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In the Matter of:

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SC Court of Appeals

JOSEPH W. KEATING

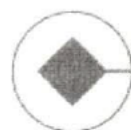
VS.

HARRISON WILDER, JR., ET AL

Joseph W. Keating

October 1, 2025

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IN THE COURT OF COMMON PLEAS
FOR THE STATE OF SOUTH CAROLINA
CHARLESTON COUNTY

DEPOSITION OF JOSEPH W. KEATING

JOSEPH W. KEATING,
Plaintiff,

vs. CASE NO.: 2025-CP-10-1165

HARRISON WILDER, JR., HOPE WILDER BROWN, ESTATE
OF HARRISON WILDER,
Defendants/Counterclaim Plaintiffs and Third
Party Plaintiffs,

vs.

JOSEPH W. KEATING D/B/A KEATING TREE SERVICE, AND JAMES
ISLAND PRESERVATION TRUST, JOSEPH W. KEATING, AS
TRUSTEE,
Third Party Defendants.

DEPONENT: JOSEPH W. KEATING

DATE: October 1, 2025

TIME: 3:09 PM

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1 JOSEPH W. KEATING, having been first duly
2 sworn, testified as hereinafter set forth.

3 EXAMINATION

4 BY MR. HALVERSEN:

5 Q. Mr. Keating, I introduced myself to you before.
6 My name is Brent Halversen, and I represent some of the
7 defendants in the lawsuit you filed.

8 Have you ever had your deposition taken
9 before?

10 A. Yes.

11 Q. And when did you have your deposition taken?

12 A. We had a lawsuit with a bank. It was a
13 foreclosure lawsuit.

14 Q. Okay. When was that? In the Great Recession?
15 I'm not looking for an exact date.

16 A. '11, 2011, somewhere around there. Yeah, it was
17 the Great Recession.

18 Q. And was that in your subject -- the same property
19 we've been talking about where you live?

20 A. Yes, where -- Macarena's property.

21 Q. Okay. And that's 1355 River Road?

22 A. Yes.

23 Q. Okay. Other than -- but your deposition was
24 taken in that case?

25 A. Yes.

1 Q. And I assume it must have been resolved?

2 A. Yes, it was resolved.

3 Q. Other than that case, have you ever had your
4 deposition taken before?

5 A. I don't think so.

6 Q. Well, you saw --

7 A. Yes. I had a -- yes. I had a workers' comp
8 thing and had a deposition.

9 Q. Okay. As part of an accident that happened with
10 your company?

11 A. An employee, yes.

12 Q. Okay. So you know generally how it goes. You
13 saw how your wife's deposition went. The same thing
14 happens here.

15 A. Sure.

16 Q. If you want to take a break, fine. If you can
17 wait until the end of my question. A lot of times you
18 will be able to know what the answer is before I am done
19 speaking. Just try to wait so the court reporter can
20 get it down and --

21 A. Okay.

22 Q. -- then answer the question.

23 A. I'll do the best I can.

24 Q. It just happened there. That's okay. It happens
25 all the time.

1 So just a brief background about yourself.

2 So when were you born?

3 A. 1960, August 26, 1960.

4 Q. And what was your place of birth?

5 A. Pensacola, Florida.

6 Q. And when did you move to the Lowcountry?

7 A. Two, three years old, something like that.

8 Q. You came here with your family?

9 A. With my family.

10 Q. Did you graduate from high school here?

11 A. Bishop England High School.

12 Q. What year?

13 A. Is it okay if I answer -- like instead of saying
14 yes and then Bishop England High School, is it okay if I
15 just say 1979?

16 Q. Yeah. Okay.

17 A. And The Citadel in 1983.

18 Q. And what degree did you graduate with?

19 A. Business administration.

20 Q. All right. And then since then have you been in
21 the tree service business continuous since then?

22 A. Yes, pretty much, yes.

23 Q. Okay. And I will represent to you I searched
24 with the Secretary of State's Office and I could not
25 find the Keating Tree Service, LLC, organized as an

1 entity.

2 Were you aware of that?

3 A. No.

4 Q. Have you ever gone to a lawyer to form -- have
5 the company formed, or have you just always gone by the
6 name Keating Tree Service?

7 A. We -- it was JWK Tree Service, LLC, and then --

8 Q. JW Keating Tree Service?

9 A. JWK.

10 Q. JWK.

11 A. Tree Service.

12 Q. Is that entity still doing business?

13 A. I think Keating Tree Service is still an LLC.

14 Q. Okay. Well, did you form that company yourself
15 or did you go to a lawyer to do it?

16 A. I formed it myself.

17 Q. Keating Tree Service, LLC?

18 A. Yeah, I think so.

19 Q. All right. Well, I will represent to you, and
20 you can check, but I didn't see anything with the
21 Secretary of State's Office with Keating Tree Service,
22 LLC.

23 A. Okay.

24 Q. So when you operate your business, do you -- I
25 mean, did you have a bank account where you have your

1 business --

2 A. I had a business account.

3 Q. -- business account? Where was that at?

4 A. Synovus.

5 Q. Is it still open?

6 A. No.

7 Q. When did you close it?

8 A. Two years ago, more or less.

9 Q. Is that when you stopped operating the business?

10 A. Yes.

11 Q. Why did you stop operating the business?

12 A. Because I was operating it out of my house and
13 they wanted me to close it down or move.

14 Q. Okay. "They" being who?

15 A. Charleston County.

16 Q. Okay. So some of the questions, it seemed
17 like -- did you say Macarena or --

18 A. Macarena.

19 Q. Macarena. Like the dance?

20 A. Yes.

21 Q. So some of those questions, it sounds like maybe
22 you knew the answer to but she didn't know the answer
23 to, correct?

24 A. Yes.

25 Q. So questions about the County -- and I'm just

1 talking about it now since you brought it up.

2 The County wanted you to not be doing
3 business there? Is that true?

4 A. Yes.

5 Q. Is that because you weren't zoned for that?

6 A. Zoning, yes.

7 Q. And is that why you agreed to not have the
8 business operate there anymore?

9 A. Yes.

10 Q. Did you have a lawyer that helped you with part
11 of that process?

12 A. No.

13 Q. Okay.

14 A. Uhm, no.

15 Q. So Mary Shea was previously --

16 A. She wasn't -- I don't know how to answer that.
17 She helped me, but she never --

18 Q. She helped you with the zoning issues?

19 A. She helped me.

20 Q. Okay. With that stuff?

21 A. Yes.

22 Q. Okay. All right. And --

23 A. I don't know that she ever became the official
24 attorney. I don't know how to answer that question, but
25 she helped me.

1 Q. I understand. Did you know her from church or --

2 A. Yeah. We've been friends for years.

3 Q. How did you know her from?

4 A. Church. Our families know each other.

5 Q. Okay. All right. Do you know Peter?

6 A. Sure. Yes.

7 Q. Okay. So the business stopped operating about
8 two years ago?

9 A. More or less.

10 Q. And was that basically -- you made the decision
11 to stop it because you couldn't use the property where
12 you live at to operate out of anymore?

13 A. Yes.

14 Q. All right. Have you ever had any employees work
15 for you?

16 A. Yes.

17 Q. Okay. Who were your employees? Let's just say
18 from the year 2008 forward.

19 A. I can name a few.

20 Q. Let's make this easier and as quick as possible.

21 Anybody that -- was there any employees that
22 you had that were doing any sort of operations at the
23 Sol Legare property?

24 A. Yes, Grayson Brown.

25 Q. Okay.

1 A. And Jason Keller, K-e-l-l-e-r.

2 Q. Do they still live in the area?

3 A. Yes.

4 Q. And you have their contact information?

5 A. Absolutely.

6 Q. And what kind of stuff did they do at the
7 property? And now I'm referring to the --

8 A. James Island.

9 Q. -- Wilder property.

10 A. They trimmed the trees. They brought in dirt.
11 They graded it, put up silt fences.

12 Q. Why would you put up silt fences there?

13 A. We built the road.

14 Q. What road?

15 A. The road that's there now.

16 Q. Old Sol Legare Road?

17 A. Yes. We built it.

18 Q. Okay.

19 A. We removed all the drums of oil. We removed the
20 cars.

21 Q. There were abandoned cars there?

22 A. At least three.

23 Q. You left an abandoned car there, did you not?

24 A. I had a van there that I let a homeless person
25 live in, and when he moved out I got -- yeah.

1 Q. The van that said Keating Tree Service on it?

2 A. Yes.

3 Q. Okay. So what you're telling me is the road,
4 when you bought the property, Old Sol Legare Road, it
5 was an existing road, right?

6 A. Yes. It was already there.

7 Q. But was it overgrown at the time?

8 A. It was washed out in some places, overgrown in
9 some places. It had burnt motor oil containers, diesel
10 fuel. It was used as a dump. People were dumping all
11 kinds of debris there. And they were using it for --
12 what do you call it -- syringes, drug paraphernalia type
13 stuff there.

14 Q. Where was that located?

15 A. All on that road.

16 Q. Okay. And did you collect that stuff and discard
17 it?

18 A. Hauled it all off.

19 Q. Okay. And just so we can know where we're
20 talking about, we will mark this as Exhibit 1 to your
21 deposition.

22 A. Yeah.

23 (Defendants' Exhibit No. 1 was marked for
24 identification.)

25 Q. (BY MR. HALVERSEN): So on the one that is marked

1 with the sticker, why don't you draw with a pen the area
2 you're telling me about on Sol Legare Road where you
3 cleared out this debris area you're telling me about.

4 A. You don't have a better picture than this? Okay.

5 Q. You know where -- it's off of Battery Park Island
6 Road?

7 A. Battery Island Drive.

8 Q. Battery Island Drive.

9 A. Oh, wait a minute. I'm in the wrong spot. I
10 think I messed it up a little. It's not here. Let me
11 get a red -- can I use this and then --

12 Q. Sure.

13 A. So I'm using a red pen. It went all the way to
14 the dike.

15 Q. So that's the entirety of Old Sol Legare Road,
16 what you just highlighted?

17 A. No. It's just up to the dike.

18 Q. Right. Okay. So from the dike to Battery Island
19 Drive --

20 A. There was a lot of -- I can't tell by the -- but
21 it was like an area. I'm going to guess it's right in
22 here. There was a lot of shingles and Sheetrock and,
23 you know --

24 Q. Okay. So --

25 A. -- concrete piles and --

1 Q. So all of that stuff was preexisting, but when
2 you bought the property or when you -- or you tell me.
3 When --

4 A. I'm telling you what was previous, before I got
5 on the property.

6 Q. Before you got on the property?

7 A. Before I got on the property.

8 Q. And, for the record, you highlighted a little
9 semicircle area about the middle of the property?

10 A. Yes.

11 Q. And you're saying that there was material that
12 was dumped there, too?

13 A. Yes, all in there.

14 Q. What kind of material?

15 A. Everything I said.

16 Q. Okay. So we'll --

17 A. Tires, cars. It was like a landfill.

18 Q. So it was used as a landfill before you got
19 there?

20 A. Oh, yes.

21 Q. Did you ever use the property as a landfill?

22 A. Never.

23 Q. So all of the material that's there, you didn't
24 deposit any of the material that's out there?

25 A. Whatever I brought there was for my own use.

1 Q. Okay.

2 A. I never brought anything there to dispose of.

3 Q. And what did you bring there that was for your
4 own use?

5 A. I brought dirt. I brought trees to use for
6 firewood and to block the road so no one could go up and
7 down the road because we still had -- we had a hard time
8 getting the four-wheelers out of there, and bikes, and
9 people walking. And I stored things on the property.

10 Q. So you brought dirt, trees for firewood. What
11 else?

12 A. I was also using the trees to block the road, to
13 keep people from going in there.

14 Q. Why would you do that?

15 A. Because they kept going in there. I wanted
16 everybody out. I didn't want anybody to get in the
17 property.

18 Q. Well, where did you drop the trees to block the
19 road?

20 A. At the -- from -- you have to understand. They
21 didn't just come from the dike, from the road. They
22 would come through the marsh, so I blocked them in every
23 direction.

24 Q. And that was to keep people off of the property?

25 A. Off the property.

1 Q. Why would you do that?

2 A. Because I didn't want them on the property.

3 Q. On your property or the Wilder property?

4 A. All of the property, everything from -- I didn't
5 want them on -- from the dike to anywhere. I didn't
6 want them on any of the properties.

7 Q. So your testimony is you were depositing the
8 trees on there to prevent other people from dumping on
9 the property?

10 A. Not from dumping, from coming on the property.
11 And from dumping on the property. I guess you could say
12 that, too.

13 Q. What was the harm if people were using the
14 property?

15 A. I didn't want them to use it.

16 Q. Do you know who was using the property?

17 A. I didn't keep track of them, no. Once I kicked
18 them off, they didn't come back.

19 Q. And there were times when you told people to
20 leave the property?

21 A. Yes.

22 Q. Who -- when was that?

23 A. Different -- I don't know how to answer that. At
24 different times while we had the property. Sometimes we
25 had to call the police to move them off because they

1 were camping there.

2 Q. So I want to make sure we're talking about the
3 same thing when we're referring to what we're talking
4 about.

5 So when I say "your property", I mean --

6 A. I'm talking about all of the properties, the
7 Wilder's, everything from the dike to the road.

8 Q. Okay. So what is your understanding of where the
9 Wilder's property is?

10 A. It's next mine.

11 Q. All right. So you're telling me ever since you
12 bought the property you would erect these barriers or
13 trees to keep people off the property?

14 A. Keep people off the property.

15 Q. All right. So that's either from vagrants or
16 from dumping? Is that what you're telling me?

17 A. Yes.

18 Q. Okay. So did you deposit any of the landscaping
19 debris, trees, stumps, shrubs, branches that are at the
20 end of Old Sol Legare Road by the dike?

21 A. No.

22 Q. None of that was done by you or your company?

23 A. I didn't dump any -- we didn't dump anything that
24 we couldn't use.

25 Q. You didn't dump anything that you could not use?

1 A. That we couldn't use. Like when -- my plan was,
2 and it still is, to use it as firewood. When we go
3 camping there, we cut it up and use it as firewood.

4 Q. Okay. So -- and I just want to make sure I know
5 what you're telling me.

6 What you're telling me is from the end of
7 Sol Legare Road where the dike is, all the way down at
8 the end, you agree with me that that area is covered
9 with landscaping debris?

10 A. I didn't put landscaping debris there. I didn't
11 do landscaping. I'm not familiar with that.

12 Q. So you had a landscaping company?

13 A. No.

14 Q. Tree removal company?

15 A. Only tree removal. We don't do landscaping.

16 Q. So are any of the dead trees and branches and
17 stumps that are at the end of Sol Legare Road near the
18 dike, is that any material that was deposited by you or
19 your company?

20 A. No landscaping debris was brought there by my
21 company. There shouldn't be any stumps there. We never
22 brought stumps. We only brought trees, stuff that we
23 could use for firewood later.

24 Q. So you brought whole trees there?

25 A. No, cut-up trees.

1 Q. Cut-up trees. Okay. So --

2 A. Some of them might be longer and shorter.

3 Q. So if there are cut-up trees or dead branches at
4 that part of Old Sol Legare Road, the part that's
5 closest to the dike, would that have been material that
6 you or your company deposited there?

7 A. Not land -- I don't know.

8 Q. All right. Let me show you some pictures.

9 A. Show me. That might be better.

10 MR. HALVERSEN: We will mark this as 2.

11 (Defendants' Exhibit No. 2 was marked for
12 identification.)

13 MS. ORDWAY: Oh, a color picture.

14 Q. (BY MR. HALVERSEN): So that's one picture of the
15 portion of the property I'm talking about where there is
16 a large tree stump, piece, whatever it is.

17 Would that have been material that you took
18 to this area of the property, or you or your company?

19 A. That may have been. I really don't know. That
20 looks, to me, like a tree that was on the property that
21 was taken down, but I don't know.

22 Q. Did your company ever deposit any -- I think you
23 said you put parts of trees out there.

24 A. Yes.

25 Q. Could it be possible this was --

1 A. I know parts of it because -- I don't recognize
2 it.

3 Q. Okay. But is it your testimony that somebody
4 else did this, deposited this material that's at the end
5 of Sol Legare Road?

6 A. No. My testimony is I don't know.

7 Q. You don't know?

8 A. I don't know.

9 Q. Could it have been from your company or --

10 A. Maybe.

11 Q. Would the people you told me about before,
12 Grayson Brown or Jason Keller, be able to tell us
13 about --

14 A. They might be able to.

15 Q. -- what material they brought out there?

16 A. They only brought dirt, really. They helped me
17 when I did the bridges.

18 Q. The bridges?

19 A. The bridges.

20 Q. Where were the bridges?

21 A. The two bridges that were built going to Folly
22 Beach.

23 Q. On --

24 A. That was before we brought this out.

25 Q. Okay. Bridges -- all right. So is that the

1 Wilder property or somewhere else or --

2 A. All the way -- the first thing we did was built
3 the road with dirt, and that was from the dike to
4 Battery Island Drive.

5 When they were building the bridges, we dug
6 the dirt out so they could put in the new dirt for the
7 road, and we filled that whole road up with dirt.

8 Q. And when did that happen?

9 A. The bridges were finished in 2014. It has a
10 stamp on the side of it.

11 Q. If you go back to --

12 A. It would have probably been '11.

13 Q. If you go back to Exhibit 1, could you just
14 circle those areas you're telling me about where the
15 bridges were?

16 A. No. It's the road going to Folly Road, the two
17 bridges that they -- the two new bridges they built on
18 Folly Road going to Folly Beach.

19 Q. All right. So over here?

20 A. No. It's not on this picture.

21 Q. Oh, okay. All right. So --

22 A. It would be -- like if this is the road, it would
23 be like here (indicating).

24 Q. Oh. Well, so why are you telling me about that?

25 I don't understand.

1 A. What is under here is what they put -- what
2 Grayson and Jason put --

3 Q. Oh, wait. It came from that area you're
4 describing?

5 A. Under this, the dirt.

6 Q. The dirt here on Exhibit 2 was coming from
7 this --

8 A. This came from the James Island bridges.

9 Q. Okay. All right.

10 (Interruption by court reporter.)

11 MR. HALVERSEN: All right. So we are back
12 on the record.

13 Q. (BY MR. HALVERSEN): So I think what we were
14 trying to clarify is that the picture of -- it's in
15 Exhibit 2. That material came from the bridges area
16 near Folly Road that your workers were working on?

17 A. The dirt --

18 Q. The dirt --

19 A. -- under the trees came from Folly Road.

20 Q. Okay. So -- but you're not -- I think you said
21 it maybe was -- the trees, the materials over it, could
22 have been from your company, but you weren't sure?

23 A. The way that it looks, it looks like it came from
24 a tree that died on the property.

25 Q. And how do you tell that?

1 A. Because the way that -- this wouldn't have been
2 cut that way. This part of the tree would not have been
3 cut that way to move. We would not have brought in
4 small stuff like that because it wouldn't serve our
5 purpose.

6 Q. Well, there are other big chunks of --

7 A. The big chunks we could use.

8 Q. -- trees out there, correct?

9 A. The big chunks we could use.

10 Q. You could use?

11 A. Yes.

12 Q. So the big chunks of trees that are out there on
13 Old Sol Legare Road, were those put there by you or your
14 company?

15 A. Yes.

16 Q. Okay.

17 A. Yes, it was put by my company.

18 Q. And is that -- are you saying you could later use
19 that?

20 A. Yes.

21 Q. For firewood or something else?

22 A. It has two uses. The use it has right now is to
23 keep anybody from coming in. And, as we build fires out
24 there, we will use it for firewood.

25 MR. HALVERSEN: Now, we will mark this as

1 Exhibit 3.

2 (Defendants' Exhibit No. 3 was marked for
3 identification.)

4 Q. (BY MR. HALVERSEN): Does this look familiar?

5 A. No.

6 Q. I will represent to you this is walking further
7 down Old Sol Legare Road towards the dike. You don't
8 recognize that, all of that tree landscape, whatever
9 that brush is?

10 A. I don't recognize it.

11 Q. Was this material put there by you or your
12 company?

13 A. I don't know.

14 Q. Is it possible it was?

15 A. It's possible it was. It probably was.

16 Q. So this, if you look at Exhibit 1, which is the
17 map, on Old Sol Legare Road the property is --

18 A. This is in that --

19 Q. Where Old Sol Legare goes down and you can see --
20 those are TMS numbers?

21 A. Yes.

22 Q. And that goes down and cuts through not only 001,
23 which is the Wilder property, but 002 and 003. So --

24 A. And 045.

25 Q. And 045, that's correct.

1 So were you putting that material all the
2 way down to the dike?

3 A. All the way down to the dike.

4 Q. And that was, according to your testimony, was to
5 prevent other people from trespassing on their land?

6 A. Trespassing on their land.

7 Q. All right. So if that's the case, you were
8 putting that material out there to prevent people from
9 trespassing on their land, then why are you claiming
10 that the land is yours now?

11 A. Through adverse possession.

12 Q. Right. Why? If you put -- if your testimony is
13 you put this stuff there to prevent people from
14 trespassing on their land, then how is it that you're
15 claiming that the property is yours now?

16 A. Because I was using it as if it were mine.

17 Q. By depositing that material there?

18 A. By building it up, and then depositing material
19 to block people from using it.

20 Q. Okay. And just -- so I think I understand what
21 you're telling me, is when you first started doing this
22 activity out there was around the same time you
23 purchased your property?

24 A. In '08, yes.

25 Q. In '08. And the first thing you did was clear

1 out some of the debris that was there and then build up
2 the road, depositing dirt on it?

3 A. Yes.

4 Q. Okay. So if that was the case, and you built it
5 up and put dirt on it, why would you then deposit the
6 kinds of things we see in Exhibit 2 and Exhibit 3?

7 A. To stop other people from being able to come on
8 the property.

9 Q. I got you there.

10 A. Yes.

11 Q. But why would you clear -- it was always a road,
12 correct? I mean, it's on the map. It's titled Old Sol
13 Legare Road, right?

14 A. Yes.

15 Q. And according to what you're telling me, you and
16 your company put in some dirt on top of that, smoothed
17 it out?

18 A. Yes.

19 Q. And you later put this tree debris on top of it,
20 correct?

21 A. Yes.

22 Q. So I'm having trouble understanding why you
23 would --

24 A. I didn't want anybody coming back there.

25 Q. I got you there.

1 A. Okay.

2 Q. What I don't understand is why you would smooth
3 out the road and put dirt on it and then to later --

4 A. Oh, I see what you're asking.

5 Q. Yeah.

6 A. I didn't know that they would be coming back
7 there like that. I thought that I could just put a gate
8 at the end and no one would come.

9 Q. Okay. So what was your goal in all of this? Why
10 were you trying to --

11 A. The goal was always to take the property.

12 Q. The goal was always to take --

13 A. Always to take the property.

14 Q. All right. But what did you want it for?

15 A. Because nobody else wanted it, and I wanted to
16 possess it. I wanted possession of it.

17 Q. But what did you want to do with it?

18 A. Go out there, camp, walk, enjoy it, what
19 everybody else does with property like that.

20 Q. Well, you can't camp or enjoy it now when it
21 has -- when Old Sol Legare Road is filled with all of
22 this debris, right?

23 A. Correct.

24 Q. Okay.

25 A. It has to be removed in order to do that.

1 Q. So was it your intention to ultimately remove
2 this material?

3 A. Ultimately, yes, to use it.

4 Q. To use it?

5 A. Over time.

6 Q. Well, Exhibit 3, how do you use Exhibit 3?

7 A. You can start a fire with that.

8 Q. Okay?

9 A. Yeah.

10 Q. So would you start a fire there?

11 A. No.

12 Q. So you would use this material to take it and
13 make a fire someplace else?

14 A. Right, where the open area is, and we did do
15 that.

16 Q. You had fires where the open area was?

17 A. Yes.

18 Q. And for what purpose?

19 A. Just parties.

20 Q. Just recreation?

21 A. Recreation.

22 Q. And the open area, you're referring to the
23 semicircle area that's in the middle of Sol Legare Road?

24 A. I'm talking about the area here.

25 Q. Yes, that semicircle, or --

1 A. Yes, yes.

2 Q. You can maybe --

3 A. It's where the pink is.

4 Q. Well, put an X right there. We'll put an X
5 there.

6 A. That's fine.

7 Q. Okay. Let me ask you about some of the other
8 stuff that's out there. So you mentioned before -- we
9 will mark this as 4 -- that you had cleaned up some
10 steel drums from the property?

11 A. Yes.

12 (Defendants' Exhibit No. 4 was marked for
13 identification.)

14 Q. (BY MR. HALVERSEN): Does that look like the
15 steel drums you're telling me about?

16 A. These are on the property now?

17 Q. I will represent to you they are.

18 A. Those are the type of drums that we removed.

19 Q. Why did you remove them?

20 A. They were full of oil and they were unsightly.

21 Q. So where did you take the oil?

22 A. To the Bees Ferry Landfill.

23 Q. When did you do that?

24 A. Over time, over time. We didn't do it all at one
25 time.

1 Q. So give me a time frame.

2 A. From '08 until -- still things appear, you know,
3 so '08 until now. We're still finding debris and stuff
4 that was put out there.

5 Q. And I'm just talking about the steel drums with
6 the oil in it.

7 A. These are out there now?

8 Q. Yes, sir.

9 A. I don't know where they came from. I don't know.

10 Q. Well, and I'm just asking you because you told me
11 when you first started --

12 A. We were removing -- these are 55-gallon drums.
13 We were removing drums like this, and I don't know how
14 these got out there.

15 Q. Did you bring them out there?

16 A. No.

17 Q. What about the drums that you found on the
18 property? Were they filled, loaded with oil?

19 A. Some were. Some were empty. Some were rotted
20 and the oil had spilled over the ground. It was all
21 kinds of things.

22 Q. Who else could tell us about that besides you?

23 A. Grayson and Jason both helped move some of that
24 stuff.

25 Q. Have you talked to them recently?

1 A. Yes.

2 Q. When did you last talk to them?

3 A. Yesterday.

4 Q. What did you talk to them about?

5 A. That I was going to ask them to be witnesses to
6 this.

7 Q. And what did you talk beyond that? Did you talk
8 about the steel drums?

9 A. No.

10 Q. Did you talk --

11 A. Not spec -- I don't know. I would -- if it came
12 up, I would. I don't remember. If it came up, I would
13 have spoken about it, but I didn't.

14 Q. So for a period of years you would encounter
15 steel drums of oil on the property and would take them
16 and remove them to the Bees Island Ferry?

17 A. Bees Ferry Landfill.

18 Q. Bees Ferry Landfill.

19 A. They have a place you can take oil.

20 Q. Did they charge you for that?

21 A. No, no charge.

22 Q. There's no charge to remove 55-gallon drums of
23 oil?

24 A. No. You bring it there, and they have a
25 recycling bin that you dump it in.

1 Q. Okay. Where on the property did you or your
2 employees encounter these drums of oil?

3 A. In the areas that I marked. And we were -- all
4 over. They were in many different places, mostly in the
5 road.

6 Q. Mostly in the road. Some on the side of the
7 road?

8 A. Some of them further in.

9 Q. Okay. And all down the road?

10 A. In different -- yes, it could be different places
11 down the road. The whole road was polluted. There was
12 debris, cars, steel, asphalt shingles, a lot of those,
13 construction debris. It just goes on and on.

14 Q. Did you ever bring construction debris out there?

15 A. Never.

16 MR. HALVERSEN: So we will mark this as 5.

17 (Defendants' Exhibit No. 5 was marked for
18 identification.)

19 Q. (BY MR. HALVERSEN): Do you recognize this pile?

20 A. This is asphalt that we used for the road.

21 Q. This is asphalt you -- well, I will represent to
22 you this is a present-day picture of a debris pile with
23 asphalt and that plastic --

24 A. And a drainpipe.

25 Q. Is this material you brought there?

1 A. Yes.

2 Q. So why did you bring this material there?

3 A. This, and the concrete and stuff, I have a friend
4 that has a grinder who would come there and grind it up
5 and will make a nice, smooth road.

6 Q. Okay. But --

7 A. To top the road, is the answer.

8 Q. So what you're telling me is it was your
9 intention to make this -- grind it up and to build the
10 road out further, more?

11 A. No, just put it on top of it.

12 Q. Why?

13 A. It's easier to drive on.

14 Q. Why would you want to drive on the road? It's a
15 road to the dike?

16 A. Yes.

17 Q. Why would you want to do that?

18 A. To go there, just to go to the dike.

19 Q. Are you allowed to drive on the dike?

20 A. Yes.

21 Q. Isn't the gate on the Folly Road side of the
22 entrance, isn't that gated off with a lock?

23 A. Yes.

24 Q. So why would --

25 A. I own that piece of property. I have -- I can go

1 through that gate. That property is also in James
2 Island Preservation.

3 Q. Right. That's all marshland, right?

4 A. No. It's a dike.

5 Q. Right. But north of the dike it's marsh,
6 correct?

7 A. No. There's land out there, too.

8 Q. High ground?

9 A. Yes.

10 Q. So your intention then -- when was this deposited
11 out there? You can't tell me? Was it in the last two
12 years?

13 A. Last year or two, yes.

14 Q. So how were you going to make it fill the top of
15 the road when the rest of Old Sol Legare Road has
16 clutter and all the yard trash in Exhibit 2 and 3?

17 A. Remove that first.

18 Q. So your intention is to remove that stuff and
19 then take these concrete or asphalt chunks, in Exhibit
20 5, grind it down, and then pile it down to pound out the
21 road?

22 A. Yes.

23 Q. Okay. So that you could later drive on it?

24 A. And also to use it as a parking area, when we
25 come there to park and you don't have to park in the

1 mud.

2 Q. How many cars do you need to build -- did you
3 need to have a road pounded out with ground-up asphalt?

4 A. It depends on how big the party is.

5 Q. Okay. So you have these big parties?

6 A. Yes, some.

7 Q. You have big parties out there?

8 A. Yes.

9 Q. What kind of parties?

10 A. Just, I don't know, just like a bonfire party.

11 Q. Like camping or --

12 A. No. We usually go home.

13 Q. Just friends?

14 A. Some people -- yeah.

15 Q. Would your wife attend these parties?

16 A. No.

17 Q. She never did?

18 A. No.

19 Q. I guessed that from her testimony.

20 A. Okay.

21 Q. So who goes to these parties when you would have
22 bonfires out there?

23 A. Just my friends. We've never had a really big
24 party out there, but I would like to do that. Usually
25 it's just a few people.

1 Q. So with all -- and I'm just trying to figure this
2 out. What you're telling me is your intention was to
3 use the property in the manner you have so that you
4 could use it to have bonfires and parties at this --

5 A. And camp, and whatever they want to do, yeah.

6 Q. Did you ever camp out there?

7 A. I never did.

8 Q. Did any of your friends ever camp out there?

9 A. Yes.

10 Q. Who?

11 A. Derek Astorino camped out there for awhile. And
12 then I also had a person stay there for awhile, just a
13 homeless guy living in the van.

14 Q. Derek Husterro (sic)?

15 A. Astorino. He'll be one of the witnesses.

16 Q. Okay. And what will he testify to?

17 A. Camping out there. He also had other people
18 removed from there that were camping and --

19 Q. Okay.

20 A. -- that type of thing.

21 Q. Was one of the zoning violations that the County
22 enforced on 1355 River Road, was that for living in an
23 RV there?

24 A. Yes.

25 Q. And that was against the zoning code?

1 A. Yes.

2 Q. Over there?

3 A. Was it against the zoning code? Yes. The zoning
4 code is the same.

5 Q. Did you get rid of the RV?

6 A. Yeah.

7 Q. So what kind of -- when your wife was talking
8 about a home structure, is this a stick-built home on
9 that property?

10 A. No. We have our house there. It's the only one
11 there. This same homeless man, I let him move behind
12 the berm.

13 The reason why she cannot see this -- the
14 reason why she doesn't see any of those things is
15 there's a berm there that is maybe, I don't know, 15
16 feet high. And she can drive by it, but she can't see
17 in. Those things that she said, she was -- she can't
18 see those. And if she could see that, I would be having
19 a problem.

20 Q. Okay.

21 A. Because the peace is in the family because she
22 can't see it. I make it so all of the stuff that would
23 be back there, she couldn't see.

24 Q. And the stuff you do back -- is that operating
25 your business from out there, back there?

1 A. I was, yes.

2 Q. When you had the business, you were operating it
3 in the back of the berm at 1355 --

4 A. Right.

5 Q. -- River Road?

6 A. Right.

7 Q. Okay. So I only have one copy of this, but I
8 won't mark it as an exhibit. But is that -- can you
9 show me from there what you're talking about?

10 A. Yeah. That's pretty obvious. You can see the
11 berm. You can see all of this area. You want me to
12 mark it?

13 Q. Sure, if you -- yeah. So where is -- you can use
14 any of these pens

15 A. This would be better, this highlighter.

16 Q. I don't know if that will show up, but --

17 A. This is like that (indicating).

18 Q. Okay.

19 A. This is -- well, I went too far. This is the
20 berm here, okay?

21 Q. Uh-huh. Where is River Road?

22 A. Here.

23 Q. Okay.

24 A. And this is our house.

25 Q. Okay. The house is in the very back?

1 A. Okay. It's on the water.

2 Q. Is there a dock there?

3 A. Yes.

4 Q. So where was all of your business operations on
5 the property?

6 A. I just circled it. This is what I circled.

7 Q. So when she said she couldn't see that area, that
8 was because --

9 A. She drives in here.

10 Q. Yeah. And she never turned her head to the left,
11 or she can't see?

12 A. She can see the berm. This is all a berm.

13 Q. Okay. But how do you access the interior of the
14 berm, inside of the berm area?

15 A. You come in here. But you can't see it, is the
16 biggest thing. You have two spots like this. So when
17 you come through, you couldn't see it. I don't know how
18 to describe that. The berm was built in a way that you
19 can't see in.

20 Q. Who built the berm?

21 A. I did.

22 Q. Okay.

23 A. Yes.

24 Q. And when did you build the berm?

25 A. Over time. I started building the berm in the

1 Great Recession, '08, something like that.

2 Q. Okay. And then you had your equipment for the
3 business inside that berm area on the property?

4 A. Yes.

5 Q. All right. And do you remember when Charleston
6 County started enforcing their zoning regulations on the
7 1355 River Road?

8 A. It would have been three years ago, something
9 like that.

10 Q. So I will represent to you Charleston County
11 started some enforcement actions in 2014.

12 A. Right, they did. They started -- and we met in
13 2014, and I told them what I was doing, and they said
14 you can do that, and that I could keep equipment on the
15 property as long as I was using it for that purpose.

16 Q. For the business?

17 A. That was to build the berm. That wasn't for the
18 business.

19 Q. Oh. So they said as long as you build a berm --

20 A. I can have the equipment there if I'm having it
21 there --

22 Q. So you couldn't see it?

23 A. -- for the purpose of building the berm.

24 Q. Were there neighbors complaining about it?

25 A. No.

1 Q. Wasn't there a neighbor at 1341 River Road
2 complaining about it?

3 A. She complained about something different.

4 Q. What was she complaining about?

5 A. I filled in another pond, and she didn't like it
6 because there were ducks on the pond, so she started
7 complaining about that.

8 And then I went to the County and the County
9 said, you dug the pond, you can fill it in. So they let
10 me fill it in.

11 Q. All right. So as far as 1355, in 2014 they came
12 and talked to you about the berm and said that's fine,
13 as long as you're using the equipment to build the berm
14 they had no problem with it? Is that fair?

15 A. No problem with it.

16 Q. All right. And then at some point thereafter the
17 County started enforcing again on 1355?

18 A. Yes.

19 Q. Do you remember when that was?

20 A. That was -- I thought --

21 Q. A couple of years ago?

22 A. Yeah.

23 Q. All right. And that was resolved by an agreement
24 where you agreed not to have the business operations on
25 the property anymore?

1 A. Yes.

2 Q. And is that when you just said I'm done with the
3 tree service business?

4 A. Yes.

5 Q. Okay. Do you work now anymore?

6 A. No.

7 Q. Are you a member of any civics clubs or churches
8 or organizations?

9 A. Yeah.

10 Q. Which ones?

11 A. I'm a member of Blessed Sacrament Catholic Church
12 and the Elks.

13 Q. Anything else?

14 A. Knights of Columbus.

15 Q. All right. So remember the questions that Mr.
16 Slotchiver was asking your wife about relatives in
17 Charleston County?

18 A. Yes.

19 Q. Are there any other ones other than the ones she
20 mentioned?

21 A. Yeah. I grew up here.

22 Q. Okay. Relatives by blood or marriage?

23 A. Not marriage.

24 Q. Anybody you're related to by marriage? I guess
25 we would have covered that with her.

1 A. Her family doesn't live here, so it wouldn't be
2 by marriage.

3 Q. Okay. She didn't cover everybody that you're
4 related to in Charleston County?

5 A. No.

6 Q. Okay. Can you give me the last names of
7 everybody you're related to in Charleston County?

8 A. Richter, Santos.

9 Q. Which Richter are you --

10 A. Bill Richter.

11 Q. Who is the Santos?

12 A. Gene Santos' family; the Blanchards.

13 Q. Which Blanchard?

14 A. Claude Blanchard's family. Does that help? No.

15 Q. But that's -- okay. Any other families that
16 you're related to by blood or marriage in Charleston
17 County?

18 A. No. The other ones she mentioned.

19 Q. No other ones?

20 A. No. They moved away.

21 Q. So Exhibit 5, you agree you or your company
22 deposited this material out there?

23 A. Yes.

24 Q. And this is asphalt chunks and some big rocks?

25 A. I think they are all asphalt.

1 Q. Okay. And a drainage pipe?

2 A. That got caught up in it, yeah. I have to throw
3 that away.

4 Q. So this is -- is this not construction and
5 demolition material?

6 A. It's not built -- material from a building, from
7 a -- that's from a road. Now, if you want to call it
8 construction material, then it is, but it's not like
9 Sheetrock and what I would say from a building.

10 Q. As part of your business, did you ever demo or
11 demolish materials?

12 A. Yes, we did demos, two or three of them.

13 Q. Did you ever take any of that out to this area?

14 A. No. It went in dumpsters. We always had
15 dumpsters. We put it in the dumpsters and then we
16 hauled them off.

17 Q. Okay. So let's go through a few more of these
18 pictures.

19 (Defendants' Exhibit No. 6 was marked for
20 identification.)

21 THE WITNESS: I saw this. Go ahead and ask
22 the question.

23 Q. (BY MR. HALVERSEN): Yeah. I'll represent to you
24 this is another picture from the property, or the area.
25 Obviously, we don't have the property lines marked on

1 here, on the picture.

2 But was this material you took out there?

3 A. No. I didn't bring this wood out here or those
4 pipes. The concrete to the side, I did bring that, and
5 that concrete will also be ground up and used for the
6 top of the road.

7 Q. Okay. But you didn't bring --

8 A. Somebody dumped that on there.

9 Q. Do you know who did this, dumped this stuff?

10 A. No, I don't.

11 Q. So other people were depositing material out
12 there? It sounds like --

13 A. Once in awhile someone will cut the gate and do
14 something like that, and then I have to haul it off.

15 MR. HALVERSEN: We will mark this as Number
16 7.

17 (Defendants' Exhibit No. 7 was marked for
18 identification.)

19 Q. (BY MR. HALVERSEN): So these were the concrete
20 piers.

21 A. I brought those out. I brought the concrete
22 piers out there.

23 Q. And when did you bring these out there?

24 A. A few years ago.

25 Q. And based on what you told me before, that's

1 to -- your intention is to grind that up and pound out a
2 road with the material?

3 A. Top a road.

4 Q. Top a road. Do you have the equipment to do
5 that?

6 A. I have a friend that does, yes.

7 Q. Who is that?

8 A. Feldman Taylor.

9 Q. And he's got machinery that's capable of taking
10 that stuff and putting it into a machine and grinding it
11 up?

12 A. Yes.

13 Q. Wouldn't you need a crane to pull it off the
14 ground?

15 A. No. It goes on the end of an excavator, a big
16 excavator, like a 300 Series excavator, and then it just
17 goes down and grinds it all up. And that, actually,
18 they can use on highways now.

19 Q. So where did you get these piers from?

20 A. I had them at my house.

21 Q. They were there before?

22 A. I don't know how they got there.

23 Q. What other materials besides the piers were at
24 your house that you brought to this --

25 A. Nothing that I can think of.

1 Q. Just the piers?

2 A. That's all I can remember for right now. These
3 are not piers. They were parking things, or whatever.

4 Q. You mean --

5 A. They were parking bumpers, that you drive your
6 car up to it.

7 Q. And where did they come from?

8 A. I don't remember. I don't remember right now.
9 It will come to me.

10 Q. Okay.

11 A. Somebody wanted to get rid of them and I wanted
12 to use them.

13 Q. What about the amusement park rides that are out
14 there?

15 A. Oh, yeah.

16 Q. Did you deposit those there?

17 A. I did. I put those there. I have motors that go
18 on them.

19 Q. And where did those come from?

20 A. Some fun park, Frankies Fun Park.

21 Q. That's still in operation, isn't it?

22 A. No, I don't think so. But I bought them from
23 them, and I have motors, and we use them to play with.

24 Q. They're not usable right now?

25 A. Oh, yeah. You just take them and the motor -- it

1 has a hole in it that -- if you look at it, there's a
2 hole, and you have to put a tube around them, a tractor
3 tube, an inner tube.

4 Q. Okay. But there is no motors in them now? They
5 are just --

6 A. I have the motors in them now.

7 Q. So it's your intention to do what with them?

8 A. Play with them.

9 Q. Okay. Put motors in them and --

10 A. Put motors in them and watch the kids go around.

11 Q. Okay. But as of now, I mean -- how long have
12 they been there?

13 A. I don't know, two years. But they're fine.
14 They're just out in the weather, but they'll be fine.
15 They are usable.

16 (Defendants' Exhibit No. 8 was marked for
17 identification.)

18 Q. (BY MR. HALVERSEN): What about these shipping
19 containers?

20 A. Those came from my house.

21 Q. Is that the shipping container we were talking
22 about with your wife?

23 A. That she was talking about, no. She's right.
24 The other ones are green, dark.

25 Q. Well, the ones -- I believe -- and those were

1 white. There was a white shipping container.

2 A. There's not a white shipping container, I don't
3 think.

4 Q. There was not a white shipping container when --
5 there has never been a white shipping container at your
6 property at 1355 River Road?

7 A. I don't think so. I don't know.

8 Q. Okay. I can show you the picture, if you want.

9 A. Yes, show it to me.

10 Q. This was in the -- this -- you can't tell because
11 that's black and white, the pictures from your wife's
12 deposition, but that's the same picture in color. Here
13 it is, too.

14 A. Oh, that's not my white -- I know where that came
15 from. That's not my container.

16 Q. The white container, sir?

17 A. No. That's not mine.

18 Q. But that was in one of the pictures from -- that
19 came from Charleston County in 2024.

20 A. Yeah. It was there for a short period of time.
21 It was a friend of mine, that he just left it there and
22 then removed it.

23 Q. Okay. But the white -- or the red shipping
24 container --

25 A. They were mine.

1 Q. That was at your house?

2 A. Yes.

3 Q. And that is now at the -- on Old Sol Legare Road,
4 correct?

5 A. Yeah.

6 Q. So what is your intention with the shipping
7 container?

8 A. I don't know.

9 Q. How did you get the shipping container there?

10 A. Just backed it up and left it there.

11 Q. Who?

12 A. There are companies that do that.

13 Q. Who did that?

14 A. I don't remember. But there are companies that
15 they'll slide the container up on it, and they'll come
16 back out there and they'll put it down just like a --
17 it's almost like a dump truck.

18 Q. When did this shipping container in Exhibit 8 --

19 A. After '24, when they started making me move.

20 Q. All right. When they started making you move,
21 the County, and then you started bringing this stuff
22 over to Old Sol Legare Road?

23 A. Some of this stuff was already there, yes, but I
24 brought more stuff.

25 Q. And that would have been --

1 A. This is not Sol Legare Road. This is Battery
2 Island Drive. Sol Legare Road is all the way on the
3 other side.

4 Q. Old Sol Legare Road.

5 A. Okay. Okay.

6 Q. This is Old Sol Legare Road, right?

7 A. Yes.

8 Q. All right. So when the County had started
9 enforcing, then you started bringing more stuff from
10 River Road to Old Sol Legare Road, such as the shipping
11 container we see in Exhibit 8?

12 A. I'm sorry. Yes.

13 Q. Okay. Got you. All right.

14 And what was -- well, there's an ex -- is
15 that an excavator in the foreground?

16 A. A mini excavator.

17 Q. And is that still out there?

18 A. No, I don't think so.

19 Q. You have gotten rid of it?

20 A. I sold it.

21 Q. Okay. Do you see the DHEC notice that was posted
22 on there?

23 A. I see that.

24 Q. What were you using an excavator out here for?

25 A. To move things around.

1 Q. What around?

2 A. Everything. You can move the container around.
3 You can move the trailer around. You can move the
4 debris around, the trees that you use for firewood,
5 things like that. It has a bucket on the front that's
6 made for -- a clamp.

7 Q. Okay. But what was the point of moving things
8 around? I mean, you have told us about what your goal
9 was.

10 A. Uh-huh.

11 Q. To eventually have the roadbed topped.

12 A. It's also just being stored there. It wasn't
13 doing anything right then, I don't think, unless it's
14 there to be stored. I had to get it off my property.

15 Q. Okay. What about the area that you marked as the
16 semicircle in pink on Exhibit 1?

17 Was that done to -- did you ever clear that
18 area?

19 A. No. Well, it's cleared. I removed the dead
20 trees off of it.

21 Q. Right. There used to be --

22 A. And I added dirt there. There were dead trees
23 there, and I added dirt there.

24 Q. And why did you add dirt?

25 A. So I could use it.

1 Q. As an open space?

2 A. Open space.

3 Q. Just to have bonfires?

4 A. Well, I park things there. I also use it as
5 storage. Things are put there.

6 Q. What did you used to --

7 A. Boats --

8 Q. -- store there?

9 A. -- trailers. The excavator is there now.

10 Q. Were the boats at your house?

11 A. Some of them, not all of them.

12 Q. So when did those leave River Road and come here?

13 A. In 2024, when --

14 Q. Okay.

15 A. Yeah.

16 Q. When was that area cleared, the little semicircle
17 area?

18 A. Probably in -- I don't know.

19 Q. COVID?

20 A. No, it was right before then. The hurricane came
21 through, and that would have been, I'm not sure, '13,
22 '14. Well, before then.

23 Q. The point was to clear it to have an area to --

24 A. Use.

25 Q. -- use?

1 A. Usable area.

2 Q. For?

3 A. Parties and things, and to store things.

4 Q. Was it ever your intention to build a land bridge
5 to your property that is the high ground in Exhibit 1?

6 A. No.

7 Q. You never had that intention?

8 A. That's not my intention. I wanted to leave that
9 alone.

10 Q. Did you ever tell anybody that was your
11 intention, to build up the property, to build a road to
12 your property?

13 A. No, no.

14 Q. No?

15 A. No. If I were ever going to want to get there,
16 it would have to be by a bridge, a real bridge.

17 Q. Okay. But you never were putting that material
18 out that way towards your property to build it up just
19 so you could get --

20 A. No, definitely not.

21 Q. Okay. So you said you wanted to store material
22 here. That was the goal?

23 A. Material?

24 Q. Well, we looked at --

25 A. No. I wasn't there to store materials. The

1 material -- the only material that would have been
2 stored there would have been something I would use for
3 firewood.

4 Q. So you were storing wood for firewood?

5 A. Uh-huh.

6 Q. I mean, we can agree that in Exhibit 3 all of
7 this stuff is --

8 A. Already rotted out.

9 Q. Right. Exactly.

10 A. It's not any good anymore.

11 Q. Right. Exhibit -- I mean, it appears there's
12 still pieces of tree there that --

13 A. Can be used for firewood, yeah.

14 Q. A lot of them are huge pieces of trees, though,
15 aren't they?

16 A. Not for me.

17 Q. You would be able to cut these?

18 A. Oh, easily.

19 Q. With a chainsaw?

20 A. Sure. They were already cut with a chainsaw.

21 Q. So if someone said, well, you were just putting
22 this material out there so you didn't have to take it to
23 a dump, and you saved money by not doing it as part of
24 your tree service, and not taking it to a landfill and
25 paying fees to dump it, would that be accurate or not?

1 A. No. That would be ridiculous.

2 Q. Why?

3 A. Because I have other places that I could take it.

4 Q. Such as?

5 A. My house.

6 Q. Until the County shuts you down.

7 A. They let me bring those things there as long as I
8 was using it there. That's on the record.

9 Q. Landscaping?

10 A. Not landscaping; trees.

11 Q. Trees.

12 A. It had to be trees that I use, that I was going
13 to use. It couldn't be like everything. And you could
14 bring wood chips if I spread them out and we were using
15 it to walk on. It has a whole -- you can look it up.

16 Q. So when you were operating Keating Tree Service
17 from 2008 until the present, when you were doing that
18 business and you were trimming trees, pruning, cutting
19 down trees, whatever the job was, were you bringing that
20 material back to your property on River Road?

21 A. No. A lot of that would have to go to recycling
22 places, like here, Hammond Recycling, different places
23 like that. And then we would go to Bees Ferry Landfill.
24 You used to be able to take it there, but you can't. I
25 don't know if you can.

1 Q. They were different --

2 A. No, it would not just all come there. I could
3 only bring what I was going to use.

4 Q. And from what you're telling me, Exhibit 2 and 3,
5 that material you brought there with the intention of
6 using some of it --

7 A. Using it.

8 Q. -- for firewood or brush or bonfires?

9 A. It was being used as it's there. It's used to
10 block that road already.

11 Q. Oh, okay. And you told me to block the road.

12 A. To block the road, and it would be used
13 eventually. Because people have stopped coming out
14 there mostly. I can't believe someone came out there
15 and dumped that wood.

16 Q. What wood?

17 A. That processed wood, the wood that was already
18 cut, the 2 x 4s and the pipe.

19 Q. But that wasn't you?

20 A. No, that wasn't me.

21 Q. All right. So you have put this stuff to store
22 there. It seems like what you're telling me -- you told
23 me about the intentions with the concrete, whatever
24 those blocks are in Exhibit 7.

25 Exhibit 8, are you storing that there

1 indefinitely?

2 A. What?

3 Q. The shipping container?

4 A. No. I'm going to sell them.

5 Q. You're going to sell the shipping container. So
6 that will go away at some point.

7 A. Everything will go away eventually.

8 Q. All right. Let's -- did you ever get in a
9 lawsuit with Fennell Container?

10 A. Yes.

11 Q. What was that about?

12 A. Paying a bill.

13 Q. For?

14 A. Taking debris.

15 Q. For what?

16 A. The debris. They had a dump there.

17 Q. Dump where?

18 A. A dump at Fennel.

19 Q. Spring Grove Landfill? What was the dump?

20 A. On Ashley Phosphate Road. I don't know that it
21 had a name.

22 Q. Okay. So you got -- you didn't pay your bill
23 with them and they sued you?

24 A. Yeah, and then I paid it.

25 Q. When was that? Don't remember? That's okay.

1 A. It's going to be around '05, '10, you know, '05,
2 '10 somewhere.

3 Q. What is your middle name?

4 A. Ware, W-a-r-e.

5 Q. And we talked about the foreclosure lawsuit. You
6 just mentioned the Fennel Container lawsuit.

7 Are there any other lawsuits?

8 A. I don't remember that lawsuit. It had to have
9 been that, though.

10 Q. Did you resolve it with them?

11 A. We just paid them.

12 Q. But they had to bring a lawsuit for it.

13 A. They never brought a lawsuit. I don't think they
14 brought a lawsuit. I don't remember that.

15 Q. Here is a copy of the lawsuit.

16 A. Does it say what year it is? Is it 1990?

17 Q. '99, it appears.

18 A. Is that what it is? Wow. No, I don't remember
19 this.

20 Q. Did you have a lawyer represent you?

21 A. I don't remember it at all.

22 Q. All right. Let's move forward. I am trying to
23 go as expeditiously as I can.

24 MR. SLOTCHIVER: Take one second.

25 MR. HALVERSEN: Okay. Let's take a quick

1 break.

2 (A recess was taken.)

3 Q. (BY MR. HALVERSEN): Other than this, and "this"
4 was the Fennel lawsuit, and we've talked about the
5 foreclosure lawsuit, obviously this lawsuit.

6 Any other lawsuits that are pending
7 against you or you have been involved in?

8 A. I don't remember that one.

9 Q. The Fennel Container one?

10 A. I can't remember it.

11 Q. So no other ones that you can recall?

12 A. That I can remember.

13 Q. Okay.

14 A. That embarrasses me that I can't remember that.

15 Q. What about a current lawsuit that's pending
16 against you by Decks & Docks Lumber Company, Inc.?

17 A. It's not pending. It's -- I owe them \$300,000,
18 or whatever it is.

19 Q. What do you owe them that money for?

20 A. I signed personally for a loan for someone, and
21 it was supposed to have been for 10,000.

22 Q. Who did you sign a loan for?

23 A. Derek Astorino.

24 Q. That's the same Derek you mentioned before?

25 A. Uh-huh.

1 Q. Okay.

2 A. I co-signed a loan. It started out at 15,000,
3 they knocked it down to 10,000, and somehow they won the
4 law --

5 Q. Did you have a lawyer in that case representing
6 you?

7 A. Yeah.

8 Q. Who?

9 A. It had to be done in Florida, and I can't
10 remember his name. But if you look it up, you can
11 probably -- it was in Florida.

12 Q. The lawsuit started there and -- the judgment was
13 entered down there and now they are trying to enforce it
14 here against you?

15 A. Right.

16 Q. So when I asked you before, you couldn't recall
17 any other ones, but now you remember this one?

18 A. I can't believe I didn't mention that, yeah.

19 Q. Okay. Any other lawsuits?

20 A. That one is clear on my mind. There may be one
21 more. I had an employee get hurt, but they haven't done
22 anything with workers' comp.

23 Q. Okay. Have you ever had any criminal charges
24 levied against you?

25 A. Like what?

1 Q. I don't know. I see a list of criminal charges
2 here from 2002 and 2004 --

3 A. Like --

4 Q. -- 2012.

5 A. Felons?

6 Q. I don't know what these are.

7 A. Can I look at them?

8 Q. Well, first, let me ask you if --

9 A. I don't remember. Wow. It looks like motor
10 accidents and --

11 Q. At the bottom it says there is some criminal
12 classifications.

13 A. For what?

14 Q. I don't know. I haven't looked it up. That's
15 why I'm asking you.

16 A. I don't remember these. Wow.

17 Q. Could it have been motor vehicle infractions
18 or -- do you have --

19 A. I don't know what disposed means.

20 Q. Have you ever been charged with a felony?

21 A. Not that I know of.

22 Q. Ever charged with a misdemeanor?

23 A. Yes. I mean, a traffic ticket is a misdemeanor.

24 Q. Yeah. Okay. Well, I'm just asking you because
25 it came up in our research.

1 MR. HALVERSEN: We will mark this as Exhibit
2 9.

3 (Defendants' Exhibit No. 9 was marked for
4 identification.)

5 THE WITNESS: Yes, I received this from you.

6 Q. (BY MR. HALVERSEN): Well, not from me. This is
7 a letter that came from --

8 A. Wilders.

9 Q. -- the Wilders.

10 A. Yes.

11 Q. And you received this letter?

12 A. Yes.

13 Q. And it says that you are trespassing and dumping
14 waste on their property, correct?

15 A. Yes.

16 MR. HALVERSEN: And we will mark this as
17 Exhibit 10.

18 (Defendants' Exhibit No. 10 was marked for
19 identification.)

20 THE WITNESS: Yes, I sent this email.

21 Q. (BY MR. HALVERSEN): Exhibit 10, is that your
22 email, Joe Keating?

23 A. Yes, that's my email.

24 Q. And you sent it to Hope Brown responding to her
25 letter, correct?

1 A. Yes.

2 Q. And you said November 11, 2024, "I have received
3 your certified letter and will rectify the problem
4 within 60 days. I hope that will be satisfactory."

5 A. Yes, I wrote that.

6 Q. So you agreed to take care of the stuff that was
7 on the property?

8 A. I didn't agree to that. I agreed to rectify the
9 problem.

10 Q. What was the problem?

11 A. The problem was I needed to file for adverse
12 possession.

13 Q. That's what you're referring to?

14 A. Uh-huh.

15 Q. Okay. When it says, "I will rectify the
16 problem", you meant you needed to file for adverse
17 possession?

18 A. For adverse possession.

19 Q. It wasn't that you agreed you were trespassing
20 and --

21 A. No.

22 Q. No?

23 A. I wasn't agreeing -- I was agreeing -- what my
24 intention was to file to -- file for adverse possession.
25 I don't know how you say it.

1 Q. And then that would solve the problem?

2 A. The complaints.

3 Q. The complaints about them trespassing?

4 A. Yes.

5 Q. So that doesn't -- what you just told me is not
6 in this e-mail.

7 A. No, I didn't write that in there.

8 Q. No. You just said I'll rectify the problem.

9 A. That's how I was going to rectify it.

10 MR. HALVERSEN: Let's mark this as 11.

11 (Defendants' Exhibit No. 11 was marked for
12 identification.)

13 Q. (BY MR. HALVERSEN): Have you ever seen this?

14 A. No, I haven't seen it. I never committed to
15 remove them within 60 days.

16 Q. So this is an incident report from the Charleston
17 County Sheriff's Office.

18 A. Uh-huh.

19 Q. And Mr. Johnson was making a complaint about,
20 according to this, about illegal dumping and
21 trespassing?

22 A. Yes.

23 Q. And at the bottom of the second page it says,
24 "Sergeant Faison and I proceeded to", blank, "Johns
25 Island, where we met with Joseph Keating. Keating

1 acknowledged that he had previously agreed to remove the
2 items."

3 A. I never agreed to remove the items.

4 Q. So if the police officer is saying that here, is
5 he not telling the truth?

6 A. He's mistaken.

7 Q. Okay. "And stated that he still intended to do
8 so, as he did not want any disputes. However, Keating
9 claimed uncertainty regarding the exact boundaries and
10 noted that he owned land near the Johnson property."

11 Is that true, that you told the cops that
12 you didn't know where the property boundaries were?

13 A. I don't remember saying that. I didn't -- this
14 is not accurate, in the same way that you thought that I
15 was saying I was going to remove the debris in this one.
16 I didn't say that. And I knew I was careful not to say
17 that when I talked to him.

18 Q. Okay. Did the officer tell you that you couldn't
19 restrict the access to the Wilder --

20 A. Yeah.

21 Q. Okay. So where it says that on the top of the
22 third page --

23 A. He gave me --

24 Q. -- that was accurate?

25 A. He gave me some legal advice.

1 Q. He said you can't restrict their access?

2 A. He told me that that was the law.

3 Q. So that part of the report is accurate?

4 A. Yes.

5 Q. And then below that it says, "Keating assured
6 both Sergeant Faison and me that he would begin removing
7 the items from the property in question."

8 A. I never had an intention to remove it.

9 Q. You never told the police officers that?

10 A. I was never going to remove anything.

11 Q. Okay. So, again, if the officers testified to
12 that, they would be mistaken?

13 A. Yeah.

14 Q. And then the last sentence in the report says,
15 "At this time, Keating has committed to removing the
16 items, and Johnson has been advised on the civil
17 process."

18 So the officers put this in here a couple of
19 times.

20 A. My intention was always to file for adverse
21 possession.

22 MR. HALVERSEN: All right. We will mark
23 this as 12.

24 (Defendants' Exhibit No. 12 was marked for
25 identification.)

1 Q. (BY MR. HALVERSEN): Did you write this letter?

2 A. Yes.

3 Q. So in this letter you said, "I am writing to
4 inform you that you do not have the right to use the
5 road of the property owned by James Island Preservation
6 Trust to access your property and you are hereby
7 notified that you will be considered to be trespassing
8 on the property of James Island Preservation Trust."

9 A. Yes, I wrote that.

10 Q. "You have no easement or right of way across said
11 property. I will seek legal redress if you continue to
12 destroy Trust personal property and or use Trust land."

13 So the first question I have for you is --
14 it says, "destroy Trust personal property", if you
15 continue to destroy it.

16 What information do you have that my clients
17 were destroying your personal property or using the
18 Trust land?

19 A. I don't remember. Where is this now?

20 Q. The last sentence.

21 A. Oh, the fen -- the gate. That's personal
22 property. They were destroying my gate.

23 Q. Who was destroying your gate?

24 A. The Wilders were cutting the chain.

25 Q. How do you know they were doing that?

1 A. Because they told -- well, I don't know for sure,
2 but they told the police officer that they cut the chain
3 to get in.

4 Q. Okay. So when you wrote that, you were referring
5 to a lock?

6 A. Cutting the lock, yeah.

7 Q. Okay. And then you're saying you don't have the
8 right to use the road. The officer, though, had just
9 advised you that --

10 A. They told them that they had the right to use the
11 road.

12 Q. Right. And then you're telling them the exact
13 opposite here, correct?

14 A. Yes.

15 Q. So then why were you telling them that they
16 didn't have a right to use the road?

17 A. Because they were using it.

18 Q. Okay. And did you do any investigation or were
19 you -- did you do any research into the law to come to
20 that conclusion, or why did you come to an opposite
21 conclusion of what the officers had just advised you?

22 A. I don't remember. I'm sure I -- the property
23 that I own, I own, and they have no easement.

24 Q. No recorded easement.

25 A. They have no easement at all. They haven't

1 crossed that -- they haven't crossed that property since
2 the dike was built.

3 Q. How do you know that?

4 A. They wrote it in their -- when you replied to me,
5 said that they have not been able to use it because of
6 the dike and they can't cross the property.

7 Q. Well, you said somebody has been cutting the
8 lock, correct?

9 A. Yeah.

10 Q. And you allege it's one of the Wilders?

11 A. Yeah.

12 Q. So they have been using, getting -- using,
13 traversing that road to get to their property, correct?

14 A. In the last six months, but they didn't use it
15 for 40 years.

16 Q. How do you know that?

17 A. Because they said it.

18 Q. Where is that said?

19 A. In the reply to the complaint.

20 Q. We can pull it up, but I respectfully disagree
21 that that was in there.

22 A. All right.

23 Q. But what it says is what it says. We'll agree to
24 that.

25 Do you have any information, firsthand

1 information, that any of the Wilder family was not using
2 that property?

3 A. I don't know how to answer that.

4 Q. You either do or you don't. Do you have
5 firsthand information --

6 A. That they were not using it?

7 Q. That they were using it or they weren't using it.

8 A. No.

9 Q. Okay. They could have been using it, but you
10 wouldn't know?

11 A. Okay.

12 Q. Correct?

13 A. Yeah.

14 Q. If you knew, you would tell me?

15 A. If I knew, I would have kicked them out.

16 Q. Of using their property?

17 A. I would have kept them from using their property.

18 Q. Did you know where the property boundaries were?

19 A. I knew I was over it.

20 Q. Okay. So it's your testimony that if you had
21 encountered one of the Wilders on their property, you
22 would have kicked them off their property?

23 A. I would have told them they cannot cross my
24 property to get to theirs, they cannot cross it.

25 Q. But you would have respected their boundary?

1 A. No.

2 Q. You wouldn't?

3 A. No.

4 Q. And this is hypothetical because it never
5 happened, correct?

6 A. They never went there, no. They --

7 Q. You don't know if they ever used it for hunting?

8 A. Never.

9 Q. What if somebody testified under oath that they
10 used that property for hunting?

11 A. They didn't.

12 Q. What if somebody testified that they had used it,
13 under oath, the property for hunting?

14 A. I would dispute it.

15 Q. Because you never saw them?

16 A. Yes.

17 MR. HALVERSEN: We will mark this as 13.

18 (Defendants' Exhibit No. 13 was marked for
19 identification.)

20 Q. (BY MR. HALVERSEN): This is the adverse
21 possession lawsuit you filed against --

22 A. The Wilders.

23 Q. -- the Wilders.

24 A. Yeah.

25 Q. Hang on a second. I may have given you my copy.

1 Let me see that. That's my copy.

2 A. That stays with this, right?

3 Q. Yes. All right.

4 Who helped you prepare this document?

5 A. I prepared it myself.

6 Q. You prepared it yourself?

7 A. Yeah.

8 Q. So --

9 A. I had help. I had friends help me, but nobody in
10 particular. I filed it. I take responsibility for it.

11 Q. Well, yeah, I know you filed it, but it --
12 clearly you had some either lawyer help you with it
13 or -- who are the people that helped you do this?

14 A. I don't remember.

15 Q. You don't remember?

16 A. I don't remember.

17 Q. This was just earlier this year.

18 A. Uh-huh.

19 Q. Mr. Keating, come on. You have taken an oath and
20 swear to tell the truth.

21 A. I can't remember at this time.

22 Q. You can't remember who helped you draft this,
23 prepare this, this language in here? You told me you
24 had people help you with it.

25 A. I'm the one that prepared it. I'm the one who

1 did it. I talked to different people.

2 Q. Right.

3 A. Yep.

4 Q. Who did you talk to?

5 A. Tommy Hill.

6 Q. Okay.

7 A. A friend of mine who was an attorney.

8 Q. All right. So Mr. Hill helped you draft this?

9 A. Yeah.

10 Q. Any other lawyer help you do this?

11 A. I don't think Mary helped me with any of this.

12 Q. It would have been just Mr. Hill?

13 A. Yeah. We've got AI. I did a lot of this. Plus,
14 I pulled up old cases and --

15 Q. You used some AI to come up with this?

16 A. Yeah. My daughter taught me how to do it.

17 Q. Wow, that's pretty impressive.

18 A. If it's impressive, I can't tell.

19 Q. All right. So on the first -- well, let me just
20 ask you this.

21 Why on March 3rd, 2025, did you get around
22 to filing this? Why -- if you had been out there for so
23 long, why did you file this just this year?

24 A. I feel like the longer I stayed, the better was
25 my case.

1 Q. Well, then, why did you file it now? You should
2 have kept --

3 A. I was ready.

4 Q. Why were you ready?

5 A. I had no particular reason.

6 Q. Did it have anything to do with the police
7 confronting you earlier in the year?

8 A. Yeah.

9 Q. Okay. So on the first page it says "Tax Map
10 Number", and it has a TMS number. Then it says, "Tax
11 Map". It says "portion of".

12 And then on the top --

13 A. Which one are we looking at?

14 Q. On Exhibit 13, on the page that's -- the first
15 page of your Complaint for adverse possession it
16 says -- it has "Tax Map Number, a portion of."

17 MS. ORDWAY: On the Complaint.

18 Q. (BY MR. HALVERSEN): And then on the next page --

19 THE WITNESS: Can I look at this one? Yes.

20 Q. (BY MR. HALVERSEN): -- it says under Third,
21 "That the defendants above named have lost a portion of
22 their property pursuant to South Carolina law
23 regarding" --

24 A. Adverse possession, yes.

25 Q. -- "adverse possession."

1 A. Yes.

2 Q. Which portion of their property do you contend
3 they lost?

4 A. It was the drawing that we made. We sent this
5 in.

6 Q. Who is "we"?

7 A. My son-in-law drew this out for me.

8 Q. He drew that picture, this Exhibit A to the
9 Complaint?

10 A. It was much better than this, but, yes. This is
11 the portion.

12 Q. You're referring to the trapezoid?

13 A. Exhibit A in the --

14 Q. Okay. So you're contending that whatever that
15 is, a trapezoid, that is on Exhibit A that has 830 feet,
16 305 -- I mean, who came up with these measurements?

17 A. I did. I told him -- I showed him where I wanted
18 the line drawn, and he drew the line for me with CAD or
19 something. I don't know how he drew it.

20 Q. Is that one of the engineers?

21 A. Yes.

22 Q. Which person is that?

23 A. Heith Robinson.

24 Q. And how did you determine how far to go?

25 A. By the boundaries. I thought those were the

1 boundaries.

2 Q. All right. So that's just a portion of the
3 Wilder property? Is that what your testimony is?

4 A. Yes.

5 Q. Okay. And why did you -- I mean, everything you
6 have told me, based on everything we talked about today,
7 was about stuff that you did on Old Sol Legare Road.
8 The rest of this is marshland, is it not?

9 A. No. I -- the rest of what?

10 Q. Okay. So in the middle here on Exhibit A, that's
11 your property, correct?

12 A. Yeah.

13 Q. That's not -- a depiction of the high ground --

14 A. Yes.

15 Q. -- right?

16 A. Yes.

17 Q. And at the top here is Old Sol Legare Road,
18 correct?

19 A. No. This is my property line.

20 Q. All right. Just to make sure we're talking about
21 the same thing, go back to --

22 A. Old Sol Legare Road is here. This is my property
23 line.

24 Q. I'm sorry. Where is Old Sol Legare Road?

25 A. It goes through here.

1 Q. Why don't you mark that with a pen.

2 A. Where Old Sol Legare Road goes?

3 Q. Yes.

4 A. Okay. It goes through here. I think it's right
5 here, but -- more or less. See, that's Old Sol Legare
6 Road there.

7 Q. Okay. So when we look at Exhibit 1, which is the
8 TMS map, tax map numbers, I guess it would be like this?

9 A. Yeah, and the line goes here.

10 Q. Okay.

11 A. And there to this ditch, across the ditch and to
12 this property line.

13 Q. So -- but -- okay. But you're claiming in your
14 adverse possession claim that you're entitled to this
15 whole white trapezoid, right?

16 A. Yes.

17 Q. So that has an area that goes a little bit to
18 the -- whatever way this is.

19 A. It goes to the creek.

20 Q. That way to the creek. And then -- and how did
21 you come up with that?

22 A. Because it was -- we were using the creek, and
23 this is their property line, the old property line. It
24 goes there, and there's a ditch here. I came across the
25 ditch and then the property line.

1 Q. And then why did you go out to -- a little bit
2 farther to the -- I guess if you're looking -- if you're
3 looking from Battery Island down Old Sol Legare Road,
4 why did you come to the right?

5 A. Because we would go to the creek. We used it up
6 to the creek.

7 Q. What did you use to the creek?

8 A. We would go there and put minnow traps and stuff
9 like that.

10 Q. Okay. So you were using that area to the right
11 of the Old Sol Legare Road?

12 A. Sure. Yes.

13 Q. And that was the rationale for using -- going
14 that far?

15 A. Yes.

16 Q. Okay. And then what about the rest of this? I
17 mean, because I see where you were depositing the
18 materials on Old Sol Legare Road.

19 But all this other stuff in here, I mean,
20 what were you doing out there?

21 A. This is where the cleared area is, and there's a
22 ditch here, and we didn't go past that ditch. So I said
23 up to the ditch and down the property line. That's how
24 I came up with that.

25 Q. But --

1 A. This is a boundary here already because it's a
2 ditch.

3 Q. All right. But correct me if I'm wrong. The
4 only area that you were --

5 A. We use all of this area. You can walk out here.

6 Q. Okay. So you were walking in the other areas?

7 A. I walk all through here. You can use it.

8 Q. And the basis of your claim of -- not the
9 semicircle area. We talked about the cleared area,
10 but -- and not the Old Sol Legare Road. But everything
11 else in the white trapezoid --

12 A. We would never go past the ditch. You just --
13 you wouldn't cross the ditch.

14 Q. Oh. And the basis of your claim there is that
15 you had used it to walk on?

16 A. Yeah, used it for whatever we wanted to use it
17 for.

18 Q. I mean, it looks like there is nothing else out
19 there, like the other areas we've already talked about.

20 Is that fair?

21 A. There's nothing out there, just --

22 Q. All right. So it says on the Fifth, it says --
23 I'm continuing in your lawsuit.

24 "That the plaintiff, has openly,
25 notoriously, in a hostile manner, continuously,

1 adversely possessed and used the above described
2 property for access and storage purposes since 2008,
3 that is for over 10 years." So --

4 A. Thirteen years.

5 Q. Okay. So first you say, at the end -- we have
6 talked about storage, right? We've already discussed
7 that?

8 A. Uh-huh.

9 Q. "For access". What was the access?

10 A. So we could walk through it to get to my -- to
11 the other part of the property. We used it for access
12 to the other part of my property.

13 Q. Going towards the dike?

14 A. No, going towards -- we crossed it to get to the
15 big part of my property, access.

16 Q. All right. Show me on the map what you're
17 talking about because I'm not following you.

18 A. We would come here, and go here to go all in
19 here.

20 Q. Oh, okay, for access to get to the --

21 A. And this property here, too.

22 Q. And that's that cleared area, correct, that we
23 were talking about?

24 A. This is the cleared area.

25 Q. Right.

1 A. And some of this is across the boundary line.

2 Q. Okay. So why couldn't you just go that way from
3 Old Sol Legare Road without having to get onto the
4 Wilder property?

5 A. That's the way we did it.

6 Q. So when you mean "access", you mean access to get
7 to it, the cleared area?

8 A. Right.

9 Q. "Openly, notoriously, in a hostile manner."

10 How is it open? It's pretty private back
11 there; don't we agree?

12 A. All of those -- when we were going to that
13 property, it's open, that everyone from everywhere could
14 see it. Anybody could see it. And we took all of the
15 trees down, and you could see all the way down to the
16 cleared area. That grew back over the last --

17 Q. So how frequently were you doing your activities
18 of doing this clearing, and improving the roadbed, and
19 putting the sand down, whatever, the dirt, and then
20 putting the trees on there and -- how often was that
21 happening? On a yearly basis?

22 A. Oh, no. We'd go there every -- at least
23 every -- at least every month, and usually every week or
24 so. We used to go out there a lot. We still go out
25 there a lot.

1 Q. Who is "we"?

2 A. My friends and I.

3 Q. Names?

4 A. Yeah, Jason, Grayson, the two that I gave you as
5 witnesses, Derek Astorino, I. Tommy Hill would go out
6 there a lot. And Eddie Burrough (phonetic) used to live
7 out there.

8 Q. Was that the homeless person?

9 A. The homeless guy, yeah. He lived there for
10 years.

11 Q. All right. So I understand your testimony
12 telling me about using it for recreational use, right?

13 A. Yeah.

14 Q. I get that. What I'm trying to find out is how
15 frequently were you out there doing these activities of
16 putting the landscaping or the asphalt, dumping that
17 stuff, or the tree stumps, tree pieces? How often --

18 A. We only did that when we had a need or we had the
19 material. If I had the material and I could bring it
20 out there, I would bring it out there. So how often?
21 At least every month, if that makes sense.

22 Q. And was that from your business operations?

23 A. No.

24 Q. Well, where were you getting the stuff?

25 A. The only -- the trees were from the business

1 operation.

2 Oh, I see what you're saying. Yes, would be
3 the answer concerning the trees, and from when we hauled
4 all that dirt from the bridges, when we built the
5 bridges, and then we just enjoyed it.

6 Q. All right. And then it sounds like there was
7 some material -- amount of material that came from when
8 the County said get rid of everything on River Road.

9 A. No material came from there except for the
10 concrete that I planned to use there and the boats. But
11 what material are you talking about?

12 Q. Well, you mentioned -- what about the amusement
13 park rides?

14 A. Oh, that was there years and years before.

15 Q. Okay. Well, the container, was that River Road?

16 A. That was River Road. That was at River Road.

17 Q. All right. So I still haven't really -- I'm not
18 sure I have gotten an answer to it.

19 So how frequent -- I mean, two thousand --
20 if you had to tell me -- it sounds like the first thing
21 you did, according to your testimony, was after -- in
22 2008, cleared, cleaned up the Old Sol Legare Road
23 because there were materials that had either overgrown
24 or were there, and you started depositing dirt to
25 reestablish the roadbed?

1 A. Yes.

2 Q. Is that fair?

3 A. That's fair.

4 Q. Okay. So that would have been -- give me -- was
5 that the first thing you did out there?

6 A. Yes.

7 Q. So how frequently -- how long did that process
8 take?

9 A. When that process started, I was going out there
10 like every other week, you know, because I had some
11 spare time, and that took a long time.

12 Q. And that would have been clearing it, or was
13 it -- give me a sense of --

14 A. You have to define clearing. No. We cut the
15 trees that were in the road back to the edges at that
16 time and started removing the cars, the oil and all of
17 those things. It was so much that it took a couple of
18 years to get that stuff out of there. And as we did
19 that, we built the road.

20 Q. And the cars, how many were there?

21 A. There were at least three cars, burned,
22 abandoned, yeah.

23 Q. And then where did you take those?

24 A. Those you would take to the -- Charleston Steel
25 and Metal.

1 Q. Where are they located?

2 A. There's one downtown. It's where you recycle
3 steel. You go there and they weigh it. There is one
4 downtown, and there's one on 17 by Redtop.

5 Q. All right. So --

6 A. The oil went to the landfill, Bees Ferry
7 Landfill. The steel, most of the time you could take it
8 and they would give you a few dollars for it.

9 Q. Okay. So -- all right. How long did that
10 process take?

11 A. Two or three years. It's still ongoing. You
12 showed me two 55-gallon drums that need to go.

13 Q. Well, they are on their side. It doesn't appear
14 that there is anything in them. But --

15 A. They have to go.

16 Q. And that's on the side of the road in plain
17 sight. You haven't seen those there?

18 A. I don't know where they came from. That -- I
19 never get metal drums. The Wilders might have put them
20 there. I don't know who put them there.

21 Q. What information do you have that the Wilders put
22 them there?

23 A. None.

24 Q. Then why are you suggesting that they --

25 A. They had been out there.

1 Q. Well, you told me before that they never used the
2 property.

3 A. They didn't start using it until this, ever, a
4 few months ago.

5 Q. Would you agree with me that when you're on
6 Battery Island Drive you can't see what's going on on
7 Old Sol Legare Road?

8 A. Now you can't.

9 Q. Okay. But so when could you?

10 A. When we cleared all those trees out and --

11 Q. Even if the trees were cleared, you still can't
12 see back there.

13 A. Oh, you can see back there without any problem.

14 Q. From where?

15 A. From the road.

16 Q. All right. So if you're right at the entrance to
17 Island Park Drive --

18 A. Battery Island Drive.

19 Q. Battery Island Drive. If you look back there,
20 directly back there, you can see only so far. You can't
21 see all the way down Old Sol Legare Road.

22 You would agree with me there?

23 A. Now you can't, but you could when we were putting
24 the dirt in there.

25 Q. Why?

1 A. Because there was nothing there. We took all the
2 trees out on both sides of the road and put in silt
3 fence all the way down the road.

4 Q. Did you ever have a permit to do any of that
5 work?

6 A. You don't need a permit to put dirt on a road.

7 Q. You don't?

8 A. No.

9 Q. Can you point me to where that is?

10 A. Can -- do you know of a place that you have to
11 have a permit to build a road?

12 Q. Yes.

13 A. To build a road that's already built, fill in a
14 road?

15 Q. Yeah.

16 A. Then I'm wrong. I never felt I needed a permit
17 to fill in the holes in the road.

18 Q. You need a permit to do any kind of construction
19 work.

20 A. Okay.

21 Q. All right. So you never pulled a permit to do
22 any of this stuff?

23 A. No.

24 Q. All right. If you're standing on Battery Island
25 Drive right where Old Sol Legare Road is, you can look

1 down a certain portion of that road --

2 A. Right now, yeah.

3 Q. But you can't see everything from there, can you?

4 A. No.

5 Q. Okay. And if you're not right at the end of Old
6 Sol Legare Road looking on Battery Island Drive down, if
7 you're a little bit off you definitely can't see down
8 Old Sol Legare Road.

9 Would you agree with me there?

10 A. Yeah.

11 Q. Right?

12 A. Right.

13 Q. Okay. So how could anybody know what you're
14 doing in there? I mean, it's pretty private, isn't it?

15 A. I think that it is not private, and I think it's
16 open to anyone who wants to look at it. If you wanted
17 to find it, you could find it. I don't think it was
18 hidden. We didn't do anything to hide it.

19 Q. I'm not asking you that. I'm just asking what
20 you can see from Battery Island Drive.

21 If you've been back there as much as you've
22 been, you can agree with me that you can't see --

23 A. Well, I feel like you're arguing with me. When
24 we cleared that out, you could see everything, and it
25 has grown up since then.

1 Q. Okay. So you're saying all the trees that are
2 existing now on either side of Old Sol Legare Road, you
3 cleared all of that down?

4 A. All of those trees were gone. If you -- now, not
5 all the trees were gone. There were some trees further
6 on that are bigger trees that are there, but you can
7 look at those trees and they are 10, 12 feet high, maybe
8 at the most 15, okay? That would be a really big one,
9 but I don't think any of them are that big. These trees
10 grow three feet a year.

11 Q. Okay. So --

12 A. So if you have a 15-foot tree, it's five years
13 old.

14 Q. So let me ask you this. I think I understand
15 what you're saying now.

16 So when you first got there and you cleared
17 all of that area out -- yes?

18 A. We didn't clear it all out when we first got
19 there. We cleared it as we go.

20 Q. All right. So why -- if you cleared it all out,
21 why have you let it come back up?

22 A. I just didn't cut it. That's a lot of
23 maintenance. It was just a lot of work.

24 Q. What was your idea with clearing it all in the
25 first place?

1 A. So I could get a nice road.

2 Q. Well, the road is still there. I mean --

3 A. It wasn't there until I cleared it all out, put
4 the silt fence in and built the road. You can't build a
5 road with the trees in the middle of it.

6 Q. All right. There has always been a roadbed there
7 for over a hundred years.

8 A. And they had trees growing right in the middle of
9 it.

10 Q. Okay. I get you there. But --

11 A. You couldn't -- I couldn't build a road, a nice
12 road like I have now, if I didn't remove the trees
13 first. And they weren't big trees, but they were trees.

14 Q. All right. So you took them out?

15 A. Cut them all out.

16 Q. All right. Did anyone see what you were doing?

17 A. Yes.

18 Q. Who?

19 A. The neighborhood. The whole neighborhood knew I
20 was doing it. I was making a lot of noise. All of that
21 stuff makes a lot of noise.

22 Q. Did anybody ever confront you and say what are
23 you doing back here?

24 A. No.

25 Q. For years?

1 A. For years.

2 Q. All right.

3 A. We are getting towards decades.

4 Q. And Number 8, it says, "It is understood that
5 Plaintiff is willing", this is you referring to
6 yourself, "Plaintiff is willing to grant access over, on
7 and across his portion of TMS", and the number, "so that
8 Defendants can access their property not claimed herein
9 described by adverse possession."

10 A. Yeah.

11 Q. So you're willing to let them cross your land
12 here. You're willing to let them cross your land to get
13 to the other portions of their property? Is that what
14 your position is?

15 A. Yes.

16 Q. All right. But not the parts that you're
17 claiming possession for?

18 A. No, they can cross it.

19 Q. Okay. Do you have any understanding of -- you
20 have read the Answer and Counterclaims that the heirs
21 have asserted.

22 A. Yeah.

23 Q. Do you have any understanding about the
24 historical nature of the property?

25 A. No, I don't understand that.

1 Q. You have no understanding that it was eligible
2 for the national register of historic places?

3 A. No.

4 Q. Did you know that there was a Civil War battle
5 that happened on the Wilder estate property?

6 A. I didn't know that.

7 Q. And the property you own?

8 A. I didn't know.

9 Q. You didn't know that?

10 A. No.

11 Q. Have you ever heard of the Battle of Grimball's
12 Landing?

13 A. No.

14 Q. Did you ever see the movie Glory?

15 A. No.

16 Q. You never saw the movie Glory?

17 A. No.

18 MR. HALVERSEN: Okay. We will mark this as
19 14.

20 (Defendants' Exhibit No. 14 was marked for
21 identification.)

22 Q. (BY MR. HALVERSEN): Have you ever seen these
23 letters from the South Carolina Department of
24 Environmental Services?

25 A. No, I don't think so. Okay, what about it?

1 Q. This is the -- the Department of Environmental
2 Services used to be DHEC, but --

3 A. I'm familiar with that.

4 Q. So they're saying here there was a significant
5 amount of damage to the marsh vegetation and substrate.

6 Did you do that?

7 A. I don't think so.

8 Q. What about a significant amount of fill material,
9 at least 6,000 square feet? Is it possible that that's
10 fill material you brought in?

11 A. And where is it? The fill material I brought is
12 in the road.

13 Q. In the road?

14 A. In the --

15 Q. The cleared area?

16 A. Cleared area.

17 Q. It says landscaping debris. You brought that in.
18 There is, according to --

19 A. I didn't bring in landscaping debris.

20 Q. What is landscaping debris?

21 A. Stuff they use for landscaping. I only brought
22 in trees.

23 Q. And the bushes we saw that --

24 A. I didn't bring those bushes in. I don't know
25 where they came from.

1 Q. Exhibit 2?

2 A. I didn't bring those in. Or I don't know -- I
3 cannot say that I brought those in.

4 Q. Let's just make sure we know what we're talking
5 about.

6 A. I remember what you were talking about. The ones
7 that were rotted?

8 Q. Yeah, exhibit -- well, we've already talked about
9 Exhibit 2 and 3. I'm pretty sure you told us before
10 that you brought this material in there, or could have.

11 A. This material looks like something that would
12 have already been there.

13 Q. Number 3?

14 A. Yes, from clearing the road. It wasn't something
15 that was brought from somewhere else to here.

16 Q. Well, before I thought you -- the whole length of
17 the road, you put dirt on it, and before, and then -- I
18 thought we talked about this. And then you put this
19 down?

20 A. Yes.

21 Q. Right. And you were storing this on --

22 A. All I'm saying is this wasn't brought in. It was
23 probably already there.

24 Q. Oh, okay. I understand what you're saying.

25 A. Okay.

1 Q. So landscaping debris, that was not you?

2 A. No.

3 Q. Do you know what landscaping debris is?

4 A. I'm not really sure what he's calling landscaping
5 debris.

6 Q. All right. "Miscellaneous debris, concrete,
7 plastic, construction materials, landscaping materials."

8 A. We have gone over that.

9 Q. We have gone over that.

10 "Additional items being stored on top of
11 filled in critical area including vehicles, trailers" --
12 the trailers were yours, correct?

13 A. Yes.

14 Q. The boats were yours, correct?

15 A. Yes.

16 Q. Vehicles, you had one vehicle there that had your
17 company name on it.

18 Did you have any other vehicles out there?

19 A. Not now, not that I know of.

20 Q. Were there any others at any point in time?

21 A. I'm sure there would have been trucks or
22 different things there at different times.

23 Q. All right. Have you ever seen this letter
24 before?

25 A. I don't think so.

1 Q. It notes -- and there is a cease and desist
2 directive attached to it that there has been activities
3 in the critical areas.

4 Do you know what critical areas are?

5 A. I do.

6 Q. What is it?

7 A. Areas where the salt water comes in.

8 Q. Where the marsh are? Did you ever disturb any of
9 the critical areas?

10 A. I didn't, no.

11 Q. Or any of your employees disturb any of the
12 critical areas?

13 A. Not that I know of.

14 MR. HALVERSEN: We will mark this as Exhibit
15 15.

16 (Defendants' Exhibit No. 15 was marked for
17 identification.)

18 Q. (BY MR. HALVERSEN): Have you ever seen that?

19 A. Yeah, I've have seen this.

20 Q. Did Ms. Shay give this to you, a copy of this?

21 A. Yes, she did.

22 Q. Is there anything in here that you disagree with?

23 A. I haven't read it. And this would take some
24 studying, so I'm not going to agree or disagree with it.

25 Q. Well, I'll take you to Page 5. These are soil

1 engineers that I had go to the property and dig test
2 pits to see what was in the ground and how deep this
3 material was, the fill material.

4 A. Okay.

5 Q. And according to the soil engineers, they found
6 unnatural fill, buried debris, wood mulch, cut trees and
7 lumber, in depths ranging from approximately 2-1/2 feet
8 to 6-2/3 feet in most of the test pits.

9 Do you have any reason to dispute that?

10 A. Six feet is really deep. Yeah, I dispute the six
11 feet.

12 Q. Let's look at -- go to the end of -- or after the
13 signature page of the report, the area we've been
14 talking about is the cleared area or the semicircle
15 area?

16 A. Yes.

17 Q. Did you -- you cleared this -- when did you clear
18 the trees out from this area?

19 A. I never did it all at one time. If the trees
20 died, I removed the trees. I wanted to keep the trees.

21 Q. So you see how it goes back, the cleared area
22 kind of goes back on this aerial view?

23 A. Yes.

24 Q. Is there a reason why you pushed it back that far
25 and deposited materials back into there?

1 A. Probably so you could use it.

2 Q. I get the bonfire party thing in the cleared
3 area, but like why go even back farther towards your
4 property?

5 A. I don't know. No, I can't answer that. I don't
6 know.

7 Q. Were you ever burying materials out there?

8 A. No, I never buried anything back there.

9 Q. What about with that white excavator?

10 A. No.

11 Q. No?

12 A. No.

13 Q. So was that white excavator ever being operated
14 in this area in the last two years?

15 A. Yes.

16 Q. Okay. What was it doing?

17 A. It moves things. It picks up things.

18 Q. Right.

19 A. It doesn't have a bucket for digging.

20 Q. So why did the soil engineers find buried trees?

21 A. They may have been there before I got there. Six
22 feet, that's deep.

23 Q. But you were operating in this same area in the
24 last two years.

25 A. Oh, yeah.

1 Q. But you're going to convince a jury that there
2 was somebody else that was operating there?

3 A. No. They let them bury the things. I didn't
4 bury anything six feet deep.

5 Q. Where did all the trees come from that are
6 underneath this cleared area?

7 A. They are six feet deep?

8 Q. If you look at the soils report, they
9 encountered, according to --

10 A. It said 2-1/2 feet.

11 Q. It said, "Buried debris, wood mulch and cut trees
12 and lumber were encountered to depths ranging from
13 approximately 2-1/2 feet to 6-2/3 feet" --

14 A. Yeah.

15 Q. -- "in most of the test pits."

16 A. Right.

17 Q. You would agree with me it would take machinery
18 to get --

19 A. No, absolutely.

20 Q. So are you aware of anybody else that was
21 operating machinery there other than you and your
22 company?

23 A. No, but that may have been there before we got
24 there. Two-and-a-half feet is just a couple of loads of
25 dirt. You could dump dirt on it without cleaning it out

1 before you dump dirt on top of it.

2 Q. Before you disturbed the area, there were trees
3 there, correct?

4 A. Yeah.

5 Q. So if it was in its natural state before you got
6 there, and the soil engineers are finding this material
7 under the ground --

8 A. Yes.

9 Q. -- in the same area that you have operated
10 machinery in, would it be a fair assumption that that
11 material was caused by your activities?

12 A. No. Those trees aren't that age. Those trees
13 are not 50 years old.

14 Q. Okay.

15 A. That debris could have easily been put there
16 before the trees started growing up.

17 Q. If it had been there that long, wouldn't it turn
18 to dirt?

19 A. Not at all, especially if it's six feet deep.

20 Q. Well, how -- what about -- how is petroleum in
21 that area?

22 A. I told you there were drums all back there, all
23 over the place.

24 Q. Six feet under the ground?

25 A. There was a drum six feet down?

1 Q. I will represent to you the soil engineers
2 encountered petroleum six feet into the ground.

3 A. Gravity pulls it down. If you dump it on top of
4 the ground, eventually it would be six feet down.

5 Q. Okay. All right. Let me see if I have any other
6 questions for you.

7 Earlier you told me that there were other
8 people dumping there?

9 A. Before I got there, and sometimes when I was
10 there. Sometimes there would be like the -- like the
11 Wilders that cut the lock and go through.

12 Q. Did you ever confront those people?

13 A. Absolutely.

14 Q. Did you ever get their names?

15 A. No.

16 Q. Can you tell me who they were?

17 A. No.

18 Q. How many times did it happen?

19 A. Only once that I caught them.

20 Q. When was that?

21 A. A couple of years ago. They didn't dump. I just
22 caught them trying to dump. But I said, no, you can't
23 dump here.

24 Q. Did you ever report that to law enforcement?

25 A. No. I reported when they were camping out there

1 to law enforcement.

2 Q. Are you aware there's an injunction that has been
3 entered against you in this case?

4 A. Yes.

5 Q. Have you abided by the terms of the injunction?

6 A. Yes.

7 Q. Have you dumped any materials out there since the
8 injunction has been in place?

9 A. Nothing.

10 Q. No?

11 A. No.

12 Q. When is the last time you dumped anything out
13 there?

14 A. A friend of mine dumped that asphalt there, but
15 that's not on the disputed property.

16 Q. Who is your friend?

17 A. Eddie McCracken, the person that does this for
18 me.

19 Q. Why were they dumping something out there?

20 A. Because I wanted it. I wanted the material to
21 put on the road.

22 Q. Was that the --

23 A. Asphalt.

24 Q. -- asphalt? And it's sitting in the middle of
25 the road?

1 A. Right.

2 Q. And you did that to block the road?

3 A. No. I was going to put it on the road. But it's
4 not on the disputed property.

5 Q. Where is that? That's on your property?

6 A. It's on the forward (phonetic) lot, yeah.

7 Q. Okay. And you put that out there?

8 A. I didn't. He did it, yeah.

9 Q. With the intention of doing the same thing, to
10 use it as rock bed material?

11 A. Road topping.

12 Q. Did you ever ask anyone's permission to dump
13 there?

14 A. No.

15 Q. And you talked about the initial period of when
16 you cleared it and how long that lasted, and you were
17 out there frequently, according to your testimony.

18 After that period of time how long -- what
19 was the next time you did anything at the property? And
20 when I say "the property", I mean -- I'm talking about
21 all of the property, all of Sol Legare.

22 A. The next big thing I did was in, and I don't
23 remember the exact year, but it had to be 2012 when we
24 cleared it all out and put all the dirt in.

25 Q. Okay. And you read the Answer and Counterclaims

1 that have been filed to the adverse possession lawsuit,
2 correct?

3 A. Uh-huh.

4 Q. Did you see in there about the representations
5 about the satellite imagery?

6 A. Yes.

7 Q. Is that accurate or --

8 A. No.

9 Q. Was that --

10 A. It's accurate what it was dated at. He could go
11 as far back as he wanted to go.

12 Q. Well, if you go back in the satellite imagery, it
13 appears that everything was untouched prior to 2019.

14 A. I don't know what to say about that, but they
15 were there.

16 Q. All right. Are the satellites wrong?

17 A. No, he's wrong.

18 Q. Who's wrong?

19 A. Whoever presented that as being that. That's
20 not -- that's just not true. We were there in 2011, or
21 '12, and we went all the way to the end. It was all
22 cleared out.

23 Q. Okay. In 2011 or 2012?

24 A. Yes.

25 Q. I thought you said you started working there in

1 2008.

2 A. Yes.

3 Q. Okay. So what are you telling me?

4 A. 2012, when -- 2012, when we got the contract to
5 do the bridges, we cleared it all out, put all silt
6 fences in so we could go all the way down to the end,
7 and we dumped all that dirt in there.

8 Q. And that was 2011, 2012-ish?

9 A. Yes.

10 Q. All right. And then --

11 A. I can't imagine that not showing up on the
12 satellites.

13 Q. All right. Well, you and I can pull up the
14 satellite imagery from Google. It's going to say what
15 it says, right, about what it looked like?

16 But what you're telling me is, the part
17 about clearing the road out, you did that in that time
18 frame.

19 Have you looked at the -- let me ask you.
20 Have you looked at the Google satellite imagery year by
21 year?

22 A. No.

23 Q. All right.

24 A. But I know what I did, so I don't know why it's
25 not showing up.

1 Q. And then after 2012 --

2 A. Uh-huh.

3 Q. It appeared from those images that at the very
4 end of Old Sol Legare Road where the material in Exhibit
5 3, it looks like, appears.

6 It appeared that these materials started
7 appearing at the end of Old Sol Legare Road near the
8 dike first and then --

9 A. Yes.

10 Q. -- over time it started going back up the road.

11 A. Uh-huh

12 Q. Is that fair?

13 A. I think so.

14 Q. And would that have been from depositing it
15 coming down Battery Island Drive going to the end, and
16 then depositing it and going up the road?

17 A. No. The first thing I did was to block off the
18 entrance from the dike to stop the people from
19 four-wheeling and all of that.

20 And then when that didn't work, you know, I
21 added to it until it did work, until everybody stopped
22 coming back there.

23 Q. Okay. But all the material that was -- you
24 started depositing it at the end where the dike is?

25 A. Yes, started there.

1 Q. And then you started moving up the road?

2 A. Towards Battery Island Drive?

3 Q. Yes.

4 A. Yes, that makes sense. I -- yes.

5 Q. And if the satellite imagery reflects that, you
6 wouldn't dispute that?

7 A. No, but the road was already done by then.

8 Q. And "done" as in --

9 A. All the dirt was --

10 Q. -- the clearing efforts?

11 A. All the dirt was already done.

12 Q. And clearing and then putting dirt down.

13 Did you put dirt down on the whole stretch
14 of the road?

15 A. The whole stretch of the road.

16 Q. I mean, would have been a lot of fill.

17 A. A lot.

18 Q. I mean, were you using a dump truck?

19 A. Dump trucks.

20 Q. Taking it from where?

21 A. From bridges, where they were digging the bridges
22 out.

23 Q. Like old spoil material?

24 A. No. They were digging out where the road was
25 going to be to add dirt that would handle a road for a

1 hundred years, as they said.

2 Q. Did anyone give you permission to take that
3 material?

4 A. They paid me to take it.

5 Q. They paid you to take it. Who was it, what
6 company?

7 A. Knapp Construction, K-n-a-p-p.

8 Q. And when was that?

9 A. It was before they built the bridge. The bridge
10 was built in '14 -- finished in '14, so that's why I'm
11 getting that number. It should have been '11 or '12.

12 Q. All right. It looks like there is creosote
13 telephone poles out there.

14 A. We didn't bring that out there. We did not bring
15 creosote. I don't know where a creosote pole would come
16 from.

17 Q. Like a telephone pole.

18 A. Are you sure it's creosote?

19 Q. I don't know. Telephone poles.

20 It looks like in the same general vicinity
21 of where Exhibit 2 and 3 are, somewhere around there.
22 It looks like telephone poles.

23 A. I can't testify to that.

24 Q. You don't know --

25 A. I don't see it.

1 Q. I'm not saying it's there, but did you ever --
2 have you ever seen cut pieces of telephone poles?

3 A. I never brought the poles there, but I probably
4 wouldn't have removed them because I could use them for
5 things.

6 Q. Okay. Is there anything else out there that
7 you're storing other than the things we've already
8 talked about?

9 A. Not that I can think of. And I am getting tired.

10 Q. Yeah. I'm --

11 A. I can't --

12 Q. Well, we're almost done.

13 A. I can't remember.

14 Q. What about pieces of dock, old pieces of docks?

15 A. There was a dock that someone built there across
16 the -- that was hunting there, and we pulled all of that
17 up.

18 Q. Do you know who was using the land to hunt?

19 A. No.

20 Q. Do you know when they were using it to hunt?

21 A. It was someone that was in -- on Battery Island
22 Drive and we called DNR. DNR caught them and stopped
23 them from hunting out there.

24 Q. Do you know whether that person had the
25 permission of the Wilders to use the property?

1 A. It's the City of Charleston. They are not
2 allowed to hunt in the city of Charleston. So whoever
3 would be hunting out there would be hunting illegally.

4 Q. Well, your property is in the city of Charleston.

5 A. Right.

6 Q. This property, though, is not in the city of
7 Charleston.

8 A. Oh, I didn't know that.

9 But DNR sent them on their way, so that's
10 what made me think it was illegal in the city.

11 Q. Why did you buy this property?

12 A. I like it.

13 Q. Why did you buy your property?

14 A. I like it.

15 Q. But to do what? I mean, it's not -

16 A. Exactly what I do.

17 Q. To --

18 A. A place to go, a place to be, a place to have
19 fires. That's exactly what I want it for.

20 Q. Well, why don't you do that on your property, on
21 the property you purchased?

22 A. I do do it on my property.

23 Q. Okay. Well, then, why do you need to use the
24 Wilders' property?

25 A. I like it. I mean, that's -- I don't know. I

1 don't know how to answer that question. I like that
2 property. I like it a lot. I like going out there a
3 lot. It's a really nice, cool piece of property.

4 Q. Is it nicer than your property?

5 A. It's different. In some ways it is nicer.

6 Q. Well, why did you buy yours?

7 A. Why did I buy it what?

8 Q. Why did you buy the piece of property that is
9 next door in 2008?

10 A. Why did I buy that property?

11 Q. Yeah.

12 A. Because I liked it.

13 Q. How much did you pay for it?

14 A. A thousand dollars. Would you buy it for a
15 thousand dollars?

16 Q. I don't know. You have to pay property taxes on
17 it every year.

18 A. Three dollars and fifty cents.

19 Q. Okay.

20 A. Yeah, you'd buy it.

21 Q. It's not usable land. You can't develop it.

22 A. I use it all the time.

23 Q. You can't build on it, correct?

24 A. It's unbuildable.

25 Q. All right. So you bought it for recreation?

1 A. Recreation. I like going out there.

2 Q. But why don't you use your property --

3 A. I do.

4 Q. -- in lieu of using this, the Wilders' property
5 and the other property that --

6 A. It has an aspect that my property doesn't have,
7 and that is it's just out there, and it's a really
8 unusual piece of property. You have a view that is
9 probably eight miles.

10 Q. On either direction?

11 A. Well, no.

12 Q. Well, if you look one way and then you turn
13 around and look to the other, there's a different view.

14 A. Yeah. Well, there's a little tidal off in one
15 area. It's a really nice piece of property. I like it.
16 It's worthless.

17 Q. It's worthless?

18 A. Yeah. It's assessed at two hundred bucks.

19 Q. I can guarantee you that we're not here because
20 it's worthless.

21 Would you agree with me that you were
22 trespassing on the Wilder property?

23 A. Of course.

24 Q. Do you have any insurance from your business?

25 A. No.

1 Q. You never carried insurance?

2 A. I didn't need it. We -- I don't know about
3 never. We had workers' comp for awhile.

4 Q. You never had general liability?

5 A. We had it at one time. I just don't remember
6 when. The company closed, so I couldn't find out.

7 Q. The insurance agency?

8 A. The insurance agency is closed.

9 Q. Who was the agency? Do you remember where it
10 was?

11 A. James Island.

12 Q. Do you remember where on James Island?

13 A. Yeah.

14 Q. Where?

15 A. I guess I don't, but it's on Folly Road.

16 Q. It was on Folly Road?

17 A. It was on Folly Road.

18 Q. Close to --

19 A. I think it was close to Camp Road.

20 Q. But it was on Folly?

21 A. Yeah. We only bought it a couple of years. And
22 it was many years ago, that I remember.

23 Q. Mr. Slotchiver asked your wife about her assets.

24 Do you have any other assets?

25 A. No.

1 Q. You don't have any other real estate you own?

2 A. No.

3 Q. She has all the bank accounts?

4 A. Yes.

5 Q. You don't have any bank accounts in your name?

6 A. I don't.

7 Q. No other assets?

8 A. No other assets.

9 MR. HALVERSEN: All right. That's all the
10 questions I have for you.

11 THE WITNESS: Well, that was fun.

12 MS. ORDWAY: I don't have any questions at
13 this time.

14 MR. HALVERSEN: Actually, I forgot to mark
15 this as an exhibit. So, just for the record, I'm
16 marking the Clerk of Court's page with all of the cases
17 on it.

18 (Defendants' Exhibit No. 16 was marked for
19 identification.)

20 (The deposition was concluded at 5:35 p.m.)

21 - - -

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1 STATE OF SOUTH CAROLINA)
2)
3 COUNTY OF CHARLESTON)

4 I, Nancy Ennis Tierney, Certified Shorthand Reporter
5 and Notary Public for the State of South Carolina at
6 Large, do hereby certify that the witness in the
7 foregoing deposition was by me duly sworn to testify to
8 the truth, the whole truth and nothing but the truth in
9 the within-entitled cause; that said deposition was
10 taken at the time and location therein stated; that the
11 testimony of the witness and all objections made at the
12 time of the examination were recorded stenographically
13 by me and were thereafter transcribed by computer-aided
14 transcription; that the foregoing is a full, complete
15 and true record of the testimony of the witness and of
16 all objections made at the time of the examination; and
17 that the witness was given an opportunity to read and
18 correct said deposition and to subscribe the same.

19 Should the signature of the witness not be affixed to
20 the deposition, the witness shall not have availed
21 himself/herself of the opportunity to sign or the
22 signature has been waived.

23 I further certify that I am neither related to nor
24 counsel for any party to the cause pending or interested
25 in the events thereof.

26 Witness my hand, I have hereunto affixed my official
27 seal this 5th day of October, 2025, at Charleston,
28 Charleston County, South Carolina.

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