No. No. Again,  
10 I said it's the State's job to prove that he did and  
11 they didn't because he has what I've talked about  
12 before, the presumption of innocence. He came in here  
13 as innocent -- I won't say me -- but he is as innocent  
14 as me or anyone else. He came here just as a peer, as a  
15 person. And it's hard to -- presumption of innocence is  
16 important and I think it's kind of fading in this  
17 country with things like the media and things like that.  
18 And even him being there, it's hard not to view him in a  
19 certain light but I ask that you do because he is  
20 presumed as innocent as me and y'all and the State. And  
21 they have to prove him guilty beyond a reasonable, any  
22 reasonable doubt. It's their job to dispel those  
23 doubts. Not one doubt, not two doubts, not 17 of those  
24 doubts, but all of them. They haven't done that.

25           One, we don't even really know what exactly

1 happened but it's their job to show it. And the extent  
2 that we do know that James was certainly not a part of  
3 the murder, they have to prove beyond a reasonable doubt  
4 and that's -- just briefly, that is the highest standard  
5 in the justice system. We actually have different  
6 standards in the justice system. There's a few levels.  
7 There's something called a scintilla of evidence, which  
8 is just a suspicion, an inkling. It's not really  
9 admissible for anything. That's just almost a rumor or  
10 any accusation. There is something called reasonable  
11 suspicion, which is a lower level. That's enough to  
12 maybe get pulled over but that's not enough for a  
13 conviction. And then there's something called probable  
14 cause which you've probably heard about. That's  
15 mid-level. That's enough to issue an arrest. That's  
16 enough to get a search warrant. That's enough to make  
17 some pretty significant steps in the judicial system,  
18 but that's really not enough to convict. Even higher  
19 then that, we have something called clear and convincing  
20 evidence. That is basically the amount of evidence used  
21 to take your children -- if the State wants to take your  
22 children away, that is a level of certainty that they  
23 have to prove. That's a pretty high standard. The only  
24 thing higher than that is beyond a reasonable doubt.  
25 That's the highest standard. That means that if you

1 think that he is probably guilty, he's innocent. He's  
2 not guilty because that's not -- probably guilty is not  
3 a reasonable doubt. That's not beyond a reasonable  
4 doubt. If you think he's more likely than not guilty,  
5 you must find him not guilty. Even if you think he  
6 probably did whatever. I don't even know what because  
7 the State hasn't shown anything. Even if you think  
8 something, that he's guilty of murder if you make those  
9 strange leaps in logic. If you think probably, I feel  
10 all right about it, that's not enough to make you  
11 hesitate to act. That is enough to make you hesitate to  
12 act, that would mean he's not guilty.

13 Ladies and gentlemen, it's their job to show  
14 the highest level that he is guilty of murder and they  
15 haven't done it. It's nothing personal. It doesn't  
16 mean you don't like anybody. Doesn't mean you don't  
17 like the victim or Mr. Redmond or that you have to even  
18 like James. It's just part of living in this country.  
19 I think I've talked almost enough. Sometimes I talk  
20 more when I don't have as much to say. I don't feel  
21 like I have that much to say because there's not really  
22 much evidence for me to go over. Sometimes I go kind of  
23 overboard talking about lack of evidence; whereas, if  
24 this was a three-week trial, I might have wrapped up by  
25 now. So if you're mad at me, you can hold it against

1 me. Please don't hold it against James. All right?

2           This, for me, is the hard part because I went  
3 to law school because I was bad math and because I like  
4 to talk. So this is the hardest part for me, right now  
5 is when I'm about to stop talking because there is no  
6 doubt in my mind when I stop talking and when I sit in  
7 that chair within 45 seconds, I'm going to think, I  
8 forgot to cover this issue or I forgot to talk about  
9 that or I didn't explain that. It always happens to me  
10 and I ask that if you have those questions, you go back  
11 there in the jury room and you answer them for me. Each  
12 of you has the power, the ability to say, no. That  
13 verdict must be unanimous. Each of you has the power to  
14 resist in saying no. Like I said, this is the hard  
15 part. I'll stop talking in a second.

16           For the past -- since -- almost since the day  
17 after Donald Trump got inaugurated, James has been in my  
18 hands. I've helped him. I've guarded him. He's been  
19 my client. I've kind of taken to him and made sure that  
20 nothing illegal or crazy happened to him and it didn't.  
21 He has been in my hands and right now that's going to  
22 change. And I'm going to put him in your hands as the  
23 jury. I will put him in your hands as a jury with the  
24 faith and confidence that you'll do the right thing and  
25 know that Mr. Brown is not guilty. Thank you.

**JURY CHARGE**

1  
2 THE COURT: Thank you, gentlemen. Ladies and  
3 gentlemen of the jury, now becomes my duty to charge you  
4 the law of the case. I want to thank counsel for their  
5 presentation. As jurors, it's your exclusive duty to  
6 decide all the issues of fact in this case and for that  
7 purpose to determine the effect, the value and the  
8 weight of the evidence. Both the State and the  
9 defendant have a right to expect that you will  
10 conscientiously consider and evaluate the evidence and  
11 apply the law of the case thereto to the end that both  
12 the State of South Carolina and the defendant will  
13 receive and obtain a fair and impartial trial in the  
14 case.

15 When I use the word "defendant," I'm referring  
16 to Mr. James Brown. The State of South Carolina, by the  
17 bill of indictment in the case, charges the defendant,  
18 James Brown, with the offense known in the law as  
19 murder. I will explain the charge of murder to you in a  
20 few minutes. To this charge and to the indictment, the  
21 defendant has entered a plea of not guilty. The plea of  
22 not guilty by a defendant places the burden of proof on  
23 the State to prove by evidence the guilt of the  
24 defendant beyond a reasonable doubt before you, the  
25 jury, can find the defendant guilty. A defendant is

1 presumed in law innocent of the charge contained in an  
2 indictment. It is the cardinal and fundamental rule of  
3 the law of evidence of the defendant irrespective of the  
4 enormity of the charge against him, will always be  
5 presumed innocent of the crime for which he is indicted  
6 unless and until the guilt of the defendant has been  
7 proved by evidence that satisfies you, the jury, of his  
8 guilt beyond a reasonable doubt.

9           The presumption of innocence is not a mere  
10 legal theory and not just a legal phrase. The  
11 presumption of innocence is a substantial right for  
12 which every accused is entitled. Our Supreme Court has  
13 declared that presumption of innocence is like a road to  
14 righteousness placed about the shoulders of the  
15 defendant and remains with him and assigns him to that  
16 class, the innocent. Until that presumption of road of  
17 righteousness has been stripped from his person, by  
18 evidence satisfying you, the jury, of the guilt of the  
19 defendant beyond a reasonable doubt. The presumption of  
20 innocence accompanies a defendant from the time of his  
21 arrangement and appearance in the Court and continues  
22 with the defendant throughout every stage of the trial  
23 and continues with the defendant after you retire to the  
24 jury room to deliberate your verdict. The presumption  
25 of innocence continues in existence to the benefit of

1 the defendant until you, the jury, reached the  
2 conclusion that the State has proved the guilt of the  
3 defendant beyond a reasonable doubt.

4           The State is not required to prove the guilt  
5 of a defendant beyond all doubt or beyond every doubt,  
6 but by beyond a reasonable doubt. Proof beyond a  
7 reasonable doubt is proof that leaves you firmly  
8 convinced of the defendant's guilt. There are very few  
9 things in this world that we know with absolute  
10 certainty and in criminal cases the law does not require  
11 proof that overcomes every possible doubt. If based on  
12 your consideration of the evidence, you are firmly  
13 convinced that the defendant is guilty of the crime  
14 charged, you must find him guilty. If on the other hand  
15 you think there is a possibility that he is not guilty,  
16 you must give him the benefit of the doubt and find him  
17 not guilty. A defendant is entitled to every reasonable  
18 doubt arising in the case. If upon any issue of fact  
19 essential to conviction and a verdict of guilty, you  
20 have a reasonable doubt as to how that issue should be  
21 resolved, it would be your duty to resolve that  
22 reasonable doubt in favor of the defendant.

23           A defendant is not required to prove his  
24 innocence, but the State is required in law to prove  
25 every essential element of the offense charged against

1 the defendant by evidence which satisfies you, the jury,  
2 of the guilt of the defendant beyond a reasonable doubt  
3 before you can convict the defendant and find him  
4 guilty. If then upon the whole case you have a  
5 reasonable doubt as to the guilt or the innocence of the  
6 defendant, he is entitled to that reasonable doubt and  
7 would be entitled to an acquittal and verdict of not  
8 guilty.

9           But on the other hand, if upon the whole case  
10 you find that the State has proven by evidence that  
11 satisfies you, the jury, of the guilt of the defendant  
12 beyond a reasonable doubt, then in such circumstance it  
13 would equally be your duty to convict the defendant and  
14 find him guilty.

15           Now, the indictment, you've heard mention of  
16 the indictment. It is not evidence and cannot be  
17 considered by the jury as evidence in the case. An  
18 indictment is simple the formal written instrument,  
19 which contains the charge against the defendant and it  
20 serves as a formal document by which the case is  
21 processed into the Court. During the trial each of us,  
22 you and I, have certain duties to perform. As the trial  
23 judge it is my responsibility to preside over the trial  
24 of the case and I also have the duty to rule upon or  
25 pass upon the admissibility of evidence offered during

1 process of the trial. You are to consider only the  
2 competent evidence before you. And you are to disregard  
3 and disabuse from your mind any testimony ordered  
4 stricken from the record in this case during the  
5 progress of the trial if there be any. And you are to  
6 consider only the testimony which has been presented  
7 from the witness stand together with any exhibits  
8 admitted into the record of this case and any  
9 stipulations that counsel made into record if there be  
10 any.

11 I have the additional charge or duty to charge  
12 you the applicable law of the case. As the presiding  
13 judge, I am the sole judge of the law of the case and it  
14 is your duty to accept and apply the law as I state it  
15 to you. If you have a preconceived idea as to what you  
16 think the law ought to be in this case and you should  
17 not agree what I tell you the law is, you are obliged  
18 under your oath to abandon this preconception on your  
19 part because you were sworn to accept the law precisely  
20 as I state it to you. In every case tried in this Court  
21 before the jury, the jury becomes the sole and exclusive  
22 judge of the facts of the case. You, the jury, are the  
23 judge of the facts in the case. The Court is the judge  
24 of the law in the case. The constitution of this State  
25 was declared that a trial judge shall intervene, state,

1 comment upon or make any statement to the jury trial  
2 about the facts in the case.

3           Since you are the sole judge of the facts of  
4 the case, you're not to infer from anything that I said  
5 during the progress of this trial or in ruling upon the  
6 admissibility of evidence or other wise or anything that  
7 I say here in the course of this charge to you, that I  
8 have an opinion about the facts in the case. The law  
9 does not permit me to have an opinion about the facts in  
10 the case. That is a matter solely for you the jury to  
11 determine. As jurors, it is your duty to determine as I  
12 have stated to you the effects, the value and the weight  
13 of the evidence presented during the course of the  
14 trial. Necessarily then, you must then assess the  
15 credibility of the witnesses who have testified in this  
16 case.

17           Credibility is simply a legalistic term which  
18 means believability. I charge you that in determining  
19 the question and credibility or the believability of the  
20 witnesses, you may believe one witness as against  
21 several witnesses or several witnesses as against one  
22 witness. You may believe part of a testimony of a  
23 witness and reject the remaining part and testimony of  
24 that same witness. You may believe the testimony of a  
25 witness in its entirety or reject the testimony of the

1 witness in its entirety. You may consider whether any  
2 witness has exhibited any interest, any bias or any  
3 prejudice in the case. You may consider the demeanor of  
4 a witness and the appearance of a witness from the  
5 witness stand and you may consider the opportunity for  
6 knowledge concerning those things about which a witness  
7 testified.

8           The law simply requires that you exercise your  
9 good judgment, your common sense, your sense of life  
10 within reason and your experiences in life. You then  
11 apply those attributes of ability to the evidence and  
12 determine the weight of the evidence and to these, state  
13 the facts as determined by you, the jury, you take and  
14 apply the law as I state it to and thus arrive at a  
15 verdict in this case.

16           Now, let me speak with you about the types of  
17 evidence. There are two types of evidence that are  
18 generally presented here in trial: Direct evidence and  
19 circumstantial evidence.

20           Direct evidence is the testimony of a person  
21 who claims to have actual knowledge of facts such as an  
22 eyewitness. It is evidence which immediately  
23 establishes the main fact to be proven.

24           Circumstantial evidence is proof of a change  
25 of facts and circumstance indicating the existence of a

1 fact. It is evidence which immediately establishes  
2 collateral facts of which the main fact may be inferred.

3 Circumstantial evidence is based on inference  
4 and not on personal knowledge or observation. The law  
5 makes absolutely no distinction between the weight or  
6 value to be given to either direct or circumstantial  
7 evidence. Nor is a greater degree of certainty required  
8 of circumstantial evidence than that of direct evidence.  
9 You should weigh all of the evidence in the case. After  
10 weighing all of the evidence, if you are not convinced  
11 of the guilt of the defendant beyond a reasonable doubt,  
12 you must find the defendant not guilty.

13 I instruct you now and emphasize to you that  
14 the election of a defendant in the trial of a criminal  
15 case not to testify in his own behalf, is not a factor  
16 to be considered by you in anyway in your deliberation  
17 and your considerations on the question of guilt or the  
18 innocence of the accused. It must not been considered  
19 by you in any manner whatsoever against the defendant or  
20 mitigate against him in any respect whatsoever. A  
21 defendant has a constitutional right to remain silent  
22 and the assertion of such constitutional right cannot  
23 and must not been considered by you in your  
24 deliberations.

25 Under your oath, you are not to reach or you

1 will reach no inference or drawer no conclusion  
2 whatsoever from the fact that a defendant in the case  
3 did not himself testify.

4 Now, I am going to charge you on the offense  
5 of murder. I'm going to read to you 16-3-10 of the code  
6 of laws in South Carolina as amended, which states:

7 "Murder is the killing of any person with  
8 malice aforethought either expressed or implied."

9 And I point out to you sometimes the term  
10 "inferred" is used, same thing as "implied."

11 Murder is the unlawful killing of any person  
12 with malice aforethought, either expressed or inferred,  
13 gets in order to convict one of murder the State must  
14 not only prove the killing of the deceased by the  
15 defendant, but that it was done with malice aforethought  
16 and such proof must be beyond a reasonable doubt.

17 Malice aforethought is an essential element in  
18 the crime of murder. What is malice? Malice is defined  
19 in law of homicide as a term of art. Malice does not  
20 necessarily mean an actual intent to kill. This is a  
21 technical term importing wickedness and excluding just  
22 cause or legal excuse. It is something which springs  
23 from wickedness, from depravity, from a depraved spirit,  
24 from a heart devoid of social duties and vaguely bent on  
25 mischief.

1           The word "expressed" or "inferred" malice does  
2 not mean different kinds of malice, but merely the  
3 manner in which the only kind of malice known to the law  
4 may be shown to exist, that is to say either by direct  
5 evidence or by inference.

6           Malice maybe expressed as to where previous  
7 threats of vengeance are lying in the wake or other  
8 circumstance show directly that an intent to kill was  
9 entered.

10           Malice maybe inferred to where, though know  
11 expressed intent to kill is proved by direct evidence,  
12 it may be inferred from the facts and circumstances  
13 which are proved.

14           Malice maybe inferred from the willful,  
15 deliberate and intentional wrongdoing of unlawful act  
16 without just cause or legal excuse. In other words, in  
17 its general signification, malice means the doing of a  
18 wrongful act intentionally without justification or  
19 legal excuse.

20           But even if facts prove or sufficient to raise  
21 an inference of malice this inference would be simply an  
22 evidentiary fact to be taken into consideration by you,  
23 the jury, along with all the evidence in the case and  
24 you may give it such weight as you determine it should  
25 receive as to whether or not malice has been proved

1 beyond a reasonable doubt.

2 Now, in that particular charge on murder, you  
3 heard me say the State must not prove the killing of the  
4 deceased by the defendant but that it was done with  
5 malice aforethought and such proof must be beyond a  
6 reasonable doubt.

7 In saying that now, that can be qualified  
8 according to what you find in the evidence by the  
9 principle of law we have in the State called the hand of  
10 one is the hand of all.

11 I charge you that the law is, if a crime is  
12 committed by two or more persons who are acting together  
13 in the commission of the crime of the office, the act of  
14 one is the act of all. This is true if there are two  
15 people or more than two people involved in the act. Two  
16 people or more than two people can be guilty of killing  
17 another. This is guilty of murder when only one of the  
18 people fired the shot or committed the act that cause  
19 the death. If two or more people are together or acting  
20 together assisting each other in the commission of an  
21 offense, the law says that under these circumstances the  
22 act of one, is the act of all. The hand of one is the  
23 hand of all.

24 Mere presence at the scene is not sufficient  
25 to prove someone guilty of a crime. A defendant's

1 present where a crime is being committed or mere  
2 association with a person who commits the crime does not  
3 make a defendant an accomplice or an aider and abetter  
4 of the person committing the crime. The burden is on  
5 the State to prove every element of the crime charged.

6           If you find after reviewing all the evidence  
7 that the State has proved the defendant was only present  
8 at the scene of the crime and that they -- and that they  
9 have not proved, the State has not proved beyond a  
10 reasonable doubt any other participation in the crime,  
11 then you must find the defendant not guilty. The law is  
12 that proof of being at a scene of a crime is not  
13 sufficient to find someone guilty.

14           Let me speak with you about identification.  
15 An issue in this case is the identification of the  
16 defendant as a person who committed the crime charged.  
17 The State has the burden of proof to prove an identity  
18 beyond a reasonable doubt. You must be satisfied beyond  
19 a reasonable doubt of the accuracy of the identification  
20 of the defendant before you may convict the defendant.

21           Identification testimony is an expression of  
22 belief or impression by a witness. You must determine  
23 the accuracy of the identification of the defendant.  
24 You must considerate the believability of each  
25 identification witnessed in the same way as any other

1 witness. You may consider whether the witness has had  
2 an opportunity to observe the offender at the time of  
3 the offense. This will be effected by things like how  
4 long or short of a time was available. How far or close  
5 the witness was? The lighting conditions and whether  
6 the witness had a chance to see or know the person in  
7 the past.

8           Once again, I instruct you, the burden of  
9 proof on the State extends to every element of the crime  
10 charged and this specifically includes the burden of  
11 proving beyond a reasonable doubt the identity of the  
12 defendant as the person who committed the crime.

13           If after examining the testimony you have a  
14 reasonable doubt as to the accuracy of the  
15 identification, you must find the defendant not guilty.

16           Ladies and gentlemen of the jury, you're not  
17 partisans or applicants for the State of South Carolina  
18 or the defendant. You do not serve as juror to reward  
19 friends and punish enemies. Obviously, such a perverted  
20 system of justice would be intolerable. You have been  
21 selected by both the State and the defendant as far an  
22 impartial jurors. It is your duty, then, by your joint  
23 deliberations to determine the facts in this case,  
24 giving to the defendant the benefit of every doubt on  
25 each and every issue. Then to the facts that you

1 determine, you then take and apply the law which has  
2 been given to you by the Court and thus, arrive at a  
3 verdict. When you have accomplished these  
4 responsibilities, you will have satisfied your oath as  
5 jurors and you will have discharged your duty to the  
6 Court.

7           Forms of the verdict in the case. If the  
8 State has failed to prove the guilt of the defendant  
9 beyond a reasonable doubt, your verdict will be two  
10 words, "not guilty." If the State has proved the guilt  
11 of this defendant beyond a reasonable doubt, your  
12 verdict will be one word, "guilty." The verdict that  
13 you render in this case must be the verdict of each and  
14 every juror. It must be your unanimous verdict. All 12  
15 jurors must agree on the verdict, which you authorized  
16 madam forelady to write for the jury.

17           Madam Forelady, you will have the indictment.  
18 In the bottom corner of the indictment there's an area  
19 there for you to enter the verdict once the jury has  
20 determined it. Write in the verdict, whatever it may  
21 be, sign your name and date it. Knock on the door and  
22 we will bring you back into the Court to receive the  
23 verdict.

24           Now the original 12 jurors will report to the  
25 room that's been arranged for you. I need the other

1 alternate jurors to stay with us just a few more  
2 minutes. Please do not leave though because I  
3 understand madam clerk has some lunch for you. But  
4 don't discuss the case with anyone. We will try to find  
5 a room for you to relax and you can, you know, eat your  
6 lunch or you can save it and take it with you but I do  
7 need you to stay for few more minutes.

8           Madam Forelady, if the jury needs to take a  
9 break and all 12 are not present, we need you to cease  
10 the deliberations until all 12 come back in. Okay? I  
11 cannot send you back with the verdict form until we  
12 check off on all the exhibits and we send those exhibits  
13 back to you along with the verdict form. Okay? If  
14 y'all follow Ms. Hirsh out to the jury room, we will  
15 have that to you in a few minutes. And Ms. Hirsh, we  
16 need to arrange an another room for the alternates for a  
17 few minutes.

18           (Jurors exit 11:39 am.)

19           THE COURT: Any additions?

20           MR. REDMOND: No exception from the State.

21           THE COURT: Or exceptions, excuse me.

22 Anything else?

23           MR. SMALDONE: No, Your Honor. Nothing from  
24 defense.

25           THE COURT: I want to take this time to thank

1 both sides, the State and the defense for your excellent  
2 presentation in this case. Especially this day in time,  
3 for sure a lot easier on a trial court when I've got  
4 excellent attorneys who work with each other to get  
5 these cases presented. And I do thank you for your  
6 efforts in this case.

7 Now, I need y'all to come forward and check  
8 off exhibits. For those of you that are out in the  
9 gallery, you can't second guess a jury. You do not know  
10 what they're going to do. Whatever verdict they reach  
11 or if they don't reached a verdict, please do not lose  
12 your temper. We don't need any further violence or any  
13 problems with the Court.

14 Later on, when the jury knocks, if they've  
15 reached a verdict, if you feel like that you cannot  
16 emotionally handle whatever the verdict does, it would  
17 be best if you would probably step outside the  
18 courtroom. It probably would be best, but anyway, just  
19 a little warning about -- the Court's not going to  
20 tolerate anybody getting into something and somebody  
21 getting hurt. Okay?

22 THE CLERK: One thing, Your Honor.

23 THE COURT: Yes.

24 THE CLERK: There was a scrimp in our error to  
25 start with and the date on the indictment, it was from

1 18th to 17th; correct?

2 MR. REDMOND: It was from 20 -- no. It  
3 says -- I think it had 2017 on it. The date was the  
4 17th of January as opposed to the 21st of January. If I  
5 remember correctly, my amendment was to the 21st.

6 THE CLERK: But as far as -- the indictment  
7 number is correct?

8 MR. REDMOND: The indictment number is fine.  
9 Yes, ma'am.

10 THE CLERK: Okay. Just double-checking.  
11 Thank you.

12 THE COURT: I corrected the date on this.

13 THE CLERK: I just wanted to make sure that  
14 the number was correct.

15 THE COURT: All right. If y'all want to check  
16 off on the exhibits, make sure we've got everything.

17 (Whereupon, jurors began deliberations at  
18 11:55 am, April 22, 2021.)

19 THE COURT: Back on the record. We have a  
20 note from the jury. We'll mark it as a Court's Exhibit  
21 and bring them back in.

22 (Court's Exhibit 1, Jury Question, was  
23 marked for Identification.)

24 (Jurors entered.)

25 THE COURT: We have made the jury's request a

1 Court's Exhibit.

2 Madam Court Reporter has located the verbal  
3 audio transcript of it and I need everybody to be as  
4 quiet as possible because with the Plexiglas, it's  
5 messing up our acusticus, so...

6 Madam Court Reporter?

7 (Whereupon, audio was played back.)

8 THE COURT: Are there any other issues  
9 concerning the charge that the jury requested to hear?

10 MADAM FORELADY: Not at this time.

11 THE COURT: Thank you. You may return to your  
12 jury room continue your deliberations.

13 (Jurors exited for continued deliberations.)

14 THE COURT: Anything else?

15 MR. REDMOND: No exceptions from the State.

16 MR. SMALDONE: I would just renew my request  
17 that "mere presence" be recharged.

18 THE COURT: Well, I went the extra step and  
19 asked them if there was anything. If they get to  
20 thinking about it and they come back, we'll certainly  
21 take care of it. We'll stand in recess.

22 (Whereupon, a recess was taken.)

23

24

**VERDICT**

25

THE COURT: Madam bailiff has informed the

1 Court they have reached a verdict. Please remember my  
2 admonishments. Just don't have any disruptions.

3 (Jurors entered.)

4 THE COURT: Madam clerk?

5 THE CLERK: Madam Forelady, have you reached a  
6 verdict?

7 MADAM FORELADY: We have.

8 THE CLERK: Would you please hand the verdict  
9 to the bailiff.

10 THE COURT: Signed and dated.

11 Madam Clerk, you may publish the verdict.

12 THE CLERK: Thank you, Judge.

13 Docket number 2018-GS-13-434, the State of  
14 South Carolina in the City Chesterfield, Court of  
15 General Session. The State versus James Monroe Brown  
16 indicted for murder. Verdict: Guilty, dated April 22,  
17 2021.

18 Madam Forelady, is this your verdict?

19 MADAM FORELADY: It is.

20 THE CLERK: So say you all?

21 ALL JURORS: Yes.

22 THE COURT: Counsel -- thank you, Madam Clerk.  
23 Counsel's, anything further for the jury?

24 MR. SMALDONE: I move to poll the jury, your  
25 Honor.

1 THE COURT: Madam Clerk?

2 THE CLERK: I will. We had the year  
3 incorrect. It was 2022. I had the forelady change it  
4 to the correct, 2021. Okay.

5 As I call your name, if you will please  
6 indicate.

7 Jennifer O'Neal, is this your verdict?

8 THE JUROR: Yes.

9 THE CLERK: Is it still your verdict?

10 THE JUROR: Yes.

11 THE CLERK: Hunter Dean, is this your verdict?

12 THE JUROR: Yes.

13 THE CLERK: Is it still your verdict?

14 THE JUROR: Yes.

15 THE CLERK: Jazz Wright, is this your verdict?

16 THE JUROR: Yes, ma'am.

17 THE CLERK: Is this still your verdict?

18 THE JUROR: Yes, ma'am.

19 THE CLERK: Daniel Toler, is this your

20 verdict?

21 THE JUROR: Yes, ma'am.

22 THE CLERK: Is this still your verdict?

23 THE JUROR: Yes, ma'am.

24 THE CLERK: Terry Garris, is this your

25 verdict?

1 THE JUROR: Yes.

2 THE CLERK: Is this still your verdict?

3 THE JUROR: Yes.

4 THE CLERK: Margaret Pickett, is this your  
5 verdict?

6 THE JUROR: Yes.

7 THE CLERK: Is this still your verdict?

8 THE JUROR: Yes.

9 THE CLERK: Thank you. Takisha Bittle, is  
10 this your verdict?

11 THE JUROR: Yes.

12 THE CLERK: Is this still your verdict?

13 THE JUROR: Yes.

14 THE CLERK: Benson Adams, is this your  
15 verdict?

16 THE JUROR: Yes.

17 THE CLERK: Is this still your verdict?

18 THE JUROR: Yes.

19 THE CLERK: Thank you. Shaniqua Hunter, is  
20 this your verdict?

21 THE JUROR: Yes.

22 THE CLERK: Is this still your verdict?

23 THE JUROR: Yes.

24 THE CLERK: Delores Johnson, is this your  
25 verdict?

1 THE JUROR: Yes.

2 THE CLERK: Is this still your verdict?

3 THE JUROR: Yes.

4 THE CLERK: Cora Nichols, is this your  
5 verdict?

6 THE JUROR: Yes.

7 THE CLERK: Is this still your verdict?

8 THE JUROR: Yes.

9 THE CLERK: Asa Bell, is this your verdict?

10 THE JUROR: Yes.

11 THE CLERK: Is this still your verdict?

12 THE JUROR: Yes.

13 THE CLERK: Thank you.

14 THE COURT: Thank you, Madam clerk.

15 THE CLERK: Thank you, your Honor.

16 THE COURT: Anything further of the jury?

17 Ladies and gentlemen of the jury, at this time  
18 I want to thank you for your service. I want to thank  
19 you for your patience with the Court. I know we said we  
20 would get started right at certain times and we had  
21 delays. Well, nothing serious as far as delays like we  
22 often have, but most of the time as I spoke with you  
23 it's because you were the judge of the facts and I'm the  
24 judge of the law and I have to take that matter of law  
25 outside your presence and that is what was occurring.

1 Thank you once again for your patience and I thank you  
2 so much for your willingness to come and serve.

3 As you know now, you will be eligible for an  
4 exemption if you're drawn in a three-calendar year  
5 period. After the one-year period is up, if you're  
6 drawn, I would encourage you to help us. Your per diem  
7 pay will be mailed to you. Make sure you got that  
8 address correct. We want you to certainly get what the  
9 county allows on that and we apologize for that amount.  
10 Madam clerk and I don't control that.

11 Now, what I normally do in circumstances like  
12 this and when a guilty verdict has been rendered by a  
13 jury, my normal procedure, if you would like to leave,  
14 depart at this time, you may do so. If you would like  
15 to stay and hear the mitigation and sentence portion of  
16 the trial, you certainly are welcome to do that.

17 With that said, if you would like to stay and  
18 you would be more comfortable sitting in the gallery,  
19 that would be fine; or if you would like to stay in your  
20 seats, that will be okay. So if you'd like to leave,  
21 you may do so at this time. Once again, thank you so  
22 much.

23 THE JUROR: Your Honor, about the note for  
24 work?

25 THE CLERK: Please go by the clerk's office if

1 you need an excuse for your employer and we will give  
2 you an excuse for three days. Just make sure you let my  
3 employee know at the window. Ask for Ashley and she  
4 will get you a note for three days.

5  
6 **MITIGATION/SENTENCING**

7 THE COURT: Are the State and defense prepared  
8 to go forward with mitigation and sentencing?

9 MR. REDMOND: The State is prepared. Your  
10 Honor, customarily, I don't -- and it's a habit of mine,  
11 I don't do the sentencing sheets until the verdict comes  
12 down. However, at this time, I don't even have any  
13 sentencing sheets in the building. I think we can at  
14 least proceed and while we're waiting to get that, we  
15 will fill it out while we are in the process of going  
16 through the sentencing.

17 THE COURT: Counselor, do you have motions?  
18 We can either go forward with them now or wait until  
19 after sentencing.

20 MR. SMALDONE: I suppose I'll wait until after  
21 sentencing.

22 THE COURT: All right. I need the sheriff to  
23 secure the defendant. Under normal circumstances, we  
24 would have everybody come up to the bar but because of  
25 protocols, we will ask you to handle it from the desk

1 that you are presently at.

2 Solicitor?

3 MR. REDMOND: Thank you, Your Honor. May it  
4 please the Court.

5 First, I'd be remiss if I did not thank the  
6 jury for their attention and the verdict in this case.  
7 Just as a matter of course, we can't go into everything and  
8 this is the point where some of the gaps get filled in  
9 as it relates to the case itself. Obviously, the rules  
10 of evidence prohibits certain things from coming into  
11 evidence.

12 This is a case, Your Honor, that the  
13 defendant, as the Court knows, we do have witnesses  
14 who -- well, first thing I need to address is the fact  
15 that the State is going to move for a couple of -- for,  
16 one, a bench warrant based on the failure to show up  
17 pursuant to a subpoena. As the Court is aware and the  
18 evidence that didn't come into this case. This is  
19 clearly a gang-related case. Obviously, that was not  
20 introduced to the jury because of issues of not wanting  
21 to paint character improperly through the course of  
22 their deliberations. This is all related to gang  
23 activity.

24 Bottom line was the gentlemen from  
25 Bennettsville, including the defendant, were involved in

1 the Bloods gang. Sex, money, murder to be specific.  
2 There was some friction. And quite frankly, my victim  
3 was, Mr. Henderson, Jr., and that is something we've  
4 know and not hidden from. However, the concern had been  
5 raised because Mr. Henderson, Jr's path seemed to be  
6 moving away from that activity. In fact, he was getting  
7 engaged. When I say getting "engaged," he was getting  
8 involved in the music industry more and more. And just  
9 if I recall correctly, just found out that he would be  
10 able to take a trip to Florida to further his musical  
11 pursuant.

12 From what I understand, when he had his  
13 youngest child, the five-month-old, he really started  
14 rethinking his path, what he wanted to do. And so this  
15 actually caused some friction within the gang. As you  
16 can imagine, Your Honor, there were several witnesses  
17 who were afraid to come forward and testify.

18 Ms. Ingram was the only one willing to take  
19 that chance to come testify. As she indicated, even  
20 thought defendant was not one of them, there were  
21 several people from Chesterfield who did come to her  
22 house after, the day afterwards.

23 Another thing, just so the Court would note,  
24 this is also a case where the codefendant, Brenton  
25 Davis, had entered a guilty plea previously to

1 manslaughter. But because of his willingness to go  
2 forward and plea, he did not cooperate but he did plea.  
3 We did not bring this up but Jamarcus Sellers, the other  
4 individual listed, was actually killed in this case.  
5 And the concern we had in this case, and I apologize but  
6 I think all of this needs to be laid out there so that  
7 everybody understands what we're dealing with. Brenton  
8 Davis was the first case I was prepared to go to trial  
9 with. When that case was postponed because his lawyer  
10 was actually -- is actually a member of the legislature,  
11 we had it scheduled in December of 2018. A special  
12 session got called, so we had to postpone. But that was  
13 one of those cases where I was withholding information  
14 regarding the witness until about three weeks before the  
15 trial in order to, obviously, help keep them safe.

16 Well Jamarcus Sellers had actually given us  
17 statements and given us information regarding what had  
18 transpired. Within two months I think it was of me  
19 having to release that discovery, even though the trial  
20 did not go forward, Mr. Sellers was killed, executed  
21 basically in Tabor City, North Carolina. There was  
22 another person that was called Jovanni McClain. His  
23 name was mentioned during this trial.

24 And Halloween of last year, I think it was  
25 Halloween when his body was found in a ditch on Highway

1 38 outside of Bennettsville. This is a case that has  
2 been -- and I hate having to make that motion regarding  
3 the bench warrant, but again, the subpoena was served  
4 and the individual did not adhere to that. So I will be  
5 asking for that later.

6 I say all of that to say that when you talk  
7 about what is surrounding this case and it has been --  
8 it has been quite a time. I have never lost more  
9 witnesses or potential witnesses in a case than I have  
10 now. And I failed to mention there was another witness  
11 who had given us information from Dillon County who was  
12 also killed in Rocky Mount, North Carolina. This case  
13 has changed by approach to how I prepare trial.

14 As the Court may note, most of the cases I  
15 deal with are serious cases are murder cases and serious  
16 homicides. In the last couple of years since we started  
17 losing witnesses in this case, I have proceeded to  
18 pursuant to rule 5-8-2, stop giving out witness  
19 information until I absolutely have to. Of course the  
20 rules say, technically it's after that witness  
21 testifies. But because it's all recorded, there's no  
22 way like we saw here, I couldn't give statements after  
23 that witness testifies. The trial would take three  
24 weeks, a two-day trial would take three weeks if we did  
25 that. So obviously, there's a timeframe where we have

1 to disclose that. I apologize for rambling but I say  
2 all that to say that the undercurrent of what was taking  
3 place had devastating effects in Chesterfield County,  
4 outside of Chesterfield County. And like I said, this  
5 case has fundamentally changed after 28 years of  
6 practicing law. No case has changed my approach to  
7 practicing and prosecuting then this case for the  
8 reasons I just outlined. I would ask the Court to take  
9 that into consideration. Now, that's Kenard speaking.  
10 Let me -- I don't think Mr. Henderson -- he is  
11 indicating he does not wish to address the Court. The  
12 Court has heard from Mr. Henderson on several occasions.  
13 And I would be remiss if I not, at least on his  
14 behalf -- he and I have gotten to be pretty close.  
15 Along with him also being a Laker fan, I'm also a  
16 Cowboy's fan. We have a lot in common and we've  
17 actually become very close friends. Obviously, I could  
18 sense the emotion that he felt and I am going to remain  
19 composed.

20           And I've to say this, he lost his wife,  
21 Rhonda, and through this whole process -- and I think it  
22 was in January. It was January 6th when -- and I did  
23 not know this, but as I started preparing this trial,  
24 she had been there the whole time. We had just done a  
25 hearing. I had just done a hearing with them a couple

1 months before that. We were doing it virtual, right  
2 there in the overflow room. We were talking and  
3 laughing and I think James had his Lakers thing. That's  
4 when I first realized he was a Lakers fan. I'm  
5 preparing this trial and I found out that she passed  
6 away, double pneumonia, back in January. It was not  
7 COVID related so the family was actually able to be with  
8 her. That was the one blessing out of all this. But  
9 the victim's mother is now deceased. She would have  
10 been sitting right there and I'm sure in her way is  
11 sitting right there with him. But I had to mention her  
12 because I was devastated when I found out that she was  
13 deceased. So I probably put more pressure on myself in  
14 this case than normal for a lot of reasons.

15           Again, I'm grateful to the jury and their  
16 attention to this. Again, there's some gaps and  
17 Mr. Smaldone mentioned gaps and there's some gaps as a  
18 matter or rule we can't get into so it maintains the  
19 integrity of the verdict. But now that that verdict has  
20 been rendered, I feel that it's okay at least for the  
21 jury to understand some of the context behind why this  
22 happened. Why they came over to Marlboro County. And  
23 again, on his behalf I think I just -- I think  
24 Mr. Henderson would say thank you. And ask the Court to  
25 do what you feel is best. You've heard this case. You

1 are familiar with this case, your Honor, and we have the  
2 utmost faith in you to be able to carry out justice on  
3 behalf of James Henderson, Jr.

4 Thank you, your Honor.

5 THE COURT: Thank you, Solicitor.

6 Counsel?

7 MR. SMALDONE: Thank you. May it please the  
8 Court.

9 This is kind of a rare case where the facts  
10 were not particularly in dispute. It was almost a legal  
11 question towards the end of the trial, your Honor. You  
12 know, based on my kind of stiffing through the evidence,  
13 I think we all probably know that the case is over,  
14 agree that Brenton Davis was the shooter, probably  
15 Jamarcus Sellers as well. My understanding is Brenton  
16 Davis asked James to come help out, be basically either  
17 backup or fight. And as your Honor and the jury heard,  
18 that things obviously went south and both parties had  
19 guns and it did go south.

20 Your Honor, as you already heard, my client  
21 really has no record before this. He's a father. He  
22 was working at Mohawk Carpet and just got caught up in  
23 this. I think he was doing Brenton a favor possibly and  
24 here he stands today. And we know what happens after  
25 this, your Honor.

1           With that, I know James pretty well. I know  
2 Bubba pretty well. It's one of those sad things I think  
3 in a thousand lifetimes this happened in one. In a  
4 thousand different universes, this is probably the only  
5 time -- he's such a calm guy and agreeable guy, easy  
6 going. He got caught up in this, no doubt and I hate it  
7 for him and that's the law.

8           Your Honor, because of his lack of criminal  
9 record and because of the -- in fact the shooter, as you  
10 heard, the shooter has plead and got 17 years. I'd ask  
11 for -- I hate to even ask for the minimum because it's  
12 so extreme but all I can do is ask for the minimum. And  
13 I know that James would use his time wisely if that  
14 existed and I have to bring to the Court's attention,  
15 since his arrest date, I'd ask for 1,554 days credit for  
16 time served.

17           MR. REDMOND: Without objection. I think  
18 that's required by law.

19           THE COURT: 1,554?

20           MR. SMALDONE: That's what my app calculated.

21           MR. REDMOND: And we don't dispute that, Your  
22 Honor. And I failed to mention, unlike what you may see  
23 on TV and whatnot, I think the world of Mr. Smaldone and  
24 the job he did on behalf of his client. The system does  
25 not exist if we don't have lawyers who understand the

1 adversarial system without being adversarial with each  
2 other. So I'd be remiss if I didn't mention the fact  
3 that I do appreciate the effort that he brought and I  
4 can assure you, he did not make it easy at any point for  
5 me, which is his job to make sure we carry our burden.  
6 So I do appreciate what he did in this case.

7 THE COURT: I appreciate what both of you've  
8 done, working with the Court, getting the case  
9 presented. It makes my job a lot easier when I have  
10 excellent attorneys.

11 Would Mr. Brown like to say anything to the  
12 Court?

13 THE DEFENDANT: No, sir.

14 THE COURT: No.

15 Mr. Brown, I will proceed with sentencing.  
16 Let me go ahead and get it on the record at this time.  
17 You certainly have a right to enter an appeal. A notice  
18 of appeal must be filed within ten days of sentencing,  
19 that is, if you desire to appeal. That will take it on  
20 up to the appellant level.

21 I need his age.

22 MR. REDMOND: I'm sorry, your Honor. He is --

23 MR. SMALDONE: 32.

24 THE COURT: Both of you are aware with the  
25 conviction of murder that the sentencing range is 30 to

1 life and can't be any suspended sentence. So that puts  
2 me within a restricted range there that I have to reach  
3 a decision on.

4 I have taken into account his age, the prior  
5 record, but also I have to take into account it now  
6 becomes the knowledge of the Court that there's gang  
7 activities involved in this. It disturbs me that we  
8 have such violence going on in our rural areas.

9 Sentence of the Court is that James Monroe  
10 Brown be confined in the State Department of Corrections  
11 for a period of 35 years.

12 MR. REDMOND: Thank you, Your Honor.

13 THE COURT: He is to be given credit for 1,554  
14 days by case law.

15 MR. REDMOND: Your Honor, while we are still  
16 on the record with this matter, the State would  
17 respectfully move for a bench warrant. A subpoena was  
18 served by our investigator Tray Rogers, served on Kasean  
19 Smalls. As you've hears, he is actually the first  
20 cousin. He indicated that he would not be appearing in  
21 court. Because the subpoena ordered him to appear in  
22 Court and he failed to do so, I don't like to have to do  
23 it but I think I have to make this motion that I ask  
24 that the Court issue a bench warrant so that they can  
25 understand when they are served with a subpoena, whether

1 or not they testify, is immaterial. They still have to  
2 show up and talk to me and then we decide whether we are  
3 going to put him on the witness stand.

4 But he did not comply with that subpoena and  
5 caused some administrative ruffles within the State's  
6 case. We still got through it obviously. But again, I  
7 think it behooves me to make that motion. So I move for  
8 a bench warrant pursuant to the fact that he was served  
9 with a subpoena. His father is here. Again, I hate  
10 doing this but I think to maintain the judicial system  
11 and maintain respect for it, I've got to make this  
12 motion.

13 THE COURT: Granted.

14 MR. REDMOND: Thank you, Your Honor.

15 THE COURT: Mr. Smaldone?

16 MR. SMALDONE: Your Honor, at this time  
17 defense renews all my previous motions, directed  
18 verdict, things of that nature. Also moves for a  
19 judgment of acquittal and moves for a new trial.

20 THE COURT: So noted. Motions denied. Thank  
21 you, once again, ladies and gentleman.

22 (Whereupon, this trial was adjourned on the  
23 22nd of April, 2021.)

24

25

C E R T I F I C A T E

1  
2  
3  
4 I, the undersigned Maria DiScioscia, Official Court  
5 Reporter for the Fourth Judicial Circuit of the State of  
6 South Carolina, do hereby certify that the foregoing is  
7 a true, accurate, and complete transcript of the record  
8 of all the proceedings in the captioned case, in the  
9 Circuit Court for Chesterfield, South Carolina, on the  
10 22nd day of April, 2021.

11 I do further certify that I am not related, either  
12 by blood or marriage, to any of the parties in this  
13 action; and that I am in no way interested in the  
14 outcome of this matter.  
15

16 

17  
18 Maria DiScioscia  
19 Official Court Reporter  
20  
21  
22  
23  
24  
25

EXHIBIT  
State's  
# 1 EVD  
4/20/21 - MP

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHESTERFIELD )  
 )

AFIDAVIT

1-25-17  
*[Signature]*  
LT WAYNE JORDAN

Personally appeared before me, one Det Randal Mullis who, being duly sworn, says that there is probable cause to believe that certain property subject to seizure under provisions of Section 17-13-140, 1976 Code of Laws of South Carolina, as amended, is located on the following premises in this County:

DESCRIPTION OF PROPERTY SOUGHT

Affiant requests that Verizon Wireless be ordered to supply to the CHESTERFIELD County Sheriff's Office (Specifically in electronic format, and also to the affiant's email address of wjordan@chesterfieldsheriff.org) the following records of Verizon Wireless phone number 843-439-7060:

Direct connect detail(s), call detail(s), caller identification(s), and cellular site record(s) for January 21st, 2017 until January 22nd, 2017, pertaining to cellular phone number 843-439-7060 or, any telephone/pager/telecommunications device number(s) revealed from these record(s):

1. Subscriber information- this will include name, address, phone numbers, and personal identifying information (specifically date of birth and social security number, etc).
2. Account comments, to include any reports of the phone being lost or stolen, with the date and time of such reports, and any other information associated with those reports.
3. Call Detail records, which includes incoming numbers, dialed digits, and numbers dialed.
4. All stored communications or files, including voicemail, e-mail, numeric messages, buddy lists, video or photographs, and contact lists stored at Verizon through the subscribers account.
5. Electronic serial number(s) and billing information for the specified cellular/wireless phone, or, any telephone numbers revealed from those records.
6. Call origination / termination location, including location of phone during calls if available.
7. Listing of physical address of all Verizon cell sites, showing all cell-site tower location(s), sectors, horizontal beamwidths, and orientation(s). Also, the listing shall include the number of the cell-site towers and the latitude and longitude of all cell-site tower locations, in electronic format.
8. RTT Report
9. AAA Report
10. FDR Report

DESCRIPTION OF PREMISES (PERSON, PLACE OR THING)  
TO BE SEARCHED

**Verizon Legal Compliance; Custodian of Records 2701  
S Johnson Street, San Angelo, Texas**

A True Copy Attest  
*Christy S. Stacey*  
CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

**REASON FOR AFFIANT'S BELIEF THAT THE PROPERTY SOUGHT IS ON THE SUBJECTS PREMISES**

The affiant is a Detective with the Chesterfield County Sheriff's Office, and has been employed as a law enforcement officer certified in the State of South Carolina. The affiant is a graduate of the South Carolina Criminal Justice Academy, and has received training on cellular phones and the analysis of cellular telephone data and records. The affiant has also received experience in conducting or assisting with criminal investigations involving cellular phones and the analysis of data contained on the phones or maintained by the phone service providers. The information set forth in this affidavit is either the result of my own investigation or it has been communicated to me by others involved in this investigation.

Verizon Wireless maintains access to their records.

The affiant knows through training and experience that physical evidence such as cell phone records and usage is crucial and often one of the only links to a suspect and other perpetrators of the crime. The affiant knows that cell phone records are a valuable investigative tool, and can link an offender to a crime scene or a particular location. Cell phones are commonly used for email, text messaging, video, and photos, and this data, in addition to the records of calls made, may provide evidence of the crimes being investigated or leads into the identities of the perpetrators.

Through experience and training, your affiant knows cellular phone services that includes text messaging and e-mail services, such as cellular service provider, maintain records related to subscriber information, account registration, credit information, billing and airtime records, outbound and inbound call detail, connection time and dates, Internet routing information (Internet Protocol numbers), GPS and tower locations, and message content, that may assist in the identification of person/s accessing and utilizing the account. Through experience and training, your affiant knows that the cellular service provider maintains records that include cell site information and GPS location. Cell site information shows which cell site a particular cellular telephone was within at the time of the cellular phone's usage. Some model cellular phones are GPS enabled which allows the provider and user to determine the exact geographic position of the phone. Further, the cellular service provider maintains cell site maps that show the geographical location of all cell sites within its service area. Using the cell site geographical information and GPS information, officers would be able to determine the physical location of the individual using the cell phone number 843-439-7060

That on January 21<sup>st</sup>, 2017 James Henderson Jr was shot and killed at his home in Cheraw, South Carolina and during this incident he received several phone calls from the target number minutes before his murder. This is an ongoing Murder investigation.

This search warrant must be faxed out of state, and due to factors beyond the control of the affiant, it is highly likely the records will not be provided by Verizon within the 10 days required. The affiant asks the court to extend the time limit to whatever period of time is reasonable necessary for Sprint to produce the records sought. As part of this search warrant, the affiant requests the court direct Verizon and its employees/authorized agents and representatives to not disclose the existence of this search warrant to the account holder as the release of this information could impede the investigation by alerting the suspect(s) of the progress and focus of the investigation.

Sworn to and Subscribed before me )  
This 24th day of January 2017 )

  
Signature of Judge

(L.S.)

  
Affiant

**Address:** 203 Watson Street  
Chesterfield SC 29709  
843-623-9394

**A True Copy Attest**  
*Christy A. Haskett*  
CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

RETURN

I received the attached Search Warrant on \_\_\_\_\_, and have executed it as follows: On \_\_\_\_\_ at approximately \_\_\_\_\_ hours, I faxed a copy of the search warrant to AT&T. A copy of the search warrant is with AT&T.

THE FOLLOWING IS AN INVENTORY OF PROPERTY TAKEN PURSUANT TO THE WARRANT:

I SWEAR THAT THIS INVENTORY IS A TRUE AND DETAILED ACCOUNT OF ALL THE PROPERTY TAKEN BY ME ON THE WARRANT.

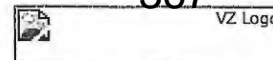
SWORN TO BEFORE ME THIS \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF OFFICER EXECUTING WARRANT

(L.S.)

\_\_\_\_\_  
SIGNATURE OF ISSUING JUDGE

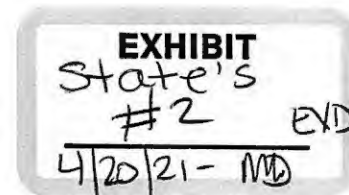
**A True Copy Attest**  
*Christy J. Blalock*  
CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC



VERIZON SECURITY SUBPOENA COMPLIANCE  
180 WASHINGTON VALLEY ROAD  
BEDMINSTER NJ 07921  
Phone: 800-451-5242 Fax:888-667-0028

October 20, 2020

CHESTERFIELD COUNTY SHERIFF'S OFFICE  
200 WEST MAIN STREET, COURTHOUSE  
CHESTERFIELD SC 29709



**Verizon Case #: 20233490**  
**Docket / File #: NA**

State of New Jersey

SS:

County of Somerset

I, RABIYAH BLACK, being duly sworn, depose and say:

I am the custodian of records for Verizon, and in that capacity, I certify that the attached electronic records are true and accurate copies of the records created from the information maintained by Verizon in the actual course of business. It is Verizon's ordinary practice to maintain such records, and that said records were made contemporaneously with the transaction and events stated therein, or within a reasonable time thereafter.

/s/ RABIYAH BLACK

Certification following USCS Federal Rules of Evidence Rule 902 & 803.



**EXHIBIT**  
State's  
# 3  

---

4/20/21 - ND

iAhA2p3IP6zJ8882564792108392439view

Search Value	Search Start Date	Search End Date	MTN	Account Number	Last Name
8434397060	2017-01-21	2017-01-22	8434397060	1048929267-1	Brown

**A True Copy Attest**  
*Christy J. Stacey*  
CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

iAhA2p3IP6zJ8882564792108392439view

First Name	Middle Name	Business Name	Addr Line1	Addr Line2	Addr Line3	City
James			scotts la e			Bennettsville

**A True Copy Attest**  
*Christy S. Hester*  
CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

Network Element Name	Mobile Directory Number	Dialed Digit Number	Call Direction	Seizure Dt Tm	Seizure Duration	First Serving Cell Site	First Serving Cell Face	Last Serving Cell Site	Last Serving Cell Face	Calling Party Number
Charleston_MTX4	8434397060	18435357189	2	1/21/2017 0:51	31	1784	1 = Alpha	1784	1 = Alpha	8434397060
Charleston_MTX4	8434397060	8434397060	0	1/21/2017 1:09	20	1816	3 = Gamma	1816	3 = Gamma	8438628492
Charleston_MTX4	8434397060	8434397060	5	1/21/2017 1:10	24	0		0		8434796841
Charleston_MTX4	8434397060	762	0	1/21/2017 1:10	22	1816	3 = Gamma	1816	3 = Gamma	8434796841
Charleston_MTX4	8434397060	8434397060	0	1/21/2017 2:25	249	1816	3 = Gamma	1816	3 = Gamma	8438628492
Charleston_MTX4	8434397060	8434397060	5	1/21/2017 2:34	71	0		0		8438628492
Charleston_MTX4	8434397060	664	0	1/21/2017 2:34	69	1816	1 = Alpha	1816	1 = Alpha	8438628492
Charleston_MTX4	8434397060	8435357189	1	1/21/2017 3:15	33	1784	1 = Alpha	1784	1 = Alpha	8434397060
Charleston_MTX4	8434397060	8434397060 F		1/21/2017 12:33	6	0		0		8435440120
Charleston_MTX4	8434397060	18438628492	1	1/21/2017 12:47	29	1816	1 = Alpha	1816	1 = Alpha	8434397060
Charleston_MTX4	8434397060	3475643467	1	1/21/2017 13:10	73	1783	3 = Gamma	1783	3 = Gamma	8434397060
Charleston_MTX4	8434397060	8434397060	0	1/21/2017 13:52	73	1876	2 = Beta	1876	2 = Beta	8436177958
Charleston_MTX4	8434397060	80	3	1/21/2017 14:37	0	1816	1 = Alpha	1816	1 = Alpha	8434397060
Charleston_MTX4	8434397060	8434397060 F		1/21/2017 14:41	36	0		0		8662790585
Charleston_MTX4	8434397060	18434397060	5	1/21/2017 14:44	596	0		0		8036366250
Charleston_MTX4	8434397060	807	0	1/21/2017 14:44	592	1816	2 = Beta	1816	2 = Beta	8036366250
Charleston_MTX4	8434397060	8434397060	0	1/21/2017 15:23	63	1816	1 = Alpha	1816	1 = Alpha	8434399703
Charleston_MTX4	8434397060	8436177958	1	1/21/2017 15:57	40	1816	1 = Alpha	1816	1 = Alpha	8434397060
Charleston_MTX4	8434397060	8434397060	5	1/21/2017 16:38	219	0		0		8435352434
Charleston_MTX4	8434397060	35	0	1/21/2017 16:38	217	1780	1 = Alpha	1780	1 = Alpha	8435352434
Charlotte_MTX	8434397060	8434392243	1	1/21/2017 17:01	176	282	3 = Gamma	282	3 = Gamma	8434397060
Charleston_MTX4	8434397060	8434392243	5	1/21/2017 17:01	173	0		0		8434397060
Charleston_MTX4	8434397060	18434397060 F		1/21/2017 19:02	13	0		0		8036366250
Charleston_MTX4	8434397060	18434397060 F		1/21/2017 19:02	6	0		0		8036366250
Charleston_MTX4	8434397060	18434397060 F		1/21/2017 19:03	9	0		0		8036366250
Charleston_MTX4	8434397060	18434397060 F		1/21/2017 19:03	9	0		0		8036366250
Charleston_MTX4	8434397060	18434397060 F		1/21/2017 19:04	13	0		0		8036366250
Charleston_MTX4	8434397060	18434397060 F		1/21/2017 19:04	7	0		0		8036366250
Charleston_MTX4	8434397060	18434397060 F		1/21/2017 19:05	10	0		0		8036366250
Charleston_MTX4	8434397060	18434397060 F		1/21/2017 19:09	7	0		0		8036366250
Charleston_MTX4	8434397060	8434397060 F		1/21/2017 19:43	5	0		0		9102173580
Charleston_MTX4	8434397060	8434397060 F		1/21/2017 19:57	19	0		0		8436177958
Charlotte_MTX	8434397060	7046046940	0	1/21/2017 19:57	12	282	3 = Gamma	282	3 = Gamma	8436177958
Charlotte_MTX	8434397060	8036366250	1	1/21/2017 19:59	27	282	3 = Gamma	282	3 = Gamma	8434397060
Charleston_MTX4	8434397060	8434397060	5	1/21/2017 19:59	53	0		0		8036366250
Charlotte_MTX	8434397060	7046046978	0	1/21/2017 19:59	48	282	3 = Gamma	282	3 = Gamma	8036366250
Charleston_MTX4	8434397060	8434397060	0	1/21/2017 20:24	90	1816	2 = Beta	1816	2 = Beta	8435352507
Charleston_MTX4	8434397060	8434397060	5	1/21/2017 20:31	48	0		0		9102173580
Charleston_MTX4	8434397060	488	0	1/21/2017 20:31	47	1784	1 = Alpha	1784	1 = Alpha	9102173580
Charleston_MTX4	8434397060	8436177958	1	1/21/2017 20:32	40	1784	1 = Alpha	1784	1 = Alpha	8434397060
Charleston_MTX4	8434397060	8036366250	1	1/21/2017 20:33	47	1876	2 = Beta	1876	2 = Beta	8434397060
Charleston_MTX4	8434397060	8434397060	5	1/21/2017 20:38	45	0		0		8434399703
Charleston_MTX4	8434397060	170	0	1/21/2017 20:38	44	1784	2 = Beta	1784	2 = Beta	8434399703
Charleston_MTX4	8434397060	8434397060 F		1/21/2017 20:46	38	0		0		8036366250
Charleston_MTX4	8434397060	717	0	1/21/2017 20:46	30	1885	2 = Beta	1885	2 = Beta	8036366250
Charleston_MTX4	8434397060	8434397060 F		1/21/2017 20:53	36	0		0		8036366250
Charleston_MTX4	8434397060	466	0	1/21/2017 20:53	28	1885	2 = Beta	1885	2 = Beta	8036366250
Charleston_MTX4	8434397060	8036366250	1	1/21/2017 20:55	99	1885	2 = Beta	1885	2 = Beta	8434397060
Charleston_MTX4	8434397060	8036366250	1	1/21/2017 21:14	161	1875	1 = Alpha	1875	1 = Alpha	8434397060
Charleston_MTX4	8434397060	8434397060	5	1/21/2017 21:20	53	0		0		8436177958
Charleston_MTX4	8434397060	685	0	1/21/2017 21:20	51	1885	2 = Beta	1885	2 = Beta	8436177958
Charleston_MTX4	8434397060	8036366250	1	1/21/2017 21:29	122	1784	1 = Alpha	1784	1 = Alpha	8434397060
Charleston_MTX4	8434397060	8434397060 F		1/21/2017 21:29	6	0		0		8436177958
Charleston_MTX4	8434397060	8434397060 F		1/21/2017 21:29	32	0		0		8436177958
Charleston_MTX4	8434397060	992	0	1/21/2017 21:29	24	1784	1 = Alpha	1784	1 = Alpha	8436177958
Charleston_MTX4	8434397060	8434397060	5	1/21/2017 21:30	20	0		0		8436177958

EXHIBIT  
 # 4  
 1/21/21 - MD

A True Copy Attest  
 Christy S. Plascy  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

Charleston_MTX4	8434397060	783	0	1/21/2017 21:30	19	1784 1 = Alpha	1784 1 = Alpha	8436177958
Charleston_MTX4	8434397060	8436177958	1	1/21/2017 21:33	140	1784 2 = Beta	1784 2 = Beta	8434397060
Charleston_MTX4	8434397060	8434397060	5	1/21/2017 21:45	126	0	0	8439100404
Charleston_MTX4	8434397060	300	0	1/21/2017 21:46	121	1816 2 = Beta	1816 2 = Beta	8439100404
Charleston_MTX4	8434397060	8438629271	1	1/21/2017 22:34	213	1773 3 = Gamma	1773 3 = Gamma	8434397060
Charleston_MTX4	8434397060	8434397060	5	1/21/2017 22:45	72	0	0	8438629271
Charleston_MTX4	8434397060	98	0	1/21/2017 22:45	68	1545 1 = Alpha	1545 1 = Alpha	8438629271
Charleston_MTX4	8434397060	8434397060	5	1/21/2017 22:50	26	0	0	8438629271
Charleston_MTX4	8434397060	736	0	1/21/2017 22:50	23	1545 1 = Alpha	1545 1 = Alpha	8438629271
Charleston_MTX4	8434397060	8434397060	5	1/21/2017 23:17	435	0	0	9177174862
Charleston_MTX4	8434397060	907	0	1/21/2017 23:17	432	1876 1 = Alpha	1876 1 = Alpha	9177174862
Charleston_MTX4	8434397060	8434397060 F		1/21/2017 23:23	32	0	0	8438629271
Charleston_MTX4	8434397060	289	0	1/21/2017 23:23	24	1876 1 = Alpha	1876 1 = Alpha	8438629271
Charleston_MTX4	8434397060	8434397060	5	1/21/2017 23:29	179	0	0	8438629271
Charleston_MTX4	8434397060	329	0	1/21/2017 23:29	175	1816 1 = Alpha	1816 1 = Alpha	8438629271
Charleston_MTX4	8434397060	8439100404	1	1/21/2017 23:36	68	1816 1 = Alpha	1816 1 = Alpha	8434397060
Charleston_MTX4	8434397060	8434397060	0	1/21/2017 23:39	98	1876 2 = Beta	1876 2 = Beta	8435352434
Charleston_MTX4	8434397060	8434397060	5	1/21/2017 23:47	279	0	0	8036366250
Charleston_MTX4	8434397060	764	0	1/21/2017 23:47	275	1816 1 = Alpha	1816 1 = Alpha	8036366250
Charleston_MTX4	8434397060	8434397060 F		1/21/2017 23:47	5	0	0	8435352434
Charleston_MTX4	8434397060	8434397060 F		1/21/2017 23:47	29	0	0	8435352434
Charleston_MTX4	8434397060	3	0	1/21/2017 23:47	24	1816 1 = Alpha	1816 1 = Alpha	8435352434
Charleston_MTX4	8434397060	8434397060	5	1/22/2017 0:07	9	0	0	8439100404
Charleston_MTX4	8434397060	8434397060	5	1/22/2017 0:15	12	0	0	8439100404
Charleston_MTX4	8434397060	8434397060	5	1/22/2017 0:23	6	0	0	8439100404
Charleston_MTX4	8434397060	8439100404	3	1/22/2017 0:24	8	1816 3 = Gamma	1816 3 = Gamma	8434397060
Charleston_MTX4	8434397060	4236814031	1	1/22/2017 0:24	6	1816 3 = Gamma	0	8434397060
Charleston_MTX4	8434397060	8436177958	3	1/22/2017 1:22	8	1784 1 = Alpha	1784 1 = Alpha	8434397060
Charleston_MTX4	8434397060	4236815166	1	1/22/2017 1:22	6	1784 1 = Alpha	0	8434397060
Charleston_MTX4	8434397060	8434397060	5	1/22/2017 1:23	1	0	0	3475643467
Charleston_MTX4	8434397060	8434397060	5	1/22/2017 1:26	1	0	0	3475643467
Charleston_MTX4	8434397060	8036366250	3	1/22/2017 7:35	6	1784 1 = Alpha	1784 1 = Alpha	8434397060
Charleston_MTX4	8434397060	4236814934	1	1/22/2017 7:35	4	1784 1 = Alpha	0	8434397060
Charleston_MTX4	8434397060	8434397060	5	1/22/2017 10:11	1	0	0	8438628492
Charleston_MTX4	8434397060	3475538960	3	1/22/2017 12:49	8	1784 1 = Alpha	1784 1 = Alpha	8434397060
Charleston_MTX4	8434397060	4236814920	1	1/22/2017 12:49	6	1784 1 = Alpha	0	8434397060
Charleston_MTX4	8434397060	8434397060 F		1/22/2017 22:26	5	0	0	8435357733
Charleston_MTX4	8434397060	8434397060 F		1/22/2017 22:27	6	0	0	8435357733

**A True Copy Attest**  
*Christy S. Prosser*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

# Phone Examination Report Properties

**EXHIBIT**  
*States*  
*#17*  


---

*4/20/21 - MD*

372

Selected Manufacturer:	HTC
Selected Model:	HTCD100LVW
Detected Manufacturer:	HTC
Detected Model:	HTCD100LVWPP
Revision:	5.1 LMY47O 564390.5
ESN:	990005703847666
MDN:	8437039566
ICCID:	89148000002238406307
IMSI:	311480225534067
Phone Date/Time:	23/01/2017 20:52:44 (GMT-5)
Connection Type:	USB Cable
UFED Version:	Product Version: 4.5.1.320 , Internal Build: 4.2.12.320 UFED , Full Image: 2.13J15 , Tiny Image: N/A
UFED S/N:	5731991

A True Copy Attest  
*Christy S. Mackay*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

Note: This device is using client in order to communicate with UFED

## Phone Incoming Calls List

[Back to index](#)

CLOG MD5 Hash: DD7FA82F1B7B6DD875075A167510CCFC

CLOG SHA256 Hash: 945A6191 E060632 23783B2 6ED49B3 535F5F5 753979A 8F9D24E 651678E 2B043DD

#	Type	Number	Name	Date & Time	Duration
1	Incoming	18005315000	N/A	05/01/2017 15:12:24 (GMT-5)	0:02:32
2	Incoming	5618535643	Mines	05/01/2017 15:29:48 (GMT-5)	0:00:20

3	Incoming	8439105667	Pops	05/01/2017 17:22:22 (GMT-5)	0:02:02
4	Incoming	8438623525	Slimerollaxk	06/01/2017 11:15:42 (GMT-5)	0:16:09
5	Incoming	8436232710	N/A	06/01/2017 17:39:37 (GMT-5)	0:05:14
6	Incoming	8433094761	Rod	06/01/2017 17:56:56 (GMT-5)	0:01:22
7	Incoming	8436801612	N/A	06/01/2017 18:12:02 (GMT-5)	0:00:36
8	Incoming	8438625297	Nuntezrollaxk	06/01/2017 18:49:30 (GMT-5)	0:02:31
9	Incoming	8433094761	Rod	06/01/2017 18:54:58 (GMT-5)	0:00:39
10	Incoming	8432872813	N/A	06/01/2017 20:07:19 (GMT-5)	0:01:46
11	Incoming	8438623525	Slimerollaxk	07/01/2017 13:00:14 (GMT-5)	0:15:20
12	Incoming	8438623525	Slimerollaxk	07/01/2017 19:14:46 (GMT-5)	0:09:37
13	Incoming	8439105667	Pops	07/01/2017 19:48:13 (GMT-5)	0:00:14
14	Incoming	5618535643	Mines	07/01/2017 23:49:53 (GMT-5)	0:00:48
15	Incoming	5618535643	Mines	08/01/2017 02:18:16 (GMT-5)	0:00:49
16	Incoming	8436235999	N/A	08/01/2017 14:37:40 (GMT-5)	0:00:22
17	Incoming	8435379143	N/A	09/01/2017 12:26:25 (GMT-5)	0:00:40
18	Incoming	8435352507	Sdot Da Douce	09/01/2017 13:52:40 (GMT-5)	0:11:44
19	Incoming	7042180718	SDG	09/01/2017 19:06:39 (GMT-5)	0:01:44
20	Incoming	8432118439	N/A	10/01/2017 12:19:52 (GMT-5)	0:00:10

A True Copy Attest  
 Christy J. Slattery  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

21	Incoming	8439105667	Pops	10/01/2017 16:31:26 (GMT-5)	0:01:35
22	Incoming	9723949760	N/A	10/01/2017 16:58:03 (GMT-5)	0:00:21
23	Incoming	8438623525	Slimerollaxk	10/01/2017 21:37:41 (GMT-5)	0:00:09
24	Incoming	8439101176	N/A	10/01/2017 23:43:03 (GMT-5)	0:00:15
25	Incoming	8432878625	N/A	11/01/2017 00:22:38 (GMT-5)	0:00:18
26	Incoming	8432878625	N/A	11/01/2017 02:00:00 (GMT-5)	0:00:09
27	Incoming	8432532337	BM	11/01/2017 16:22:02 (GMT-5)	0:00:23
28	Incoming	8432532337	BM	11/01/2017 16:31:21 (GMT-5)	0:01:47
29	Incoming	8439105667	Pops	11/01/2017 22:50:48 (GMT-5)	0:00:47
30	Incoming	5618535643	Mines	11/01/2017 23:08:59 (GMT-5)	0:01:03
31	Incoming	8432531342	Mama	11/01/2017 23:40:13 (GMT-5)	0:02:31
32	Incoming	8432878625	N/A	12/01/2017 00:25:16 (GMT-5)	0:01:41
33	Incoming	8436235999	N/A	12/01/2017 12:33:35 (GMT-5)	0:00:47
34	Incoming	5618535643	Mines	12/01/2017 13:56:58 (GMT-5)	0:00:20
35	Incoming	8436231419	N/A	12/01/2017 13:57:50 (GMT-5)	0:00:57
36	Incoming	8432531342	Mama	12/01/2017 16:10:25 (GMT-5)	0:04:42
37	Incoming	8438623525	Slimerollaxk	12/01/2017 17:14:00 (GMT-5)	0:00:16
38	Incoming	8438623525	Slimerollaxk	12/01/2017 17:15:42 (GMT-5)	0:00:35

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*Christy J. Spalding*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY SC

39	Incoming	8437035875	N/A	12/01/2017 19:23:42 (GMT-5)	N/A
40	Incoming	8433094761	Rod	12/01/2017 19:51:06 (GMT-5)	0:01:25
41	Incoming	8432532337	BM	13/01/2017 12:45:02 (GMT-5)	0:03:48
42	Incoming	8439105667	Pops	13/01/2017 13:39:38 (GMT-5)	0:01:42
43	Incoming	8433094761	Rod	13/01/2017 14:05:30 (GMT-5)	0:03:15
44	Incoming	8432878625	N/A	13/01/2017 14:08:05 (GMT-5)	0:00:38
45	Incoming	8436235999	N/A	13/01/2017 14:31:16 (GMT-5)	0:00:25
46	Incoming	8439926698	N/A	13/01/2017 15:19:18 (GMT-5)	0:00:13
47	Incoming	8439105667	Pops	13/01/2017 16:07:36 (GMT-5)	0:01:41
48	Incoming	8433094761	Rod	13/01/2017 18:40:16 (GMT-5)	0:00:57
49	Incoming	8436225121	N/A	13/01/2017 20:49:43 (GMT-5)	0:00:38
50	Incoming	5618535643	Mines	13/01/2017 21:44:51 (GMT-5)	0:01:03
51	Incoming	8439101176	N/A	14/01/2017 00:52:20 (GMT-5)	0:00:15
52	Incoming	8436801612	N/A	14/01/2017 10:03:56 (GMT-5)	0:00:11
53	Incoming	8438623525	Slimerollaxk	14/01/2017 12:43:10 (GMT-5)	0:04:38
54	Incoming	5618535643	Mines	14/01/2017 13:07:54 (GMT-5)	0:00:40
55	Incoming	8438623525	Slimerollaxk	14/01/2017 13:33:20 (GMT-5)	0:02:59
56	Incoming	8436232710	N/A	14/01/2017 18:10:25 (GMT-5)	0:00:49

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 Clerk of Court C.P. & G.S.  
 Chesterfield County, SC  
 Kimberly S. Poole

57	Incoming	5618535643	Mines	14/01/2017 22:34:46 (GMT-5)	0:00:06
58	Incoming	8439104178	N/A	14/01/2017 23:02:41 (GMT-5)	0:00:40
59	Incoming	8436801612	N/A	15/01/2017 13:48:42 (GMT-5)	0:00:21
60	Incoming	8433378399	N/A	15/01/2017 14:38:47 (GMT-5)	0:00:29
61	Incoming	8435352507	Sdot Da Douce	15/01/2017 14:42:28 (GMT-5)	0:17:05
62	Incoming	8432532337	BM	15/01/2017 16:11:38 (GMT-5)	0:01:10
63	Incoming	8433376178	N/A	16/01/2017 12:23:38 (GMT-5)	0:02:04
64	Incoming	7042180718	SDG	16/01/2017 12:27:17 (GMT-5)	0:03:52
65	Incoming	2149831417	N/A	16/01/2017 16:32:11 (GMT-5)	0:00:24
66	Incoming	8435352507	Sdot Da Douce	17/01/2017 09:49:51 (GMT-5)	0:01:23
67	Incoming	5618535643	Mines	18/01/2017 13:48:16 (GMT-5)	0:00:29
68	Incoming	8437032298	N/A	18/01/2017 19:04:36 (GMT-5)	0:00:10
69	Incoming	8436224402	N/A	19/01/2017 12:29:56 (GMT-5)	0:00:28
70	Incoming	8435352507	Sdot Da Douce	19/01/2017 16:14:16 (GMT-5)	0:02:12
71	Incoming	8432532337	BM	19/01/2017 18:26:32 (GMT-5)	0:01:17
72	Incoming	8432877339	Bro Jamal	19/01/2017 18:32:36 (GMT-5)	0:00:48
73	Incoming	8438623525	Slimerollaxk	20/01/2017 11:40:31 (GMT-5)	0:01:28
74	Incoming	8438623525	Slimerollaxk	20/01/2017 11:43:35 (GMT-5)	0:00:27

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CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

*Christy J. Stacey*  
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75	Incoming	7044654478	Moniquahs Mom	20/01/2017 12:05:00 (GMT-5)	0:16:15
76	Incoming	8438623525	Slimerollaxk	20/01/2017 13:25:54 (GMT-5)	0:23:37
77	Incoming	8432532337	BM	20/01/2017 15:00:27 (GMT-5)	0:00:22
78	Incoming	8432532337	BM	20/01/2017 15:23:41 (GMT-5)	0:00:25
79	Incoming	8434394746	N/A	20/01/2017 19:05:16 (GMT-5)	0:02:06
80	Incoming	8438623525	Slimerollaxk	21/01/2017 18:32:20 (GMT-5)	0:02:33
81	Incoming	8435352507	Sdot Da Douce	21/01/2017 20:28:23 (GMT-5)	0:03:32
82	Incoming	3475643467	N/A	21/01/2017 20:29:01 (GMT-5)	0:02:50
83	Incoming	8435352507	Sdot Da Douce	21/01/2017 20:33:25 (GMT-5)	0:01:58
84	Incoming	3475643467	N/A	21/01/2017 20:36:39 (GMT-5)	0:00:46
85	Incoming	8438623525	Slimerollaxk	21/01/2017 21:39:33 (GMT-5)	0:20:35
86	Incoming	3475643467	N/A	21/01/2017 22:40:54 (GMT-5)	0:01:10
87	Incoming	3475643467	N/A	21/01/2017 22:42:37 (GMT-5)	0:00:08
88	Incoming	3475643467	N/A	21/01/2017 22:43:28 (GMT-5)	0:00:14

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 Clerk of Court, C.P. & G.S.  
 CHESTERFIELD COUNTY, SC  
*Christy S. Steady*

## Phone Outgoing Calls List

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CLOG MD5 Hash: DD7FA82F1B7B6DD875075A167510CCFC

CLOG SHA256 Hash: 945A6191 E060632 23783B2 6ED49B3 535F5F5 753979A 8F9D24E 651678E 2B043DD

#	Type	Number	Name	Date & Time	Duration
1	Outgoing	5618535643	Mines	05/01/2017 13:44:29 (GMT-5)	0:00:27
2	Outgoing	8432532337	BM	05/01/2017 13:45:24 (GMT-5)	0:00:32
3	Outgoing	5618535643	Mines	05/01/2017 13:47:31 (GMT-5)	0:00:29
4	Outgoing	5618535643	Mines	05/01/2017 13:49:51 (GMT-5)	0:03:54
5	Outgoing	8438623525	Slimerollaxk	05/01/2017 14:20:08 (GMT-5)	0:00:28
6	Outgoing	8439105667	Pops	05/01/2017 14:21:00 (GMT-5)	0:00:39
7	Outgoing	8438625297	Nuntezrollaxk	05/01/2017 17:00:52 (GMT-5)	N/A
8	Outgoing	8435379143	N/A	05/01/2017 17:11:00 (GMT-5)	0:00:08
9	Outgoing	8435379143	N/A	05/01/2017 17:11:54 (GMT-5)	0:06:38
10	Outgoing	8435379143	N/A	05/01/2017 17:24:51 (GMT-5)	0:01:55
11	Outgoing	8438623525	Slimerollaxk	05/01/2017 18:47:42 (GMT-5)	0:01:09
12	Outgoing	8438623525	Slimerollaxk	05/01/2017 18:49:01 (GMT-5)	0:02:50
13	Outgoing	8432531342	Mama	05/01/2017 18:52:07 (GMT-5)	N/A
14	Outgoing	8438623525	Slimerollaxk	05/01/2017 18:52:12 (GMT-5)	0:36:38
15	Outgoing	8433094761	Rod	05/01/2017 20:17:32 (GMT-5)	0:05:38
16	Outgoing	8432872813	N/A	05/01/2017 20:23:33 (GMT-5)	0:03:43
17	Outgoing	8433094761	Rod	05/01/2017 20:27:30 (GMT-5)	0:01:00
18	Outgoing	5618535643	Mines	05/01/2017 21:55:45 (GMT-5)	0:00:45

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 CHESTERFIELD COUNTY, SC  
*Christy S. Gandy*

19	Outgoing	8435352507	Sdot Da Douce	06/01/2017 10:23:55 (GMT-5)	0:02:12
20	Outgoing	8432876596	Sista DD	06/01/2017 10:31:59 (GMT-5)	0:01:03
21	Outgoing	8435379143	N/A	06/01/2017 10:33:23 (GMT-5)	0:01:13
22	Outgoing	8438625297	Nuntezrollaxk	06/01/2017 11:11:28 (GMT-5)	0:00:33
23	Outgoing	8438623525	Slimerollaxk	06/01/2017 11:12:16 (GMT-5)	0:02:56
24	Outgoing	8438623525	Slimerollaxk	06/01/2017 11:15:41 (GMT-5)	N/A
25	Outgoing	8435379143	N/A	06/01/2017 11:33:22 (GMT-5)	0:01:01
26	Outgoing	8432531342	Mama	06/01/2017 11:53:50 (GMT-5)	0:00:26
27	Outgoing	8435352507	Sdot Da Douce	06/01/2017 12:06:01 (GMT-5)	0:00:59
28	Outgoing	8435352507	Sdot Da Douce	06/01/2017 12:07:25 (GMT-5)	0:00:46
29	Outgoing	8433094761	Rod	06/01/2017 17:01:10 (GMT-5)	0:00:35
30	Outgoing	8433094761	Rod	06/01/2017 17:07:25 (GMT-5)	0:00:35
31	Outgoing	8433094761	Rod	06/01/2017 17:45:17 (GMT-5)	0:00:34
32	Outgoing	8433094761	Rod	06/01/2017 17:53:27 (GMT-5)	0:00:36
33	Outgoing	8433094761	Rod	06/01/2017 18:09:35 (GMT-5)	0:01:16
34	Outgoing	8433094761	Rod	06/01/2017 18:36:25 (GMT-5)	0:00:45
35	Outgoing	8438625297	Nuntezrollaxk	06/01/2017 18:45:57 (GMT-5)	0:03:03
36	Outgoing	8433094761	Rod	06/01/2017 18:52:20 (GMT-5)	0:00:29

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 My Comm. Expires 12/31/2025  
 SPENCER COURT C.P. & G.S.  
 ESTERFIELD COUNTY, SC

37	Outgoing	8432531342	Mama	06/01/2017 19:09:27 (GMT-5)	0:01:42	380
38	Outgoing	*86	Voice Mail	06/01/2017 19:12:47 (GMT-5)	0:00:07	
39	Outgoing	8433094761	Rod	06/01/2017 19:16:59 (GMT-5)	0:00:28	
40	Outgoing	886582	N/A	06/01/2017 19:51:14 (GMT-5)	N/A	
41	Outgoing	8433094761	Rod	06/01/2017 19:51:20 (GMT-5)	0:00:38	
42	Outgoing	8433094761	Rod	06/01/2017 19:52:05 (GMT-5)	0:00:48	
43	Outgoing	8436801612	N/A	06/01/2017 20:02:12 (GMT-5)	0:00:36	
44	Outgoing	8438623525	Slimerollaxk	06/01/2017 20:03:00 (GMT-5)	0:03:13	
45	Outgoing	8432872813	N/A	06/01/2017 20:06:40 (GMT-5)	0:00:28	
46	Outgoing	*86	Voice Mail	06/01/2017 20:11:19 (GMT-5)	0:00:02	
47	Outgoing	8432532337	BM	06/01/2017 22:56:57 (GMT-5)	0:00:35	
48	Outgoing	8436237187	N/A	06/01/2017 23:00:01 (GMT-5)	0:05:35	
49	Outgoing	8435352507	Sdot Da Douce	06/01/2017 23:05:55 (GMT-5)	0:01:15	
50	Outgoing	8438623525	Slimerollaxk	07/01/2017 13:22:08 (GMT-5)	0:03:42	
51	Outgoing	8432872813	N/A	07/01/2017 17:18:05 (GMT-5)	N/A	
52	Outgoing	8432872813	N/A	07/01/2017 17:18:09 (GMT-5)	N/A	
53	Outgoing	8438623525	Slimerollaxk	07/01/2017 17:18:14 (GMT-5)	0:00:30	
54	Outgoing	8438623525	Slimerollaxk	07/01/2017 19:13:38 (GMT-5)	0:00:56	

**A True Copy Attest**  
*Christy J. Seabody*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

55	Outgoing	8439105667	Pops	07/01/2017 19:56:40 (GMT-5)	0:03:03
56	Outgoing	8438623525	Slimerollaxk	07/01/2017 20:36:03 (GMT-5)	0:20:09
57	Outgoing	8438623525	Slimerollaxk	07/01/2017 21:46:33 (GMT-5)	0:01:41
58	Outgoing	5618535643	Mines	08/01/2017 01:59:49 (GMT-5)	0:00:41
59	Outgoing	8436235445	N/A	09/01/2017 10:15:42 (GMT-5)	0:01:21
60	Outgoing	8435379143	N/A	09/01/2017 11:35:28 (GMT-5)	0:00:50
61	Outgoing	8436235885	N/A	09/01/2017 11:47:01 (GMT-5)	0:01:17
62	Outgoing	8438625297	Nuntezrollaxk	09/01/2017 11:55:35 (GMT-5)	0:00:32
63	Outgoing	8438623525	Slimerollaxk	09/01/2017 11:56:28 (GMT-5)	0:00:27
64	Outgoing	8435379143	N/A	09/01/2017 11:57:11 (GMT-5)	N/A
65	Outgoing	8438625297	Nuntezrollaxk	09/01/2017 11:57:16 (GMT-5)	0:00:33
66	Outgoing	8438625297	Nuntezrollaxk	09/01/2017 11:58:01 (GMT-5)	N/A
67	Outgoing	8438623525	Slimerollaxk	09/01/2017 11:58:09 (GMT-5)	0:00:27
68	Outgoing	8438623525	Slimerollaxk	09/01/2017 11:59:08 (GMT-5)	0:13:22
69	Outgoing	8438625297	Nuntezrollaxk	09/01/2017 12:39:01 (GMT-5)	0:15:18
70	Outgoing	8439105667	Pops	09/01/2017 12:57:12 (GMT-5)	0:02:02
71	Outgoing	8439105667	Pops	09/01/2017 13:09:07 (GMT-5)	0:02:35
72	Outgoing	8435352507	Sdot Da Douce	09/01/2017 13:52:31 (GMT-5)	0:11:59

A True Copy Attest  
*Christy S. Jolley*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

73	Outgoing	8436235885	N/A	10/01/2017 10:26:08 (GMT-5)	0:01:15
74	Outgoing	3368589583	Hunter High020	10/01/2017 10:40:50 (GMT-5)	0:00:06
75	Outgoing	8432878625	N/A	10/01/2017 10:43:17 (GMT-5)	0:10:52
76	Outgoing	8438623525	Slimerollaxk	10/01/2017 10:59:04 (GMT-5)	0:00:27
77	Outgoing	8438623525	Slimerollaxk	10/01/2017 11:20:14 (GMT-5)	0:01:17
78	Outgoing	8438623525	Slimerollaxk	10/01/2017 11:21:50 (GMT-5)	0:29:08
79	Outgoing	8432532337	BM	10/01/2017 22:47:11 (GMT-5)	0:00:09
80	Outgoing	8438625297	Nuntezrollaxk	11/01/2017 14:24:07 (GMT-5)	0:00:22
81	Outgoing	8432532337	BM	11/01/2017 15:16:51 (GMT-5)	0:00:08
82	Outgoing	8435375750	N/A	11/01/2017 15:17:23 (GMT-5)	0:01:35
83	Outgoing	8438623525	Slimerollaxk	11/01/2017 16:51:37 (GMT-5)	0:00:33
84	Outgoing	9723949760	N/A	11/01/2017 16:58:15 (GMT-5)	N/A
85	Outgoing	8438625297	Nuntezrollaxk	11/01/2017 16:58:36 (GMT-5)	0:00:32
86	Outgoing	8432878625	N/A	11/01/2017 16:59:12 (GMT-5)	N/A
87	Outgoing	8438623525	Slimerollaxk	11/01/2017 16:59:18 (GMT-5)	0:06:38
88	Outgoing	*86	Voice Mail	11/01/2017 17:19:43 (GMT-5)	0:00:19
89	Outgoing	*86	Voice Mail	11/01/2017 17:35:03 (GMT-5)	N/A
90	Outgoing	8432872813	N/A	11/01/2017 19:10:46 (GMT-5)	0:00:06

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*Christy J. Stacey*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

91	Outgoing	8432872813	N/A	11/01/2017 19:29:38 (GMT-5)	0:00:04
92	Outgoing	7042180718	SDG	11/01/2017 19:29:56 (GMT-5)	0:04:11
93	Outgoing	8439105667	Pops	11/01/2017 23:43:18 (GMT-5)	N/A
94	Outgoing	5618535643	Mines	11/01/2017 23:43:24 (GMT-5)	0:00:08
95	Outgoing	5618535643	Mines	11/01/2017 23:43:51 (GMT-5)	0:00:11
96	Outgoing	5618535643	Mines	11/01/2017 23:44:23 (GMT-5)	0:00:11
97	Outgoing	5618535643	Mines	11/01/2017 23:46:09 (GMT-5)	0:01:16
98	Outgoing	5618535643	Mines	11/01/2017 23:54:43 (GMT-5)	0:12:35
99	Outgoing	5618535643	Mines	12/01/2017 00:07:58 (GMT-5)	0:00:18
100	Outgoing	8432878625	N/A	12/01/2017 09:56:31 (GMT-5)	0:01:16
101	Outgoing	5618535643	Mines	12/01/2017 12:59:56 (GMT-5)	N/A
102	Outgoing	8436231419	N/A	12/01/2017 13:00:01 (GMT-5)	0:02:15
103	Outgoing	8432878625	N/A	12/01/2017 13:06:05 (GMT-5)	0:02:10
104	Outgoing	8438623525	Slimerollaxk	12/01/2017 13:52:55 (GMT-5)	0:00:01
105	Outgoing	8438623525	Slimerollaxk	12/01/2017 16:56:18 (GMT-5)	0:17:08
106	Outgoing	8435379143	N/A	12/01/2017 18:34:33 (GMT-5)	0:06:27
107	Outgoing	8432878625	N/A	13/01/2017 12:07:59 (GMT-5)	0:00:28
108	Outgoing	8432532337	BM	13/01/2017 12:43:34 (GMT-5)	0:00:46

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 CHESTERFIELD COUNTY, SC

A True Copy Attest  
 [Signature]

109	Outgoing	5618535643	Mines	13/01/2017 14:30:24 (GMT-5)	0:00:39
110	Outgoing	8439105667	Pops	13/01/2017 15:12:43 (GMT-5)	0:00:38
111	Outgoing	8439105667	Pops	13/01/2017 15:13:55 (GMT-5)	0:00:33
112	Outgoing	8439105667	Pops	13/01/2017 15:15:29 (GMT-5)	0:00:33
113	Outgoing	8439105667	Pops	13/01/2017 15:16:46 (GMT-5)	0:00:32
114	Outgoing	8439105667	Pops	13/01/2017 15:17:49 (GMT-5)	0:00:30
115	Outgoing	8433374928	N/A	13/01/2017 15:24:37 (GMT-5)	0:02:44
116	Outgoing	8439105667	Pops	13/01/2017 15:27:40 (GMT-5)	0:00:05
117	Outgoing	8439105667	Pops	13/01/2017 15:28:03 (GMT-5)	0:00:35
118	Outgoing	8433374928	N/A	13/01/2017 15:28:47 (GMT-5)	0:00:08
119	Outgoing	8439105667	Pops	13/01/2017 15:50:38 (GMT-5)	0:00:38
120	Outgoing	8433094761	Rod	13/01/2017 18:09:40 (GMT-5)	0:04:58
121	Outgoing	8439105667	Pops	13/01/2017 18:59:56 (GMT-5)	N/A
122	Outgoing	8433094761	Rod	13/01/2017 19:00:02 (GMT-5)	0:01:13
123	Outgoing	8439105667	Pops	13/01/2017 19:03:06 (GMT-5)	0:01:34
124	Outgoing	5618535643	Mines	13/01/2017 19:11:13 (GMT-5)	0:01:01
125	Outgoing	8433094761	Rod	13/01/2017 19:19:25 (GMT-5)	0:00:42
126	Outgoing	5618535643	Mines	13/01/2017 20:05:13 (GMT-5)	N/A

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A True Copy Attest  
*Christy S. Stacey*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

127	Outgoing	8433094761	Rod	13/01/2017 20:05:20 (GMT-5)	0:01:44
128	Outgoing	8439105667	Pops	13/01/2017 20:40:14 (GMT-5)	0:00:28
129	Outgoing	5618535643	Mines	13/01/2017 21:33:52 (GMT-5)	0:00:30
130	Outgoing	5618535643	Mines	13/01/2017 21:34:28 (GMT-5)	0:00:35
131	Outgoing	5618535643	Mines	13/01/2017 21:35:09 (GMT-5)	0:05:39
132	Outgoing	8436801612	N/A	14/01/2017 09:57:08 (GMT-5)	0:00:35
133	Outgoing	8432878625	N/A	14/01/2017 11:36:40 (GMT-5)	0:01:13
134	Outgoing	5618535643	Mines	14/01/2017 12:18:51 (GMT-5)	0:00:45
135	Outgoing	8438623525	Slimerollaxk	14/01/2017 12:50:42 (GMT-5)	0:01:03
136	Outgoing	5618535643	Mines	14/01/2017 13:22:47 (GMT-5)	0:00:28
137	Outgoing	8438623525	Slimerollaxk	14/01/2017 13:23:25 (GMT-5)	N/A
138	Outgoing	5618535643	Mines	14/01/2017 13:23:35 (GMT-5)	0:01:05
139	Outgoing	8438623525	Slimerollaxk	14/01/2017 13:32:19 (GMT-5)	0:00:28
140	Outgoing	*86	Voice Mail	14/01/2017 15:00:36 (GMT-5)	0:00:18
141	Outgoing	8438623525	Slimerollaxk	14/01/2017 16:59:07 (GMT-5)	0:00:40
142	Outgoing	8433376178	N/A	14/01/2017 17:00:03 (GMT-5)	N/A
143	Outgoing	8433376178	N/A	14/01/2017 17:00:13 (GMT-5)	0:01:06
144	Outgoing	8438623525	Slimerollaxk	14/01/2017 17:01:32 (GMT-5)	0:00:28

A True Copy Attest  
 Clerk of Court, C.P. & G.S.  
 CHESTERFIELD COUNTY, SC  
*Christy S. Sherry*

145	Outgoing	8432878625	N/A	14/01/2017 17:02:13 (GMT-5)	0:01:42
146	Outgoing	*86	Voice Mail	14/01/2017 17:33:39 (GMT-5)	0:00:16
147	Outgoing	*86	Voice Mail	14/01/2017 17:48:55 (GMT-5)	N/A
148	Outgoing	8432876596	Sista DD	14/01/2017 17:49:00 (GMT-5)	0:00:48
149	Outgoing	8432532337	BM	14/01/2017 20:32:28 (GMT-5)	0:00:32
150	Outgoing	8432532337	BM	14/01/2017 20:33:07 (GMT-5)	0:00:30
151	Outgoing	8432532337	BM	14/01/2017 21:12:28 (GMT-5)	0:01:37
152	Outgoing	8432532337	BM	14/01/2017 21:14:25 (GMT-5)	N/A
153	Outgoing	8433370944	N/A	14/01/2017 21:14:32 (GMT-5)	0:02:07
154	Outgoing	8433370944	N/A	14/01/2017 23:00:35 (GMT-5)	N/A
155	Outgoing	5618535643	Mines	14/01/2017 23:00:39 (GMT-5)	N/A
156	Outgoing	8439104178	N/A	14/01/2017 23:00:44 (GMT-5)	0:00:18
157	Outgoing	8439104178	N/A	14/01/2017 23:03:58 (GMT-5)	0:00:42
158	Outgoing	5618535643	Mines	15/01/2017 12:08:02 (GMT-5)	0:01:54
159	Outgoing	5618535643	Mines	15/01/2017 13:43:22 (GMT-5)	N/A
160	Outgoing	5618535643	Mines	15/01/2017 13:43:27 (GMT-5)	N/A
161	Outgoing	8436801612	N/A	15/01/2017 13:43:33 (GMT-5)	0:00:35
162	Outgoing	8436801612	N/A	15/01/2017 13:44:38 (GMT-5)	0:00:21

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A True Copy Attest  
 Cheryl S. Moorey  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, VA

163	Outgoing	8438623525	Slimerollaxk	15/01/2017 14:15:49 (GMT-5)	0:04:43
164	Outgoing	8438623525	Slimerollaxk	15/01/2017 15:00:13 (GMT-5)	0:03:49
165	Outgoing	8432532337	BM	15/01/2017 15:04:48 (GMT-5)	0:00:24
166	Outgoing	8433374928	N/A	15/01/2017 18:21:43 (GMT-5)	0:00:52
167	Outgoing	8435352507	Sdot Da Douce	15/01/2017 20:13:51 (GMT-5)	0:00:29
168	Outgoing	8435352507	Sdot Da Douce	15/01/2017 20:14:49 (GMT-5)	0:00:28
169	Outgoing	8435352507	Sdot Da Douce	15/01/2017 20:46:55 (GMT-5)	0:00:28
170	Outgoing	8438623525	Slimerollaxk	15/01/2017 21:19:06 (GMT-5)	N/A
171	Outgoing	8435352507	Sdot Da Douce	15/01/2017 21:19:13 (GMT-5)	0:06:48
172	Outgoing	8432532337	BM	15/01/2017 21:34:38 (GMT-5)	0:00:31
173	Outgoing	8432532337	BM	15/01/2017 21:49:47 (GMT-5)	0:02:20
174	Outgoing	8435352507	Sdot Da Douce	16/01/2017 11:52:16 (GMT-5)	0:00:26
175	Outgoing	8435352507	Sdot Da Douce	16/01/2017 11:52:50 (GMT-5)	0:00:29
176	Outgoing	8435352507	Sdot Da Douce	16/01/2017 11:53:28 (GMT-5)	0:00:27
177	Outgoing	8438623525	Slimerollaxk	16/01/2017 11:54:03 (GMT-5)	0:00:29
178	Outgoing	7042180718	SDG	16/01/2017 11:55:22 (GMT-5)	0:00:28
179	Outgoing	5618535643	Mines	16/01/2017 11:59:28 (GMT-5)	0:01:08
180	Outgoing	8435352507	Sdot Da Douce	16/01/2017 12:00:44 (GMT-5)	0:25:15

A True Copy Attest  
*Michelle S. Shady*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

181	Outgoing	8435352507	Sdot Da Douce	16/01/2017 12:26:30 (GMT-5)	N/A
182	Outgoing	7042180718	SDG	16/01/2017 12:26:35 (GMT-5)	0:00:21
183	Outgoing	8438623525	Slimerollaxk	16/01/2017 12:31:42 (GMT-5)	0:01:56
184	Outgoing	8432878625	N/A	16/01/2017 12:44:36 (GMT-5)	0:01:41
185	Outgoing	8438623525	Slimerollaxk	16/01/2017 15:14:57 (GMT-5)	0:06:51
186	Outgoing	8435352507	Sdot Da Douce	16/01/2017 19:05:59 (GMT-5)	0:00:27
187	Outgoing	8435352507	Sdot Da Douce	16/01/2017 19:13:29 (GMT-5)	0:10:21
188	Outgoing	8437033708	N/A	16/01/2017 19:30:10 (GMT-5)	0:00:06
189	Outgoing	8433373972	N/A	18/01/2017 11:33:06 (GMT-5)	N/A
190	Outgoing	8438623525	Slimerollaxk	18/01/2017 11:33:11 (GMT-5)	0:00:35
191	Outgoing	8438623525	Slimerollaxk	18/01/2017 11:44:55 (GMT-5)	0:00:55
192	Outgoing	8438623525	Slimerollaxk	18/01/2017 11:45:55 (GMT-5)	0:00:33
193	Outgoing	8438623525	Slimerollaxk	18/01/2017 11:47:01 (GMT-5)	0:00:30
194	Outgoing	8438625297	Nuntezrollaxk	18/01/2017 19:51:52 (GMT-5)	0:00:17
195	Outgoing	5618535643	Mines	18/01/2017 19:55:30 (GMT-5)	0:00:52
196	Outgoing	5618535643	Mines	18/01/2017 19:56:51 (GMT-5)	0:00:58
197	Outgoing	5618535643	Mines	18/01/2017 19:58:22 (GMT-5)	0:00:28
198	Outgoing	7042180718	SDG	18/01/2017 21:53:40 (GMT-5)	0:01:13

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A True Copy Affidavit  
 Clerk of Court C.P. & G.S.  
 Chesterfield County, SC  
 Ashley S. Stacey

199	Outgoing	8435357558	Blazerollaxk	19/01/2017 16:17:01 (GMT-5)	0:00:16
200	Outgoing	8435357558	Blazerollaxk	19/01/2017 16:17:24 (GMT-5)	0:00:18
201	Outgoing	8438623525	Slimerollaxk	19/01/2017 16:18:01 (GMT-5)	0:25:04
202	Outgoing	8435352507	Sdot Da Douce	19/01/2017 16:43:21 (GMT-5)	0:02:25
203	Outgoing	8436641063	N/A	19/01/2017 17:30:56 (GMT-5)	0:00:45
204	Outgoing	8436641063	N/A	19/01/2017 17:36:21 (GMT-5)	0:00:56
205	Outgoing	8436641063	N/A	19/01/2017 17:37:24 (GMT-5)	0:00:53
206	Outgoing	8436641063	N/A	19/01/2017 17:48:05 (GMT-5)	0:00:45
207	Outgoing	8436641063	N/A	19/01/2017 17:49:00 (GMT-5)	0:00:57
208	Outgoing	8436641063	N/A	19/01/2017 17:50:11 (GMT-5)	0:00:45
209	Outgoing	8436641063	N/A	19/01/2017 17:51:38 (GMT-5)	0:00:53
210	Outgoing	8438623525	Slimerollaxk	19/01/2017 18:08:50 (GMT-5)	0:00:24
211	Outgoing	8432877339	Bro Jamal	19/01/2017 18:10:56 (GMT-5)	0:00:38
212	Outgoing	8432877339	Bro Jamal	19/01/2017 18:11:40 (GMT-5)	0:01:21
213	Outgoing	3475643467	N/A	20/01/2017 11:18:16 (GMT-5)	0:13:28
214	Outgoing	3368589583	Hunter High020	20/01/2017 11:34:09 (GMT-5)	0:00:09
215	Outgoing	9107234272	N/A	20/01/2017 11:38:39 (GMT-5)	0:00:07
216	Outgoing	8438623525	Slimerollaxk	20/01/2017 11:39:20 (GMT-5)	0:00:29

A True Copy Attest  
*Christy A. Bostick*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

217	Outgoing	8438623525	Slimerollaxk	20/01/2017 11:40:06 (GMT-5)	0:00:06
218	Outgoing	5618535643	Mines	20/01/2017 12:26:35 (GMT-5)	0:00:26
219	Outgoing	5618535643	Mines	20/01/2017 12:27:08 (GMT-5)	0:00:37
220	Outgoing	5618535643	Mines	20/01/2017 12:28:34 (GMT-5)	0:00:41
221	Outgoing	7044654478	Moniquahs Mom	20/01/2017 12:41:05 (GMT-5)	0:00:06
222	Outgoing	7044654478	Moniquahs Mom	20/01/2017 12:42:04 (GMT-5)	0:00:06
223	Outgoing	7042180718	SDG	20/01/2017 13:06:15 (GMT-5)	0:01:39
224	Outgoing	8438623525	Slimerollaxk	20/01/2017 13:50:15 (GMT-5)	0:00:05
225	Outgoing	8438623525	Slimerollaxk	20/01/2017 13:50:30 (GMT-5)	0:20:35
226	Outgoing	8432532337	BM	20/01/2017 14:27:31 (GMT-5)	0:00:30
227	Outgoing	8432532337	BM	20/01/2017 14:36:19 (GMT-5)	0:01:52
228	Outgoing	8436641063	N/A	20/01/2017 18:58:57 (GMT-5)	0:01:07
229	Outgoing	8436641063	N/A	20/01/2017 19:00:11 (GMT-5)	0:00:27
230	Outgoing	8434394746	N/A	20/01/2017 19:09:13 (GMT-5)	0:00:48
231	Outgoing	8435352507	Sdot Da Douce	21/01/2017 13:11:50 (GMT-5)	0:07:45
232	Outgoing	8432878625	N/A	21/01/2017 13:20:51 (GMT-5)	0:01:15
233	Outgoing	8435352507	Sdot Da Douce	21/01/2017 13:32:08 (GMT-5)	0:00:25
234	Outgoing	8432878625	N/A	21/01/2017 13:32:43 (GMT-5)	0:00:30

A True Copy Attest  
 Clerk of Court C.P. & G.S.  
 Chesterfield County, SC  
*Christy S. Gossard*

235	Outgoing	8435352507	Sdot Da Douce	21/01/2017 20:35:38 (GMT-5)	N/A
236	Outgoing	3475643467	N/A	21/01/2017 20:35:44 (GMT-5)	0:00:40
237	Outgoing	8435352507	Sdot Da Douce	21/01/2017 21:12:41 (GMT-5)	0:08:36
238	Outgoing	3475643467	N/A	21/01/2017 21:21:27 (GMT-5)	N/A
239	Outgoing	8438623525	Slimerollaxk	21/01/2017 21:26:57 (GMT-5)	0:00:31
240	Outgoing	8438623525	Slimerollaxk	21/01/2017 21:28:12 (GMT-5)	0:00:35
241	Outgoing	8438623525	Slimerollaxk	21/01/2017 21:31:30 (GMT-5)	0:00:31
242	Outgoing	8438623525	Slimerollaxk	21/01/2017 22:09:13 (GMT-5)	0:10:31
243	Outgoing	5285	N/A	22/01/2017 16:11:33 (GMT-5)	0:00:13
244	Outgoing	5285	N/A	22/01/2017 16:15:53 (GMT-5)	N/A

A True Copy Attest  
 Clerk of Court C.P. & G.S.  
 CHESTERFIELD COUNTY, SC  
*Christy B. Shady*

## Phone Missed Calls List

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CLOG MD5 Hash: DD7FA82F1B7B6DD875075A167510CCFC

CLOG SHA256 Hash: 945A6191 E060632 23783B2 6ED49B3 535F5F5 753979A 8F9D24E 651678E 2B043DD

#	Type	Number	Name	Date & Time	Duration
1	Missed	8435375750	N/A	05/01/2017 14:36:03 (GMT-5)	N/A
2	Missed	8432531342	Mama	05/01/2017 16:55:49 (GMT-5)	N/A
3	Missed	8432531342	Mama	05/01/2017 18:08:36 (GMT-5)	N/A

4	Missed	8433094761	Rod	05/01/2017 20:16:26 (GMT-5)	N/A
5	Missed	8432872813	N/A	05/01/2017 20:20:50 (GMT-5)	N/A
6	Missed	8668974902	N/A	06/01/2017 08:46:06 (GMT-5)	N/A
7	Missed	8433094761	Rod	06/01/2017 14:19:00 (GMT-5)	N/A
8	Missed	8438625297	Nuntezrollaxk	06/01/2017 15:12:25 (GMT-5)	N/A
9	Missed	8432872813	N/A	06/01/2017 15:31:57 (GMT-5)	N/A
10	Missed	8432872813	N/A	07/01/2017 09:48:10 (GMT-5)	N/A
11	Missed	8432876596	Sista DD	07/01/2017 19:47:22 (GMT-5)	N/A
12	Missed	5618535643	Mines	08/01/2017 02:20:50 (GMT-5)	N/A
13	Missed	8439101176	N/A	09/01/2017 02:18:00 (GMT-5)	N/A
14	Missed	8438625297	Nuntezrollaxk	09/01/2017 12:34:57 (GMT-5)	N/A
15	Missed	8435352507	Sdot Da Douce	09/01/2017 13:47:29 (GMT-5)	N/A
16	Missed	8433373972	N/A	09/01/2017 13:56:45 (GMT-5)	N/A
17	Missed	8433373972	N/A	09/01/2017 13:59:50 (GMT-5)	N/A
18	Missed	8438623525	Slimerollaxk	10/01/2017 11:19:01 (GMT-5)	N/A
19	Missed	8439105667	Pops	10/01/2017 16:29:38 (GMT-5)	N/A
20	Missed	8439105667	Pops	10/01/2017 16:30:24 (GMT-5)	N/A
21	Missed	8432532337	BM	11/01/2017 16:14:32 (GMT-5)	N/A

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A True Copy Attest  
*Christy S. Mackey*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

22	Missed	5618535643	Mines	11/01/2017 23:07:47 (GMT-5)	N/A
23	Missed	5618535643	Mines	11/01/2017 23:08:23 (GMT-5)	N/A
24	Missed	8439105667	Pops	11/01/2017 23:40:40 (GMT-5)	N/A
25	Missed	5618535643	Mines	11/01/2017 23:41:48 (GMT-5)	N/A
26	Missed	5618535643	Mines	11/01/2017 23:42:20 (GMT-5)	N/A
27	Missed	5618535643	Mines	11/01/2017 23:51:39 (GMT-5)	N/A
28	Missed	5618535643	Mines	11/01/2017 23:52:15 (GMT-5)	N/A
29	Missed	5618535643	Mines	11/01/2017 23:52:56 (GMT-5)	N/A
30	Missed	5618535643	Mines	11/01/2017 23:53:32 (GMT-5)	N/A
31	Missed	5618535643	Mines	11/01/2017 23:54:13 (GMT-5)	N/A
32	Missed	8432878625	N/A	12/01/2017 00:24:35 (GMT-5)	N/A
33	Missed	8432878625	N/A	12/01/2017 02:04:10 (GMT-5)	N/A
34	Missed	8432878625	N/A	12/01/2017 02:05:48 (GMT-5)	N/A
35	Missed	8432878625	N/A	12/01/2017 02:06:23 (GMT-5)	N/A
36	Missed	8432878625	N/A	12/01/2017 02:12:17 (GMT-5)	N/A
37	Missed	8432878625	N/A	12/01/2017 02:16:28 (GMT-5)	N/A
38	Missed	8432878625	N/A	12/01/2017 02:22:06 (GMT-5)	N/A
39	Missed	8432878625	N/A	12/01/2017 08:31:35 (GMT-5)	N/A

A True Copy Attest  
 Clerk of Court of P. & G.S.  
 CHESTERFIELD COUNTY, SC  
 [Signature]

40	Missed	8432878625	N/A	12/01/2017 08:33:18 (GMT-5)	N/A
41	Missed	7579751219	N/A	12/01/2017 09:11:00 (GMT-5)	N/A
42	Missed	8438623525	Slimerollaxk	12/01/2017 10:54:21 (GMT-5)	N/A
43	Missed	5618535643	Mines	12/01/2017 11:05:27 (GMT-5)	N/A
44	Missed	5618535643	Mines	12/01/2017 11:06:02 (GMT-5)	N/A
45	Missed	8436231419	N/A	12/01/2017 12:02:57 (GMT-5)	N/A
46	Missed	8435379143	N/A	12/01/2017 18:27:49 (GMT-5)	N/A
47	Missed	8437037913	N/A	12/01/2017 19:50:25 (GMT-5)	N/A
48	Missed	8432878625	N/A	13/01/2017 12:04:09 (GMT-5)	N/A
49	Missed	8436801612	N/A	14/01/2017 09:56:30 (GMT-5)	N/A
50	Missed	8433370944	N/A	14/01/2017 16:34:09 (GMT-5)	N/A
51	Missed	8433376178	N/A	14/01/2017 16:59:41 (GMT-5)	N/A
52	Missed	8433376178	N/A	14/01/2017 17:00:01 (GMT-5)	N/A
53	Missed	8433370944	N/A	14/01/2017 17:02:57 (GMT-5)	N/A
54	Missed	8433376178	N/A	14/01/2017 17:03:47 (GMT-5)	N/A
55	Missed	8438623525	Slimerollaxk	14/01/2017 17:04:37 (GMT-5)	N/A
56	Missed	8438623525	Slimerollaxk	14/01/2017 17:05:23 (GMT-5)	N/A
57	Missed	8438623525	Slimerollaxk	14/01/2017 17:13:30 (GMT-5)	N/A

A True Copy Attest  
*Christy S. Shockey*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

58	Missed	8432876596	Sista DD	14/01/2017 17:39:17 (GMT-5)	N/A
59	Missed	8432532337	BM	14/01/2017 17:42:10 (GMT-5)	N/A
60	Missed	8438623525	Slimerollaxk	14/01/2017 18:39:20 (GMT-5)	N/A
61	Missed	8432532337	BM	14/01/2017 20:56:54 (GMT-5)	N/A
62	Missed	8432532337	BM	14/01/2017 20:57:55 (GMT-5)	N/A
63	Missed	8433370944	N/A	14/01/2017 21:10:28 (GMT-5)	N/A
64	Missed	8439104178	N/A	14/01/2017 22:59:21 (GMT-5)	N/A
65	Missed	8438623525	Slimerollaxk	15/01/2017 13:06:22 (GMT-5)	N/A
66	Missed	8436801612	N/A	15/01/2017 13:36:45 (GMT-5)	N/A
67	Missed	8438623525	Slimerollaxk	15/01/2017 14:04:54 (GMT-5)	N/A
68	Missed	8433374928	N/A	15/01/2017 18:20:55 (GMT-5)	N/A
69	Missed	8438623525	Slimerollaxk	15/01/2017 19:17:34 (GMT-5)	N/A
70	Missed	8432532337	BM	15/01/2017 21:48:53 (GMT-5)	N/A
71	Missed	8438623525	Slimerollaxk	16/01/2017 12:04:30 (GMT-5)	N/A
72	Missed	7042180718	SDG	16/01/2017 12:05:10 (GMT-5)	N/A
73	Missed	8437033708	N/A	16/01/2017 19:29:41 (GMT-5)	N/A
74	Missed	8435352507	Sdot Da Douce	17/01/2017 08:01:49 (GMT-5)	N/A
75	Missed	8438623525	Slimerollaxk	18/01/2017 00:56:56 (GMT-5)	N/A

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 Chesterfield County, SC  
*Christy S. Sherry*

76	Missed	8433373972	N/A	18/01/2017 11:13:49 (GMT-5)	N/A
77	Missed	8437039631	N/A	18/01/2017 12:53:30 (GMT-5)	N/A
78	Missed	8435352507	Sdot Da Douce	19/01/2017 16:00:06 (GMT-5)	N/A
79	Missed	8435352507	Sdot Da Douce	19/01/2017 16:03:26 (GMT-5)	N/A
80	Missed	8435352507	Sdot Da Douce	19/01/2017 16:05:59 (GMT-5)	N/A
81	Missed	8432532337	BM	20/01/2017 14:32:23 (GMT-5)	N/A
82	Missed	8434394746	N/A	20/01/2017 19:04:25 (GMT-5)	N/A
83	Missed	3475643467	N/A	20/01/2017 23:50:02 (GMT-5)	N/A
84	Missed	8435352507	Sdot Da Douce	21/01/2017 11:38:53 (GMT-5)	N/A
85	Missed	8438623525	Slimerollaxk	21/01/2017 13:31:37 (GMT-5)	N/A
86	Missed	8438625297	Nuntezrollaxk	21/01/2017 15:13:40 (GMT-5)	N/A
87	Missed	8435352507	Sdot Da Douce	21/01/2017 20:26:56 (GMT-5)	N/A
88	Missed	3475643467	N/A	21/01/2017 22:40:34 (GMT-5)	N/A
89	Missed	5618535643	Mines	21/01/2017 22:55:20 (GMT-5)	N/A
90	Missed	7042180718	SDG	21/01/2017 23:01:49 (GMT-5)	N/A
91	Missed	5618535643	Mines	21/01/2017 23:02:25 (GMT-5)	N/A
92	Missed	5618535643	Mines	21/01/2017 23:03:00 (GMT-5)	N/A
93	Missed	7044658195	N/A	21/01/2017 23:03:36 (GMT-5)	N/A

396

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 Cheryl S. Sasser  
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11036	8433373972	N/A	19/01/2017 02:08:12 (GMT-5)		Read	Inbox	Phone	Incoming	Did you get any more mid
11037	8433373972	N/A	19/01/2017 03:00:10 (GMT-5)		Read	Inbox	Phone	Incoming	You up I want to get a .5 for \$9
11038	8433374928	N/A	19/01/2017 03:09:34 (GMT-5)		Read	Inbox	Phone	Incoming	U up fam
11039	8436224402	N/A	19/01/2017 11:43:43 (GMT-5)		Read	Inbox	Phone	Incoming	You at the crib?
11040	8436224402	N/A	19/01/2017 11:50:06 (GMT-5)		Sent	Sent	Phone	Outgoing	Yea Wat up
11041	8436224402	N/A	19/01/2017 12:01:10 (GMT-5)		Read	Inbox	Phone	Incoming	I gone come through and get 10
11042	8436224402	N/A	19/01/2017 12:02:27 (GMT-5)		Sent	Sent	Phone	Outgoing	Aite
11043	8436224402	N/A	19/01/2017 12:23:44 (GMT-5)		Sent	Sent	Phone	Outgoing	Way yu at
11044	8436224402	N/A	19/01/2017 12:24:09 (GMT-5)		Read	Inbox	Phone	Incoming	On the way be there in five mins
11045	8436224402	N/A	19/01/2017 12:24:30 (GMT-5)		Sent	Sent	Phone	Outgoing	Bet
11046	8433094761	* Rod	19/01/2017 13:27:53 (GMT-5)		Sent	Sent	Phone	Outgoing	Should b ready da weekend bro
11047	900080004000	N/A	19/01/2017 13:31:20 (GMT-5)		Read	Inbox	Phone	Incoming	Free VZW Msg: Don't forget to renew your plan by 01/22/2017. Make your payment at vzw.com/myverizon or by dialing #PMT.
11048	8435352507	* Douce Sdot Da	19/01/2017 16:04:17 (GMT-5)		Read	Inbox	Phone	Incoming	What's yo Lil homie name

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11062	5618535643	* Mines	20/01/2017 12:42:41 (GMT-5)		Read	Inbox	Phone	Incoming	Ok ypu ah bitch ya mama had a bitch a faggot ass bitch at that ....
11063	5618535643	* Mines	20/01/2017 12:43:31 (GMT-5)		Read	Inbox	Phone	Incoming	Think i give af cause its your shit lol nope hoe sure dont like i said keep fukn with me you wont be there either & thats a fact .... omm
11064	5618535643	* Mines	20/01/2017 12:45:39 (GMT-5)		Read	Inbox	Phone	Incoming	And slow bitch you the ome didnt finish high school bc you were too damn slow and still is m.m go back yo speech class and learn some shit hoe
11065	5618535643	* Mines	20/01/2017 12:47:18 (GMT-5)		Sent	Sent	Phone	Outgoing	OK longest yu out my shit
11066	5618535643	* Mines	20/01/2017 12:51:28 (GMT-5)		Read	Inbox	Phone	Incoming	Bitch better have my money too
11067	5618535643	* Mines	20/01/2017 12:52:41 (GMT-5)		Sent	Sent	Phone	Outgoing	Gtfoh yu not kumnn bxx here
11068	5618535643	* Mines	20/01/2017 13:29:44 (GMT-5)		Read	Inbox	Phone	Incoming	You heard wtf i said hoe
11069	5618535643	* Mines	20/01/2017 13:30:07 (GMT-5)		Read	Inbox	Phone	Incoming	If not imma fuk up something ... omm bust a window flatten a tire lol i really dc
11070	8433094761	* Rod	20/01/2017 18:08:18 (GMT-5)		Sent	Sent	Phone	Outgoing	Bro
11071	5618535643	* Mines	20/01/2017 18:33:45 (GMT-5)		Read	Inbox	Phone	Incoming	You going to store
11072	8432876728	* Rod	20/01/2017 19:01:41 (GMT-5)		Sent	Sent	Phone	Outgoing	Bro
11073	3475643467	N/A	20/01/2017 23:51:03 (GMT-5)		Read	Inbox	Phone	Incoming	Yo i wanna ask you about that bitch that live across the street from you wats her name on fb
11074	3475643467	N/A	20/01/2017 23:51:12 (GMT-5)		Read	Inbox	Phone	Incoming	The one i was fuckin wit

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11075	3475643467	N/A	21/01/2017 06:37:56 (GMT-5)		Sent	Sent	Phone	Outgoing	Wilson
11076	3475643467	N/A	21/01/2017 08:15:07 (GMT-5)		Read	Inbox	Phone	Incoming	Fort name
11077	3475643467	N/A	21/01/2017 08:15:11 (GMT-5)		Read	Inbox	Phone	Incoming	First
11078	3475643467	N/A	21/01/2017 08:15:55 (GMT-5)		Sent	Sent	Phone	Outgoing	Yu slow b Samantha
11079	3475643467	N/A	21/01/2017 08:17:11 (GMT-5)		Read	Inbox	Phone	Incoming	M1 you slow nigga you still burnin out here
11080	3475643467	N/A	21/01/2017 08:19:48 (GMT-5)		Sent	Sent	Phone	Outgoing	I pose to b ima let yu knw
11081	3475643467	N/A	21/01/2017 08:20:26 (GMT-5)		Read	Inbox	Phone	Incoming	Bro i can pull up i ut there if you want
11082	3475643467	N/A	21/01/2017 08:23:41 (GMT-5)		Sent	Sent	Phone	Outgoing	I'm sayn dat kuse I got my shootn stars
11083	3475643467	N/A	21/01/2017 08:24:25 (GMT-5)		Read	Inbox	Phone	Incoming	Oh m1
11084	3475643467	N/A	21/01/2017 08:25:36 (GMT-5)		Sent	Sent	Phone	Outgoing	They got me up now
11085	3475643467	N/A	21/01/2017 08:26:29 (GMT-5)		Read	Inbox	Phone	Incoming	I know how dat go
11086	3475643467	N/A	21/01/2017 08:28:04 (GMT-5)		Sent	Sent	Phone	Outgoing	Ima pull up tho give me ah minute
11087	3475643467	N/A	21/01/2017 08:36:18 (GMT-5)		Read	Inbox	Phone	Incoming	M1

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CHESTERFIELD COUNTY, SC

Christy S. Mason

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11088	3475643467	N/A	21/01/2017 17:34:13 (GMT-5)		Read	Inbox	Phone	Incoming	Yo you couldnt make it
11089	3475643467	N/A	21/01/2017 20:02:19 (GMT-5)		Read	Inbox	Phone	Incoming	Yo bro you need to geg out here
11090	8435352507	* Douce Sdot Da	21/01/2017 20:27:55 (GMT-5)		Read	Inbox	Phone	Incoming	Call me ASAP
11091	8435352507	* Douce Sdot Da	21/01/2017 20:37:51 (GMT-5)		Read	Inbox	Phone	Incoming	8434397060
11092	5618535643	* Mines	21/01/2017 20:50:40 (GMT-5)		Read	Inbox	Phone	Incoming	So when you coming in the house
11093	5618535643	* Mines	21/01/2017 20:51:26 (GMT-5)		Sent	Sent	Phone	Outgoing	I'm kumnn
11094	5618535643	* Mines	21/01/2017 20:53:00 (GMT-5)		Read	Inbox	Phone	Incoming	When you basically done been outside all day except when you cooked and ate ...
11095	5618535643	* Mines	21/01/2017 22:02:31 (GMT-5)		Read	Inbox	Phone	Incoming	You Can have all this shit you dont give af about me nor how i fee
11096	5618535643	* Mines	21/01/2017 22:02:38 (GMT-5)		Read	Inbox	Phone	Incoming	Feel
11097	8438623525	* Slimerollaxk	21/01/2017 22:08:42 (GMT-5)		Read	Inbox	Phone	Incoming	Blaze me back lul bro wanna roll dice wit u
11098	5618535643	* Mines	21/01/2017 23:25:34 (GMT-5)		Unread	Inbox	Phone	Incoming	Bae plz answer
11099	5618535643	* Mines	21/01/2017 23:27:32 (GMT-5)		Unread	Inbox	Phone	Incoming	Bae

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 CHESTERFIELD COUNTY, SC  
*Christy S. Jackson*

\* Phonebook name lookup used to retrieve names

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NEWBERRY PATHOLOGY ASSOCIATES, P.A.  
185 Executive Drive, P. O. Box 839  
Newberry, S. C. 29108  
Phone: (803) 276-0201  
1-888-446-9898  
Fax: (803) 276-0208

NECROPSY REPORT: FA17-071  
NAME: JAMES HENDERSON  
TYPE OF AUTOPSY: Complete

EXHIBIT  
State's  
# 18  
4/21/21 - MD

AGE: 28 RACE: BLACK SEX: MALE D.O.B. [REDACTED]/1988

PROSECTOR(S): JANICE E. ROSS, M.D. COUNTY: CHESTERFIELD

INJURED on 01/21/2017 at PM DIED on 01/21/2017 at PM

AUTOPSIED on 01/23/2017 at 8:30 AM

FINAL NECROPSY DIAGNOSIS:

1. FATAL, PENETRATING GUNSHOT WOUND (#3) OF THE BACK WHICH LACERATES THE UPPER AND MIDDLE LOBES OF THE RIGHT LUNG CAUSING A 1300 CC RIGHT HEMOTHORAX. IS RECOVERED FROM THE RIGHT AXILLA
2. SUPERFICIAL, PENETRATING GUNSHOT WOUND (#4) OF THE BACK WHICH IS RECOVERED FROM THE RIGHT ARM: NONFATAL
3. SUPERFICIAL, PERFORATING GUNSHOT WOUND (#1) OF THE LEFT ARM: NONFATAL
4. SUPERFICIAL, PERFORATING GUNSHOT WOUND (#2) OF THE RIGHT LATERAL TORSO: NONFATAL
5. CARDIOMEGALY

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CHESTERFIELD COUNTY, SC

*Christy J. Jacoby*

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MANNER OF DEATH: HOMICIDE

PROBABLE CAUSE AND MECHANISM OF DEATH INTERVAL

EXSANGUINATION MINUTES

DUE TO: LACERATION OF THE LUNG MINUTES

DUE TO: GUNSHOT WOUND OF THE BACK MINUTES

Date Mailed Out: 1-24-17

FA17-071

James Henderson

Report by: J.E. Ross, M.D.

## CASE HISTORY

This 28-year old African American male was the victim of a shooting which occurred on 01/21/2017. He apparently was shot outside of a residence.

The body was brought to this prosector for autopsy.

**EXTERNAL EXAMINATION:** The body is received in a pair of black pants down around his ankles, a pair of blue and red striped underwear, a pair of red shoes and a pair of black socks which have a red pattern on them. Underneath him having been cut off the body is a red shirt. A green jacket also present which has been partially cut. His long black hair is in dreadlocks and a black hair band is present. He measures 76 inches in height and weighs an estimated 275 pounds. His eyes are brown. No conjunctival petechiae are seen. A mustache and goatee are also present. The teeth are natural and in fair repair. Above the right eyebrow is the date 12-27-08. Above the left eyebrow is the date 7-23-98. Below the right eye are the initials "SMM".

Examination of the neck is unremarkable.

Examination of the chest shows a tattoo in the upper mid chest spelling "Lil JuJu".

Examination of the abdomen is unremarkable except for a gunshot wound in the right torso near the upper hip.

Examination of the upper extremities shows tattoos including a star in the right upper outer arm. On the anterior right forearm is an elaborate tattoo including a star and the letter "B", a clock and a rifle. On the posterior right forearm within the elaborate tattoo are a money bag and the word "Huger". On the back of the right hand is the word "East". On the back of the left hand is the word "Side". On the posterior left forearm is a cross and the words "Glory to God" along with other elaborate figures. On the anterior left forearm are the initials "JB". There is finger print ink over the palmar aspects of both hands. There is a perforating gunshot wound of the left upper arm which will be further described.

Examination of the lower extremities is unremarkable.

Examination of the back shows entrance gunshot wounds which will be further described. The genitalia are those of an adult male.

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CHESTERFIELD COUNTY, SC

*Christy J. Ross*

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James Henderson

Report by: J.E. Ross, M.D.

## GUNSHOT WOUNDS

1. **GUNSHOT WOUND #1** is located in the left arm. It enters the back of the left upper arm 16 inches below the top of the head. It measures approximately .38 inches in diameter. This bullet continues back to front and slightly upward to exit the anterior left upper arm 15 ½ inches below the top of the head. The exit wound is somewhat stellate.
2. **GUNSHOT WOUND #2** is located in the right lower torso/upper hip. It is a perforating wound. The bullet path continues back to front and remains superficial. It is nonfatal and this is located 31 inches below the top of the head. The entrance wound is 10 inches to the right of midline and the exit wound is 8 inches to the left of midline.
3. **GUNSHOT WOUND #3** The entrance wound is located in the left back 17 inches below the top of the head and 1 inch to the left of midline. It measures 0.38 inches in diameter. The bullet path continues left to right and upward to perforate the upper and middle lobes of the right lung. It exits the right chest and is found under the skin in the right axilla. It is retrieved, photographed and sealed for evidence. This causes a right hemothorax (1300 cc).
4. **GUNSHOT WOUND#4** The entrance wound is located in the back 18 inches below the top of the head and 5 inches to the right of midline. It measures 0.38 inches in diameter. The bullet path continues back to front and upward to remain superficial. It does not enter the chest cavity. It is found in the right upper arm. It is retrieved, photographed and sealed for evidence.

**DISSECTION:** The usual Y-shaped incision is made. The panniculus of the chest and abdomen shows no contusion. The abdominal cavity, left pleural cavity and pericardial sac contain no excessive fluid. There is a right hemothorax (1300 cc). There are pleural adhesions on the right. The structures of the anterior neck maintain symmetry. The hyoid bone is intact. The trachea and larynx are patent. The strap muscles are without contusion.

**NOTE:** No soot, tattooing nor stippling is present around the entrance wounds.

## DESCRIPTION OF INTERNAL ORGANS

**THYROID:** The thyroid gland weighs 30 grams. It maintains symmetry of its reddish-brown firm parenchyma.

FA17-071

Page 4 of 5

James Henderson

Report by: J.E. Ross, M.D.

**HEART:** The heart weighs 430 grams. The coronary arteries are patent. The myocardium is reddish-brown and firm. The valves are grossly unremarkable. There is biventricular hypertrophy and dilatation.

**LUNGS:** The right lung weighs 290 grams with perforation of the upper and middle lobes. The left lung weighs 412 grams. The arterial trees are patent. The tracheobronchial trees contain a slight amount of frothy fluid. The parenchyma is purplish-red and firm.

**LIVER:** The liver weighs 1710 grams. Its capsule is smooth and glistening. Sections show purplish-gray parenchyma.

**GALLBLADDER AND DUCTS:** The gallbladder is present.

**SPLEEN:** The spleen weighs 100 grams. Its capsule is smooth and glistening. Sections show purplish-red parenchyma.

**PANCREAS:** The pancreas weighs 190 grams. It maintains its usual yellowish-tan nodular parenchyma.

**ADRENALS:** Unremarkable.

**KIDNEYS:** The right kidney weighs 140 grams. The left kidney weighs 130 grams. Their capsules strip with ease to show smooth cortical surfaces. Sections show the usual cortical medullary ratios bilaterally. The ureters, urinary bladder and prostate gland are without significant pathology. The bladder contains 3 cc of cloudy yellow urine.

**GI TRACT:** Unremarkable. The stomach contains 100 cc of thick tan fluid and pieces of white noodles. The appendix is identified.

**MUSCULOSKELETAL SYSTEM:** Without significant pathology other than the gunshot wounds.

**CENTRAL NERVOUS SYSTEM:** The scalp is reflected and the calvarium is removed. The brain is removed in the usual manner and maintains symmetry of the cerebrum, cerebellum, pons and medulla. The brain weighs 1360 grams. Sections show the gray and white matter in the usual anatomic design. The blood vessels at the base of the brain appear patent.

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CHESTERFIELD COUNTY, SCA True Copy Attest  
Christy S. Shaddy

406

FA17-071

James Henderson

Report by: J.E. Ross, M.D

### CASE SUMMARY

This autopsy was done upon the request of and after due authorization by the Chesterfield County Coroner in the Newberry County Memorial Hospital Morgue on 01/23/2017 at approximately 8:30 AM.

Autopsy findings include multiple gunshot wounds:


- A. Fatal, penetrating gunshot wound (#3) of the back which lacerates the upper and middle lobes of the right lung causing a right hemothorax (1300 cc) and is recovered from the right axilla.
- B. Superficial, penetrating gunshot wound (#4) of the back which is recovered from the right arm: nonfatal.
- C. Superficial, perforating gunshot wound (#1) of the left arm: nonfatal
- D. Superficial, perforating gunshot wound (#2) of the right lateral torso: nonfatal.

An additional finding is cardiomegaly.

Sections of all organs demonstrate the before mentioned findings. Specimens are drawn for toxicological analysis. If a positive analysis is submitted to this prosecutor, an amended opinion may be necessary.

It is the opinion of this prosecutor after review of the history and autopsy findings on this victim that the cause of death is exsanguination, due to laceration of the lung, due to gunshot wound of the back.

The manner of death is homicide.

  
 \_\_\_\_\_  
 Janice E. Ross, M.D.  
 Forensic Pathologist

1/24/17  
Date Signed

CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

*Christy S. Stacey*

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JER:ajg  
01/23/2017

**EVIDENCE TRANSFER**

The following items were transferred on 01/24/2017 PM  
 (Date) (Time)

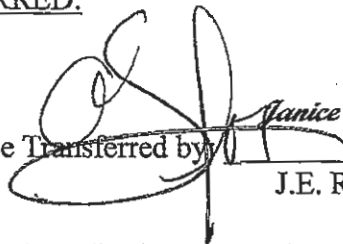
Name of decedent: James E. Henderson, Jr. Autopsy No: FA17-071

Transferred from: Newberry Pathology Associates, 185 Executive Dr, Newberry, SC 29108

**DESCRIPTION OF EVIDENCE TRANSFERRED:**

1. CD Autopsy Photos

Evidence Transferred by



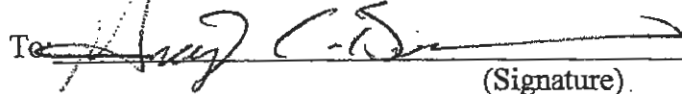
*Janice E. Ross, M.D.*

J.E. Ross, M.D.

Representing: Newberry Pathology Associates, P.A.

Evidence Transferred

To



(Signature)

Print Name:

Gregory C. Burns

Representing: Chesterfield County Sheriff's Office

Address: 203 Watson Street, Chesterfield, S. C. 29709

Telephone #: 843-623-2101

**Note: Please sign and fax to our office. Fax#: 803-276-0208**

A True Copy Attest  
*Christy S. Shaddy*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

NAME OF DECEDENT: James E. Henderson, Jr.

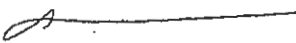
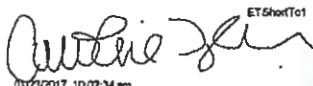
DATE: 1/23/2017

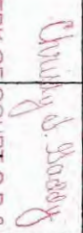
AUTOPSY NUMBER: FA17-071 RACE: Black AGE: 28 SEX: Male

PATHOLOGIST(S): Janice E. Ross, M.D.

EVIDENCE TRANSFER FORM

The following listed items were transferred at NEWBERRY PATHOLOGY ASSOCIATES, Newberry, S.C. 29108

Qty	Toxicology
2	Grey top test tube(s) of blood from ILLIAC VEIN
	Grey top test tube(s) of blood from INF VENA CAVA
	Grey top test tube(s) of blood from AORTA
	Grey top test tube(s) of blood from Left VENTRICLE
	Grey top test tube(s) of chest fluid
	Red top test tube BILE
1	Red top test tube VITREOUS
1	Bottle URINE
	Bottle BLOOD
1	Bottle GASTRIC
	Bottle tissue—BRAIN
	Bottle tissue—LIVER
	Medication(s)
	SEROLOGY
1	Lavender top test tube(s) BLOOD
	BALLISTICS
3	SEALED PLASTIC BAGS WITH BULLETS AND/OR FRAGMENTS
<p>EVIDENCE TRANSFERRED BY:  <small>ETShorBy1</small>  Janice E. Ross, M.D. <small>01/23/2017 10:01:02 am</small></p>	
<p>EVIDENCE TRANSFERRED TO:</p> <p>PRINT NAME: CAROLINE TYLER <small>Signature</small>  <small>ETShorTot</small>  <small>01/23/2017 10:02:34 am</small></p> <p>DATE: 01/23/2017</p>	
<p>REPRESENTING:  CHESTERFIELD CO. SHERIFF'S OFFICE <small>(Name)</small> <span style="float: right;">843-623-2101 <small>(Phone#)</small></span></p>	

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CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY SC

HENRY MCMASTER  
Governor



MARK A. KEEL  
Chief

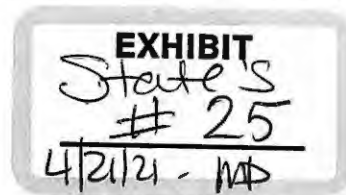
Caroline Tyler  
Chesterfield County Sheriff's Office  
200 Main Street  
Chesterfield, SC 29709

**FIREARMS DEPARTMENT**  
November 29, 2018  
SLED LAB: L17-01188  
Your Case No: 170206  
Incident Date: 1/21/2017  
[V-Deceased] James Henderson, Jr.

This is an official report of the South Carolina Law Enforcement Division Forensic Services Laboratory and is to be used in connection with an official criminal investigation. These examinations were conducted under your assurance that no previous examinations of person(s) or evidence submitted in this case have been or will be conducted by any other laboratory or agency.

Mark A. Keel, Chief  
South Carolina Law Enforcement Division

**ITEMS OF EVIDENCE:**



- Item: 5** One fired 380 Auto caliber cartridge case.
- Item: 7** One fired 380 Auto caliber cartridge case.

**RESULTS:**  
See Item 24 Results.

- Item: 8** One fired bullet described as "...from Rt. Arm".
- Item: 9** One fired bullet described as "...from Rt. Axilla".
- Item: 10** One bullet jacket fragment described as "...from chest".

**RESULTS:**  
Items 8, 9, and 10 were physically examined and, where appropriate, microscopically compared with each other and with bullets test fired by Items 20 and 22 with the following conclusions:

- Physical and microscopic examinations of Items 8 and 9 revealed that they were most consistent with bullets loaded into some 380 Auto caliber cartridges.
- Matching individual identifying characteristics were found, and it was concluded that Items 8 and 9 were fired by the same firearm.



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- Due to differences in class characteristics, Items 8 and 9 were not fired by the Item 20 or Item 22 firearms.
- Items 8 and 9 may be suitable for identification with other firearms related evidence.
- The Item 10 fragment bore no marks of value and was found to be unsuitable for identification.

Items 8 and 9 had been fired through a conventionally rifled barrel with six grooves, right twist. Based on the general rifling characteristics, possible makes and/or origins of firearms in 380 Auto caliber that could have fired Items 8 and 9 includes, but may not be limited to, the following:

BERETTA	CHARTER ARMS	CZECHOSLOVAKIA	DIAMONDBACK
ECHASA	FEG	FMJ (COBRAY)	GRENDEL
HUNGARY	KELTEC	LLAMA	LORCIN
MAUSER	SAUER & SOHN	SIGARMS	SWD.INC
TANFOGLIO	WALTHER		

*This list is not all-inclusive and is provided for investigative assistance only. If a non-listed firearm is recovered, contact the examiner listed below prior to submitting the firearm for examination.*

- Item: 16** One fired 9mm Luger caliber cartridge case.
- Item: 17** One fired 9mm Luger caliber cartridge case.
- Item: 18** One fired 9mm Luger caliber cartridge case.
- Item: 19** One fired 380 Auto caliber cartridge case.

**RESULTS:**

See Item 24 Results.

- Item: 20** One Cobra Enterprises Model CA-380 semiautomatic pistol, 380 Auto caliber, serial number CP103710 with magazine. *Please note that the serial number of Item 20 was incorrectly listed on submission documents.*

**RESULTS:**

Item 20 was physically examined. The pistol was found to be missing the extractor, extractor pin, and the extractor spring; however these missing parts did not interfere with test firing. Item 20 was test fired using the submitted magazine and found to be in working order.

- Item: 20.1** Test specimens fired by Item 20 using Laboratory supplied ammunition.

**RESULTS:**

Test specimens will be retained by the SLED Firearms Department for a period of time and will then be returned to your Agency for long term storage as evidence.



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**Item: 21** Four unfired 380 Auto caliber cartridges. *Please note that Item 21 was incorrectly listed as "... casings..." on submission documents.*

**RESULTS:**

The Item 21 unfired cartridges were physically examined and were found to be the correct caliber for use in Item 20, Item 22, or other firearms chambered for 380 Auto caliber cartridges.

**Item: 22** One Cobra Model FS380 semiautomatic pistol, 380 Auto caliber, serial number FS111321 with magazine.

**RESULTS:**

Item 22 was physically examined. The pistol was test fired using the submitted magazine and found to be in working order.

**Item: 22.1** Test specimens fired by Item 22 using Laboratory supplied ammunition.

**RESULTS:**

Test specimens will be retained by the SLED Firearms Department for a period of time and will then be returned to your Agency for long term storage as evidence.

**Item: 22.2** Debris collected from the muzzle and the left side of the muzzle end of the slide.

**RESULTS:**

Reddish brown material was removed from Item 22, labeled Item 22.2, and packaged for return with Item 22 without analysis.

**Item: 23** Seven unfired 380 Auto caliber cartridges. *Please note that Item 23 was incorrectly listed as "... casings..." on submission documents.*

**RESULTS:**

The Item 23 unfired cartridges were physically examined and were found to be the correct caliber for use in Item 20, Item 22, or other firearms chambered for 380 Auto caliber cartridges.

**Item: 24** One fired 380 Auto caliber cartridge case described as "...found at crime scene by suspect".

**RESULTS:**

Items 5, 7, 16 through 19, and 24 were physically examined and microscopically compared with each other and with cartridge cases test fired by Items 20 and 22 with the following conclusions:

- Matching individual identifying characteristics were found, and it was concluded that Items 5, 7, and 24 were fired by one firearm.
- Matching individual identifying characteristics were found, and it was concluded that Items 16, 17, and 18 were fired by a second firearm.
- Due to differences in class and individual characteristics, Item 19 was fired by a third



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November 29, 2018

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firearm. Item 19 was not fired by the firearm that fired Items 5, 7, and 24, or by the firearm that fired Items 16 through 18.

- Items 5, 7, and 24, Items 16 through 18, and Item 19 were not fired by Items 20 or 22 due to differences in class and individual characteristics.
- Items 5, 7, 16 through 19, and 24 may be suitable for identification with other firearms related evidence.

Items 18, 19, 20, 22, and 24 were entered into the Integrated Ballistics Identification System (IBIS). Should any leads be developed, your Agency will be notified. Please retain the evidence for a minimum of two years in order to maintain its availability for future comparisons related to IBIS activity.

*This report contains the conclusions, opinions and interpretations of the analyst whose signature appears below.*



Suzann F. Cromer  
Forensic Scientist

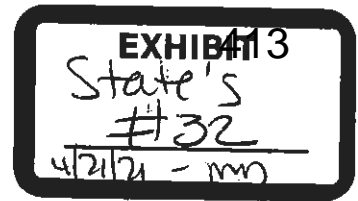


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CERTIFICATION

I hereby certify, to the best of my knowledge, information, and belief, that:

My name is Zachary Olberding. I am a United States citizen and I am over eighteen years of age. I am the custodian of records of the business named below, or I am otherwise qualified as a result of my position with the business named below to make this decision.

I am in receipt of a Court Order / Search Warrant requesting specified records of the business named below. This certification is for documents provided on 01/22/2017 for the following number 3475643467

in regards to Sprint case number 2017-015090. I hereby certify that the records attached hereto:

1. were made at or near the time of the occurrence of the matters set forth in the records, by, or from information transmitted by, a person with knowledge of those matters;
2. were kept in the course of the regularly conducted business activity; and
3. were made by the regularly conducted business activity as a regular practice.

I declare under penalty of perjury the foregoing is true and correct.

Executed on 08/19/2019.

Zachary Olberding  
Electronic Surveillance Technician  
Sprint

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EXHIBIT  
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#33  
4/21/21 - mo

CALLING_NBR	CALLED_NBR	DIALED_DIGITS	M_R_#	START_DATE	END_DATE	DURATION (SEC)	Call_Type	NCD	1ST_CELL	LAST_CELL
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(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 00:55:14		0	WiFi	227	0	0
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CALLING_NBR	CALLED_NBR	DIALED_DIGITS	M_R #	START_DATE	END_DATE	DURATION (SEC)	Call_Type	NEID	1ST_CELL	LAST_CELL
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(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 01:33:15		0	WiFi	226	0	0

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CALLING_NBR	CALLED_NBR	DIALED_DIGITS	M_R_#	START_DATE	END_DATE	DURATION(SEC)	Call_Type	NEID	1ST_CELL	LAST_CELL
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(347) 564-3467	(843) 456-3135		Outgoing	01/21/2017 07:12:40		0	WiFi	197	0	0
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(347) 564-3467	(843) 439-4767		Outgoing	01/21/2017 07:14:57		0	WiFi	191	0	0
(347) 564-3467	(843) 703-9566		Outgoing	01/21/2017 07:15:07		0	WiFi	198	0	0
(347) 564-3467	(843) 703-9566		Outgoing	01/21/2017 07:15:11		0	WiFi	193	0	0
(843) 703-9566	(347) 564-3467		Incoming	01/21/2017 07:16:01		0	WiFi	226	0	0
(843) 439-4767	(347) 564-3467		Incoming	01/21/2017 07:17:09		0	WiFi	226	0	0
(347) 564-3467	(843) 703-9566		Outgoing	01/21/2017 07:17:10		0	WiFi	197	0	0
(347) 564-3467	(843) 439-4767		Outgoing	01/21/2017 07:17:33		0	WiFi	195	0	0
(347) 564-3467	(843) 439-4767		Outgoing	01/21/2017 07:17:42		0	WiFi	227	0	0
(843) 439-4767	(347) 564-3467		Incoming	01/21/2017 07:18:03		0	WiFi	226	0	0
(347) 564-3467	(843) 456-3135		Outgoing	01/21/2017 07:18:05		0	WiFi	228	0	0
(843) 703-9566	(347) 564-3467		Incoming	01/21/2017 07:19:54		0	WiFi	226	0	0
(347) 564-3467	(843) 703-9566		Outgoing	01/21/2017 07:20:25		0	WiFi	227	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 07:23:04		0	WiFi	226	0	0
(843) 703-9566	(347) 564-3467		Incoming	01/21/2017 07:23:47		0	WiFi	226	0	0
(347) 564-3467	(843) 703-9566		Outgoing	01/21/2017 07:24:25		0	WiFi	195	0	0
(843) 456-3135	(347) 564-3467		Incoming	01/21/2017 07:25:04		0	WiFi	226	0	0
(843) 703-9566	(347) 564-3467		Incoming	01/21/2017 07:25:42		0	WiFi	226	0	0
(347) 564-3467	(843) 703-9566		Outgoing	01/21/2017 07:26:28		0	WiFi	196	0	0
(347) 564-3467	(843) 456-3135		Outgoing	01/21/2017 07:26:35		0	WiFi	198	0	0
(843) 703-9566	(347) 564-3467		Incoming	01/21/2017 07:28:10		0	WiFi	226	0	0
(347) 564-3467	(843) 703-9566		Outgoing	01/21/2017 07:36:17		0	WiFi	229	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 07:38:30		0	WiFi	226	0	0
(843) 456-3135	(347) 564-3467		Incoming	01/21/2017 07:50:26		0	WiFi	226	0	0
(347) 564-3467	(843) 439-4767		Outgoing	01/21/2017 07:57:22		0	Text Detail	198	0	0
(347) 564-3467	(843) 456-3135		Outgoing	01/21/2017 08:01:41		0	Text Detail	197	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 08:58:15		0	WiFi	228	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 08:59:12		0	WiFi	226	0	0
(701) 210-1202	(347) 564-3467		Incoming	01/21/2017 09:01:21		0	WiFi	226	0	0
(347) 564-3467	(846) 821-7265		Outgoing	01/21/2017 09:01:49		0	WiFi	195	0	0
(347) 564-3467	(701) 210-1202		Outgoing	01/21/2017 09:02:08		0	WiFi	197	0	0
(701) 210-1202	(347) 564-3467		Incoming	01/21/2017 09:03:24		0	WiFi	226	0	0
(347) 564-3467	(701) 210-1202		Outgoing	01/21/2017 09:03:45		0	WiFi	227	0	0
(701) 210-1202	(347) 564-3467		Incoming	01/21/2017 09:05:17		0	Text Detail	226	0	0
(347) 564-3467	(701) 210-1202		Outgoing	01/21/2017 09:05:48		0	Text Detail	198	0	0
(701) 210-1202	(347) 564-3467		Incoming	01/21/2017 09:07:29		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 09:08:04		0	Text Detail	226	0	0

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*Christy D. Moody*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY SC

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CALLING_NBR	CALLED_NBR	DIALED_DIGITS	M_R #	START DATE	END_DATE	DURATION (SEC)	Call Type	NEID	1ST_CELL	LAST_CELL
(701) 210-1202	(347) 564-3467		Incoming	01/21/2017 09:11:36		0	Text Detail	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 09:22:39		0	Text Detail	196	0	0
(347) 564-3467	(701) 210-1202		Outgoing	01/21/2017 09:22:55		0	Text Detail	195	0	0
(347) 564-3467	(701) 210-1202		Outgoing	01/21/2017 09:22:58		0	Text Detail	195	0	0
(347) 564-3467	(701) 210-1202		Outgoing	01/21/2017 09:23:04		0	Text Detail	197	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 09:23:38		0	Text Detail	226	0	0
(701) 210-1202	(347) 564-3467		Incoming	01/21/2017 09:23:46		0	Text Detail	226	0	0
(347) 564-3467	(701) 210-1202		Outgoing	01/21/2017 09:25:42		0	Text Detail	195	0	0
(701) 210-1202	(347) 564-3467		Incoming	01/21/2017 09:26:13		0	Text Detail	226	0	0
(701) 210-1202	(347) 564-3467		Incoming	01/21/2017 09:37:02		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 09:43:19		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 09:43:53		0	Text Detail	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 09:45:08		0	Text Detail	196	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 09:48:30		0	WiFi	226	0	0
(347) 564-3467	(701) 210-1202		Outgoing	01/21/2017 09:49:23		0	WiFi	229	0	0
(846) 821-7265	(347) 564-3467		Incoming	01/21/2017 09:55:14		0	WiFi	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 10:06:47		0	WiFi	226	0	0
(701) 210-1202	(347) 564-3467		Incoming	01/21/2017 10:13:41		0	WiFi	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 10:16:19		0	WiFi	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 10:16:22		0	WiFi	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 10:17:39		0	WiFi	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 10:23:11		0	WiFi	226	0	0
(701) 210-1202	(347) 564-3467		Incoming	01/21/2017 10:24:55		0	WiFi	197	0	0
(347) 564-3467	(843) 535-7189	(501) 243-5408	Outgoing	01/21/2017 10:25:02		0	WiFi	197	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 10:25:02		0	WiFi	197	0	0
(347) 564-3467	(701) 210-1202		Outgoing	01/21/2017 10:25:19		0	WiFi	228	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 10:30:17		0	WiFi	226	0	0
(347) 564-3467	(501) 243-5408	(501) 243-5408	Undetermined	01/21/2017 10:33:40	01/21/2017 10:44:33	653	Voice	125	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 10:39:32		0	WiFi	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 10:40:14		0	WiFi	197	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 10:49:11		0	WiFi	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 10:49:33		0	WiFi	229	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 10:50:13		0	WiFi	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 10:50:32		0	WiFi	226	0	0
(347) 564-3467	(843) 287-4982		Outgoing	01/21/2017 10:50:49		0	WiFi	226	0	0
(347) 564-3467	(843) 287-4982		Outgoing	01/21/2017 10:50:52		0	WiFi	198	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 10:51:22		0	WiFi	226	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 10:58:20		0	WiFi	226	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 10:58:37		0	WiFi	193	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 11:01:09		0	WiFi	226	0	0
(843) 287-4982	(347) 564-3467		Incoming	01/21/2017 11:01:39		0	WiFi	226	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 11:05:31		0	Text Detail	195	0	0
(347) 564-3467	(843) 287-4982		Outgoing	01/21/2017 11:05:46		0	Text Detail	196	0	0
(843) 287-4982	(347) 564-3467		Incoming	01/21/2017 11:06:01		0	Text Detail	226	0	0
(843) 287-4982	(347) 564-3467		Incoming	01/21/2017 11:06:04		0	Text Detail	226	0	0
(347) 564-3467	(846) 821-7265		Outgoing	01/21/2017 11:06:19		0	Text Detail	196	0	0
(347) 564-3467	(843) 287-4982		Outgoing	01/21/2017 11:07:08		0	Text Detail	195	0	0
(701) 210-1202	(347) 564-3467		Incoming	01/21/2017 11:07:27		0	Text Detail	226	0	0
(347) 564-3467	(701) 210-1202		Outgoing	01/21/2017 11:08:28		0	Text Detail	197	0	0
(843) 862-7027	(347) 564-3467		Incoming	01/21/2017 11:09:29		0	Text Detail	226	0	0
(843) 287-4982	(347) 564-3467		Incoming	01/21/2017 11:10:04		0	Text Detail	226	0	0
(843) 287-4982	(347) 564-3467		Incoming	01/21/2017 11:13:33		0	Text Detail	226	0	0
(846) 821-7265	(347) 564-3467		Incoming	01/21/2017 11:16:33		0	Text Detail	226	0	0
(347) 564-3467	(846) 821-7265		Outgoing	01/21/2017 11:17:33		0	Text Detail	198	0	0

CHESTERFIELD COUNTY, SC  
 CLERK OF COURT C.P. & G.S.  
 A True Copy Attest  
 Cheryl D. Shockey

CALLING_NBR	CALLED_NBR	DIALED_DIGITS	M_R_#	START_DATE	END_DATE	DURATION(SEC)	Call_Type	NEID	1ST_CELL	LAST_CELL
(846) 821-7265	(347) 564-3467		Incoming	01/21/2017 11:18:28		0	Text Detail	226	0	0
(347) 564-3467	(846) 821-7265		Outgoing	01/21/2017 11:25:55		0	Text Detail	195	0	0
(846) 821-7265	(347) 564-3467		Incoming	01/21/2017 11:27:19		0	Text Detail	226	0	0
(347) 564-3467	(846) 821-7265		Outgoing	01/21/2017 11:28:01		0	Text Detail	198	0	0
(347) 564-3467	(843) 287-4982		Outgoing	01/21/2017 11:28:21		0	Text Detail	198	0	0
(846) 821-7265	(347) 564-3467		Incoming	01/21/2017 11:28:42		0	Text Detail	226	0	0
(843) 287-4982	(347) 564-3467		Incoming	01/21/2017 11:30:26		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 11:51:12		0	Text Detail	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 11:51:43		0	Text Detail	197	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 11:53:34		0	Text Detail	226	0	0
(347) 564-3467	(843) 862-9271		Outgoing	01/21/2017 11:58:57		0	WiFi	198	0	0
(843) 862-9271	(347) 564-3467		Incoming	01/21/2017 12:12:11		0	WiFi	226	0	0
(701) 210-1202	(347) 564-3467		Incoming	01/21/2017 12:12:46		0	WiFi	226	0	0
(347) 564-3467	(843) 862-7027		Outgoing	01/21/2017 12:12:59		0	WiFi	191	0	0
(347) 564-3467	(701) 210-1202		Outgoing	01/21/2017 12:13:18		0	WiFi	193	0	0
(701) 210-1202	(347) 564-3467		Incoming	01/21/2017 12:14:08		0	WiFi	226	0	0
(843) 862-7027	(347) 564-3467		Incoming	01/21/2017 12:21:37		0	WiFi	226	0	0
(347) 564-3467	(843) 862-7027		Outgoing	01/21/2017 12:22:15		0	WiFi	195	0	0
(843) 862-7027	(347) 564-3467		Incoming	01/21/2017 12:22:54		0	WiFi	226	0	0
(347) 564-3467	(843) 862-7027		Outgoing	01/21/2017 12:25:18		0	WiFi	195	0	0
(843) 439-4767	(347) 564-3467		Incoming	01/21/2017 12:27:18		0	WiFi	226	0	0
(347) 564-3467	(843) 439-4767		Outgoing	01/21/2017 12:33:37		0	WiFi	191	0	0
(843) 862-7027	(347) 564-3467		Incoming	01/21/2017 12:40:31		0	WiFi	226	0	0
(843) 862-7027	(347) 564-3467		Incoming	01/21/2017 12:41:00		0	WiFi	226	0	0
(347) 564-3467	(843) 862-9271		Outgoing	01/21/2017 12:41:41		0	WiFi	227	0	0
(843) 862-9271	(347) 564-3467		Incoming	01/21/2017 12:42:23		0	WiFi	226	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 12:44:45		0	WiFi	226	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 12:50:40		0	WiFi	229	0	0
(347) 564-3467	(501) 243-5471	(501) 243-5471	Undetermined	01/21/2017 13:10:34	01/21/2017 13:11:41	67	Voice	124	0	0
(347) 564-3467	(843) 439-4767	(843) 439-4767	Outgoing	01/21/2017 13:25:24	01/21/2017 13:25:45	21	WiFi	477	0	0
(347) 564-3467	(501) 243-5211	(501) 243-5211	Undetermined	01/21/2017 13:26:23	01/21/2017 13:26:57	34	Voice	125	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 13:35:56		0	Text Detail	228	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 13:36:48		0	WiFi	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 13:46:23		0	Text Detail	198	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 13:48:36		0	Text Detail	198	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 13:49:02		0	Text Detail	228	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 13:51:11		0	WiFi	226	0	0
(347) 564-3467	(501) 243-5240	(501) 243-5240	Undetermined	01/21/2017 14:28:29	01/21/2017 14:31:30	181	Voice	124	0	0
(347) 564-3467	(846) 821-7265		Outgoing	01/21/2017 15:15:08		0	Text Detail	196	0	0
(846) 821-7265	(347) 564-3467		Incoming	01/21/2017 15:16:01		0	Text Detail	226	0	0
(347) 564-3467	(846) 821-7265		Outgoing	01/21/2017 15:19:13		0	Text Detail	198	0	0
(846) 821-7265	(347) 564-3467		Incoming	01/21/2017 15:19:39		0	Text Detail	226	0	0
(347) 564-3467	(846) 821-7265		Outgoing	01/21/2017 15:20:13		0	Text Detail	197	0	0
(846) 821-7265	(347) 564-3467		Incoming	01/21/2017 15:21:09		0	WiFi	226	0	0
(347) 564-3467	(846) 821-7265		Outgoing	01/21/2017 15:21:47		0	WiFi	191	0	0
(347) 564-3467	(501) 243-5485	(501) 243-5485	Outgoing	01/21/2017 15:23:06	01/21/2017 15:23:30	24	Voice	125	0	0
(347) 564-3467	(910) 379-4803		Outgoing	01/21/2017 15:57:38		0	Text Detail	195	0	0
(347) 564-3467	(843) 703-9566		Outgoing	01/21/2017 16:34:13		0	Text Detail	198	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 16:48:42		0	Text Detail	226	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 16:50:58		0	Text Detail	226	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 16:51:28		0	Text Detail	197	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 16:55:08		0	Text Detail	226	0	0
(347) 564-3467	(929) 342-2419		Outgoing	01/21/2017 16:55:19		0	Text Detail	195	0	0

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SPRINT CORPORATION

CHESTERFIELD COUNTY, SC  
 CLERK OF COURT C.R. & G.S.  
 Cheryl D. Shaddy  
 A True Copy Attest

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CALLING_NBR	CALLED_NBR	DIALED_DIGITS	M_R_#	START_DATE	END_DATE	DURATION (SEC)	Call Type	NEID	1ST_CELL	LAST_CELL
(347) 564-3467	(929) 342-2419		Outgoing	01/21/2017 16:55:22		0	Text Detail	198	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 16:55:48		0	Text Detail	226	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 16:57:03		0	Text Detail	226	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 16:57:44		0	Text Detail	226	0	0
(347) 564-3467	(501) 243-5435	(501) 243-5435	Undetermined	01/21/2017 17:06:40	01/21/2017 17:07:11	31	Voice	125	0	0
(910) 217-3580	(347) 564-3467	(347) 564-3467	Incoming	01/21/2017 17:06:55	01/21/2017 17:07:15	20	Voice	216	32195	32195
(347) 564-3467	(910) 217-3580	(910) 217-3580	Outgoing	01/21/2017 17:07:49	01/21/2017 17:08:58	69	Voice	216	32195	32195
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 17:21:39		0	Text Detail	195	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 17:21:44		0	Text Detail	197	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 17:22:28		0	Text Detail	226	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 17:44:05		0	Text Detail	198	0	0
(843) 456-3135	(347) 564-3467		Incoming	01/21/2017 17:59:01		0	Text Detail	226	0	0
(347) 585-2727	(347) 564-3467		Incoming	01/21/2017 18:13:24		0	Text Detail	226	0	0
(347) 585-2727	(347) 564-3467		Incoming	01/21/2017 18:14:18		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 18:17:11		0	Text Detail	226	0	0
(347) 564-3467	(843) 456-3135		Outgoing	01/21/2017 18:17:12		0	Text Detail	195	0	0
(347) 564-3467	(347) 585-2727		Outgoing	01/21/2017 18:17:34		0	Text Detail	196	0	0
(843) 456-3135	(347) 564-3467		Incoming	01/21/2017 18:17:50		0	Text Detail	226	0	0
(347) 585-2727	(347) 584-3467		Incoming	01/21/2017 18:21:26		0	Text Detail	226	0	0
(347) 585-2727	(347) 564-3467		Incoming	01/21/2017 18:21:53		0	Text Detail	226	0	0
(347) 585-2727	(347) 564-3467		Incoming	01/21/2017 18:22:09		0	Text Detail	226	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 18:36:16		0	Text Detail	226	0	0
(646) 821-7265	(347) 564-3467		Incoming	01/21/2017 18:41:21		0	Text Detail	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 18:42:22		0	Text Detail	198	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 18:42:23		0	Text Detail	198	0	0
(347) 564-3467	(843) 456-3135		Outgoing	01/21/2017 18:42:24		0	Text Detail	196	0	0
(347) 564-3467	(646) 821-7265		Outgoing	01/21/2017 18:42:51		0	Text Detail	197	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 18:42:52		0	Text Detail	196	0	0
(347) 564-3467	(347) 585-2727		Outgoing	01/21/2017 18:43:02		0	Text Detail	198	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 18:43:36		0	Text Detail	226	0	0
(646) 821-7265	(347) 564-3467		Incoming	01/21/2017 18:43:37		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 18:44:50		0	Text Detail	226	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 18:46:57		0	Text Detail	226	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 18:50:37		0	Text Detail	197	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 18:50:52		0	Text Detail	197	0	0
(347) 564-3467	(646) 821-7265		Outgoing	01/21/2017 18:51:18		0	Text Detail	197	0	0
(347) 585-2727	(347) 564-3467		Incoming	01/21/2017 18:52:44		0	Text Detail	226	0	0
(347) 564-3467	(347) 585-2727		Outgoing	01/21/2017 18:54:00		0	Text Detail	198	0	0
(347) 585-2727	(347) 564-3467		Incoming	01/21/2017 18:55:01		0	Text Detail	226	0	0
(347) 585-2727	(347) 564-3467		Incoming	01/21/2017 18:55:14		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 18:56:26		0	Text Detail	226	0	0
(843) 439-4767	(347) 564-3467		Incoming	01/21/2017 19:00:17		0	Text Detail	226	0	0
(347) 564-3467	(843) 439-4767		Outgoing	01/21/2017 19:01:23		0	Text Detail	198	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 19:01:40		0	Text Detail	198	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 19:01:57		0	Text Detail	196	0	0
(843) 439-4767	(347) 564-3467		Incoming	01/21/2017 19:02:14		0	Text Detail	226	0	0
(347) 564-3467	(843) 703-9568		Outgoing	01/21/2017 19:02:18		0	Text Detail	196	0	0
(347) 564-3467	(843) 439-4767		Outgoing	01/21/2017 19:02:36		0	Text Detail	197	0	0
(646) 821-7265	(347) 564-3467		Incoming	01/21/2017 19:04:03		0	Text Detail	226	0	0
(843) 439-4767	(347) 564-3467		Incoming	01/21/2017 19:05:08		0	Text Detail	226	0	0
(347) 564-3467	(843) 439-4767		Outgoing	01/21/2017 19:10:55		0	Text Detail	197	0	0
(701) 210-1202	(347) 564-3467		Incoming	01/21/2017 19:17:26		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 19:20:28		0	Text Detail	226	0	0

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 CHESTERFIELD COUNTY, SC

CALLING_NBR	CALLED_NBR	DIALED_DIGITS	M_R_#	START_DATE	END_DATE	DURATION(SEC)	Call_Type	NEID	1ST_CELL	LAST_CELL
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 19:20:33		0	Text Detail	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 19:21:00		0	Text Detail	195	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 19:21:01		0	Text Detail	197	0	0
(347) 564-3467	(910) 852-0248	(910) 852-0248	Outgoing	01/21/2017 19:22:24	01/21/2017 19:22:31	7	Voice	216	42195	42195
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 19:36:33		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 19:36:34		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 19:36:35		0	Text Detail	226	0	0
(347) 564-3467	(910) 217-3580		Outgoing	01/21/2017 19:39:23		0	Text Detail	195	0	0
(910) 217-3580	(347) 564-3467		Incoming	01/21/2017 19:39:58		0	Text Detail	226	0	0
(347) 564-3467	(843) 439-4767		Outgoing	01/21/2017 19:39:59		0	Text Detail	198	0	0
(347) 585-2727	(347) 564-3467		Incoming	01/21/2017 19:41:42		0	Text Detail	226	0	0
(347) 564-3467	(501) 243-5464	(501) 243-5464	Undetermined	01/21/2017 19:41:57	01/21/2017 19:42:29	32	Voice	125	0	0
(347) 564-3467	(910) 217-3580		Outgoing	01/21/2017 19:42:33		0	Text Detail	196	0	0
(347) 564-3467	(910) 217-3580		Incoming	01/21/2017 19:42:55		0	Text Detail	226	0	0
(910) 217-3580	(347) 564-3467		Outgoing	01/21/2017 19:43:39	01/21/2017 19:48:27	288	Voice	124	0	0
(347) 564-3467	(501) 243-5243	(501) 243-5243	Undetermined	01/21/2017 19:43:39	01/21/2017 19:48:28	285	Voice	216	32195	32195
(910) 217-3580	(347) 564-3467	(347) 564-3467	Incoming	01/21/2017 19:43:43		0	Text Detail	195	0	0
(347) 564-3467	(347) 585-2727		Outgoing	01/21/2017 19:44:04		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 19:47:48		0	Text Detail	226	0	0
(347) 585-2727	(347) 564-3467		Incoming	01/21/2017 19:50:04		0	Text Detail	226	0	0
(347) 564-3467	(910) 852-0248	(910) 852-0248	Outgoing	01/21/2017 19:55:21	01/21/2017 19:55:37	16	Voice	216	32195	32195
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 20:01:58		0	Text Detail	226	0	0
(347) 564-3467	(347) 585-2727	(1347) 585-2727	Outgoing	01/21/2017 20:03:27	01/21/2017 20:03:30	3	Voice	216	32195	32195
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 20:03:43		0	Text Detail	226	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 20:08:05		0	Text Detail	226	0	0
(347) 564-3467	(843) 862-9271		Outgoing	01/21/2017 20:08:47		0	Text Detail	196	0	0
(347) 585-2727	(347) 564-3467		Incoming	01/21/2017 20:08:47		0	Text Detail	226	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 20:10:11		0	Text Detail	196	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 20:10:40		0	Text Detail	226	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 20:10:50		0	Text Detail	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 20:11:06		0	Text Detail	195	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 20:11:07		0	Text Detail	198	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 20:11:43		0	Text Detail	226	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 20:12:00		0	Text Detail	198	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 20:12:02		0	Text Detail	196	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 20:12:18		0	Text Detail	198	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 20:12:38		0	Text Detail	198	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 20:13:28		0	Text Detail	226	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 20:13:48		0	Text Detail	226	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 20:13:51		0	Text Detail	226	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 20:15:13		0	Text Detail	197	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 20:15:48		0	Text Detail	195	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 20:15:50		0	Text Detail	197	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 20:16:04		0	Text Detail	226	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 20:16:58		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 20:18:35		0	Text Detail	226	0	0
(843) 862-3640	(347) 564-3467	(1347) 564-3467	Undetermined	01/21/2017 20:23:10	01/21/2017 20:23:35	25	WiFi	477	0	0
(347) 564-3467	(843) 456-3135		Outgoing	01/21/2017 20:23:12		0	Text Detail	198	0	0
(843) 862-3640	(347) 564-3467		Incoming	01/21/2017 20:25:49		0	Text Detail	226	0	0
(843) 862-7027	(347) 564-3467		Incoming	01/21/2017 20:26:54		0	Text Detail	226	0	0
(347) 564-3467	(501) 243-5217	(501) 243-5217	Undetermined	01/21/2017 20:35:49	01/21/2017 20:36:26	37	Voice	125	0	0
(347) 564-3467	(501) 243-5214	(501) 243-5214	Outgoing	01/21/2017 20:47:24	01/21/2017 20:47:52	28	Voice	125	0	0
(347) 564-3467	(501) 243-5214	(501) 243-5214	Undetermined	01/21/2017 20:51:58	01/21/2017 20:52:30	32	Voice	125	0	0
(347) 564-3467	(501) 243-5350	(501) 243-5350	Undetermined	01/21/2017 20:52:41	01/21/2017 20:53:14	33	Voice	125	0	0

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CHESTERFIELD COUNTY, SC  
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CALLING_NBR	CALLED_NBR	DIALED_DIGITS	M_R #	START_DATE	END_DATE	DURATION (SEC)	Call Type	NEID	1ST_CELL	LAST_CELL
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 21:15:58		0	Text Detail	195	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 21:16:27		0	Text Detail	226	0	0
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(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 21:22:34		0	Text Detail	197	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 21:22:48		0	Text Detail	197	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 21:23:19		0	Text Detail	197	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 21:23:22		0	Text Detail	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 21:23:51		0	Text Detail	197	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 21:24:28		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 21:27:17		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:09:58		0	Text Detail	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:10:13		0	Text Detail	197	0	0
(347) 564-3467	(917) 717-4862		Outgoing	01/21/2017 22:12:37		0	Text Detail	198	0	0
(347) 564-3467	(917) 717-4862		Outgoing	01/21/2017 22:13:13		0	Text Detail	195	0	0
(347) 564-3467	(501) 243-5354	(501) 243-5354	Undetermined	01/21/2017 22:18:22	01/21/2017 22:18:55	33	Voice	125	0	0
(843) 535-7189	(347) 564-3467	(347) 564-3467	Incoming	01/21/2017 22:18:33	01/21/2017 22:18:54	21	Voice	214	33657	33657
(347) 564-3467	(843) 862-9271	(843) 862-9271	Outgoing	01/21/2017 22:29:23	01/21/2017 22:31:53	150	Voice	214	43657	43657
(347) 564-3467	(501) 243-5336	(501) 243-5336	Undetermined	01/21/2017 22:29:24	01/21/2017 22:31:54	150	SWAT	368	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:35:48		0	Text Detail	196	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:35:49		0	Text Detail	196	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:36:18		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:37:01		0	Text Detail	226	0	0
(347) 564-3467	(501) 243-5462	(501) 243-5462	Undetermined	01/21/2017 22:38:25	01/21/2017 22:39:20	55	Voice	124	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:38:59		0	Text Detail	198	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:39:03		0	Text Detail	196	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:39:25		0	Text Detail	226	0	0
(347) 564-3467	(843) 703-9566	(843) 703-9566	Outgoing	01/21/2017 22:42:30	01/21/2017 22:42:58	28	Voice	214	43657	43657
(347) 564-3467	(501) 243-5251	(501) 243-5251	Undetermined	01/21/2017 22:42:31	01/21/2017 22:42:59	28	SWAT	368	0	0
(347) 564-3467	(843) 703-9566	(843) 703-9566	Outgoing	01/21/2017 22:43:20	01/21/2017 22:43:52	32	Voice	214	43657	43657
(347) 564-3467	(501) 243-5250	(501) 243-5250	Undetermined	01/21/2017 22:43:21	01/21/2017 22:43:52	31	SWAT	368	0	0
(347) 564-3467	(843) 862-9271	(843) 862-9271	Outgoing	01/21/2017 22:48:08	01/21/2017 22:50:03	115	Voice	214	43657	43657
(347) 564-3467	(501) 243-5490	(501) 243-5490	Undetermined	01/21/2017 22:48:10	01/21/2017 22:50:05	115	SWAT	368	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:50:55		0	Text Detail	195	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:51:19		0	Text Detail	226	0	0
(843) 456-3135	(347) 564-3467		Incoming	01/21/2017 22:53:44		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:54:05		0	Text Detail	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:54:28		0	Text Detail	197	0	0
(347) 564-3467	(843) 456-3135		Outgoing	01/21/2017 22:54:37		0	Text Detail	197	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:54:49		0	Text Detail	226	0	0
(843) 456-3135	(347) 564-3467		Incoming	01/21/2017 22:55:10		0	WiFi	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:55:00		0	WiFi	226	0	0
(347) 564-3467	(843) 456-3135		Outgoing	01/21/2017 22:56:31		0	WiFi	192	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:58:27		0	WiFi	197	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:58:46		0	WiFi	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:59:16		0	WiFi	197	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:59:24		0	WiFi	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:59:38		0	WiFi	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 23:01:06		0	WiFi	191	0	0
(347) 564-3467	(910) 544-6970	(910) 544-6970	Outgoing	01/21/2017 23:05:00	01/21/2017 23:10:00	300	Voice	214	33657	33657
(843) 456-3135	(347) 564-3467		Incoming	01/21/2017 23:08:50		0	Text Detail	226	0	0
(347) 564-3467	(843) 456-3135		Outgoing	01/21/2017 23:09:27		0	Text Detail	195	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 23:14:54		0	Text Detail	226	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 23:19:08		0	Text Detail	196	0	0

CALLING_NBR	CALLED_NBR	DIALED_DIGITS	M_R_#	START_DATE	END_DATE	DURATION(SEC)	Call_Type	NEID	1ST_CELL	LAST_CELL
(347) 564-3467	(843) 535-7189	(501) 243-5348	Outgoing	01/22/2017 23:19:12		0	Text Detail	197	0	0
(347) 564-3467	(843) 535-7189	(501) 243-5348	Outgoing	01/22/2017 23:19:27		0	Text Detail	196	0	0
(843) 535-7189	(347) 564-3467	(501) 243-5348	Incoming	01/22/2017 23:19:42		0	Text Detail	225	0	0
(843) 544-0120	(347) 564-3467	(501) 243-5336	Incoming	01/22/2017 23:22:07		0	Text Detail	226	0	0
(347) 564-3467	(501) 243-5336	(501) 243-5336	Outgoing	01/22/2017 23:22:49	01/22/2017 23:23:18	28	Voice	125	0	0
(347) 564-3467	(843) 544-0120	(501) 243-5348	Outgoing	01/22/2017 23:27:22		0	Text Detail	198	0	0
(917) 717-4862	(347) 564-3467	(501) 243-5348	Incoming	01/22/2017 23:45:35		0	Text Detail	226	0	0
(347) 564-3467	(917) 717-4862	(501) 243-5348	Outgoing	01/22/2017 23:46:10		0	Text Detail	196	0	0
(347) 564-3467	(917) 717-4862	(501) 243-5348	Outgoing	01/22/2017 23:46:17		0	Text Detail	195	0	0
(347) 564-3467	(501) 243-5405	(501) 243-5405	Undetermined	01/22/2017 23:55:00	01/22/2017 23:55:33	33	Voice	124	0	0
(347) 564-3467	(910) 852-0248	(910) 852-0248	Undetermined	01/22/2017 00:22:25	01/22/2017 00:22:32	7	WiFi	477	0	0
(347) 564-3467	(843) 439-0271	(843) 439-0271	Outgoing	01/22/2017 00:25:46		0	Text Detail	196	0	0
(347) 564-3467	(843) 439-0271	(843) 439-0271	Outgoing	01/22/2017 00:26:14		0	Text Detail	197	0	0
(701) 210-1202	(347) 564-3467	(347) 564-3467	Incoming	01/22/2017 00:28:27		0	Text Detail	226	0	0
(347) 564-3467	(347) 585-2727	(1347) 585-2727	Undetermined	01/22/2017 01:03:28	01/22/2017 01:03:31	3	WiFi	477	0	0
(843) 456-3135	(347) 564-3467	(347) 564-3467	Incoming	01/22/2017 01:20:45		0	Text Detail	226	0	0
(347) 564-3467	(501) 243-5357	(501) 243-5357	Undetermined	01/22/2017 01:26:23	01/22/2017 01:26:28	5	Voice	125	0	0
(347) 564-3467	(501) 243-5343	(501) 243-5343	Undetermined	01/22/2017 01:26:39	01/22/2017 01:29:10	151	Voice	124	0	0
(347) 564-3467	(501) 243-5454	(501) 243-5454	Undetermined	01/22/2017 01:34:38	01/22/2017 01:41:08	390	Voice	124	0	0
(843) 439-3486	(347) 564-3467	(1347) 564-3467	Undetermined	01/22/2017 01:47:26	01/22/2017 01:47:55	29	WiFi	477	0	0
(843) 862-9880	(347) 564-3467	(347) 564-3467	Incoming	01/22/2017 01:53:37		0	Text Detail	226	0	0
(917) 717-4862	(347) 564-3467	(347) 564-3467	Incoming	01/22/2017 02:23:07		0	Text Detail	226	0	0
(917) 717-4862	(347) 564-3467	(347) 564-3467	Incoming	01/22/2017 02:23:25		0	Text Detail	226	0	0
(347) 564-3467	(501) 243-5348	(501) 243-5348	Outgoing	01/22/2017 02:23:27		0	Text Detail	226	0	0
(347) 564-3467	(501) 243-5348	(501) 243-5348	Outgoing	01/22/2017 02:50:43	01/22/2017 02:50:55	12	Voice	125	0	0
(347) 564-3467	(501) 243-5254	(501) 243-5254	Undetermined	01/22/2017 02:51:30	01/22/2017 02:52:05	35	Voice	124	0	0
(347) 564-3467	(501) 243-5379	(501) 243-5379	Undetermined	01/22/2017 02:54:47	01/22/2017 02:55:06	19	Voice	124	0	0
(347) 564-3467	(501) 243-5497	(501) 243-5497	Outgoing	01/22/2017 03:00:43	01/22/2017 03:00:54	11	Voice	125	0	0
(347) 564-3467	(501) 243-5276	(501) 243-5276	Undetermined	01/22/2017 03:00:43	01/22/2017 03:00:54	34	Voice	125	0	0
(347) 564-3467	(501) 243-5293	(501) 243-5293	Undetermined	01/22/2017 03:26:13	01/22/2017 03:26:35	22	Voice	125	0	0
(347) 564-3467	(501) 243-5315	(501) 243-5315	Undetermined	01/22/2017 03:26:51	01/22/2017 03:27:24	33	Voice	124	0	0
(843) 862-9271	(347) 564-3467	(1347) 564-3467	Undetermined	01/22/2017 04:22:52	01/22/2017 04:23:22	30	WiFi	477	0	0
(843) 862-9271	(347) 564-3467	(1347) 564-3467	Undetermined	01/22/2017 07:50:45	01/22/2017 07:50:58	13	WiFi	477	0	0
(843) 862-9271	(347) 564-3467	(1347) 564-3467	Undetermined	01/22/2017 08:00:46	01/22/2017 08:00:58	12	WiFi	477	0	0


  
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 CHESTERFIELD COUNTY, SC



## Extraction Report



## Summary

UFED Physical Analyzer version	6.0.1.10
Report creation time	3/1/2017 11:16:22 AM -05:00
Time zone settings (UTC)	(UTC-05:00) New_York (America)
Case number	17-0206
Case name	HENDERSON
Examiner name	Sgt Joseph Carnes
Department	Chesterfield County Sheriff's Office
Location	Chesterfield, South Carolina

## Source Extraction

## Device Information

Name	Value
<b>Legacy</b>	
OS Version	6.0.1
Detected Phone Model	SM-G935P
Android fingerprint	samsung/hero2qltespr/hero2qltespr:6.0.1/MMB29M/G935PVPS4APK1:user/release-keys
Detected Phone Vendor	samsung
Mac Address	2C:0E:3D:A5:CD:75
ICCID	89011201002190677140
Phone Activation Time	11/11/2016 9:04:08 PM(UTC+0)
Bluetooth MAC Address	D0:FC:CC:8A:DA:56
Factory number	000000000000
Time Zone	America/New_York
Mock locations allowed	False
Location Services Enabled	True
Sim Change Operation	3
Current Sim Operator Name	Sprint
Current Sim Serial Number	89011201002190677140
Sim Change Time	11/11/2016 9:49:53 PM(UTC+0)
Current Sim Operator	310120
Current Sim Country Iso	us
<b>Tethering</b>	
Last Activation Time	11/22/2016 11:09:59 PM(UTC+0)
Hotspot AP Name	SM-G935PD75
Hotspot Password	3475643467

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*Christy S. Moody*

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EXHIBIT # States 35 utz/y - mm

SMS Messages (66)

\* These details are cross-referenced from this device's contacts

#	Folder	Party	Time	All timestamps	SMSC	Status	Message	Deleted
1	Sent	To 8434397060 Buba*	1/22/2017 1:26:15 AM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0xC50C0 (Table: sms, Size: 3801088 bytes)	Yes
2	Sent	To [REDACTED]	1/21/2017 7:42:24 PM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x284C2E (Table: sms, Size: 3801088 bytes)	Yes
3	Sent	To [REDACTED]	1/21/2017 4:21:49 PM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x30AD60 (Table: sms, Size: 3801088 bytes)	
4	Sent	To [REDACTED]	1/21/2017 2:48:37 PM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x27E2E9 (Table: sms, Size: 3801088 bytes)	
5	Sent	To [REDACTED]	1/20/2017 11:15:16 PM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1F32C3 (Table: sms, Size: 3801088 bytes)	
6	Inbox	From 8434397060 Buba*	1/20/2017 10:40:22 PM(UTC-5)	Network 1/20/2017 10:40:21 PM(UTC-5)	+128196599 99	Read	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1F3771 (Table: sms, Size: 3801088 bytes)	Yes
7	Sent	To [REDACTED]	1/20/2017 10:28:47 PM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1F37E0 (Table: sms, Size: 3801088 bytes)	Yes
8	Sent	To 8434397060 Buba*	1/20/2017 10:28:30 PM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1F3871 (Table: sms, Size: 3801088 bytes)	Yes
9	Inbox	From 8434397060 Buba*	1/20/2017 10:23:05 PM(UTC-5)	Network 1/20/2017 10:22:41 PM(UTC-5)		Read	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1F38E6 (Table: sms, Size: 3801088 bytes)	Yes
10	Sent	To 8434397060 Buba*	1/20/2017 10:22:14 PM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1F3963 (Table: sms, Size: 3801088 bytes)	Yes
11	Sent	To 8434397060 Buba*	1/20/2017 10:22:02 PM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1F39E1 (Table: sms, Size: 3801088 bytes)	Yes
12	Sent	To 8434397060 Buba*	1/20/2017 10:22:01 PM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1F3A64 (Table: sms, Size: 3801088 bytes)	Yes

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13	Inbox	From 8434397060 Buba*	1/20/2017 10:21:12 PM(UTC-5)	Network 1/20/2017 10:21:03 PM(UTC-5)		Read	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1F3AEB (Table: sms, Size: 3801088 bytes)	Yes	
14	Sent	To 8434397060 Buba*	1/20/2017 10:20:45 PM(UTC-5)			Sent	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1F3B49 (Table: sms, Size: 3801088 bytes)	Yes	
15	Sent	To ██████████	1/20/2017 8:34:39 PM(UTC-5)			Sent	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x27D810 (Table: sms, Size: 3801088 bytes)		
<p><b>A True Copy Attest</b> <i>Christy D. Bussey</i> CLERK OF COURT C.P. &amp; G.S. CHESTERFIELD COUNTY, SC</p>									
16	Inbox	From 8434397060 Buba*	1/20/2017 8:00:25 PM(UTC-5)	Network 1/20/2017 8:00:16 PM(UTC-5)		Read	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x27DAB0 (Table: sms, Size: 3801088 bytes)	Yes	
17	Inbox	From 8434397060 Buba*	1/20/2017 7:30:12 PM(UTC-5)	Network 1/20/2017 7:30:03 PM(UTC-5)		Read	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x27DEA7 (Table: sms, Size: 3801088 bytes)	Yes	
18	Sent	To 8434397060 Buba*	1/20/2017 7:27:30 PM(UTC-5)			Sent	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x27DF89 (Table: sms, Size: 3801088 bytes)	Yes	
19	Inbox	From 8434397060 Buba*	1/20/2017 7:26:33 PM(UTC-5)	Network 1/20/2017 7:26:33 PM(UTC-5)	+128196599 99	Read	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1EF1AD (Table: sms, Size: 3801088 bytes)	Yes	
20	Sent	To 8434397060 Buba*	1/20/2017 7:20:17 PM(UTC-5)			Sent	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1EF838 (Table: sms, Size: 3801088 bytes)	Yes	
21	Sent	To 8434397060 Buba*	1/20/2017 7:20:01 PM(UTC-5)			Sent	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1EF954 (Table: sms, Size: 3801088 bytes)	Yes	
22	Inbox	From 8434397060 Buba*	1/20/2017 7:19:50 PM(UTC-5)	Network 1/20/2017 7:19:50 PM(UTC-5)	+128196599 99	Read	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1EF9C5 (Table: sms, Size: 3801088 bytes)	Yes	
23	Sent	To 8434397060 Buba*	1/20/2017 6:58:14 PM(UTC-5)			Sent	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x436767 (Table: sms, Size: 4445512 bytes)	Yes	
24	Sent	To 8434397060 Buba*	1/20/2017 3:27:43 PM(UTC-5)			Sent	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x432BDC (Table: sms, Size: 4445512 bytes)	Yes	
25	Inbox	From 8434397060 Buba*	1/20/2017 3:27:27 PM(UTC-5)	Network 1/20/2017 3:27:17 PM(UTC-5)		Read	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x432C4C (Table: sms, Size: 4445512 bytes)	Yes	
26	Sent	To 8434397060 Buba*	1/20/2017 3:26:45 PM(UTC-5)			Sent	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x432CBA (Table: sms, Size: 4445512 bytes)	Yes	
27	Sent	To 8434397060 Buba*	1/20/2017 12:22:16 PM(UTC-5)			Sent	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1831AF (Table: sms, Size: 3801088 bytes)	Yes	
28	Sent	To ██████████	1/17/2017 10:21:58 PM(UTC-5)			Sent	██████████ Source file: userdata (ExtX)/Root/data/com.android.providers	Yes	

425

29	Inbox	426 From 8434397060 Buba*	1/17/2017 9:52:27 PM(UTC-5)	Network 1/17/2017 9:52:28 PM(UTC-5)	+128196599 99	Read	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x2109AC (Table: sms, Size: 3801088 bytes)	Yes
30	Sent	To [REDACTED]	1/16/2017 4:42:37 PM(UTC-5)			Sent	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x12DC7 (Table: sms, Size: 4445512 bytes)	
31	Inbox	From 8434397060 Buba*	1/16/2017 4:14:48 PM(UTC-5)	Network 1/16/2017 4:14:38 PM(UTC-5)		Read	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x12ECB (Table: sms, Size: 4445512 bytes)	Yes
32	Sent	To 8434397060 Buba*	1/16/2017 4:06:58 PM(UTC-5)			Sent	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x12F3C (Table: sms, Size: 4445512 bytes)	Yes
33	Sent	To 8434397060 Buba*	1/14/2017 7:21:47 PM(UTC-5)			Sent	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0xE8DFF (Table: sms, Size: 3801088 bytes)	Yes
34	Sent	To 8434397060 Buba*	1/14/2017 7:21:40 PM(UTC-5)			Sent	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0xE8E76 (Table: sms, Size: 3801088 bytes)	Yes
35	Inbox	From 8434397060 Buba*	1/14/2017 7:21:29 PM(UTC-5)	Network 1/14/2017 7:21:29 PM(UTC-5)		Read	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0xE8EE6 (Table: sms, Size: 3801088 bytes)	Yes
36	Inbox	From 8434397060 Buba*	1/13/2017 9:40:30 PM(UTC-5)	Network 1/13/2017 9:40:24 PM(UTC-5)		Read	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x22511F (Table: sms, Size: 3801088 bytes)	Yes
37	Sent	To 8434397060 Buba*	1/13/2017 9:14:02 PM(UTC-5)			Sent	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x2253CB (Table: sms, Size: 3801088 bytes)	Yes
38	Sent	To 8434397060 Buba*	1/12/2017 11:55:51 AM(UTC-5)			Sent	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x23B2D8 (Table: sms, Size: 3801088 bytes)	Yes
39	Inbox	From 8434397060 Buba*	1/12/2017 11:55:30 AM(UTC-5)	Network 1/12/2017 11:55:29 AM(UTC-5)		Read	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x23B34C (Table: sms, Size: 3801088 bytes)	Yes
40	Sent	To 8434397060 Buba*	1/12/2017 11:54:31 AM(UTC-5)			Sent	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x23B3E0 (Table: sms, Size: 3801088 bytes)	Yes
41	Inbox	From 8434397060 Buba*	1/12/2017 11:53:56 AM(UTC-5)	Network 1/12/2017 11:53:54 AM(UTC-5)		Read	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x23B491 (Table: sms, Size: 3801088 bytes)	Yes
42	Sent	To 8434397060 Buba*	1/12/2017 11:53:12 AM(UTC-5)			Sent	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x23B4F1 (Table: sms, Size: 3801088 bytes)	Yes
43	Inbox	From 8434397060 Buba*	12/20/2016 10:32:36 AM(UTC-5)	Network 12/20/2016 10:32:33 AM(UTC-5)		Read	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x69865 (Table: sms, Size: 4445512 bytes)	Yes
44	Sent	To 8434397060	12/20/2016 8:39:16 AM(UTC-5)			Sent	Ayo how much them readers 160 rite	Yes

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CHESTERFIELD COUNTY, SC

45	Inbox	From 8434397060 Buba*	12/12/2016 8:37:45 PM(UTC-5)	Network 12/12/2016 8:37:44 PM(UTC-5)		Read	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0xBBD61 (Table: sms, Size: 3801088 bytes)	427 Yes
46	Inbox	From 8434397060 Buba*	12/11/2016 11:17:44 AM(UTC-5)	Network 12/11/2016 11:17:43 AM(UTC-5)	+128196599 99	Read	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1BD1ED (Table: sms, Size: 3801088 bytes)	Yes
47	Sent	To 8434397060 Buba*	12/11/2016 11:13:18 AM(UTC-5)	A True Copy Attest Christy J. Blaney CLERK OF COURT C.P. & G.S. CHESTERFIELD COUNTY, SC		Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1BD357 (Table: sms, Size: 3801088 bytes)	Yes
48	Sent	To 8434397060 Buba*	12/11/2016 11:13:12 AM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1BD3C9 (Table: sms, Size: 3801088 bytes)	Yes
49	Inbox	From 8434397060 Buba*	12/11/2016 11:11:21 AM(UTC-5)	Network 12/11/2016 11:11:20 AM(UTC-5)	+128196599 99	Read	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x1BD4C5 (Table: sms, Size: 3801088 bytes)	Yes
50	Sent	To 8434397060 Buba*	12/11/2016 9:52:57 AM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x19EB75 (Table: sms, Size: 3801088 bytes)	Yes
51	Inbox	From 8434397060 Buba*	12/9/2016 7:58:18 PM(UTC-5)	Network 12/9/2016 7:58:18 PM(UTC-5)	+128196599 99	Read	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x19EBF7 (Table: sms, Size: 3801088 bytes)	Yes
52	Sent	To 8434397060 Buba*	12/9/2016 7:53:37 PM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x19EC90 (Table: sms, Size: 3801088 bytes)	Yes
53	Sent	To 8434397060 Buba*	12/9/2016 7:53:32 PM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x19ED0B (Table: sms, Size: 3801088 bytes)	Yes
54	Sent	To 8434397060 Buba*	12/9/2016 7:52:51 PM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x19EDA6 (Table: sms, Size: 3801088 bytes)	Yes
55	Sent	To 8434397060 Buba*	12/9/2016 7:51:53 PM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x19EE59 (Table: sms, Size: 3801088 bytes)	Yes
56	Sent	To 8434397060 Buba*	12/9/2016 7:15:12 PM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x19E316 (Table: sms, Size: 3801088 bytes)	Yes
57	Inbox	From 8434397060 Buba*	11/17/2016 8:27:25 AM(UTC-5)	Network 11/17/2016 8:27:25 AM(UTC-5)	+128196599 99	Read	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x8C9D5 (Table: sms, Size: 3801088 bytes)	Yes
58	Sent	To 8434397060 Buba*	11/17/2016 8:18:57 AM(UTC-5)			Sent	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db : 0x8CA42 (Table: sms, Size: 3801088 bytes)	Yes
59	Inbox	From 8434397060 Buba*	11/12/2016 9:46:18 AM(UTC-5)	Network 11/12/2016 9:46:18 AM(UTC-5)		Read	Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms	Yes

60	Sent	428 To 8434397060 Buba*	11/12/2016 9:46:13 AM(UTC-5)			Sent	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x1B0BFB (Table: sms, Size: 4445512 bytes)	Yes
61	Sent	To 8434397060 Buba*	11/12/2016 9:45:53 AM(UTC-5)			Sent	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x1B0C98 (Table: sms, Size: 4445512 bytes)	Yes
62	Inbox	From 8434397060 Buba*	11/12/2016 9:45:40 AM(UTC-5)	Network: 11/12/2016 9:45:39 AM(UTC-5)		Read	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x1B0D16 (Table: sms, Size: 4445512 bytes)	Yes
63	Sent	To 8434397060 Buba*	11/12/2016 9:44:42 AM(UTC-5)			Sent	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x1B0D73 (Table: sms, Size: 4445512 bytes)	Yes
64	Inbox	From 8434397060 Buba*	11/12/2016 9:44:14 AM(UTC-5)	Network: 11/12/2016 9:44:13 AM(UTC-5)		Read	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x1B0DF5 (Table: sms, Size: 4445512 bytes)	Yes
65	Sent	To 8434397060 Buba*	11/12/2016 9:43:53 AM(UTC-5)			Sent	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x1B0E6C (Table: sms, Size: 4445512 bytes)	Yes
66	Inbox	From 8434397060 Buba*	11/12/2016 9:43:34 AM(UTC-5)	Network: 11/12/2016 9:43:32 AM(UTC-5)		Read	[REDACTED] Source file: userdata (ExtX)/Root/data/com.android.providers.telephony/databases/mmssms.db-wal : 0x1B0EE4 (Table: sms, Size: 4445512 bytes)	Yes

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*Christy J. Bassy*

CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

Cellular Analysis  
Received 08/05/2019  
Lieutenant  
Christopher L. Johnson  
South Carolina Law Enforcement Division  
Columbia, SC

**SOUTH CAROLINA**  
Information and Intelligence Center

EXHIBIT  
State's  
#30  
8/12/19 - m

## 1. Background

The South Carolina Law Enforcement Division (SLED) Information and Intelligence Center (SCIIIC) was requested by Deputy Solicitor Kernard Redmond of the 4<sup>th</sup> Circuit Solicitors Office to analyze cell phone records for (347) 564-3467 ("target cell phone"). The target cell phone is believed to be associated with a Homicide Investigation that occurred on or about January 21, 2017 at approximately 2300 hrs

## 2. Methodology

An analysis was performed on the call detail records obtained for the target cell phone. The call detail records documented the interaction of the network to and from the target cell phone. In addition, the records documented the cell tower and cell sector ("cell site") which served the cell phone during this activity. Used in conjunction, the call detail records and a list of cell site locations illustrate an approximate location of the target cell phone when they initiated contact with the network.

### 2.1 Cell Site Locations

Cell sites in existence during the time of the incident were input into mapping software using latitude/longitude coordinates of the cell sites provided by the service provider(s). The cell sites associated with the target cell phone(s), were located utilizing the mapping software and the plotted cell site data.

## 3. Conclusions

A historical cell site analysis was performed on the call detail records for the target cell phone. The methods detailed in Sections 2 and 2.1 were used to produce the attached historical cell site analysis maps.

43  
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CHESTERFIELD COUNTY, SC

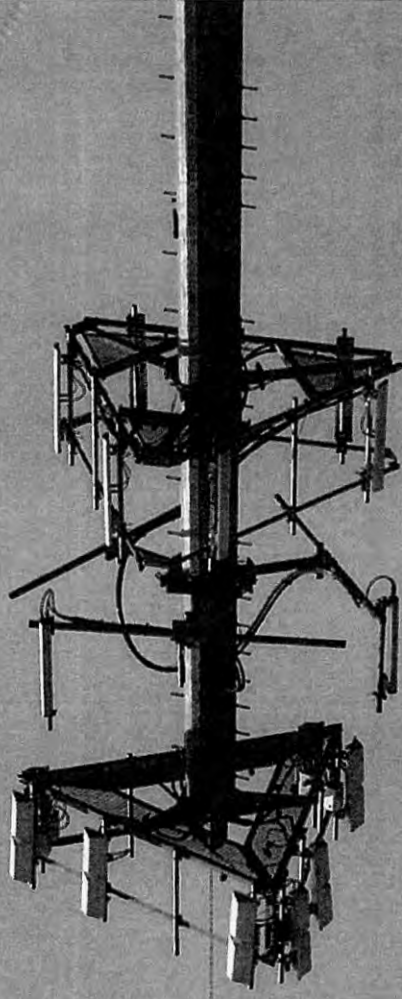
*Robert S. Reynolds*  
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**A True Copy Attest**

*Christy S. Bassy*

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CHESTERFIELD COUNTY, SC

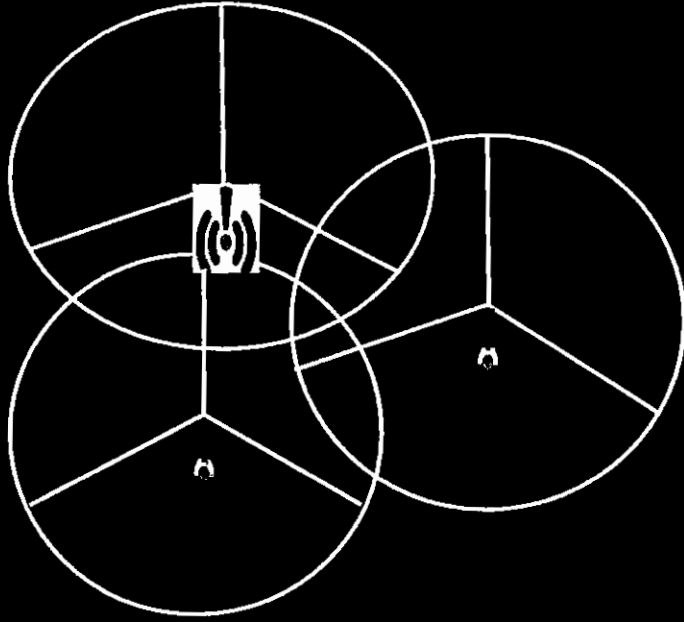
Sample of Three Sector Tower



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CHESTERFIELD COUNTY, SC



Sample network of Three Sector Towers

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CHESTERFIELD COUNTY, SC

Target # 347-564-3467

Service Provider: Sprint Inc.

Time Frame Analyzed:

January 21, 2017 2100-0000

# Sprint Inc.

## Call Detail Report Explanation Form

\*Short codes, also known as short numbers, are special telephone codes, significantly shorter than full telephone numbers, which can also be used to address SMS and MMS messages from mobile phones or fixed phones. Short codes are often associated with automated services. An automated program can handle the response and typically requires the sender to start the message with a command word or prefix. A list of short codes is not maintained by Sprint as number of short codes is extensive and constantly growing. Example of a short code- the customer may want updates pertaining to their favorite sports team. The customer would sign up with that team in order to receive text message updates relevant to the team.

\*Akron, Ohio is currently working in tandem with the Chicago Vision Network Element. The time zone indicated in the CDR (call detail records) will be derived from the switch. Therefore, the time stamps for call detail records with NEID 422 (Akron switch) will reflect the Eastern Time Zone and the time stamps for call detail records with NEID 420 (Chicago switch) will reflect the Central Time Zone.

\*Should you suspect any information is absent from the reports released, please contact Sprint Legal Compliance immediately.

# Sprint Inc.

## Call Detail Report Explanation Form



Sprint  
Corporate Security  
Mailstop KSOPHM0206  
6480 Sprint Parkway  
Overland Park, KS 66251  
Office: 800-677-7330 Fax: 816-600-3321

### Star Codes

Your request has been fulfilled, at least in part, by what is known as a CDMA CDR Report. A CDMA CDR Report lists information about incoming/outgoing calls including the digits dialed on the handset. As a dialing shortcut, PCS subscribers may use star codes (an asterisk (\*) plus a short number sequence) when using our wireless telephones. On call detail reports the star may be indicated by a letter "B". This code will appear in the dialed digits column of the CDMA CDR Report. Following is a list of the most common star codes. Additional star codes may exist in the market from which the call is made. Please contact the Subpoena Compliance Group at the number listed above for more information concerning star codes.

- \*18 - Ping the nearest tower, call delivery activate
- \*180 - Call delivery deactivate
- \*2 - Customer Care
- \*3 - Payment Center
- \*31 - Three Way Calling
- \*4 - Account Information
- \*5 - Spanish Customer care
- \*67 - Caller ID block
- \*68 - Override caller ID block
- \*70 - Cancel call waiting for that call
- \*711 - Customer Care
- \*72 - Activates call forwarding
- \*720 - Deactivates call forwarding
- \*73 - Call forwarding no answer
- \*74 - Call forward busy
- \*811 - Customer Care
- \*82 - Override caller ID block- for that call
- \*911 - 911
- \*073 - Cancel call forward no answer
- \*074 - Cancel call forward busy

### Other numbers which may appear in the dialed digits column:

- 411 - Directory assistance
- 611 - Customer Care
- 711 - Telecommunications Relay Service (hearing impaired)
- 911 - Can also dial 0911 or 1911)

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Christy D. Shoberg  
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CHESTERFIELD COUNTY, SC

# Sprint Inc.

## Call Detail Report Explanation Form



Sprint  
Corporate Security  
Mailstop KSOPHM0206  
6480 Sprint Parkway  
Overland Park, KS 66251  
Office: 800-877-7330 Fax: 816-600-3111

### Sector Layout

Sprint (CDMA) cell sites can be set-up in a variety of ways, Antennas may be placed on different structures such as buildings, towers, water tanks, etc. Also, not every cell site has three sectors. Some may have two sectors or may be omni sites. (Omni sites do not have sectors). The direction that the sector faces depends on the need for coverage in a particular area.

The Sprint (CDMA) network contains towers that have one of two labeling schemas to indicate the direction that the azimuths face.

- I. Ericsson, Samsung and Nortel towers use the number 1 to indicate an alpha sector, number 2 to indicate the beta sector, and number 3 to indicate the gamma sector of a standard three sector mono-pole configuration.
- II. ALU (Lucent) towers use the number 2 to indicate an alpha sector, number 3 to indicate the beta sector, and number 4 to indicate the gamma sector of a standard three sector mono-pole configuration.

### Sprint CDMA Sector Orientation

Nortel		Lucent
1	Alpha	2
2	Beta	3
3	Gamma	4

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CHESTERFIELD COUNTY, SC

# Sprint Inc.

## Call Detail Report Explanation Form



Sprint  
Corporate Security  
Mailstop K3OPHM206  
6480 Sprint Parkway  
Overland Park, KS 66251  
Office: 800-877-7330 Fax: 816-600-3121

### RECEIVING RECORDS IN ELECTRONIC FORMAT

Your request has been satisfied, at least in part, by records furnished on compact disc (CD) or via e-mail. Sprint uses CDs when the response is particularly voluminous or if records are requested in electronic format. Once "recorded" the CD cannot be deleted, re-recorded or appended. Information on CD is normally in one of three formats:

#### **RICH TEXT FORMAT (RTF)**

These files are text files readable by any word processor such as Microsoft Word/Works or WordPerfect.

Generally, we use this format for letters, summaries and explanatory documents. To retrieve these documents, open your word processor of choice then use the open file command (normally listed under File in the Window Menu bar). Navigate to the drive containing the CD and double click on the file name. While you may not manipulate the file and re-save directly on the CD, it may be manipulated and re-saved elsewhere.

#### **SPREADSHEET FILES (XLS or CSV)**

These files are normally used for longer items such as the call detail reports or a listing of all cell sites associated with a particular switch/repoll. We use Microsoft Excel to generate these files and recommend that product for viewing them. To retrieve these documents, open your spreadsheet program of choice then use the open file command (normally listed under File in the Window Menu bar). Navigate to the drive containing the CD and double click on the file name. These files may be uploaded to products such as PenLink in either CSV or XLS format. Please see your program documentation for assistance. While you may not manipulate the file and re-save directly on the CD, it may be manipulated and re-saved elsewhere.

#### **TAGGED IMAGE FORMAT (TIF or TIFF)**

This format is used for stored bills and for print outs from our customer service/billing system. All Windows based machines come with TIF viewers but accessing the viewer software may be unfamiliar. To retrieve these documents, open the My Computer folder on your desktop or Open the Windows Explorer (not Internet Explorer). Navigate to the drive containing the CD and RIGHT click on the file name. This will open a menu. Choose "OPEN WITH." A new dialog box will open. Look for applications that do imaging. The most common are "Imaging", "Imaging Preview", "Microsoft Imaging", "Kodak Imaging" and Microsoft Office Document Imaging." Single click on your choice and also click on the check box which says, "Always use this program to open these files." This will set the program as your default and next time you need to open a TIF file, you may just double click on the desired document. Once open, most TIF viewers only display the current page. To go to the next page, use the page up/down keys on your computer keyboard or look for helper arrows. You may also wish to peruse the Help feature offered in every Windows based program. Please note: these files may not normally be uploaded to products such as PenLink since they are not open for manipulation. Please see your program documentation for assistance.

You may also receive files in a bundled, WinZip format (ZIP). These files contain other files (of the three types listed above). Zipped files are used to save space on particularly large requests. To open a ZIP file, open the My Computer folder on your desktop or Open the Windows Explorer (not Internet Explorer). Navigate to the drive containing the CD and double click on the file name. If this does not work, return to the folder containing your document and RIGHT click on the file name. This will open a menu. Choose "OPEN WITH." A new dialog box will open. Look for applications that do zipping. The most common is "WinZip." Single click on your choice and also click on the check box which says, "Always use this program to open these files." This will set the program as your default and next time you need to open a ZIP file, you may just double click on the desired document. Please feel free to contact the Sprint Subpoena Compliance Department for further assistance: 800-877-7330.

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Christy D. Moody  
CLERK OF COURT C.F. & G.S.  
CHESTERFIELD COUNTY, SC

# Sprint Inc.

## Call Detail Report Explanation Form

Sprint  
 Corporate Security  
 Mailstop KSOPHM0206  
 6480 Sprint Parkway  
 Overland Park, KS 66251  
 Office: 800-877-7330 Fax: 816-600-3111

**NEID LIST**

Oklahoma_City_1	1	Nortel	Central
Little_Rock(D)	2	Nortel	Central
Fresno_1	3	Lucent	Pacific
Portland_1	4	Lucent	Pacific
Spokane_1	5	Lucent	Pacific
KC_Lenexa_1(D)	6	Nortel	Central
KC_Lenexa_2(D)	7	Nortel	Central
Milwaukee_New_Berlin	8	Lucent	Central
Salt_Lake_City	9	Lucent	Mountain
Albany_1	10	Lucent	Eastern
Omaha_1	11	Nortel	Central
Des_Moines_Urbandale	12	Nortel	Central
Louisville_1(D)	13	Nortel	Eastern
Pittsburgh_1	14	Lucent	Eastern
San_Antonio_1(D)	15	Nortel	Central
Dallas_1(D)	16	Nortel	Central
Fort_Worth_1(D)	17	Nortel	Central
Austin_1(D)	18	Nortel	Central
St_Louis_Maryland_Heights_1(D)	19	Nortel	Central
St_Louis_Maryland_Heights_2(D)	20	Nortel	Central
Bos_Woburn_1	21	Lucent	Eastern
Miami_1(D)	22	Nortel	Eastern
Miami_Deerfield_Beach_Miami	23	Nortel	Eastern
Sacramento_1	24	Lucent	Pacific
Sea_Redmond_2	25	Lucent	Pacific
Philadelphia_1	26	Lucent	Eastern
Rochester_1	27	Lucent	Eastern
Denver_Englewood_1	28	Lucent	Mountain
NY_Westbury_2(D)	29	Lucent	Eastern
NY_Westbury_1	30	Lucent	Eastern
Indianapolis_1	31	Nortel	Eastern
Nashville_1(D)	33	Nortel	Central
Las_Vegas_1	34	Lucent	Pacific
Columbia_1	39	Lucent	Eastern
LA_Irvine_1_Orange_County(D)	40	Lucent	Pacific

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# Sprint Inc.

## Call Detail Report Explanation Form

Location	CDR	Carrier	Time Zone
San Diego	43	Lucent	Pacific
LA Ontario 1	44	Lucent	Pacific
Charleston 1 Ntelos	45	Lucent	Eastern
El Paso (D)	47	Nortel	Mountain
Lubbock (D)	49	Nortel	Central
Columbia 2 (D)	50	Lucent	Eastern
Brookings	51	Nortel	Central
KC Independence 1 (D)	53	Nortel	Central
Greenville 1	54	Lucent	Eastern
Wallingford 2 Hartford (D)	56	Lucent	Eastern
Austin 2 (D)	58	Nortel	Central
Pennsauken 1	59	Lucent	Eastern
Lansing 1	60	Lucent	Eastern
Orlando 2 (D)	61	Nortel	Eastern
RGV McAllen (D)	62	Nortel	Central
Edinburg 1	63	Lucent	Eastern
Carlsbad 1	64	Lucent	Pacific
LA Burbank 2 (D)	65	Lucent	Pacific
Bos Woburn 2 (D)	67	Lucent	Eastern
Cheektowaga Buffalo	68	Lucent	Eastern
DC Beltsville 3 (D)	69	Lucent	Eastern
Pittsburgh 2	71	Lucent	Eastern
NY Manhattan 2	72	Lucent	Eastern
Phoenix 2 (Phx-Phoenix-MS_C_2) (D)	73	Lucent	Other
Philadelphia 2 (D)	75	Lucent	Eastern
Reno	76	Lucent	Pacific
Denver Englewood 2	77	Lucent	Mountain
San Antonio 2 (D)	79	Nortel	Central
Dallas 2 (D)	80	Nortel	Central
Miami 2 (D)	81	Nortel	Eastern
St Cloud	82	Nortel	Central
NY Teterboro 2	84	Lucent	Eastern
NY Manhattan 1 (D)	86	Lucent	Eastern
PR Bayamon 1 (D)	87	Nortel	Other
DC Hanover 1 (D)	88	Lucent	Eastern
DC Beltsville 1	90	Lucent	Eastern
Waynesboro 2 Ntelos	91	Lucent	Eastern
DC Beltsville 2 (D)	92	Lucent	Eastern
Albany 2 (D)	94	Lucent	Eastern
SF Santa Clara	95	Lucent	Pacific
Springfield SWAT	96	SWAT	

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# Sprint Inc.

## Call Detail Report Explanation Form

Location	Area Code	Carrier	Time Zone
LA Ontario 2 (D)	104	Lucent	Pacific
NY Branchburg 1	106	Lucent	Eastern
NY Teterboro 1 (D)	107	Lucent	Eastern
Wallingford 1 Hartford	113	Lucent	Eastern
Davenport	115	Nortel	Central
Fort Wayne 1	116	Nortel	Eastern
Sea Redmond 1	118	Lucent	Pacific
LA Santa Fe Springs 1	120	Lucent	Pacific
Bos Walpole 2 (D)	121	Lucent	Eastern
Chi Arlington Heights 2 (D)	122	Nortel	Central
Fort Worth 2 (D)	123	Nortel	Central
Manhattan Tandem Gateway	124	Lucent	Eastern
NY Westbury Tandem Gateway	125	Lucent	Eastern
Greenville 2 (D)	126	Lucent	Eastern
Houston Fallstone 2 (D)	128	Nortel	Central
Tampa Ft Meyers (D)	130	Nortel	Eastern
NY Long Island City 1 (D)	135	Lucent	Eastern
Johnson City (D)	136	Nortel	Eastern
Erie 1	138	Nortel	Eastern
Chi Bridgeview 2 (D)	139	Nortel	Central
Cleveland 1	140	Nortel	Eastern
Cincinnati Sharonville 1	141	Nortel	Eastern
Worthington Columbus	142	Nortel	Eastern
Richmond 1	143	Nortel	Eastern
Raleigh 1	144	Nortel	Eastern
Charlotte 1	145	Nortel	Eastern
Knoxville 1	146	Nortel	Eastern
Hon Moanalua 1	147	Nortel	Other
Chi Arlington Heights 1 (D)	148	Nortel	Central
Chi Bridgeview 1 (D)	149	Nortel	Central
Norfolk 1	150	Nortel	Eastern
Chicago Aurora 1 (D)	151	Nortel	Central
Carlsbad 2 (D)	153	Lucent	Pacific
Houston Westland 1 (D)	156	Nortel	Central
Charleston 1 (D)	157	Nortel	Eastern
NY Long Island City 2	158	Lucent	Eastern
LA Santa Fe Springs 2 (D)	159	Lucent	Pacific
Lansing 2	160	Lucent	Eastern
DC Hanover 2	161	Lucent	Eastern
Pennsauken 2 (D)	162	Lucent	Eastern
Fort Worth 3 (D)	163	Nortel	Central
Raleigh Morrisville 2	164	Nortel	Eastern
Schertz 1 (D)	166	Nortel	Central

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 CHESTERFIELD COUNTY, SC

# Sprint Inc.

## Call Detail Report Explanation Form

Stockton_1_WSS	169	Samsung	Pacific
Bayamon_1_WSS	170	Samsung	Other
Bayamon_2_WSS	171	Samsung	Other
Buffalo_1_WSS	172	Samsung	Eastern
Elkridge_alrave (D)	173	Airave	
Phoenix_alrave (D)	174	Airave	
Ft_worth_alrave (D)	175	Airave	
Atlanta_1_NWV	176	Ericsson	Eastern
NY_Harrison_1	177	Lucent	Eastern
DC_Elkridge_1	178	Lucent	Eastern
Kentwood_1	181	Nortel	Eastern
Phoenix_3 (Phx-Roeser-MSG_1)	183	Lucent	Other
Norcross_SWAT	184	SWAT	
Fort_Worth_SWAT	185	SWAT	
Oroville_SWAT	186	SWAT	
Elkridge_SWAT	187	SWAT	
Orlando_SWAT	188	SWAT	
Chicago_SWAT	189	SWAT	
Satsuma_SWAT	190	SWAT	
Birmingham_1 (D)	201	Nortel	Central
Kansas_City_1_NWV	202	Ericsson	Central
Ft_Worth_1_NWV	203	Ericsson	Central
Ft_Worth_2_NWV	204	Ericsson	Central
Houston_2_NWV	205	Ericsson	Central
Nashville_1_NWV	206	Ericsson	Eastern
Miam_1_NWV	207	Ericsson	Eastern
Orlando_1_NWV	208	Ericsson	Eastern
Orlando_2_NWV	209	Ericsson	Eastern
Atlanta_2_NWV	210	Ericsson	Eastern
Nashville_2_NWV	211	Ericsson	Eastern
Phoenix_NWV	212	Ericsson	Other
Kansas_City_2_NWV	213	Ericsson	Central
Charlotte_1_ALU	214	Lucent	Eastern
Norfolk_1_ALU	215	Lucent	Eastern
Morrisville_1_ALU	216	Lucent	Eastern
Morrisville_2_ALU (2)	217	Lucent	Eastern
Richmond_1_ALU	218	Lucent	Eastern
Hawaii_1_ALU	219	Lucent	Other
Milwaukee_New_Berlin_2 (D)	225	Lucent	Central
NY_Manhattan_SWAT	263	SWAT	
Detroit_1	302	Lucent	Eastern
Detroit_2	304	Lucent	Eastern
Minneapolis_1	309	Nortel	Central

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 CHESTERFIELD COUNTY, SC

# Sprint Inc.

## Call Detail Report Explanation Form

Hammond 1 (D)	360	Nortel	Central
Hammond 2 (D)	361	Nortel	Central
NY Westbury SWAT	363	SWAT	
Kansas City SWAT	364	SWAT	
Anaheim SWAT	365	SWAT	
Springfield MGC	366	MGC8	
Harrison MGC	367	MGC8	
Elkridge MGC	368	MGC8	
Fairfax MGC	369	MGC8	
Anaheim MGC	370	MGC8	
Burbank MGC	371	MGC8	
Atl Roswell 1 (D)	400	Nortel	Eastern
Atl Roswell 2 (D)	401	Nortel	Eastern
Atl Norcross 1 (D)	402	Nortel	Eastern
Houston Fallstone 1 (D)	405	Nortel	Central
Jacksonville 1	406	Nortel	Eastern
Memphis 1 (D)	407	Nortel	Central
Orlando 1 (D)	408	Nortel	Eastern
Tampa (D)	409	Nortel	Eastern
CHCGILFFCA6_WSS	420	Samsung	Central
AKRNOHUCAS_WSS	422	Samsung	Eastern
Houston 1_NWV	423	Ericsson	Central
Cheyenne 1_WSS	424	Samsung	Mountain
Omaha 1_WSS	425	Samsung	Central
Akron 2_WSS	426	Samsung	Eastern
Akron 3_WSS	427	Samsung	Eastern
Chicago 2_WSS	428	Samsung	Central
Lenexa 1_WIFI	477	WIFI	
Reston 1_WIFI	478	WIFI	
Lenexa 2_WIFI	479	WIFI	
Lenexa 3_WIFI	480	WIFI	
Reston 2_WIFI	481	WIFI	
Reston 3_WIFI	482	WIFI	
SBC911 WP Anaheim (Anasbc1)	487	WIFI	
SBC911 WP Tacoma (Tacsbc1)	488	WIFI	
SBC911 Phoenix	489	WIFI	
SBC911 Chicago	493	WIFI	
SBC911 New York	494	WIFI	
SCSCF_Reston 1	500	IMS	
SCSCF_Reston 2	500	IMS	
SCSCF_Reston 3	500	IMS	
SCSCF_Lenexa 1	501	IMS	
SCSCF_Lenexa 2	501	IMS	

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*Christy D. Moody*

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# Sprint Inc.

## Call Detail Report Explanation Form

IMS Reston_1_ccf	502	IMS	
IMS Lenexa_1_ccf	503	IMS	
Houston_Westland_2 (D)	505	Nortel	Central
SF_Brisbane_1	508	Lucent	Pacific
SF_Brisbane_2	510	Lucent	Pacific
SF_Oakland_1	512	Lucent	Pacific
Tacoma_1_WSS	513	Samsung	Pacific
Fusion STIC SMS #1	520	SMT	
Fusion STIC SMS #2	521	SMT	
Reston MCOA Fusion SMS #1	540	SMT	
Reston MCOA Fusion SMS #2	541	SMT	
Reston MCOA Fusion SMS #3	542	SMT	
Reston MCOA Fusion SMS #4	543	SMT	
Reston MCOB Fusion SMS #5	544	SMT	
Reston MCOB Fusion SMS #6	545	SMT	
Reston MCOB Fusion SMS #7	546	SMT	
Reston MCOB Fusion SMS #8	547	SMT	
Lenexa MCOA Fusion SMS #1	548	SMT	
Lenexa MCOA Fusion SMS #2	549	SMT	
Lenexa MCOA Fusion SMS #3	550	SMT	
Lenexa MCOA Fusion SMS #4	551	SMT	
Lenexa MCOA Fusion SMS #5	552	SMT	
Lenexa MCOA Fusion SMS #6	553	SMT	
Lenexa MCOA Fusion SMS #7	554	SMT	
Lenexa MCOA Fusion SMS #8	555	SMT	
Phoenix_1 (Phx-Phoenix-M5C_1)	605	Lucent	Other
atlsbc35	610	SBC	
atlsbc36	611	SBC	
chlsbc29	612	SBC	
chlsbc38	613	SBC	
elksbc9	614	SBC	
elksbc17	615	SBC	
nysbc24	616	SBC	
nysbc38	618	SBC	
nysbc39	619	SBC	
Airave Phase 2	na	TCS	
Airave Phase 2	na	TCS	
Airave Phase 2	na	TCS	
Airave Phase 2	na	TCS	
SMSL_01	Varies by SMRE	SMS	Central
SMSL_02	Varies by SMRE	SMS	Central
SMSL_03	Varies by SMRE	SMS	Central
SMSL_04	Varies by SMRE	SMS	Central

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*Cheryl D. Stookey*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

A True Copy Attest

*Christy J. Bandy*

CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC



• Call Detail Records provided by Sprint Inc. Inc.

Analysis

# Sprint Inc.

## Call Detail Report Explanation Form



Sprint  
Corporate Security  
Mailstop KSOPHM0206  
6480 Sprint Parkway  
Overland Park, KS 66251  
Office: 800-877-7330 Fax: 816-600-3111

### Key to Understanding CDMA Call Detail Reports

<b>Calling number:</b>	This column reflects the number placing the call (the individual who initiated the call). If the call is an outgoing call, this will be the Sprint PCS target number.
<b>Called number:</b>	This column reflects the number actually called. In most cases this number will be the same as the number in the "Dialed Digits" column. If the number has been forwarded, or if there is a routing number, then this will be reflected. If the number has a 11 in front of the area code, that means the call rolled to voicemail and was NOT answered by the customer.
<b>Dialed digits:</b>	This column reflects the digits that the caller enters into the keypad of the phone. If the call is an incoming call, this will be the Sprint PCS target number.
<b>Mobile Role:</b>	Mobile Role (Type of Call). Listed as outgoing, incoming, routed call or undetermined.
<b>Start Date:</b>	Date and time the call was initiated.
<b>End Date:</b>	Date and time the call was ended.
<b>Duration:</b>	Duration of call, in seconds.
<b>Call Type:</b> limited	Indicates the type of transaction on the network. This includes, but not to: Voice, Text Detail, WiFi and Airave.
<b>NEID:</b>	This reflects which network element handled the call.
<b>First Cell:</b>	Specific cell site in which the call was initiated. The first digit reflects the sector. The last 3-4 digits represent the Cell#. (See attached "Three Sector Layout" page for sector orientation.) For example, if the number in the column reads 2083, the cell site is 083 and the sector is 2.
<b>Last Cell:</b>	Specific cell site in which the call was ended. The first digit reflects the sector. The last 3-4 digits represent the Cell#. (See attached "Three Sector Layout" page for sector orientation.) For example, if the number in the column reads 2083, the cell site is 083 and the sector is 2.

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Christy D. Moody  
CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

# Sprint Inc.

## Call Detail Report Explanation Form



Sprint  
Corporate Security  
Mailstop KSOPHM0206  
6480 Sprint Parkway  
Overland Park, KS 66251  
Office: 800-877-7330 Fax: 816-600-3111

### Key to Understanding CDMA Call Detail Reports, cont.

\*Routed calls come in several varieties. A TLDN (Temporary Local Directory Number) may be considered to be a bridge/router number to complete a call. A TLDN will be represented by a number that may range from 3 to 10 digits in length. Similar to TLDN, an IMRN (IP Multimedia Routing Number), will be used to route Apple WiFi Calls. Another scenario is when a call is not answered, but is routed to voicemail. Calls routed straight to voicemail may have an "11" before the number indicated in the "Called\_Nbr" column. For handsets using visual voicemail, these numbers may replace the "11" in the called number column: (800) 877-2400, (866) 677-8204, (866) 222-2604, and (877) 836-4746. The indicator that Sprint's Visual Voicemail platform was used within the session appears as 62450000XXXXXXXX.

\*WiFi Call Type: Please note that Sprint does not have the capability to determine the time stamp. These calls can be reflected in Switch time or GMT.

\*WiFi Call Type: Location information associated with a transaction utilizing WiFi can be influenced by the user of an Android device. The user has the ability to enter an alternate address specifically for E911 purposes. This address is not authenticated within the network to support the actual location of the device.

\*The CDMA call detail report may indicate the sending and receipt of text messages and e-mail. While not flagged as text messages, the line will indicate no duration, the dialed digits column will either be blank or will show an e-mail address, and the report column may contain one of the following numbers: 13; 291-298; 347; 506-533; 681-684; 686-688.

NEIDs 191-198, 226-229, 291-294, 540-559

\* On the CDMA network, Sprint maintains Gateway and SWAT (Soft Wireless Access Tandem) networks in areas where there are large Sprint customer populations. These provide the required extra space that helps Sprint maintain all of the calls. When a call moves through a gateway or SWAT cell site information is not retained and is not recoverable. NEIDs for Gateways 124-125, NEIDs for SWATs 96, 184-190, 263, 363-365

\*Please be advised that as of October 12, 2010, all CDMA CDR (Call Detail Record) text message time stamps are kept in Central time zone. Records prior to October 12, 2010 are either in Central or Eastern time zone. Sprint is unable to determine which time zone is reflected in records older than October 12, 2010.

# Sprint Inc.

## Call Detail Report Explanation Form

SMSL_06	Varies by SMRE	SMS	Central
SMSL_07	Varies by SMRE	SMS	Central
SMSL_08	Varies by SMRE	SMS	Central
SMSL_09	Varies by SMRE	SMS	Central
SMSL_10	Varies by SMRE	SMS	Central
SMSL_11	Varies by SMRE	SMS	Central
SMSL_12	Varies by SMRE	SMS	Central
SMSR_19	Varies by SMRE	SMS	Central
SMSR_20	Varies by SMRE	SMS	Central
SMSR_21	Varies by SMRE	SMS	Central
SMSR_22	Varies by SMRE	SMS	Central
SMSR_23	Varies by SMRE	SMS	Central
SMSR_24	Varies by SMRE	SMS	Central
SMSR_01	Varies by SMRE	SMS	Central
SMSR_02	Varies by SMRE	SMS	Central
SMSR_03	Varies by SMRE	SMS	Central
SMSR_04	Varies by SMRE	SMS	Central
SMSR_05	Varies by SMRE	SMS	Central
SMSR_06	Varies by SMRE	SMS	Central
SMSR_07	Varies by SMRE	SMS	Central
SMSR_08	Varies by SMRE	SMS	Central
SMSR_09	Varies by SMRE	SMS	Central
SMSR_10	Varies by SMRE	SMS	Central
SMSR_11	Varies by SMRE	SMS	Central
SMSR_12	Varies by SMRE	SMS	Central
SMSR_13	Varies by SMRE	SMS	Central
SMSR_14	Varies by SMRE	SMS	Central
SMSR_15	Varies by SMRE	SMS	Central
SMSR_16	Varies by SMRE	SMS	Central
SMSR_17	Varies by SMRE	SMS	Central
SMSR_18	Varies by SMRE	SMS	Central

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*Christy D. Stacey*  
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 CHESTERFIELD COUNTY, SC

# Sprint Inc.

## Call Detail Report Explanation Form



Sprint  
 Corporate Security  
 Mailstop KSOPHMO206  
 6480 Sprint Parkway  
 Overland Park, KS 66251  
 Office: 800-877-7330 Fax: 816-600-3111

### Key to Understanding PCMD Reports

**Phone Number:** Target phone number

**ESN:** Serial number assigned to the device

**Call Start Times:** Date and time the mobile device first registers with the Sprint network

**Duration (seconds):** Length of the mobile device activity

**Vendor:** Company which provides network services to Sprint cell sites

**Call Type:** Type of connection. These include 1X Data, EVDO, LTE, SMS, or Voice

**Latitude:** Estimated latitude from the Round Trip Delay (RTD)

**Longitude:** Estimated longitude from the Round Trip Delay (RTD)

**Distance (in Miles):** Estimated distance in miles that the device is from the main cell site

**Confidence:** Level of reliability used to estimate Latitude and Longitude

**Primary Cascade:** The main cell site used during mobile device activity

**Primary Sector:** The side of the main cell site used by the mobile device

**Second Cascade:** The second cell site with which the mobile device was registered (Not on 90-day Voice Report)

**Second Sector:** Side of the 2<sup>nd</sup> cell site with which the mobile device registered (Not on 90-day Voice Report)

**Third Cascade:** The third cell site with which the mobile device was registered (Not on 90-day Voice Report)

**Third Sector:** Side of the 3<sup>rd</sup> cell site with which the mobile device registered (Not on 90-day Voice Report)

**BAN:** The subscriber account number

**How Latitude and Longitude are determined:** A cell site sends a Radio Frequency (RF) to measure the distance to and from the mobile device back to the cell site. This is called Round Trip Delay (RTD) and determines location. Accuracy can be affected by buildings, repeaters, topography, weather etc.

**How timestamps are determined:** All timestamps for Voice, SMS (text), EVDO and 1X Data are in local time. LTE timestamps may vary by vendor vary as follows: Samsung or Lucent: GMT or Local. Nortel: GMT

**How confidence is determined:** Accuracy is determined by the number of cell sites the mobile device uses. The use of three cell sites produces a higher confidence level than the use of 1 or 2 cell sites. GPS may increase confidence levels.

**Be advised, Sprint will not guarantee the accuracy of PCMD location information. Sprint Custodian of Records will not testify to PCMD accuracy.**

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# Call Detail Records

Target # 347-564-3467

(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 21:15:58		0	Text Detail	195	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 21:16:27		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 21:19:21		0	Text Detail	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 21:22:34		0	Text Detail	197	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 21:22:48		0	Text Detail	197	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 21:23:19		0	Text Detail	197	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 21:23:22		0	Text Detail	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 21:23:51		0	Text Detail	197	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 21:24:28		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 21:27:17		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:09:58		0	Text Detail	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:10:13		0	Text Detail	197	0	0
(347) 564-3467	(917) 717-4862		Outgoing	01/21/2017 22:12:37		0	Text Detail	198	0	0
(347) 564-3467	(917) 717-4862		Outgoing	01/21/2017 22:13:13		0	Text Detail	195	0	0
(347) 564-3467	(501) 243-5354	(501) 243-5354	Undetermined	01/21/2017 22:18:22	01/21/2017 22:18:55	33	Voice	125	0	0
(843) 535-7189	(347) 564-3467	(347) 564-3467	Incoming	01/21/2017 22:18:33	01/21/2017 22:18:54	21	Voice	214	33657	33657
(347) 564-3467	(843) 862-9271	(843) 862-9271	Outgoing	01/21/2017 22:29:23	01/21/2017 22:31:53	150	Voice	214	43657	43657
(347) 564-3467	(501) 243-5336	(501) 243-5336	Undetermined	01/21/2017 22:29:24	01/21/2017 22:31:54	150	SWAT	368	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:35:48		0	Text Detail	196	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:35:49		0	Text Detail	196	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:36:18		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:37:01		0	Text Detail	226	0	0
(347) 564-3467	(501) 243-5462	(501) 243-5462	Undetermined	01/21/2017 22:38:25	01/21/2017 22:39:20	55	Voice	124	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:38:59		0	Text Detail	198	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:39:03		0	Text Detail	196	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:39:25		0	Text Detail	226	0	0
(347) 564-3467	(843) 703-9566	(843) 703-9566	Outgoing	01/21/2017 22:42:30	01/21/2017 22:42:58	28	Voice	214	43657	43657
(347) 564-3467	(501) 243-5251	(501) 243-5251	Undetermined	01/21/2017 22:42:31	01/21/2017 22:42:59	28	SWAT	368	0	0
(347) 564-3467	(843) 703-9566	(843) 703-9566	Outgoing	01/21/2017 22:43:20	01/21/2017 22:43:52	32	Voice	214	43657	43657
(347) 564-3467	(501) 243-5250	(501) 243-5250	Undetermined	01/21/2017 22:43:21	01/21/2017 22:43:52	31	SWAT	368	0	0
(347) 564-3467	(843) 862-9271	(843) 862-9271	Outgoing	01/21/2017 22:48:08	01/21/2017 22:50:03	115	Voice	214	43657	43657
(347) 564-3467	(501) 243-5490	(501) 243-5490	Undetermined	01/21/2017 22:48:10	01/21/2017 22:50:05	115	SWAT	368	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:50:55		0	Text Detail	195	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:51:19		0	Text Detail	226	0	0
(843) 456-3135	(347) 564-3467		Incoming	01/21/2017 22:53:44		0	Text Detail	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:54:05		0	Text Detail	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:54:28		0	Text Detail	197	0	0
(347) 564-3467	(843) 456-3135		Outgoing	01/21/2017 22:54:37		0	Text Detail	197	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:54:49		0	Text Detail	226	0	0
(843) 456-3135	(347) 564-3467		Incoming	01/21/2017 22:55:10		0	WiFi	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:56:00		0	WiFi	226	0	0
(347) 564-3467	(843) 456-3135		Outgoing	01/21/2017 22:56:31		0	WiFi	192	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:58:27		0	WiFi	197	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:58:46		0	WiFi	226	0	0

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# Call Detail Records

Target # 347-564-3467

(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:59:16		0	WiFi	197	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 22:59:24		0	WiFi	226	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 22:59:38		0	WiFi	226	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 23:01:06		0	WiFi	191	0	0
(347) 564-3467	(910) 544-6970	(910) 544-6970	Outgoing	01/21/2017 23:05:00	01/21/2017 23:10:00	300	Voice	214	33657	33657
(843) 456-3135	(347) 564-3467		Incoming	01/21/2017 23:08:50		0	Text Detail	226	0	0
(347) 564-3467	(843) 456-3135		Outgoing	01/21/2017 23:09:27		0	Text Detail	195	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 23:14:54		0	Text Detail	226	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 23:19:08		0	Text Detail	196	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 23:19:12		0	Text Detail	197	0	0
(347) 564-3467	(843) 535-7189		Outgoing	01/21/2017 23:19:27		0	Text Detail	196	0	0
(843) 535-7189	(347) 564-3467		Incoming	01/21/2017 23:19:42		0	Text Detail	226	0	0
(843) 544-0120	(347) 564-3467		Incoming	01/21/2017 23:22:07		0	Text Detail	226	0	0
(347) 564-3467	(501) 243-5336	(501) 243-5336	Outgoing	01/21/2017 23:22:49	01/21/2017 23:23:18	29	Voice	125	0	0
(347) 564-3467	(843) 544-0120		Outgoing	01/21/2017 23:27:22		0	Text Detail	198	0	0
(917) 717-4862	(347) 564-3467		Incoming	01/21/2017 23:45:35		0	Text Detail	226	0	0
(347) 564-3467	(917) 717-4862		Outgoing	01/21/2017 23:46:10		0	Text Detail	196	0	0
(347) 564-3467	(917) 717-4862		Outgoing	01/21/2017 23:46:17		0	Text Detail	195	0	0
(347) 564-3467	(501) 243-5405	(501) 243-5405	Undetermined	01/21/2017 23:55:00	01/21/2017 23:55:33	33	Voice	124	0	0

# Call Detail Records

## PCMD

### Target # 347-564-3467

PHONE NUMBER	ESN	CALL START TIME	DURATION (SEC)	VENDOR	CALL TYPE	LATITUDE	LONGITUDE	DISTANCE(In Miles)	CONFIDENCE	PRIMARY CASCADE	PRIMARY SECTOR	SECOND CASCADE	SECOND SECTOR
(347) 564-3467	35709007456655	1/21/2017 9:10:41 PM	23	Lucent	EVDO	34.75725661	-79.47537416	4.36	High	RA33XC219	2	RA33XC020	3

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*Christy D. Stoney*  
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CHESTERFIELD COUNTY, SC

# Call Detail Records

## PCMD

Target # 347-564-3467

PHONE NUMBER	ESN	CALL START TIME	DURATION (SEC)	VENDOR	CALL TYPE	LATITUDE	LONGITUDE	DISTANCE (In Miles)	SECTOR	CASCADE ID	BAN
(347) 564-3467	35709007456655	1/21/2017 10:18:50 PM	22	Lucent	Voice Call	34.668466	-79.885241	8.94	2	CR72XC037	484878485
(347) 564-3467	35709007456655	1/21/2017 10:29:40 PM	152	Lucent	Voice Call	34.727516	-80.04847	4.95	3	CR72XC037	484878485
(347) 564-3467	35709007456655	1/21/2017 10:42:48 PM	29	Lucent	Voice Call	34.727516	-80.04847	4.99	3	CR72XC037	484878485
(347) 564-3467	35709007456655	1/21/2017 10:43:37 PM	33	Lucent	Voice Call	34.727515	-80.04847	5.07	3	CR72XC037	484878485
(347) 564-3467	35709007456655	1/21/2017 10:48:26 PM	116	Lucent	Voice Call	34.727515	-80.04847	5.03	3	CR72XC037	484878485

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# Call Detail Records

## PCMD

### Target # 347-564-3467

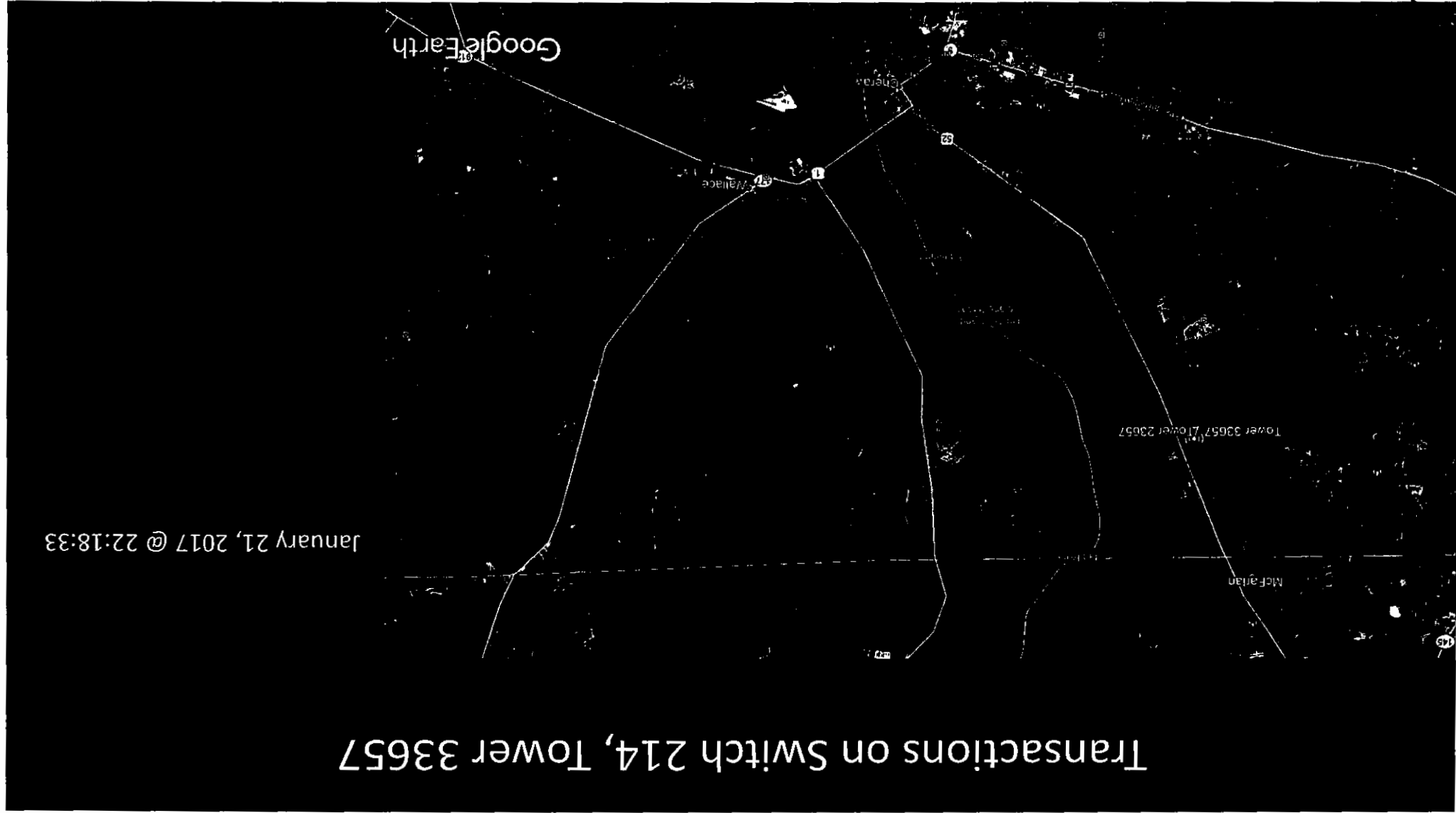
PHONE NUMBER	ESN	CALL START TIME	DURATION (SEC)	VENDOR	CALL TYPE	LATITUDE	LONGITUDE	DISTANCE(in Miles)	CONFIDENCE	PRIMARY CASCADE	PRIMARY SECTOR	SECOND CASCADE	SECOND SECTOR
(347) 564-3467	35709007456655	1/21/2017 7:22:42 PM	8	Lucent	Voice	34.788864	-79.531287	3.99	Medium	RA33XC219	3	RA33XC219	2
(347) 564-3467	35709007456655	1/21/2017 7:43:42 PM	285	Lucent	Voice	34.75216	-79.47768	0.00	High	RA33XC219	2		
(347) 564-3467	35709007456655	1/21/2017 7:55:20 PM	16	Lucent	Voice	34.787009	-79.566275	0.00	Medium	RA33XC219	2	RA60XC572	2
(347) 564-3467	35709007456655	1/21/2017 8:03:45 PM	4	Lucent	Voice	34.723222	-79.537888	4.38	High	RA33XC219	2	RA60XC572	2
(347) 564-3467	35709007456655	1/21/2017 8:11:12 PM	0	Lucent	SMS	34.7258	-79.558422	5.28	Low	RA33XC219	2		
(347) 564-3467	35709007456655	1/21/2017 8:17:21 PM	78	Lucent	1X DATA	34.6926	-79.603753	8.97	Low	RA60XC572	2		
(347) 564-3467	35709007456655	1/21/2017 8:18:38 PM	17	Lucent	1X DATA	34.623441	-79.450317	9.50	Low	RA33XC219	2		
(347) 564-3467	35709007456655	1/21/2017 8:18:38 PM	17	Lucent	1X DATA	34.623441	-79.450317	9.50	Low	RA33XC219	2		
(347) 564-3467	35709007456655	1/21/2017 8:19:26 PM	31	Lucent	1X DATA	34.608973	-79.462054	10.42	Low	RA33XC219	2		
(347) 564-3467	35709007456655	1/21/2017 9:12:53 PM	1	Lucent	1X DATA	34.456289	-79.631908	8.24	High	CR03AW279	1		
(347) 564-3467	35709007456655	1/21/2017 9:12:55 PM	0	Lucent	SMS	34.405043	-79.570082	12.23	Low	CR03AW280	1		
(347) 564-3467	35709007456655	1/21/2017 9:13:34 PM	284	Lucent	1X DATA	34.43051	-79.624235	7.21	High	CR03AW279	1		
(347) 564-3467	35709007456655	1/21/2017 10:13:13 PM	331	Lucent	1X DATA	34.69528	-79.784402	9.72	High	CR72XC037	2		
(347) 564-3467	35709007456655	1/21/2017 10:18:50 PM	22	Lucent	Voice	34.668466	-79.885241	8.94	Medium	CR72XC037	2	CR72XC013	3
(347) 564-3467	35709007456655	1/21/2017 10:19:14 PM	98	Lucent	1X DATA	34.703836	-79.804231	8.89	High	CR72XC037	2		
(347) 564-3467	35709007456655	1/21/2017 10:21:18 PM	62	Lucent	1X DATA	34.73307	-79.87112	6.69	High	CR72XC037	2		
(347) 564-3467	35709007456655	1/21/2017 10:22:19 PM	273	Lucent	1X DATA	34.753685	-79.93712	6.42	High	CR72XC037	2		
(347) 564-3467	35709007456655	1/21/2017 10:26:55 PM	108	Lucent	1X DATA	34.817672	-80.049966	11.58	Low	CR72XC013	3		
(347) 564-3467	35709007456655	1/21/2017 10:29:40 PM	152	Lucent	Voice	34.727516	-80.04847	4.95	High	CR72XC037	3		
(347) 564-3467	35709007456655	1/21/2017 10:34:22 PM	51	Lucent	1X DATA	34.84996	-80.056112	11.66	Low	CR72XC013	3		
(347) 564-3467	35709007456655	1/21/2017 10:35:15 PM	75	Lucent	1X DATA	34.84996	-80.056112	11.66	Low	CR72XC013	3		
(347) 564-3467	35709007456655	1/21/2017 10:42:48 PM	29	Lucent	Voice	34.727516	-80.04847	4.99	High	CR72XC037	3		
(347) 564-3467	35709007456655	1/21/2017 10:43:37 PM	33	Lucent	Voice	34.727515	-80.04847	5.07	High	CR72XC037	3		
(347) 564-3467	35709007456655	1/21/2017 10:44:14 PM	66	Lucent	1X DATA	34.727515	-80.04847	5.14	High	CR72XC037	3		
(347) 564-3467	35709007456655	1/21/2017 10:45:23 PM	174	Lucent	1X DATA	34.727516	-80.04847	4.99	High	CR72XC037	3		
(347) 564-3467	35709007456655	1/21/2017 10:48:16 PM	9	Lucent	1X DATA	34.727515	-80.04847	5.18	High	CR72XC037	3		
(347) 564-3467	35709007456655	1/21/2017 10:48:26 PM	116	Lucent	Voice	34.727515	-80.04847	5.03	High	CR72XC037	3		
(347) 564-3467	35709007456655	1/21/2017 10:50:31 PM	20	Lucent	1X DATA	34.857913	-80.074115	12.68	Low	CR72XC013	3		
(347) 564-3467	35709007456655	1/21/2017 10:54:18 PM	28	Lucent	1X DATA	34.72616	-80.03379	5.57	High	CR72XC037	3		
(347) 564-3467	35709007456655	1/21/2017 10:54:45 PM	89	Lucent	1X DATA	34.730253	-80.060073	5.60	High	CR72XC037	3		
(347) 564-3467	35709007456655	1/21/2017 10:56:45 PM	85	Lucent	1X DATA	34.727515	-80.04847	5.07	High	CR72XC037	3		
(347) 564-3467	35709007456655	1/21/2017 11:02:18 PM	13	Lucent	1X DATA	34.755025	-79.945997	6.23	High	CR72XC037	2		
(347) 564-3467	35709007456655	1/21/2017 11:02:42 PM	155	Lucent	1X DATA	34.746211	-79.926476	8.63	Medium	CR72XC013	3	CR72XC037	2
(347) 564-3467	35709007456655	1/21/2017 11:05:18 PM	301	Lucent	Voice	34.69592	-79.92928	6.31	High	CR72XC037	2		
(347) 564-3467	35709007456655	1/21/2017 11:10:21 PM	65	Lucent	1X DATA	34.699075	-79.883255	7.29	High	CR72XC037	2		
(347) 564-3467	35709007456655	1/21/2017 11:11:28 PM	72	Lucent	1X DATA	34.71939	-79.8423	8.13	High	CR72XC037	2		
(347) 564-3467	35709007456655	1/21/2017 11:12:40 PM	40	Lucent	1X DATA	34.702956	-79.803296	9.38	High	CR72XC037	2		

A True Copy Attest  
*Christy S. Shroyer*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

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*Christy S. Lacey*

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CHESTERFIELD COUNTY, SC



Transactions on Switch 214, Tower 33657

January 21, 2017 @ 22:18:33

Google Earth

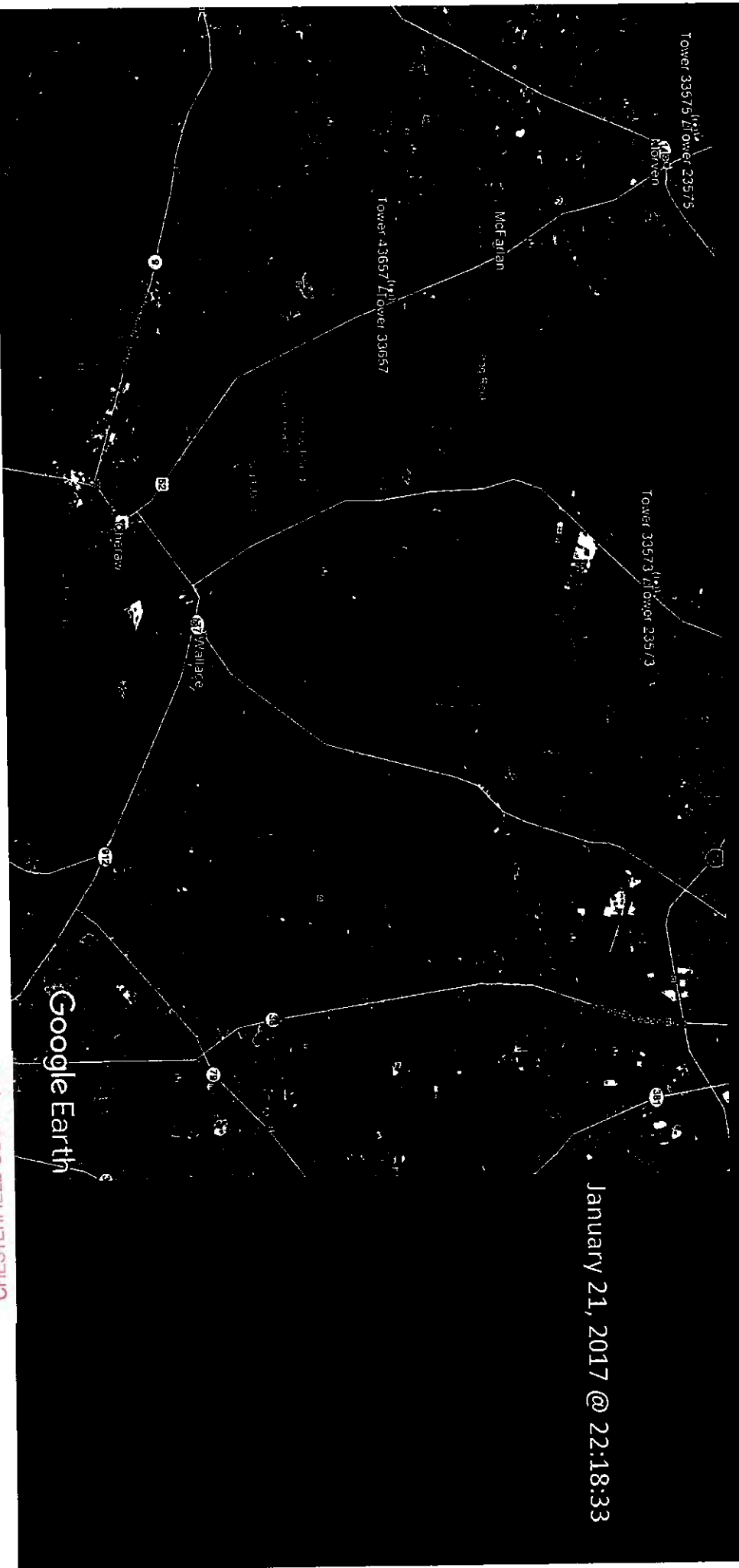
Wallace

Bertram

McFarlan

Tower 33657 / Tower 23657

# PCMD Transactions on Switch 214, Tower 33657



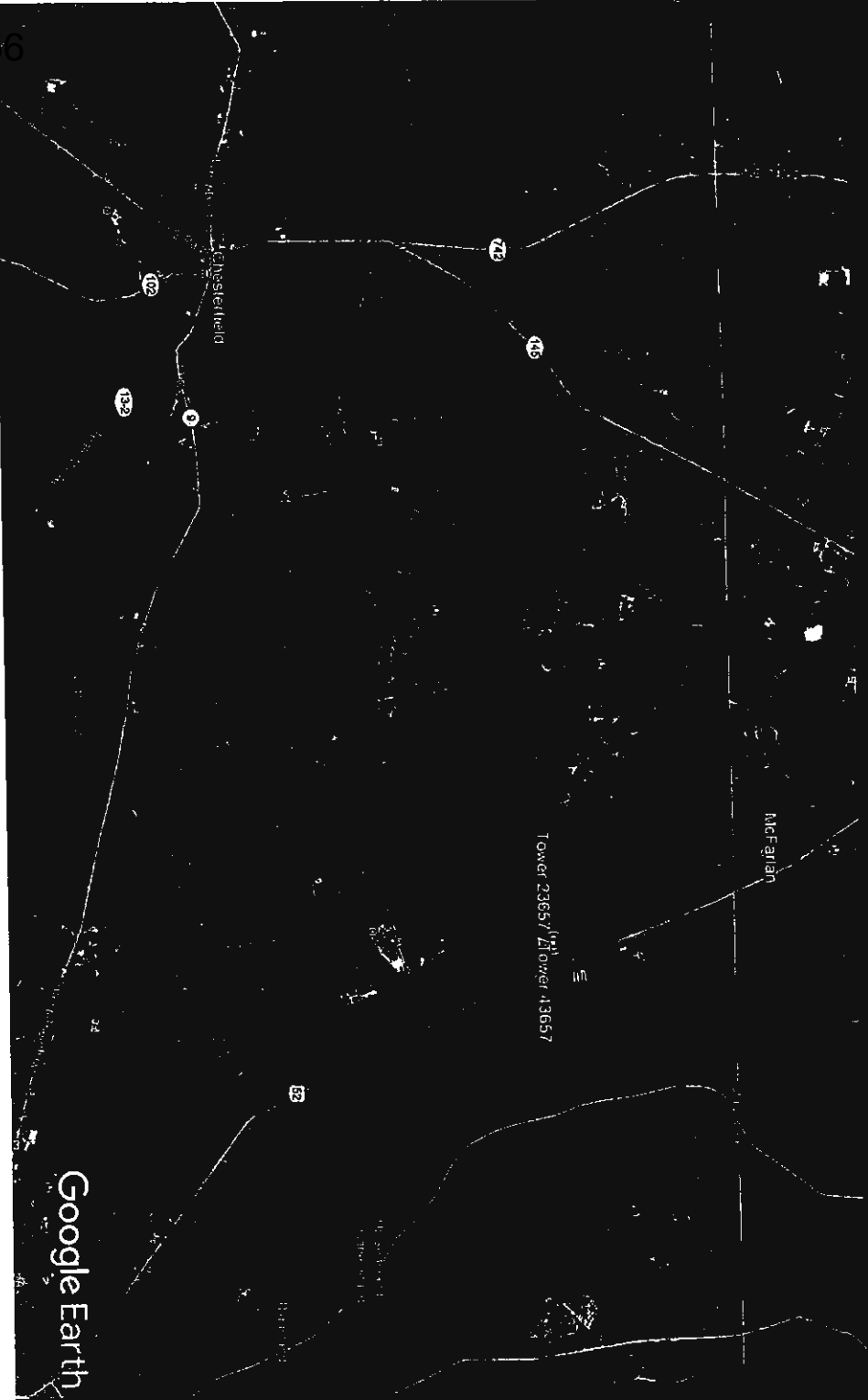
January 21, 2017 @ 22:18:33

Google Earth

**A True Copy Attest**  
*Christy S. Bowers*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

# Transactions on Switch 214, Tower 43657

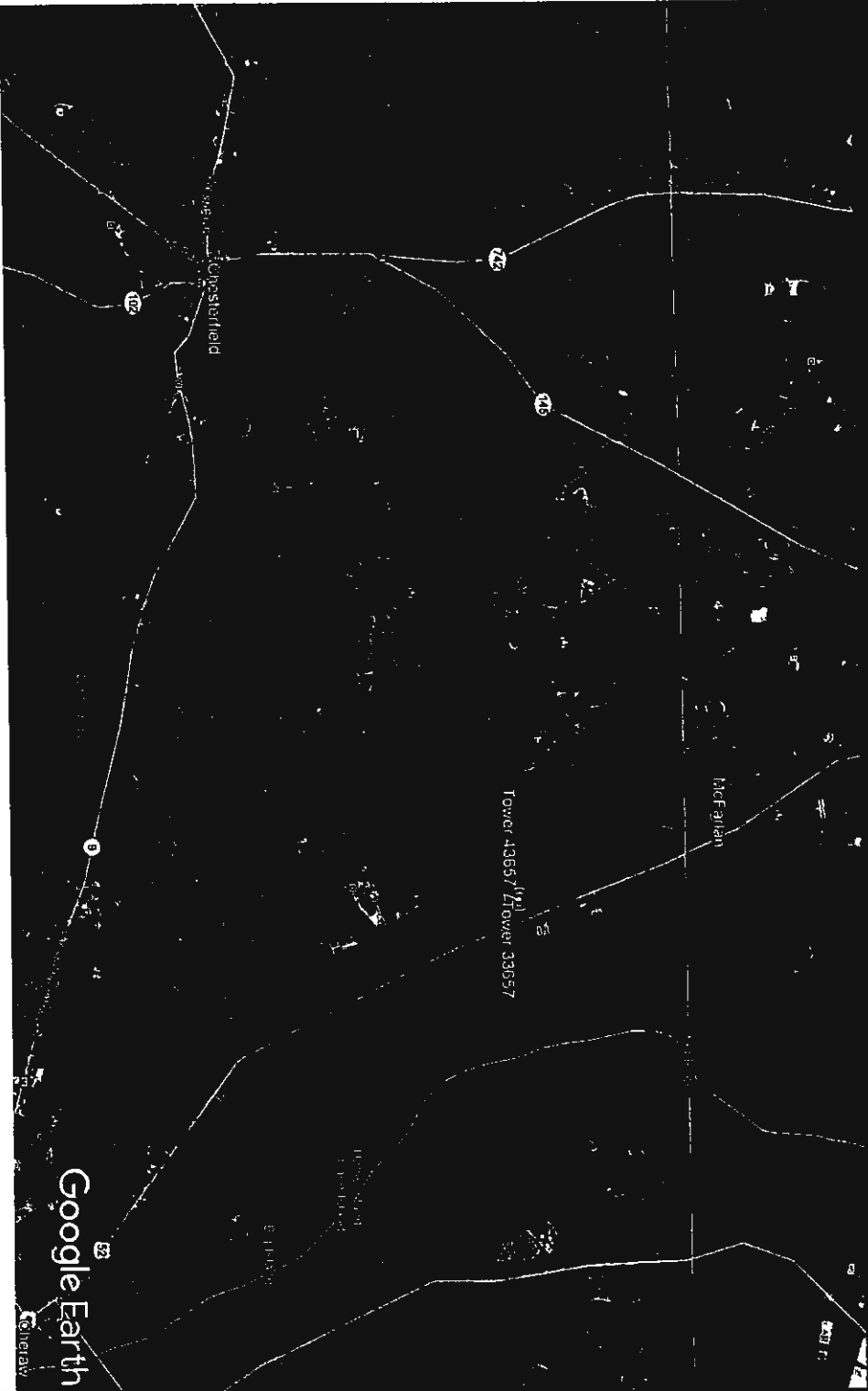
January 21, 2017 @ 22:29:33  
January 21, 2017 @ 22:42:30  
January 21, 2017 @ 22:43:20  
January 21, 2017 @ 22:48:08



456

**A True Copy Attest**  
*Christy S. Stacey*  
CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

# PCMD Transactions on Switch 214, Tower 43657



January 21, 2017 @ 22:29:40  
 January 21, 2017 @ 22:42:48  
 January 21, 2017 @ 22:43:37  
 January 21, 2017 @ 22:48:26

**A True Copy Attest**  
*Christy S. Shockey*  
 CLERK OF COURT C.P. & G.S.  
 CHESTERFIELD COUNTY, SC

A True Copy Attest

*Christy S. Bassy*

CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

458



Transactions on Switch 214, Tower 33657

January 21, 2017 @ 23:05:00

Google Earth

Wallace

General

McFarlan

Tower 33657 Tower 23657

A True Copy Attest

*Christy D. Sisco*

EXHIBIT

State's  
# 37

MD 4/21/21

# SOUTH CAROLINA

Information and Intelligence Center

## Cellular Analysis Received March 24, 2021

S/A Lawton Bradshaw  
South Carolina Law Enforcement Division  
Columbia, SC

Christy J. Stacey

## Background

Carolina Law Enforcement Division (SLED) Information and Intelligence Center (SCIC) was requested by the Solicitors Office in Chesterfield County to analyze cell phone records for (843) 234-1234. The target cell phone is believed to be associated with a Murder Investigation occurred between 22:00 hrs and 23:00 hrs (EDT).

## Methodology

Analysis was performed on the call detail records obtained for the target cell phone. The call detail records show the interaction of the network to and from the target cell phone. In addition, the records do not show the cell sector ("cell site") which served the cell phone during this activity. Used in conjunction with a list of cell site locations illustrate an approximate location of the target cell phone during contact with the network.

## Cell Site Locations

Cell site locations during the time of the incident were input into mapping software using latitude/longitude coordinates of the cell sites provided by the service provider(s). The cell sites associated with the target cell phone were located utilizing the mapping software and the plotted cell site data.

## Conclusions

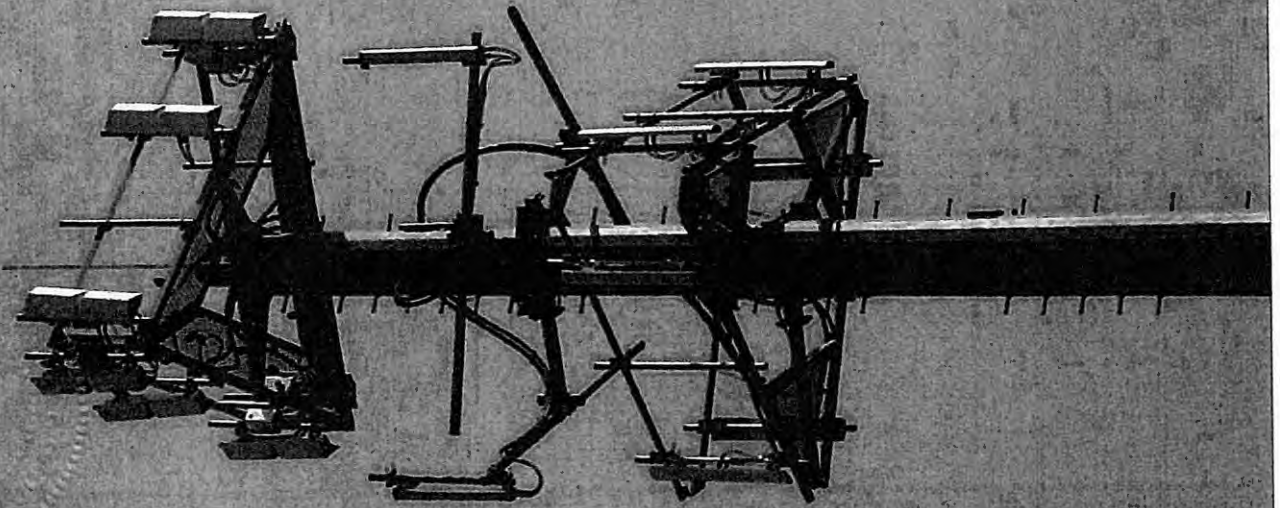
Cell site analysis was performed on the call detail records for the target cell phone. The methods described in Sections 2 and 2.1 were used to produce the attached historical cell site analysis maps.

A True Copy Attest

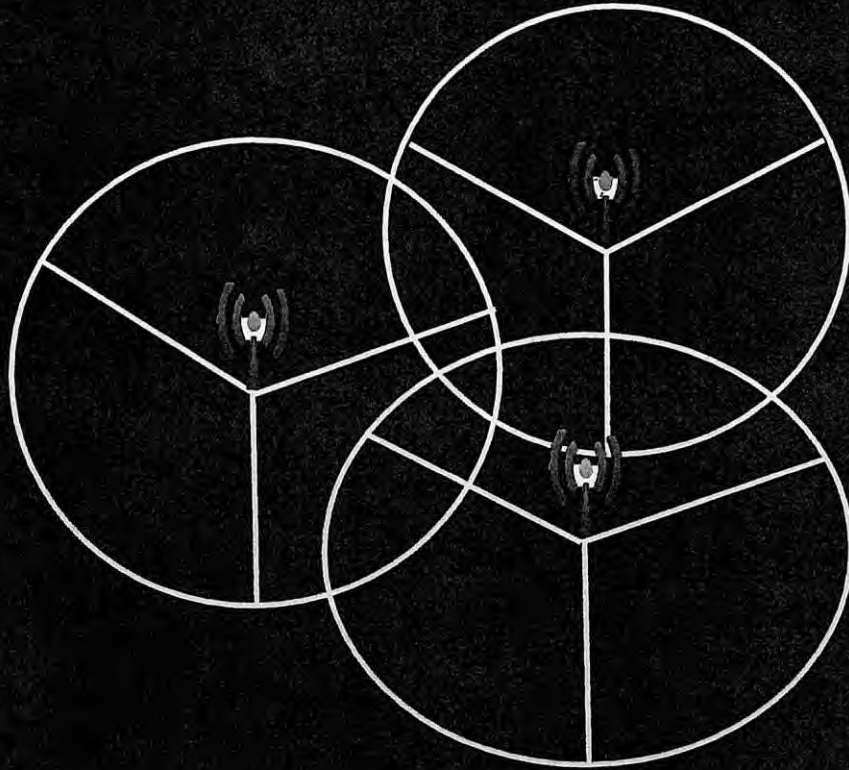
*Christy J. Stacey*

CLERK OF COURT C.P. & G.S.  
CHESTER COUNTY PA

# Sample Three Sector Tower



# Example Network of Three Sector Towers



# Locations of Interest:

- Hillian Edwards Rd and Hwy 9 Trailer park

Target # (843) 439-7060  
Service Provider: Verizon

Time Frame Analyzed:

January 21<sup>st</sup> between 18:00 hrs and January 22<sup>nd</sup> 02:00

A True Copy Attest

*Christina A. Gordon*



Towers uti

by:

(843) 439-

Timefran

January 2

between 18:0

and January

02:00 hr

Google Earth

# Verizon Records Explanation

496

<u>d</u>	<u>Record Start Time</u>	<u>Record End Time</u>	<u>Record Duration (sec)</u>	<u>Subscriber #</u>	<u>IMEI</u>	<u>IMSI</u>	<u>Starting Market ID</u>	<u>Starting eNB #</u>	<u>Starting Cell ID</u>	<u>ICtxd</u>
e lon 's n	Time of the Event initiation based on the device's interaction with the network.	Time of the Event termination based on the device's interaction with the network.	Starting with the access time, the event's length in seconds.	Target mobile number on which the report was run.	The International Mobile Equipment Identity number associated with the device.	The International Mobile Subscriber Identity number associated with the device.	Identifies the MSCID/Switch # utilized when event initiated. Most RTT reports are for multiple switch markets.	Cell site used on event initiation.	Sector indicator for the cell site used to initiate the event. Note: If this is two digit number, use the first digit only.	Est dista the i site- mile eve: or ti

# Report

Name	Mobile Directory Number	Dialed Digit Number	Call Direction	Seizure Dt Tm	Seizure Duration	First Serving Cell Site	First Serving Cell Face	Last Serving Cell Site	Last Serving Cell Face	Call
K	8434397060	8434392243	1	01/21/2017 17:01:10	176	282	3 = Gamma	282	3 = Gamma	
X4	8434397060	8434392243	5	01/21/2017 17:01:12	173	0	0	0	0	
X4	8434397060	18434397060	F	01/21/2017 19:02:20	13	0	0	0	0	
X4	8434397060	18434397060	F	01/21/2017 19:02:35	6	0	0	0	0	
X4	8434397060	18434397060	F	01/21/2017 19:03:00	9	0	0	0	0	
X4	8434397060	18434397060	F	01/21/2017 19:03:44	9	0	0	0	0	
X4	8434397060	18434397060	F	01/21/2017 19:04:08	13	0	0	0	0	
X4	8434397060	18434397060	F	01/21/2017 19:04:52	7	0	0	0	0	
X4	8434397060	18434397060	F	01/21/2017 19:05:53	10	0	0	0	0	
X4	8434397060	18434397060	F	01/21/2017 19:09:40	7	0	0	0	0	
X4	8434397060	8434397060	F	01/21/2017 19:43:27	5	0	0	0	0	
X4	8434397060	8434397060	F	01/21/2017 19:57:35	19	0	0	0	0	
K	8434397060	7046046940	0	01/21/2017 19:57:36	12	282	3 = Gamma	282	3 = Gamma	
K	8434397060	8036366250	1	01/21/2017 19:59:07	27	282	3 = Gamma	282	3 = Gamma	
X4	8434397060	8434397060	5	01/21/2017 19:59:54	53	0	0	0	0	
X	8434397060	7046046978	0	01/21/2017 19:59:58	48	282	3 = Gamma	282	3 = Gamma	
X4	8434397060	8434397060	0	01/21/2017 20:24:57	90	1816	2 = Beta	1816	2 = Beta	
X4	8434397060	8434397060	5	01/21/2017 20:31:47	48	0	0	0	0	
X4	8434397060	488	0	01/21/2017 20:31:48	47	1784	1 = Alpha	1784	1 = Alpha	
X4	8434397060	8436177958	1	01/21/2017 20:32:48	40	1784	1 = Alpha	1784	1 = Alpha	
X4	8434397060	8036366250	1	01/21/2017 20:33:44	47	1876	2 = Beta	1876	2 = Beta	

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 Chesterfield County, SC

# Report

468

Name	Mobile Directory Number	Dialed Digit Number	Call Direction	Seizure Dt Tm	Seizure Duration	First Serving Cell Site	First Serving Cell Face	Last Serving Cell Site	Last Serving Cell Face	Cell
	8434397060	8434397060	5	01/21/2017 20:38:29	45	0	0	0	0	
	8434397060	170	0	01/21/2017 20:38:30	44	1784	2 = Beta	1784	2 = Beta	
	8434397060	8434397060	F	01/21/2017 20:46:53	38	0	0	0	0	
	8434397060	717	0	01/21/2017 20:46:56	30	1885	2 = Beta	1885	2 = Beta	
	8434397060	8434397060	F	01/21/2017 20:53:44	36	0	0	0	0	
	8434397060	466	0	01/21/2017 20:53:47	28	1885	2 = Beta	1885	2 = Beta	
	8434397060	8036366250	1	01/21/2017 20:55:23	99	1885	2 = Beta	1885	2 = Beta	
	8434397060	8036366250	1	01/21/2017 21:14:54	161	1875	1 = Alpha	1875	1 = Alpha	
	8434397060	8434397060	5	01/21/2017 21:20:45	53	0	0	0	0	
	8434397060	685	0	01/21/2017 21:20:47	51	1885	2 = Beta	1885	2 = Beta	
	8434397060	8036366250	1	01/21/2017 21:29:02	122	1784	1 = Alpha	1784	1 = Alpha	
	8434397060	8434397060	F	01/21/2017 21:29:05	6	0	0	0	0	
	8434397060	8434397060	F	01/21/2017 21:29:17	32	0	0	0	0	
	8434397060	992	0	01/21/2017 21:29:19	24	1784	1 = Alpha	1784	1 = Alpha	
	8434397060	8434397060	5	01/21/2017 21:30:39	20	0	0	0	0	
	8434397060	783	0	01/21/2017 21:30:40	19	1784	1 = Alpha	1784	1 = Alpha	
	8434397060	8436177958	1	01/21/2017 21:33:06	140	1784	2 = Beta	1784	2 = Beta	
	8434397060	8434397060	5	01/21/2017 21:45:59	126	0	0	0	0	
	8434397060	300	0	01/21/2017 21:46:03	121	1816	2 = Beta	1816	2 = Beta	
	8434397060	8438629271	1	01/21/2017 22:34:52	213	1773	3 = Gamma	1773	3 = Gamma	
	8434397060	8434397060	5	01/21/2017 22:45:13	72	0	0	0	0	
	8434397060	98	0	01/21/2017 22:45:16	68	1545	1 = Alpha	1545	1 = Alpha	

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 CHESTERFIELD COUNTY, SC

# Report

Name	Mobile Directory Number	Dialed Digit Number	Call Direction	Seizure Dt Tm	Seizure Duration	First Serving Cell Site	First Serving Cell Face	Last Serving Cell Site	Last Serving Cell Face	Call
X4	8434397060	8434397060	5	01/21/2017 22:50:37	26	0	0	0	0	
X4	8434397060	736	0	01/21/2017 22:50:40	23	1545	1 = Alpha	1545	1 = Alpha	
X4	8434397060	8434397060	5	01/21/2017 23:17:32	435	0	0	0	0	
X4	8434397060	907	0	01/21/2017 23:17:34	432	1876	1 = Alpha	1876	1 = Alpha	
X4	8434397060	8434397060	F	01/21/2017 23:23:25	32	0	0	0	0	
X4	8434397060	289	0	01/21/2017 23:23:29	24	1876	1 = Alpha	1876	1 = Alpha	
X4	8434397060	8434397060	5	01/21/2017 23:29:02	179	0	0	0	0	
X4	8434397060	329	0	01/21/2017 23:29:05	175	1816	1 = Alpha	1816	1 = Alpha	
X4	8434397060	8439100404	1	01/21/2017 23:36:02	68	1816	1 = Alpha	1816	1 = Alpha	
X4	8434397060	8434397060	0	01/21/2017 23:39:35	98	1876	2 = Beta	1876	2 = Beta	
X4	8434397060	8434397060	5	01/21/2017 23:47:09	279	0	0	0	0	
X4	8434397060	764	0	01/21/2017 23:47:12	275	1816	1 = Alpha	1816	1 = Alpha	
X4	8434397060	8434397060	F	01/21/2017 23:47:22	5	0	0	0	0	
X4	8434397060	8434397060	F	01/21/2017 23:47:36	29	0	0	0	0	
X4	8434397060	3	0	01/21/2017 23:47:38	24	1816	1 = Alpha	1816	1 = Alpha	
X4	8434397060	8434397060	5	01/22/2017 00:07:46	9	0	0	0	0	
X4	8434397060	8434397060	5	01/22/2017 00:15:34	12	0	0	0	0	
X4	8434397060	8434397060	5	01/22/2017 00:23:21	6	0	0	0	0	
X4	8434397060	8439100404	3	01/22/2017 00:24:31	8	1816	3 = Gamma	1816	3 = Gamma	
X4	8434397060	4236814031	1	01/22/2017 00:24:33	6	1816	3 = Gamma	0	0	
X4	8434397060	8436177958	3	01/22/2017 01:22:42	8	1784	1 = Alpha	1784	1 = Alpha	
X4	8434397060	4236815166	1	01/22/2017 01:22:44	6	1784	1 = Alpha	0	0	
X4	8434397060	8434397060	5	01/22/2017 01:23:57	1	0	0	0	0	
X4	8434397060	8434397060	5	01/22/2017 01:26:29	1	0	0	0	0	

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 CLERK OF COURT, C.P. & G.S.  
 CHESTERFIELD COUNTY, MO

# Transaction on Tower 282-3



1/21/17 at 19:01  
1/21/17 at 19:57  
1/21/17 at 19:59  
1/21/17 at 19:59

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# Transaction on Tower 1816-2



1/21/17 at 20:24  
1/21/17 at 21:46

Google Earth

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# Transaction on Tower 1816-3



1/22/17 at 00:24

1/22/17 at 00:24

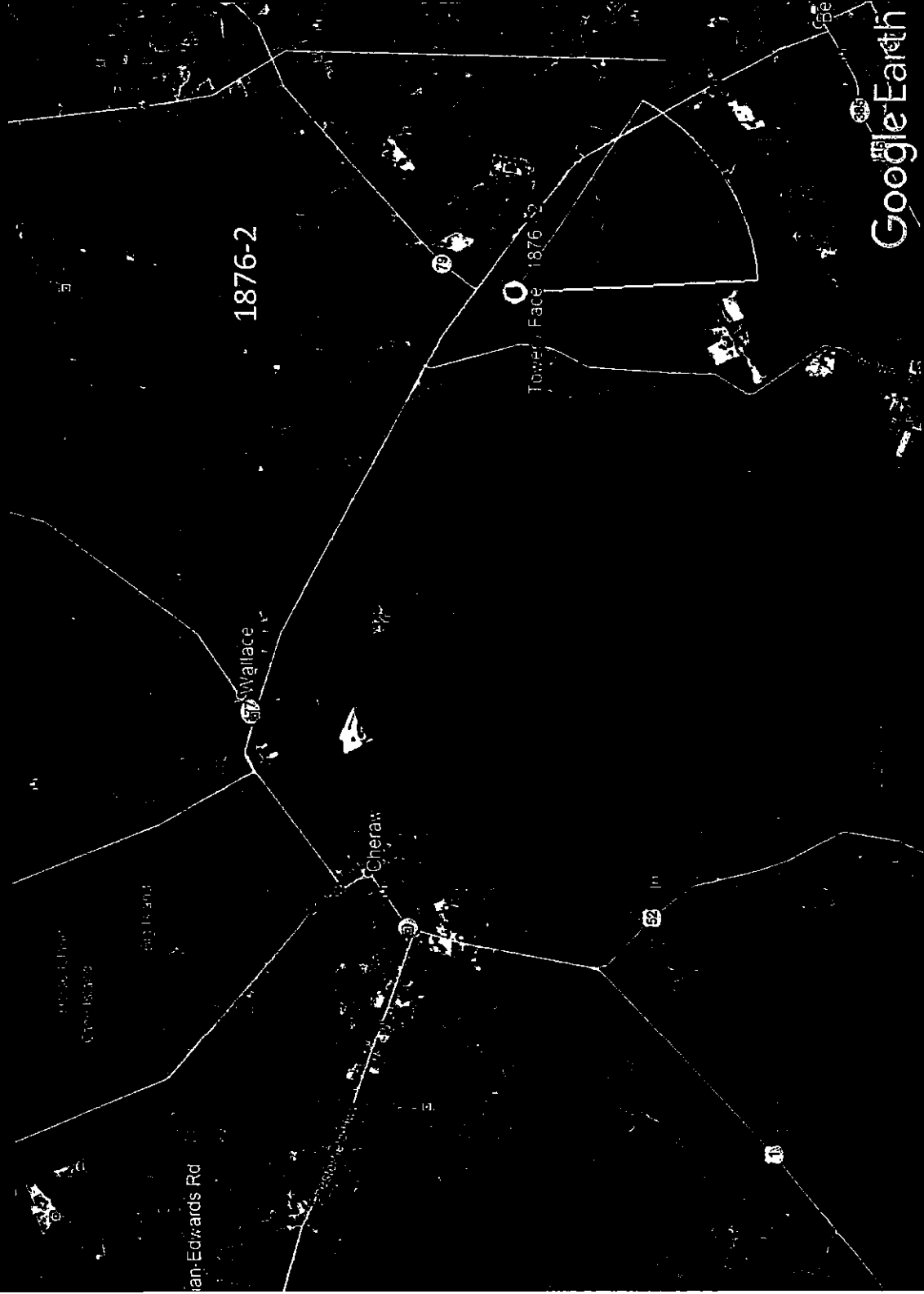
# Transaction on Tower 1784-3



- 1/21/17 at 20:31
- 1/21/17 at 20:32
- 1/21/17 at 20:38
- 1/21/17 at 21:29
- 1/21/17 at 21:29
- 1/21/17 at 21:30
- 1/21/17 at 21:33
- 1/22/17 at 01:22
- 1/22/17 at 01:22

A True Copy Attest

# Transaction on Tower 1876-2



1/21/17 at 20:33  
1/21/17 at 23:17  
1/21/17 at 23:23  
1/21/17 at 23:39

A True Copy Attest

# Transaction on Tower 1885-2



1/21/17 at 20:46  
1/21/17 at 20:53  
1/21/17 at 20:55  
1/21/17 at 21:20

Google Earth

A True Copy Attest

# Transaction on Tower 1875-1

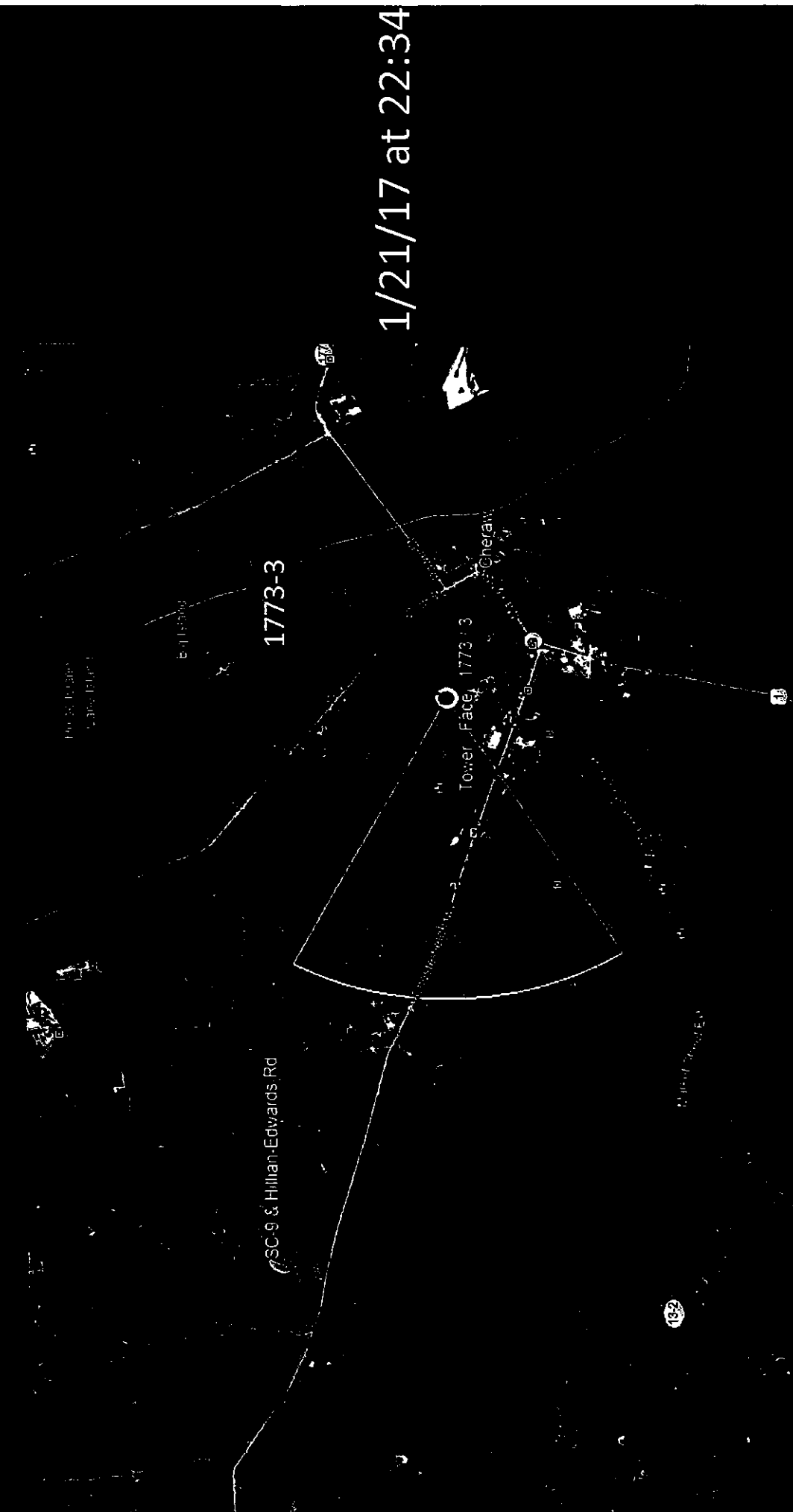


1/21/17 at 21:14

Google Earth

A True Copy Attest

# Transaction on Tower 1773-3



Google Earth

A True Copy Attest

# erlte Transaction on Tower 1545-1



1/21/17 at 22:45

1/21/17 at 22:50

Google Earth

\*skipped "Blood" discussion

EXHIBIT  
State 479  
# 38  
4/21/21 - MD

STATE v. JAMES MONROE BROWN

REDACTIONS

BPD Interview (Part 1)

25:40 – 28:15

BPD Interview (Part 2)

0:22 – 0:34

2:21 – 5:12

6:06 – 6:50

CCSO Interview (Part 1)

0:00 – 36:45

37:45 – end of Part 1

CCSO Interview (Part 2)

0:40 – 6:24

6:53 – 7:35

9:04 – end of Part 2

CCSO Interview (Part 3)

0:00 – 4:09

6:00 – 6:43

7:14 – 7:36

8:55 – 10:25

13:42 – 14:10

15:33 – 15:47

A True Copy Affidavit  
Christy S. Stoddy  
CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

CCSO Interview (Part 3)-cont'd

17:02 – 17:16

18:04 – 19:20

21:10 – 21:36

22:12

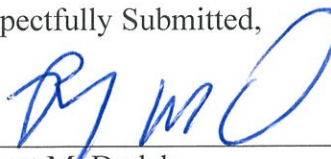
~~23:00~~ – end of Part 3

**A True Copy Attest**  
*Christy B. Jolley*  
CLERK OF COURT C.P. & G.S.  
CHESTERFIELD COUNTY, SC

## 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,



---

Robert M. Dudek  
Chief Appellate Defender

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

ATTORNEY FOR APPELLANT

**RECEIVED**

**Dec 14 2022**

**SC Court of Appeals**

This 14th day of December, 2022.