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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Colleton County

Honorable Marvin H. Dukes, III, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

WHITNEY BRIAN GRANT,

APPELLANT

APPELLATE CASE NO. 2025-000619

RECORD ON APPEAL

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**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:
COURT’S EXHIBIT #1 (DASH CAM VIDEO) AND COURT’S EXHIBIT #2 (BODY
CAM VIDEO).**

STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS
COUNTY OF COLLETON) CASE NO.: 2021-GS-15-01089 and
) 1090
))
STATE OF SOUTH CAROLINA,)
))
))
v.) TRANSCRIPT OF RECORD
))
WHITNEY BRIAN GRANT.)
_____)

Monday, March 24, 2025 - Tuesday, March 25, 2025

COMMENCING AT:
Colleton County Courthouse
Walterboro, South Carolina
Before The Honorable Marvin H. Dukes, III

APPEARANCES:

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DEFENDANT'S EXHIBITS

(No exhibits were marked or received by the defense.)

1 (The proceedings began Monday, March 24, 2025, at
2 3:02 p.m.)

3 **THE COURT:** This is State versus Whitney Grant. This
4 matter was scheduled for number one on the trial roster. I
5 understand from defense counsel that Mr. Grant seeks to
6 waive a jury trial and proceed with a bench trial. Can we
7 get Mr. Grant sworn, please.

8 (Whereupon, the defendant, WHITNEY BRIAN GRANT, was
9 duly sworn.)

10 **THE COURT:** All right. Mr. Grant, you've spoken with
11 Mr. Newman?

12 **THE DEFENDANT:** Yes, sir.

13 **THE COURT:** Are you happy but the services?

14 **THE DEFENDANT:** Yes, sir.

15 **THE COURT:** Now, I'm told that you would like to waive
16 a jury trial. Is that correct?

17 **THE DEFENDANT:** Yes, sir.

18 **THE COURT:** And you understand that a jury trial is one
19 of our most important constitutional safeguards. You
20 understand that?

21 **THE DEFENDANT:** Yes, sir.

22 **THE COURT:** Has that been explained to you fully?

23 **THE DEFENDANT:** Yes, sir.

24 **THE COURT:** You have any questions about that?

25 **THE DEFENDANT:** No, sir.

1 **THE COURT:** You understand that the State would need to
2 prove you guilty beyond a reasonable doubt and convince
3 every single member of a 12-person jury? Do you understand
4 that?

5 **THE DEFENDANT:** Yes, sir.

6 **THE COURT:** Okay. Do you have any questions for
7 Mr. Newman about any of that?

8 **MR. NEWMAN:** I've explained with Mr. Grant that I see
9 this case as a -- list.

10 **THE DEFENDANT:** Purely. And I've also explained to him
11 that if we bench trial it, if you serve, you are the finder
12 of fact. You serve as both the judge of the law and finder
13 of the fact, that you are still bound -- in considering his
14 guilt, you would have to find it beyond a reasonable doubt
15 on each and every element of the defense. And I've
16 explained that to him. And we are wishing at this time to
17 waive our right to a jury trial. I understand that the
18 State does not object to that.

19 **SOL. CONTESTABILE:** No objection.

20 **THE COURT:** All right. And so you understand, sir,
21 that I would act as jury? You understand that? I would be
22 the finder of fact.

23 **THE DEFENDANT:** Yes, sir.

24 **THE COURT:** Okay. You need any more time to think
25 about this?

1 **THE DEFENDANT:** Yes, sir. No, sir.

2 **THE COURT:** Okay. All right. So you don't need any
3 more time to think about it. Is that what you're saying?
4 Why don't you just tell me whether or not you need more time
5 to think about it. Now, it can't be too much time because,
6 as you see, we have the jury panel here.

7 **THE DEFENDANT:** Right, right, right.

8 **THE COURT:** So I don't want to rush you because we're
9 prepared to do your jury trial. But I just need to hear it
10 from you whether or not you waive the right to a jury trial,
11 in your own words.

12 **THE DEFENDANT:** Yes, sir.

13 **THE COURT:** Just tell me in your own words what you
14 want to do.

15 **THE DEFENDANT:** Yes, sir. I want to waive the jury
16 trial.

17 **THE COURT:** Okay. All right. Anything else from the
18 State?

19 **SOL. CONTESTABILE:** Nothing further from the State.

20 **THE COURT:** All right. Thank you so much.

21 Well, then we'll try to begin that bench trial tomorrow
22 morning. Y'all tell me, when is a good time?

23 **MR. NEWMAN:** We're gonna do a special hearing this
24 afternoon after the ---

25 **THE COURT:** Oh, that's true. Assuming we might not

1 have a trial at all.

2 **SOL. CONTESTABILE:** 9:30?

3 **MR. NEWMAN:** Yeah, that sounds fine.

4 **THE COURT:** We'll do -- that's right. We've gotta do
5 the hearing this afternoon. So we can talk about that
6 further. But we usually get here, ready to go by 9:30. So
7 that will work, assuming . . .

8 **MR. NEWMAN:** Works for us, Judge. Well, we'll go ahead
9 and pick the jury in the other case and then hear your
10 motion. Is that the plan?

11 **SOL. CONTESTABILE:** Yes.

12 (The proceedings paused at 3:06 p.m. and resumed at
13 4:16 p.m.)

14 **THE COURT:** All right. Back on the record in the State
15 versus Grant. I guess we were on the record at some point
16 in that one. Mr. Newman, I'm happy to hear from you, sir.

17 **MR. NEWMAN:** Please's the Court. If we can shift gears
18 just a little bit. I first found out in chambers that there
19 was a video recording of Mr. Grant, self-described, talking.
20 The Court -- I've never seen the video.

21 **THE COURT:** I've seen -- he's talking in a car?

22 **MR. NEWMAN:** No. I have a body camera. I have a dash
23 cam, dash cam, body cam, body cam.

24 **THE COURT:** I've seen several of them. I don't know if
25 I've seen that. But anyway, what?

1 **MR. NEWMAN:** There's a recorded interview sort of
2 described -- an interview was taken -- Mr. grant was taken
3 to the Sheriff's Department and was recorded. I think I'm
4 entitled to that recording.

5 **THE COURT:** I've seen the recording in the room.
6 You've got that one.

7 **MR. NEWMAN:** I have not.

8 **THE COURT:** Oh, okay.

9 **SOL. CONTESTABILE:** Judge, give me just one second. I
10 can get the audit log pulled up. It's in the entire case
11 file for this case. I understand that there's multiple
12 cases for Mr. Grant. And so when you go into evidence.com
13 and you log into this case, this specific case file, it is
14 in there and has -- I'm sure Mr. Newman and I can pull the
15 audit log and show Your Honor.

16 **THE COURT:** Okay.

17 **SOL. CONTESTABILE:** Just give me a second. I'm not
18 admitting it, though.

19 **MR. NEWMAN:** And that may be. I can't open the things
20 you're sending -- bites and stuff. Can you do like you're
21 gonna do the judge and just send me that video by email?

22 **SOL. CONTESTABILE:** Yeah.

23 **MR. NEWMAN:** That would be fine. And with that Judge,
24 I would like to be able to review that this evening. And I
25 anticipate this is going to be a pretty short trial. I

1 would ask if the Court and Solicitor, if they don't mind, we
2 can do the hearing in the morning. Because I think the car
3 video, they last a little while. It's a probable cause
4 issue. If that suits the Court, I would like to do that.
5 And I want to make sure I'm not blindsided. I would like to
6 see his interview.

7 **THE COURT:** All right. So basically we'll just
8 gather -- we're gonna gather anyway about 9:30. We'll just
9 do the motion we were gonna do this afternoon tomorrow at
10 9:30?

11 **MR. NEWMAN:** If we could, Your Honor.

12 **THE COURT:** Everybody good with that?

13 **SOL. CONTESTABILE:** That's fine, Judge.

14 **THE COURT:** All right. That's what we'll do then. So
15 we'll start at 9:30, start with any motions and then see
16 where it goes from there.

17 **MR. NEWMAN:** Yes, sir.

18 **THE COURT:** All right. Anything else then for the
19 record on Grant today?

20 **MR. NEWMAN:** None from the defendant.

21 **SOL. CONTESTABILE:** Nothing from the State.

22 **THE COURT:** All right. Well, that's it then. Anything
23 else we need to do before we pack it up for the day? Any
24 pleas or anything left?

25 **SOL. CONTESTABILE:** I don't I believe so, Judge.

1 (The proceedings concluded for the day at 4:20 p.m.)

2 - - - - -

3 (The proceedings resumed on Tuesday, March, 25, 2025,
4 9:49 a.m.)

5 **THE COURT:** Good morning. We're here in State versus
6 Whitney Grant scheduled for today for a bench trial. But I
7 understand that before we do that, the defendant has some
8 motions. And I'm happy to hear from you, sir.

9 **MR. NEWMAN:** Yes, sir. My first motion is -- if you
10 want to deal with it in chambers -- is to recuse the
11 solicitor's office and recuse you as the judge in this case.

12 **THE COURT:** Recuse the Solicitor's Office and me?

13 **MR. NEWMAN:** Yes, sir.

14 **THE COURT:** Okay. And you said you want to hear them
15 in chambers?

16 **MR. NEWMAN:** I'll do it however you wish, Judge.

17 **THE COURT:** All right. Well, we'll go in chambers if
18 you want. Suits y'all?

19 **COURT REPORTER:** Does this need to be on the record in
20 chambers?

21 **THE COURT:** I think it probably does need to be on the
22 record, doesn't it?

23 **SOL. CONTESTABILE:** I would think so.

24 **THE COURT:** Yeah.

25 **COURT REPORTER:** It's going to take me a minute to

1 break down and go back over there.

2 **THE COURT:** Okay.

3 **COURT REPORTER:** Just give me a minute and I'll break
4 down.

5 **THE COURT:** Yeah, no worries.

6 (Brief pause.)

7 **SOL. KEENEY:** Judge, if it needs to be on the record,
8 why can't we just do it here? There's really -- there's
9 nobody else in here.

10 **SOL. CONTESTABILE:** There's really nobody in here.

11 **THE COURT:** Yeah. It suits me. Just Mr. Newman had
12 suggested ---

13 **MR. NEWMAN:** That's fine.

14 **THE COURT:** All right. Let's do that then. We won't
15 have to worry about moving.

16 (Brief pause.)

17 **THE COURT:** All right. Mr. Newman, I'm happy to hear
18 from you, sir.

19 **MR. NEWMAN:** Yes, sir. I have some questions.
20 Apparently, the Court has looked at evidence that I have not
21 previously seen. I saw it last night. Thank you very much.
22 I was able to look at the video. However, I need to inquire
23 as to how the Court got the incident report and video tapes.
24 I was not part of the any of this.

25 **THE COURT:** Well, I usually ask for it and they're sent

1 to my clerk who sends it to me. I assumed you had all of
2 that.

3 **MR. NEWMAN:** Okay. Well, I'm looking at Canon 5 of
4 Judicial Ethics. It says a judge must not independently
5 investigate facts in a case and must consider only the
6 evidence presented. Judge may admit to pose findings of
7 facts and inclusions of law so long as other parties are
8 apprised of the request and given an opportunity to respond
9 and to the proposed finding and conclusions.

10 The judge must make reasonable efforts including the
11 provision of the appropriate supervision to ensure the
12 section 3B, subsection 7, is not violated through law
13 clerks, other personnel, or other personnel up under judge's
14 staff.

15 So I guess my problem is -- I don't know if anybody
16 will concede. Have you've already looked at the evidence,
17 Your Honor, without me?

18 **THE COURT:** I've looked at the videos. But I don't
19 think I've looked at anything else. I don't know what else
20 there is.

21 **MR. NEWMAN:** You mentioned an incident report.

22 **THE COURT:** I don't know if I actually read the
23 incident report. If I've looked at it, I can't remember
24 what it says.

25 **MR. NEWMAN:** Okay. And I'm not trying to get off on

1 the wrong foot. But did you or your staff request the
2 Solicitor's Office to provide you with evidence in this
3 case?

4 **THE COURT:** Yes.

5 **MR. NEWMAN:** And the Solicitor provided that?

6 **THE COURT:** With the understanding that you had these
7 things.

8 **MR. NEWMAN:** No, sir. With the understanding is that's
9 total ex parte communication. I had no idea about this.

10 **THE COURT:** Well, usually I ask that any message that
11 goes out and comes back include the other side.

12 **MR. NEWMAN:** It did not.

13 **THE COURT:** Okay. Well, that ---

14 **MR. NEWMAN:** That's ex parte.

15 **THE COURT:** That was a mistake.

16 **MR. NEWMAN:** That's a violation of 3(b)7 of the
17 Judicial Canon. So I hope the other Canons apply to the
18 solicitors. In other words, the Court and State have a very
19 cozy relationship and have already heard this case, and
20 Mr. Grant and I have not. And we have not had any notice
21 that the Court had already reviewed evidence that may or may
22 not be admissible, and may or may not prejudice the Court in
23 it's total outcome. I believe that just on merit of
24 appearance of an impropriety that this Court and the
25 Solicitor should recuse themselves from this case.

1 **THE COURT:** All right. Thank you so much. Happy to
2 hear from the Solicitor.

3 **SOL. CONTESTABILE:** Judge, so I have emails in front of
4 me where you are requesting me to send to you copies of that
5 video. Mr. Newman is on that email. My response includes
6 Mr. Newman as well on that email where I state that I can
7 send Your Honor a download link via evidence.com, which is
8 the same exact download link that I would send to
9 Mr. Newman. They're not different at all.

10 Furthermore, when Your Honor requested the incident
11 report prior to beginning of trial, it was -- you know,
12 again, Mr. Newman is on that email. And in my response,
13 he's also on the email chain of the response where I send
14 the incident report and the State's witnesses and the voir
15 dire for this case.

16 **MR. NEWMAN:** Can you print those out?

17 **SOL. CONTESTABILE:** Sure. I just need to submit
18 through my office to do that.

19 **MR. NEWMAN:** Sure.

20 **SOL. KEENEY:** We can also print out the audit trail
21 where ---

22 **MR. NEWMAN:** Your Honor, if it pleases, I need to deal
23 with one attorney at a time. I'm not ---

24 **SOL. CONTESTABILE:** That's okay. I can also state
25 what Ms. Keeney was going to state. We can also print the

1 audit trail from evidence.com, Your Honor, that shows not
2 only the dates that I sent the evidence to Mr. Newman and
3 Dawn who works in his office, but also the dates that they
4 were downloaded. And from what I remember when we reviewed
5 the evidence log for last Friday when we were discussing a
6 continuance request in this case, not only have I sent it
7 twice to him, it's been downloaded twice. The first
8 download was on August 10th of 2023. And if my memory
9 serves me right, the second download is in December of 2024.
10 And I sent it again on Friday to Mr. Newman. So he has had
11 it ample times. He's downloaded it ample times. I
12 understand he did not review it. But it's not the State's
13 job to have him review his evidence. It's just our job to
14 provide it, and I have done that.

15 **THE COURT:** I've got it. Thank you. And, Mr. Newman,
16 just looking at the email here, it does -- are you
17 jnewman@jnewmanlaw.com?

18 **MR. NEWMAN:** I am.

19 **THE COURT:** The records we have, have you on here and
20 responding to these emails.

21 **MR. NEWMAN:** And that's fine. That's not the problem,
22 Judge. What I'm reading from the Canon is the judge must
23 not independently investigate facts in the case and must
24 consider only the evidence presented in court. You
25 apparently -- the Court has apparently reviewed videos. And

1 you mentioned in chambers looking at an hour-and-a-half
2 video of my client being promised many things by
3 Sergeant Spry that did not come to fruition. And at this
4 point, I don't think I can safely go forward. I think there
5 is an apparent -- if nothing else, there is an appearance of
6 impropriety. I'm just saying it's there. This is my
7 client's life. These people want to put my client in
8 prison. They want you to put my client in prison. And I
9 think the case has already been tried without me being
10 heard. Thank you, Your honor.

11 **THE COURT:** All right. Thank you. Anything else from
12 the State?

13 **SOL. CONTESTABILE:** Judge, the only response I have is
14 that it's pretty standard for a judge to request an incident
15 report and review body cams for pretrial purposes,
16 especially when a Jackson v. Denno can be heard. And in
17 this case, the State was under the impression that a Jackson
18 v. Denno was going to be requested since the client makes
19 statements. So it's not ex parte communication. There's
20 not an investigation that was made by Your Honor or the
21 Court. It's simply just reviewing the discovery for the
22 trial that was sent.

23 **THE COURT:** All right. Thank you. Why don't we do
24 this, I'll consider that and let's go ahead and move on with
25 whatever your other motions are and then I'll take them all

1 up at once.

2 **MR. NEWMAN:** I'm not sure if this motion is immediately
3 appealed, Judge.

4 **THE COURT:** I'm sorry?

5 **MR. NEWMAN:** I'm not sure that -- I think your ruling
6 may be immediately appealable.

7 **THE COURT:** It may be. But what I'm trying to do is
8 give this a little bit of consideration for a moment. But I
9 didn't want to waste time. If you want to have your second
10 motion heard, I'm happy to hear it.

11 **MR. NEWMAN:** All right. The defendant moves to
12 suppress the evidence taken during the seizure on
13 December 7th of 2020. This was a seizure without a warrant,
14 therefore, is presumptively unreasonable. And it's not my
15 burden to prove it.

16 **SOL. CONTESTABILE:** Judge, the State has two witnesses
17 to call in rebuttals to the suppression hearing to prove
18 that the search was reasonable based on probable cause, from
19 the smell of marijuana in the vehicle. I'm happy to also
20 make arguments afterwards supported by case law.

21 **THE COURT:** All right. Please call your first witness.

22 SUPPRESSION HEARING

23 **SOL. CONTESTABILE:** State calls Sergeant Spry.

24 **THE COURT:** Mr. Newman, obviously, if you're successful
25 in your first motion, then we'll do -- you'll do this at

1 some point all over again I assume.

2 (Whereupon, the witness, CHRISTOPHER SPRY, first being
3 duly sworn, testified as follows:)

4 **THE COURT:** Please have a seat. State your first and
5 last name, spell your last name for the record, please.

6 **THE WITNESS:** My name is Christopher Spry. Last name
7 is S-P-R-Y.

8 - - - - -

9 DIRECT EXAMINATION

10 **BY SOL. CONTESTABILE:**

11 Q. Sergeant Spry, where do you work?

12 A. I work at the Colleton County Sheriff's Office.

13 Q. How long have you worked for the Colleton County
14 Sheriff's Office?

15 A. Currently, doing the Sheriff's Office for approximately
16 eight years, and then with the narcotics unit for
17 three years and ten months.

18 Q. And you said your current position is in narcotics?

19 A. Correct.

20 Q. Do you hold a special title in narcotics?

21 A. Sergeant over narcotics.

22 Q. As sergeant over narcotics -- over the narcotics
23 division, what are some of your responsibilities and duties?

24 A. Responsibilities and duties: investigate narcotics
25 activities within Colleton County as well as any information

1 or tips that we get through any concerned citizens in the
2 county. We look into that. Also supervise any anyone
3 that's under me.

4 Q. Okay. I want to take you back to an incident that
5 occurred on December 2nd of 2021. How did you become
6 involved in this case?

7 A. I conducted a traffic stop on the defendant for a
8 defective equipment violation, for his third brake light
9 being out on the vehicle.

10 Q. And do you see -- I'm sorry. Where did that traffic
11 stop occur?

12 A. That stop happened off of Sniders Highway in
13 Colleton County at the 53 northbound on-ramp.

14 Q. And do you see the defendant in the courtroom today?

15 A. I do.

16 Q. Will you please point to him and describe what he's
17 wearing?

18 A. Over there with a black pullover jacket and white
19 T-shirt underneath.

20 Q. And while conducting a traffic stop, was the defendant
21 the sole occupant of the vehicle?

22 A. He was.

23 Q. And when conducting a traffic stop, do you generally
24 wear body cam?

25 A. I do.

1 Q. Okay. And that video is automatically -- is that video
2 automatically recorded or do you have to activate it?

3 A. As soon as we initiate the lights on our vehicle, the
4 in-car camera as well as our body cam would activate.

5 Q. And, Sergeant Spry, I'm gonna take you back to the
6 reasons for the traffic stop. Can you explain the reasons
7 for the traffic stop, please.

8 A. Yeah. So I knew from previous investigations,
9 Mr. Grant had a suspended driver's license.

10 **MR. NEWMAN:** Your Honor, I object to that. That is not
11 probable cause at all. And that goes to character of the
12 defendant. And I'd like to know -- I'd like to question the
13 officer on how he knows this information.

14 **THE WITNESS:** Please do.

15 **THE COURT:** Well, you'll have an opportunity to ask him
16 these questions.

17 **MR. NEWMAN:** Okay.

18 **THE COURT:** Go ahead, please.

19 **BY SOL. CONTESTABILE:**

20 Q. I'm sorry, Sergeant Spry. Please continue.

21 A. So based off of that as well as the defective equipment
22 violation, we confirmed that his license was suspended prior
23 to the stop as well as observing the defective equipment
24 violation.

25 **SOL. CONTESTABILE:** Your Honor, may I approach the

1 witness?

2 **THE COURT:** You may.

3 Q. Sergeant Spry, I'm handing you what's been marked as
4 Court's Exhibit 1. Do you recognize this?

5 A. I do.

6 Q. How do you recognize it?

7 A. Based on my signature and when I dated it. It's dash
8 cam video.

9 Q. Okay. And is it a fair and accurate depiction of your
10 dash cam video that was taken on December 2nd of 2021?

11 A. It is.

12 Q. And you've had the opportunity to review this at the
13 request of our office?

14 A. I did.

15 **SOL. CONTESTABILE:** Your Honor, at this time, the State
16 moves to admit Court's Exhibit 1 into evidence?

17 **THE COURT:** One without objection.

18 (Court's Exhibit No. 1 was received into evidence.)

19 **SOL. CONTESTABILE:** Permission to publish.

20 **THE COURT:** You may.

21 (Video plays at 10:05 a.m.)

22 Q. Sergeant Spry, can you please point out to us which
23 brake light was out on that vehicle?

24 A. It would be the center brake light at the top of the
25 vehicle, the back windshield.

1 Q. Thank you.

2 (Brief pause.)

3 **SOL. CONTESTABILE:** Your Honor, may I approach the
4 witness?

5 **THE COURT:** You may.

6 **MR. NEWMAN:** And just for the record, the Court has
7 already reviewed these. Is that correct?

8 **THE COURT:** A cursory review, yes.

9 **MR. NEWMAN:** Sure. Thank you, Your Honor.

10 **BY SOL. CONTESTABILE:**

11 Q. Sergeant Spry, I'm handing you what's been marked as
12 Court's Exhibit 2. Do you recognize this?

13 A. Yes.

14 Q. How do you recognize it?

15 A. Signed and dated it and reviewed -- and you requested
16 me to review it.

17 Q. And what is it?

18 A. It is my body worn camera.

19 Q. And is it a fair and accurate depiction of the traffic
20 stop that you conducted on Whitney Grant on December 2nd of
21 2021?

22 A. It is.

23 **SOL. CONTESTABILE:** Your Honor, at this time, the State
24 moves to enter Court's Exhibit 2 into evidence?

25 **MR. NEWMAN:** Subject to objection.

1 **THE COURT:** I'm sorry?

2 **MR. NEWMAN:** Subject to the objection on the grounds of
3 the Judicial Canons. Thank you, Your Honor.

4 **THE COURT:** Which is the -- 2 is not the one we just
5 watched? Two is --

6 **SOL. CONTESTABILE:** This is the body cam.

7 **THE COURT:** Oh, the body cam.

8 **SOL. CONTESTABILE:** That was the dash cam.

9 **THE COURT:** All right. It's admitted subject to
10 Mr. Newman's objection.

11 (Court's Exhibit No. 2 was received into evidence.)

12 (Video plays at 10:13 a.m.)

13 **SOL. CONTESTABILE:** Judge, we're just muting certain
14 parts . . .

15 (Video resumes at 10:15 a.m.)

16 **MR. NEWMAN:** If it pleases the Court, Your Honor.
17 We're here on the probable cause to the stop, the seizure of
18 determination. This is all post-op video that has nothing
19 to do with the probable cause for the stop.

20 **SOL. CONTESTABILE:** That's fine, Judge. We can stop it
21 here.

22 **THE COURT:** All right. Probably, for the record, we
23 ought to read into the record where it's being stopped.

24 **SOL. CONTESTABILE:** To be clear, Judge, I'm entering
25 the entire video into evidence. But it has been stopped at

1 13 minutes and 30 seconds. And the times that were viewed
2 were 2 minutes and 57 seconds to 3 minutes and 5 seconds;
3 10 minutes and 44 seconds to 10 minutes and 50 seconds;
4 13 minutes and 18 seconds to 13:30 where we stopped.

5 **THE COURT:** All right. Thank you very much.

6 **SOL. CONTESTABILE:** Sergeant Spry, I don't have any
7 further questions for you. Please answer any that the
8 defense has.

9

10 CROSS-EXAMINATION

11 **BY MR. NEWMAN:**

12 Q. Sergeant Spry?

13 A. Yes, sir.

14 Q. On about the time of the stop, was your phone number
15 [REDACTED]-4851?

16 A. That's correct.

17 Q. Is it still that?

18 A. Yes, sir.

19 Q. And this is you going Mr. Whitney's phone, Mr. Grant's
20 phone. Sergeant Spry, y'all communicated a bunch with each,
21 haven't you?

22 A. We did initially right after this, but not much after.

23 Q. Okay. And you were told to stop having contact with
24 him because they weren't interested in following -- the
25 State wasn't interested in following through with your

1 promises of leniency to Mr. Grant if he would be a
2 confidential informant for you. Is that correct?

3 A. It was when I went to work him and attempted to work
4 him, I ran the scenario by the Solicitor's Office. At which
5 point, they -- at the time, the solicitor over the case at
6 the time advised me that they were still potentially gonna
7 give him some prison time; but whenever he worked
8 it -- produced could reflect whatever time he got, I made
9 that phone call and I advised him of that. At that point, I
10 told him if he wanted to continue to work, we could do so.
11 And if he didn't, then it is what it was; we wouldn't go
12 forward. He said he understood. And from that conversation
13 on, I never heard anything else from him about working or
14 anything.

15 Q. Did you try and contact him?

16 A. I did not contact him anymore.

17 Q. Oh, that's because the solicitor told you to forget
18 about it, right?

19 A. No. They didn't tell me to forget about it. They told
20 me that if he worked, whatever he produced would reflect his
21 time if he got sent to -- or was to go to prison, it would
22 reflect on his time. Once I called him and gave him that
23 information -- because I'm not gonna work him and then not
24 tell him the truth. I'm gonna be straightforward which was
25 the Solicitor's Office states if they prosecute you, you go

1 to prison, whatever you produce can reflect your time. When
2 I called him and told him that, to be straightforward and
3 not hide anything from him, I left the ball in his court.
4 And he never called me back to say he wanted to go forward
5 or anything. And I did not reach back out. It is not my
6 job to reach back out if they don't want to work. I'm not
7 gonna beg somebody to do so.

8 Q. Yeah. So it's Mr. Grant's fault, not the solicitor's
9 fault?

10 **SOL. CONTESTABILE:** Judge, at this juncture, I would
11 object. I'm not sure what this has to do with the probable
12 cause for the stop. We're at a suppression hearing.

13 **THE COURT:** I'll let him go on a little bit.

14 **BY MR. NEWMAN:**

15 Q. All right. Let's go on that. On the tape, you cited
16 section 56-5-5310 of the South Carolina Code of Laws,
17 traffic laws, was your probable cause reason for stopping
18 Mr. Grant. Correct?

19 A. I just ---

20 Q. Did you not say that on the tape?

21 A. I did. It didn't say vague defective equipment, the
22 statute. It is. There's a more direct statute that
23 could've been used. But when I explained to him verbally
24 the reasons on what has to be working on a vehicle, that one
25 statute is vague. I understand that statute is vague.

1 However, the more direct statute that it could have been for
2 your indicator lights would've been a more direct one. It
3 was not incorrect. It was that ---

4 Q. And what statute would that be?

5 A. I cannot remember verbatim, but I'm sure the
6 Solicitor's Office has that statute.

7 **MR. NEWMAN:** Sure. You've got it?

8 Q. Did have a stop lamp that was plainly visible and
9 understandable, whatever that means, from a distance of
10 100 feet?

11 A. The two brake lights were working, but the third brake
12 light was not.

13 Q. Yeah, that's not what I asked you. I asked you, based
14 on the statute, did he have a stop lamp plainly visible and
15 understandable -- again, whatever that means -- from a
16 distance of 100 feet?

17 A. There was.

18 Q. Okay. In the section you cited -- and you even mention
19 it, it's void. So it doesn't have any guardrails or it's
20 vague -- 56-53-10, no person shall drive or move on a
21 highway, or any vehicle -- and this is under the commercial
22 title, by the way -- any vehicle unless the equipment
23 therein is in good working order and adjustment. What does
24 adjustment mean?

25 A. Adjustment?

1 Q. That's the one here ---

2 A. It could be corrected or fixed.

3 Q. It could be what?

4 A. It could be fixed. Corrected, you know, where it's
5 visible.

6 Q. That's subject to a wide-open interpretation, is it
7 not?

8 A. I just said it is vague, yes.

9 Q. Okay. And that gives you broad leeway to stop people
10 like Whitney Grant who you already saw earlier at the gas
11 station?

12 A. What are you referencing?

13 Q. Well, it's obviously -- it's a pretextual stop. You
14 knew it was Whitney Grant. What I'm interested in is how
15 did you run his driver's license? Did you have his DOB?
16 Did you have his driver's license number?

17 A. His name and date of birth. Dispatch has it. We have
18 history.

19 Q. How did you get the date of birth? You're telling
20 me -- you telling me that night you ran it on his date of
21 birth?

22 A. No. I did not have his date of birth. I had his name.
23 I looked his name up.

24 Q. Okay. And how in the world did you know you had to
25 write Whitney Grant through records? You couldn't.

1 A. SCDMV. South Carolina Department of Motor Vehicles
2 search. When you search his name, it pulls up a picture. I
3 know what Whitney Grant looks like.

4 Q. Okay. So you did all of that?

5 A. Yes.

6 Q. Why is that not in your report?

7 A. I don't know. I don't know why it's not in there. I
8 did the search.

9 Q. Your report just says I stopped him for a brake light.

10 A. In my report it does state that he has a suspended
11 driver's license. And I confirmed that he had a suspended
12 driver's license.

13 Q. But, in fact, he showed you a driver's license?

14 A. An expired beginner's permit.

15 Q. Okay. But you wouldn't have known that until after you
16 stopped him, correct?

17 A. Well, when I did a DMV search, again, it showed his
18 license was suspended.

19 Q. Why did you do a DMV search?

20 A. To confirm that his license was suspended when he was
21 operating a vehicle. I confirmed -- I did a DMV search to
22 confirm whether his license was still suspended before, if
23 that was the only reason for a stop. It's not. I had a
24 third brake violation, defective equipment.

25 Q. Okay. Under 53 -- 56-5-5310, condition of vehicle and

1 equipment. That's the statute you cited, correct?

2 A. That is the statute that I cited. However, I verbally
3 explained to him ---

4 Q. No, you didn't.

5 A. Yes, I did.

6 Q. This says no person shall drive or move on any highway
7 any vehicle unless the equipment thereon is in good working
8 order -- whatever that means -- and adjustment as required
9 in this chapter which deals with commercial vehicles and the
10 vehicle is such safe mechanical condition as to not endanger
11 the driver, other occupant, or any person on the highway.
12 So he had two brake lights. Was he endangering anybody?

13 A. Not at the time, no.

14 Q. So he didn't violate the statute?

15 A. Again, I told you already that that statute was vague,
16 yes. However, I verbally told him that in the State of
17 South Carolina all his indicator lights -- blinkers,
18 taillights, headlights, tag lights -- all that has to be
19 operational.

20 Q. For colored people?

21 A. For what?

22 Q. Colored people?

23 A. What do you mean?

24 Q. You knew exactly what you were doing, correct? You
25 knew it was Whitney Grant; you knew you wanted to search his

1 car, did you not, when you made this traffic stop?

2 A. It's got nothing to do with race, if that's what you're
3 trying to bring up.

4 Q. Oh, yeah, I am trying to bring that up. It has exactly
5 to do with that.

6 A. Has nothing to do with that whatsoever.

7 Q. Oh, okay. How many white people you stop for having a
8 third tag light -- a third ---

9 A. A bunch. A bunch. I promise you, you pull my record
10 and you pull my stats.

11 Q. Let's see it.

12 A. I have more people that are white that I've arrested
13 than I have black people.

14 Q. Show me your records.

15 A. I don't have them in front of me because, good Lord,
16 did I not think that you were gonna bring that up. If
17 that's all you have is to throw race out, that's pretty low.

18 Q. Well, pretty low lying to people, isn't it?

19 A. I'm not lying to anybody.

20 Q. Well, you spent an hour and a half lying to Mr. Grant
21 about what you could do for him.

22 A. I didn't lie to him.

23 Q. That's right. You just kinda led him to believe.

24 A. I didn't lead him to do anything. The ball was in his
25 court. I told him that I would help him if he helped us.

1 Q. Okay. Now, you additionally said you smelled
2 marijuana?

3 A. I did smell it, yes.

4 Q. What is marijuana?

5 A. Marijuana is marijuana. I mean, it's a cannabis.

6 Q. What's illegal about it?

7 A. What's illegal about it?

8 Q. Yeah. What's the chemical?

9 **SOL. CONTESTABILE:** Judge, I'll object. Officer Spry
10 is not an expert. He doesn't work for SLED. He's here
11 simply just to testify to the probable cause, which he has
12 done so. You know, for him to try to testify to the
13 specific contents of marijuana would be outside his
14 expertise.

15 **THE COURT:** I'll let him go on a little bit if you know
16 the answer.

17 A. I'm not an expert. I don't know the chemical
18 breakdown. I mean, I know what marijuana looks like. I
19 know what it smells like. I mean, I don't know the chemical
20 breakdown of it.

21 Q. Marijuana defined in South Carolina has to contain
22 Delta-9 tetrahydrocannabinol, THC; Delta-9-THC. Correct?

23 A. Again, I'm not a hundred percent, the chemical
24 breakdown of it.

25 Q. Well, you read SLED reports, right? And they say

1 something is less than 1 percent of THC, so it's not
2 marijuana. It's just hemp. It smells like marijuana, looks
3 like marijuana, but it ain't illegal.

4 A. Okay. What are you getting at?

5 Q. What I'm getting at is how do you know he had more than
6 1 percent?

7 A. I don't know what his level of marijuana that he had.
8 I asked him if he had marijuana in the vehicle. He
9 responds, "No. I just smoked it." He answers the question.

10 Q. Okay. How much marijuana did you find in the car?
11 None?

12 A. Didn't find any.

13 Q. Yeah, that's right.

14 A. Doesn't change the probable cause of the search. I get
15 lied to all the time. Sometimes they say it's not in here,
16 we search and it's in there.

17 Q. Well, when you were texting him back and forth, were
18 you lying to Mr. Grant?

19 A. No. I had nothing to lie to him about.

20 Q. Oh, okay.

21 A. I just told you that I was straightforward with him
22 when I was advised that if he got prosecuted that what he
23 did would go against his time. I had no reason to lie to
24 him.

25 Q. All right. Let me ask you this: Did this motor vehicle

1 that you stopped have a stop lamp on the rear which emitted
2 a red or yellow light in which shall be actuated upon
3 application of the service foot brake which may, but may not
4 be, incorporated with the taillight?

5 A. There was a brake light, yes.

6 Q. Okay. So didn't violate that?

7 A. It was still a brake light out.

8 Q. We'll get to that. Did the vehicle have a lamp or
9 lamps or a mechanical signal device capable of clearly
10 indicating an intention to turn either right or left in
11 which shall be visible from both the front and rear?

12 A. I could see the one that he indicated on the rear when
13 he got on the interstate.

14 Q. Okay. So we had ---

15 A. A turn signal.

16 Q. A turn signal. Committed no moving violations,
17 correct?

18 A. That wasn't why I stopped him. Again, the defective
19 brake light is why I stopped him.

20 Q. Yeah, I got it. But you do admit that he had a lamp or
21 lamps or a mechanical signal device capable of clearly
22 indicating any attention to turn either to the right or the
23 left in which shall be visible from both the front and rear.
24 He complied with that, correct?

25 A. He had a brake light on the rear than I could see, yes.

1 Q. He had two?

2 A. Yes.

3 Q. Yeah, okay. And I see in the video he used his
4 blinker. So we know at least the right blinker worked
5 because he used his blinker to merge onto the interstate?

6 A. That's correct.

7 Q. Okay. Let's see, reading from the statute: A stop
8 lamp shall be plainly visible and understandable -- again,
9 whatever that means -- from a distance of 100 feet to the
10 rear during both normal sunlight and at nighttime, and
11 signal lamp or lamps indicating an intention to turn shall
12 be visible and understandable during the daytime and
13 nighttime from 100 feet from the rear. He complied with
14 that, correct?

15 A. The two brake lights did work. Isn't that what you
16 said?

17 Q. Yeah.

18 A. You can watch it in the video, yes. But, again.

19 Q. Okay. I'm reading the statute.

20 A. Okay.

21 Q. Do you not read the statutes?

22 A. Yeah, I do.

23 Q. Okay.

24 A. I'm answering your question.

25 Q. Where do you get the part that any equipment on the car

1 has to work?

2 A. It's an indicator, brake indicator. All the lights
3 have to be operational.

4 Q. Did he not comply with the statute I just read to you
5 about the stoplights and the blinkers?

6 A. Yeah, he did. I heard what you read.

7 Q. Okay. And then you quoted 56-5-5310, no person shall
8 drive a vehicle on a highway unless the equipment thereon is
9 in good working order and adjustment as required in this
10 chapter, dealing with commercial vehicles. And in such, was
11 the car in such a safe mechanical condition as to not
12 endanger the driver or any other person on the highway?

13 A. I don't believe he would have endangered anybody on the
14 highway, no.

15 Q. Okay. So he didn't violate the statute. Correct?

16 A. There is -- yes, he did. He violated with the
17 defective equipment.

18 Q. You just told me that his vehicle was in such a
19 mechanical condition as to not to danger the driver,
20 Mr. Grant, other occupant -- there wasn't -- or any person
21 on the highway. His car was not a danger, was it, under the
22 stature?

23 A. Wasn't a danger, no. He still had a suspended license
24 besides the defective equipment violation.

25 Q. Why did you really stop him?

1 A. Because he had a suspended licensed, a defective
2 equipment violation. I mean, do you want me to go into
3 depth as far as previous investigation? Is that what you're
4 looking for?

5 Q. No.

6 A. That sounds like what you're asking.

7 Q. What I'm looking for is you stopped him for a BS
8 reason, didn't you?

9 A. I did not.

10 Q. Well, you just admitted that the statute that you
11 stopped him under, he complied with.

12 A. He did.

13 Q. All right. Let's go over it again. So his vehicle was
14 in such a safe mechanical condition as to not endanger the
15 driver, other occupant, or any person upon the highway.

16 Correct?

17 A. That's correct.

18 Q. He complied with that?

19 A. That's correct.

20 Q. And that's the statute. That's the statute you stopped
21 him for?

22 A. Oh, you're reading everything.

23 Q. Huh?

24 A. Are you reading it all or are you just reading the
25 little subsection?

1 Q. Well . . .

2 A. I'm just asking because I don't know what you're
3 reading. I can't see what you're reading.

4 Q. No. I expect you not to trust me. That's what I'm
5 reading. It's article 37. It's the only statute in that
6 particular article.

7 A. You're reading the one that I read. I gotcha.

8 Q. Yeah, okay. Read it to the Court, please.

9 A. You read it several times. There's no driver on any
10 highway, any vehicle unless the equipment thereon is in good
11 working order and adjustment isn't required -- if the
12 vehicle is in such safe mechanical condition as not to
13 endanger the driver or other occupants and person upon the
14 highway.

15 I understand what you've read. However, I told you I
16 understand this was vague. However, there is a more direct
17 statute for what I described.

18 Q. Yeah. And that would be 56-5-4730, correct?

19 A. I believe that is one of them, yes.

20 Q. Okay. So you had the stop lamp on the rear that
21 emitted a red or yellow light, correct?

22 A. Correct.

23 Q. And you saw him actuated upon application of the
24 service, foot brake. You saw his brakes come on when he
25 slowed down to stop?

1 A. I saw them too, yes.

2 Q. You saw his blinker. A lamp or lamps, a mechanical
3 signal device capable of clearly indicating any attention to
4 turn either to the right or the left shall be visible from
5 both the front and rear. We agree he complied with that,
6 correct?

7 A. The two that was working on the vehicle, yes.

8 Q. Okay. A stop lamp shall be plainly visible and
9 understandable from a distance of 100 feet during normal
10 daylight and nighttime. And you agree he complied with
11 that?

12 A. With the two that was working, yes.

13 Q. Okay. Sure. What's the real reason you wanted to stop
14 Mr. Grant that night when you're watching him at the gas
15 station?

16 A. For potential drug deals, sales. I mean, I had
17 information that he was selling narcotics. It's my job to
18 investigate that.

19 Q. Okay. So this was a pretextual stop?

20 A. It was what?

21 Q. Pretextual. It's a BS stop so you could get in
22 Mr. Grant's car. Isn't that right?

23 A. I mean, if you want to call it that. I mean, through
24 other investigations is how I learned he was possibly
25 selling drugs.

1 Q. Okay. So the object of this stop was to do a drug
2 investigation not a traffic stop?

3 A. To do both.

4 Q. The object of this stop -- you didn't write him a
5 ticket. You don't care about a damn traffic ticket, do you?

6 A. It's to do both. I have to -- I have to have a reason
7 to stop ---

8 Q. Okay. So, objectively, your mission was to get into
9 Mr. Grant's car because of information that you had,
10 correct?

11 A. If I had a reason.

12 Q. Uh-huh. Uh-huh. So your objective was to stop
13 Mr. Grant and hopefully be able to search his car?

14 A. For further investigation into my case, yes.

15 Q. Okay. And that had nothing to do with the stated
16 purpose of the traffic stop, did it?

17 A. I saw him driving at night. I had reasons for the
18 traffic stop. I conducted a traffic stop for those reasons,
19 I mean, to further investigate what I knew.

20 Q. All right. And did you interrogate Mr. Grant with his
21 permission for about an hour and 28 minutes and 20 seconds?

22 A. The next day, yes.

23 Q. Yeah. You and Hallie Godley, correct?

24 A. Correct.

25 Q. Okay. And he was in jail at the time, correct?

Cross-Examination of Sgt. Spry by Mr. Newman

1 A. He was.

2 Q. And you got him out of the jail and took him to the
3 LEC, correct?

4 A. I did. With his -- with him agreeing.

5 Q. He agreed to it. He said, yeah, I'll talk to you.
6 That's not the issue here. And he was initially denied
7 bond. And you or Hallie Godley actually got him a bond to
8 get him out. Isn't that correct?

9 A. I got him a bond, yes.

10 Q. Okay. Cool.

11 **MR. NEWMAN:** I don't have any further questions.

12 **THE COURT:** Okay. Any redirect?

13 **SOL. CONTESTABILE:** Nothing from the State.

14 **THE COURT:** All right. Thank you. Any other
15 witnesses? You may step down.

16 **SOL. CONTESTABILE:** No, your Honor.

17 **THE COURT:** I'm sorry?

18 **SOL. CONTESTABILE:** There's no other witnesses.

19 **THE COURT:** All right. You may step down, sir.

20 Anything else then from the State?

21 **SOL. CONTESTABILE:** Yes, Your Honor. Just argument.

22 So, Your Honor, briefly, so in the traffic violation that I
23 handed to Mr. Newman, I also handed up to Your Honor, it
24 states in there that when a vehicle is equipped with a stop
25 lamp or other signal lamps, such lamp or lamp shall at all

1 times be maintained in good working condition. No stop lamp
2 or single lamp shall project of glaring or dazzling light.
3 Sergeant Spry testified that third brake light was out.
4 That was one of the reasons for the stop. The other reason
5 for the stop was pretextual which, according to Whren v.
6 United States, is admissible. And I have a copy -- or is
7 permissible. And I have a copy of that as well for Your
8 Honor and for Mr. Newman.

9 **MR. NEWMAN:** I have it. Whren is a plain view case,
10 not a search case.

11 **SOL. CONTESTABILE:** And that's fine too, Your Honor.
12 I'll get to that point as well. But in Whren they do say
13 that as a general matter the decision to stop an automobile
14 is reasonable and the police have probable cause to believe
15 that a traffic violation has occurred. Robinson v State,
16 since Mr. Newman brings up the fact that Whren is a plain
17 view case, the State said that a police officer may stop and
18 briefly detain a vehicle if they have reasonable suspicion
19 that the occupants are involved in criminal activity. If
20 during the stop the vehicle -- of the vehicle the officer's
21 suspicions are confirmed and further aroused, even if for a
22 different reason that the stop was initiated, then the stop
23 may be prolonged thus go with the detention at large as
24 circumstances require.

25 Sergeant Spry just testified that the reason for the

1 stop was in fact that he knew that Whitney Grant -- and
2 dispatch confirmed -- that Whitney Grant's license was
3 suspended. He also had a third brake light out. Then the
4 stop was prolonged based off of the smell of marijuana,
5 which United States v. Sheets, United States v Carter,
6 United States v. Humphries, all state ---

7 **MR. NEWMAN:** Please state those cases?

8 **SOL. CONTESTABILE:** United States v Sheets, which is a
9 citation ---

10 **MR. NEWMAN:** I don't need it cited. Just date it for
11 me, please.

12 **SOL. CONTESTABILE:** The dates, this one is from --
13 United States v Sheets is from 2002. Humphries is from
14 2004. And Carter is also from 2002. They all state that
15 the smell of marijuana, it gives officers probable cause to
16 then search the vehicle.

17 So I understand that, you know, the stop was
18 pretextual. But I went over Whren v. United States. It
19 says that pretextual stops are allowed. The smell of
20 marijuana that gave Sergeant Spry the probable cause to
21 search the vehicle which then located the drugs in the
22 center console. And Robinson further affirms that that was
23 permissible even though the reason for searching the vehicle
24 was different than the reason for the stop.

25 And, Your Honor, the defendant also admits -- or I'm

1 sorry. The defendant also admits that he smoked marijuana
2 that night to Sergeant Spry, which he testified to. So the
3 State respectfully requests that you deny the defense's
4 motion.

5 **MR. NEWMAN:** Is it illegal to smoke marijuana?

6 **THE COURT:** Mr. Newman, happy to hear from you, sir.

7 **MR. NEWMAN:** Yes, sir. Thank you, Judge. The cases
8 that the Solicitor has cited predate the newer statute of
9 what is and is not marijuana. The cases are 23, 21, and
10 23 years old. The statute has been amended. If there is
11 less than 1 percent of THC -- of course, we don't know that
12 because they didn't find any drugs, any marijuana -- that it
13 is not marijuana. The smell of marijuana alone allows too
14 much discretion because it may or may not be illegal. The
15 officer did not find any marijuana. This is a complete BS
16 stop. We all know it.

17 So dealing with the initial stop, the officer admitted,
18 Mr. Grant complied with the statutes as read. And I will
19 tell you, being a former police officer for seven years, I
20 don't know how in the hell they were able to get his driver
21 information without his date of birth and/or driver's
22 license number. You can't just run dispatch, run
23 Whitney Grant. It doesn't work that way. And I can tell
24 you as a former officer, it doesn't work that way.

25 This is a complete travesty of justice. There are no

1 guardrails. This statute is vague. The officer I think
2 even admitted it's vague. And the Fourth Circuit recently
3 held that our statutes on disorderly conduct in schools and
4 disturbing schools were unconstitutionally vague and allowed
5 officers too much discretion to decide to enforce or not to
6 enforce a particular behavior from a student. And I can
7 give you that from the state. I can give you that case.
8 The attorney general was rebuked harshly by the court
9 because of the statutes like this that are just void for
10 vagueness.

11 I would also cite Papachristou Cristo et al. versus the
12 City of Jacksonville of Florida, 1974. They had a statute
13 that contained things like loitering, being in rogue night,
14 i.e. black. Just there's no guardrails. And on this,
15 Mr. Grant has a right as a citizen -- I don't care about his
16 past record. And there's numerous South Carolina cases that
17 say just having a past record does not present probable
18 cause or even reasonable suspicion to be able to detain
19 somebody. And I say detain in this case, South Carolina,
20 the United States recognizes, the Constitution, that a stop
21 is a seizure for Fourth Amendment purposes, and that seizure
22 shall be reasonable. And our argument is under the Fourth
23 Amendment, Article 1, section 10, of the South Carolina
24 Constitution that this was not a reasonable stop. It
25 violated due process because the officer had too much

1 discretion on when or where to stop somebody, and that fails
2 constitutionally.

3 **THE COURT:** All right. Mr. Newman, do you have copies
4 of the cases you just cited?

5 **MR. NEWMAN:** She just gave them to me. I haven't read
6 them.

7 **THE COURT:** No, you had a couple of your own.

8 **MR. NEWMAN:** What's that?

9 **THE COURT:** You had a couple of your own. Do you have
10 copies of those?

11 **MR. NEWMAN:** I don't. I can get copies -- City of
12 Jacksonville, it's a 1974 case, I believe. I learned it in
13 law school.

14 **THE COURT:** All right. We'll figure it out.

15 **MR. NEWMAN:** Thank you, Your Honor.

16 **THE COURT:** All right. Let's take a break so I can
17 consider the various things that I have in front of me.

18 **MR. NEWMAN:** Yes, sir.

19 **THE COURT:** Might be an hour or so. But, anyway.

20 **MR. NEWMAN:** Can Mr. Grant step out to smoke a
21 cigarette?

22 **THE COURT:** Certainly.

23 **MR. NEWMAN:** I'm not a smoker. But I understand having
24 a long-time addiction to chewing tobacco, which I quit four
25 years ago.

1 **THE COURT:** I have no objection to that.

2 **MR. NEWMAN:** Thank you, Your Honor.

3 **THE COURT:** Sure.

4 (Recess at 10:52 a.m. The proceedings resumed at
5 11:43 a.m.)

6 **THE COURT:** Back on the record in the Grant case. So,
7 when we started, there was a recusal motion by Mr. Newman.
8 Part of it, actually, I think was that there as ex parte
9 communication. I think that was evident from looking at the
10 e-mails that there was no ex parte communication. Part of
11 it had to do with extrajudicial research. And, again, I've
12 had an opportunity to look at the case law, and what we've
13 got here is not extrajudicial research. That would've been
14 if I had driven out to the scene of the stop or something,
15 myself, and measured to determine whether or not one could
16 see a brake light or something like that. That would be
17 extrajudicial research. Simply the pleadings, documents,
18 potential evidence are things normally given to a trial
19 judge ahead of time in a case like this. So I'm gonna
20 respectfully deny the motion to recuse.

21 With regard to the -- had I granted it, of course, I
22 wouldn't have moved onto the suppression hearing. But
23 having denied it, we move onto the suppression hearing.
24 I've had the opportunity to look at the case law that you've
25 given me, also some additional case law. Of course, with

1 regard to the brake light, the pertinent section is
2 56-5-4730, which says when a vehicle is equipped with a stop
3 lamp or other signal lamps, such lamp or lamps shall at all
4 times be maintained in good working condition. Now, there
5 was some question about that.

6 But the case of State versus Jihad, which was a 2001
7 Supreme Court case that appears to still be good law, Gerald
8 Smoak in Anderson County ruled against the stop because
9 there was one tail light on the vehicle. The Court of
10 Appeals upheld Judge Smoak's one stoplight ruling that one
11 stoplight was good enough. The defendant went to the
12 Supreme Court. And the South Carolina Supreme Court, citing
13 56-5-4730, that particular phrase that I just read,
14 indicated that if there's a light there, it's gotta be
15 working and reversed the Court of Appeals which, of course,
16 had affirmed Judge Smoak and went along with the reasoning
17 that if there's a light on the vehicle, if it's equipped of,
18 then it has to be maintained in good working order at all
19 times. And that would mean, of course, the third brake
20 light, which is OEM equipment from a manufacturer would need
21 to be working.

22 So on the suppression hearing, we had that issue with
23 regard to the third brake light. We also had the issue
24 where the officer indicated that he was aware that, in fact,
25 there was a suspended driver's license and had requested

1 confirmation of that, in fact was confirmed and, of course,
2 was correct in that confirmation. Combine that, of course,
3 with the admission that I've just smoked some marijuana, the
4 smell of marijuana in the vehicle, and I'm gonna
5 respectfully deny the suppression motion from the defendant.

6 So I know that there's a statement, and I know
7 Mr. Newman earlier when we had spoken, there was some
8 question of waiving the Denno hearing. What do you want to
9 do with that?

10 **MR. NEWMAN:** Well, now that -- an hour and a half
11 interview, I don't waive.

12 **THE COURT:** All right.

13 **SOL. CONTESTABILE:** Judge, if I may?

14 **THE COURT:** Yes.

15 **SOL. CONTESTABILE:** I would just like to admit as a
16 court exhibit the emails and the audit trails that
17 Your Honor just referenced in regard to your recusal motion.

18 **THE COURT:** All right. Those will be Court's 1, I
19 guess. Well, I guess you're admitting them. So State's 1.

20 (State's Exhibit No. 1 was received into evidence.)

21 **THE COURT:** By the way, that Jihad case is
22 347 South Carolina 12, 2001, 553 Southeast 2nd, 249. And
23 I've got copies if you guys want them.

24 **SOL. CONTESTABILE:** I'm sorry, did he say -- Jared, did
25 you say you want -- did you say you wanted the Jackson v.

1 Denno or you were waiving the Jackson v. Denno?

2 **THE COURT:** No. He said he wanted it.

3 **SOL. CONTESTABILE:** He wanted it. Okay. The State
4 calls Sergeant Spry.

5 **THE CLERK:** Does he need to be resworn?

6 **THE COURT:** Say again.

7 **THE CLERK:** Does he need to be resworn?

8 **THE COURT:** No. He's still sworn.

9 JACKSON V. DENNO HEARING

10 - - - - -

11 DIRECT EXAMINATION

12 **BY SOL. CONTESTABILE:**

13 Q. Sergeant Spry, where do you work?

14 A. Colleton County Sheriff's Office.

15 Q. How long have you worked there?

16 A. Eight years.

17 Q. And what is your position?

18 A. Now the sergeant over the narcotics division.

19 Q. And can you briefly describe what your duties are as
20 the sergeant over the narcotics division?

21 A. Investigate narcotics activity within the county as
22 well as taking any complaints that may come in from the
23 citizens of the county as well as narcotic activity, look
24 into those, whether there's anything to it or not, and also
25 supervise people that are under me in the department.

1 Q. And on December 3rd of 2021 following a traffic stop
2 that occurred the day before on December 2nd of 2021, did
3 you -- I'm sorry. I'm going to strike that.

4 On December 2nd of 2021, how did you become involved
5 in this case?

6 A. Conducted a traffic stop along with the defendant in
7 the vehicle.

8 Q. And where did that occur? Where did the traffic stop
9 occur at?

10 A. The traffic stop was conducted in Colleton County off
11 of Sniders Highway at the Exit 53 on-ramp.

12 Q. And during the traffic stop, did you ask Mr. Grant any
13 questions?

14 A. As far as?

15 Q. Was he interviewed by you?

16 A. He was once the evidence was located.

17 Q. Okay. And where did you conduct the interview at?

18 A. The first initial interview was roadside.

19 Q. Okay. And who all was with you during that?

20 A. Myself, Sergeant Davis, and then former Deputy Janicki.

21 Q. Was he advised of his rights at that time?

22 A. He was.

23 Q. How was he advised?

24 A. Read his Miranda off my Miranda card.

25 Q. Is that standard procedure?

1 A. I do it the same way every time. Yes.

2 Q. Can you please tell the Court what advisements you
3 gave?

4 A. As far as Miranda?

5 Q. Yes.

6 A. I initially pulled out my Miranda card out of my
7 wallet. At that point, I advised him that he had the right
8 to remain silent, anything he say can/will be used against
9 him in a court of law, they have the right to talk to a
10 lawyer or have them present before being questioned; cannot
11 afford to hire a lawyer, one will be appointed to represent
12 you for any questioning if you wish; you can decide at any
13 time to exercise these rights not answering any questions or
14 make any statements. At that point, I then asked him if he
15 understood his rights, did I explain to him, and have the
16 rights in mind, did he wish talk to me.

17 Q. Was Whitney Grant under arrest at that point?

18 A. He was.

19 Q. Was he free to leave?

20 A. He was not.

21 Q. Did Whitney Grant indicate that he was willing to talk
22 to you?

23 A. He did.

24 Q. Was he cooperative?

25 A. He was.

1 Q. How long did you speak to him for?

2 A. Roadside, probably three or four minutes.

3 Q. Did he respond to the questions that were asked of him?

4 A. He did.

5 Q. Did he appear to be under the influence of drugs or
6 alcohol?

7 A. Did not.

8 Q. Was his speech slurred when he spoke to you?

9 A. Was not.

10 Q. Was he promised anything for talking to you at that
11 time?

12 A. He was not.

13 Q. Was he coerced in any way?

14 A. No, ma'am.

15 Q. Did you threaten him in any way?

16 A. Did not.

17 Q. Was he promised anything from a prosecutor if he was
18 cooperative at that time?

19 A. No, not on the stop.

20 Q. If he needed to go to the bathroom or if he asked for
21 water or food or a break, would you have given him one?

22 A. If he needed it, yes. I mean, he requested to make a
23 phone call and let him make that phone call.

24 Q. Did he make any statements about drugs?

25 A. Yes.

1 Q. Okay. And what did he say about the drugs?

2 A. He said -- when I asked him about the narcotics that
3 were found in the vehicle, he advised that he was aware they
4 were in there.

5 Q. Did he say anything else?

6 A. I don't recall.

7 **SOL. CONTESTABILE:** Court's indulgence.

8 Your Honor, permission to just play the body camera
9 that's already State's -- or Court's Exhibit 2 -- sorry --
10 that's already in evidence. The portion of the defendant's
11 statements were not . . .

12 **THE COURT:** Go ahead, please.

13 (Brief pause.)

14 **SOL. CONTESTABILE:** Judge, just for the record, I'm
15 going to begin playing at 17 minutes and 15 seconds where
16 Miranda is being read to him.

17 **THE COURT:** Thank you.

18 **SOL. CONTESTABILE:** And I will stop it at 9 -- or I'm
19 sorry. I don't have the time I'm gonna stop it at yet. I'm
20 sorry.

21 (Video play at 11:53 a.m.)

22 **SOL. CONTESTABILE:** Judge, that's all of his statements
23 in regards to -- yeah, that's all of the statements. The
24 time stop is 18:51.

25 **THE COURT:** All right. Thank you.

1 **SOL. CONTESTABILE:** Sergeant Spry, I don't have any
2 further questions for you. Please answer any the defense
3 has.

4 **THE COURT:** Mr. Newman, any questions?

5 **MR. NEWMAN:** No.

6 **THE COURT:** All right. Thank you so much, sir. You
7 may step down.

8 **SOL. CONTESTABILE:** Judge, the State has no other
9 witnesses, just argument. So for the purposes of the
10 Jackson v. Denno, Miranda warnings are required for initial
11 interrogation only when a suspect has been taken into
12 custody or otherwise deprived of his freedom of an action in
13 any significant way, according to the State v. Easler. The
14 State, you know, will concede he's clearly in custody at
15 this time and the Miranda warnings were given. He did
16 knowingly and intentionally and voluntarily waive those
17 warnings. Sergeant Spry him asked three different times
18 about how he -- whether or not he actually wants to talk to
19 him, and he says yes prior to making any statements.

20 I have case law to hand up for Your Honor if you would
21 like to see it. State v. Easler which is from 1997; State
22 v. Barksdale from 2021 which just goes to the fact that
23 statements made under custody require Miranda warnings.

24 **THE COURT:** All right. Anything else from the State?

25 **SOL. CONTESTABILE:** Nothing from the State.

1 **THE COURT:** Mr. Newman?

2 **MR. NEWMAN:** Yes, sir.

3 **THE COURT:** Nothing. Did you say nothing, sir?

4 Nothing from you, sir?

5 **MR. NEWMAN:** No, sir.

6 **THE COURT:** All right. I find that his will was not
7 overborn by the situations and the questioning, and the
8 statements are admissible. What else do we have?

9 **SOL. CONTESTABILE:** I don't have anything from the
10 State, Judge.

11 **THE COURT:** All right. Do we want to go ahead and
12 start? Mr. Newman, you have any other motions before we
13 -- just trying to figure out timewise when we want to start.

14 **MR. NEWMAN:** Not presently. No, sir.

15 **THE COURT:** Y'all want to start now or take a quick
16 -- we just sort of took a break. So happy to start now if
17 y'all want.

18 **SOL. CONTESTABILE:** The State is ready.

19 **THE COURT:** All right. I'm happy to hear from you
20 then.

21 Let's see, in a bench trial do we actually need to have
22 you call the case before we begin, or have we already done
23 that?

24 **SOL. CONTESTABILE:** The State calls Whitney Grant under
25 indictment 2021-GS-15-01090 for possession of cocaine base

1 along with 2021-GS-15-01089, possession with intent to
2 distribute methamphetamine.

3 **THE COURT:** Thank you so much. And I'm happy to hear
4 from you whenever you want to begin.

5 **SOL. CONTESTABILE:** Would you like an opening
6 statement, Your Honor?

7 **THE COURT:** Not mandatory. But if you'd like, go
8 ahead, please.

9 **SOL. CONTESTABILE:** I can just start with my first
10 witness if that's okay. Unless Mr. Newman, would you like
11 opening statement?

12 **MR. NEWMAN:** Waived.

13 **THE COURT:** All right. First witness then.

14 TRIAL PROCEEDINGS

15 **SOL. CONTESTABILE:** State call Sergeant Spry.

16 (Whereupon, the witness, CHRISTOPHER SPRY, first being
17 duly sworn, testified as follows:)

18 **THE CLERK:** Have a seat. State your first and last
19 name, spell your last name for the record, please.

20 **THE WITNESS:** It's gonna be Christopher Spry, spelled
21 as S-P-R-Y.

22 - - - - -

23 DIRECT EXAMINATION

24 **BY SOL. CONTESTABILE:**

25 Q. Sergeant Spry, where do you work?

1 A. Colleton County Sheriff's Office.

2 Q. How long have you worked at the Colleton County
3 Sheriff's Office?

4 A. Eight years with three years and ten months in the
5 narcotics division.

6 Q. And what is your position in the narcotics division?

7 A. Sergeant.

8 Q. And as a sergeant of the narcotics division, what are
9 some of your duties and responsibilities?

10 A. Investigate narcotic activity within Colleton County as
11 well as citizens complaints that come in through the
12 Sheriff's Office, see if there's any legitimacy to them or
13 not, as well as supervise other deputies under me.

14 Q. I want to take you back to an incident that occurred on
15 December 2nd of 2021. How did you become involved in this
16 case?

17 A. I conducted a traffic stop on the defendant in the
18 vehicle for a defective equipment violation as well as a
19 suspended driver's license.

20 Q. Can you explain what a defective equipment violation
21 is?

22 A. The defective equipment violation of the vehicle was
23 the third brake light. It was inoperable at the time of the
24 stop.

25 Q. Okay. And where did that traffic stop occur at?

1 A. It occurred in Colleton County off of Sniders Highway
2 at the exit 53 on-ramp.

3 Q. And you said during the traffic stop you were able to
4 identify the occupants of the vehicle?

5 A. Correct.

6 Q. Okay. And who was the driver of the vehicle?

7 A. It would've been Whitney Grant.

8 Q. Do you see Whitney Grant in the courtroom today?

9 A. I do.

10 Q. Can you please point to him and describe what he is
11 wearing?

12 A. He's at the defense table with a black jacket and white
13 T-shirt.

14 Q. Sergeant Spry, when conducting traffic stops, does your
15 vehicle automatically generate a video?

16 A. As soon as I initiate the lights on the vehicle, the
17 in-car cameras as well as the body camera activates.

18 **SOL. CONTESTABILE:** Your Honor, may I approach the
19 witness?

20 **THE COURT:** You may.

21 Q. Sergeant Spry, I'm handing you what's been marked as
22 State's Exhibit 2. Do you recognize that?

23 A. I do.

24 Q. How do you recognize it?

25 A. It is the dash cam that I viewed at the request of the

1 Solicitor's Office where I signed and dated it.

2 Q. And has it been changed or altered in any way?

3 A. It has not.

4 Q. Is it a fair and accurate depiction of the traffic stop
5 you conducted on Whitney Grant on December 2nd of 2021?

6 A. It is.

7 **SOL. CONTESTABILE:** Permission to publish, Your Honor?

8 **THE COURT:** You may.

9 **SOL. CONTESTABILE:** I'm sorry. The State moves to
10 enter State's Exhibit 2 into evidence at this time.

11 **THE COURT:** All right. Without objection.

12 **MR. NEWMAN:** Well, subject to my prior motions, I
13 object.

14 **THE COURT:** All right. Subject to any prior
15 objections, Mr. Newman.

16 (State's Exhibit No. 2 was received into evidence.)

17 (Video plays at 12:02 p.m.)

18 **SOL. CONTESTABILE:** Your Honor, I'm stopping the video
19 at 1:10.

20 **THE COURT:** All right. Thank you.

21 **BY SOL. CONTESTABILE:**

22 Q. Sergeant Spry, I'm now handing you what's been marked
23 as State's Exhibit 3. Do you recognize this?

24 A. I do.

25 Q. How do you recognize it?

1 A. It is my signature dated and the time that I reviewed
2 it requested by the Solicitor's Office.

3 Q. What is it?

4 A. It is my body-worn camera footage.

5 Q. And was it a fair and accurate depiction of the traffic
6 stop that you conducted on Whitney Grant on December 2nd of
7 2021?

8 A. It is.

9 **SOL. CONTESTABILE:** Your Honor, at this time, the State
10 moves to enter State's Exhibit 3 into evidence.

11 **MR. NEWMAN:** Subject to prior objections.

12 **THE COURT:** Subject to his objections.

13 (State's Exhibit No. 3 was received into evidence.)

14 (Video plays at 12:05 p.m.)

15 **SOL. CONTESTABILE:** Your Honor, I think there is a
16 scratch on this disc. Can we use the -- would Your Honor or
17 Mr. Newman object to us using the court's exhibit which is
18 the same disc, it's the same video that Sergeant Spry
19 testified to.

20 **THE COURT:** Okay. No problem.

21 (Brief pause.)

22 (Video resumes at 12:26 p.m.)

23 **SOL. CONTESTABILE:** Judge, I'm stopping the video at
24 18:49. And just for the record, the other two times
25 stopped -- or the other points that I moved in were

1 2 minutes and 57 seconds to 3 minutes and 5 seconds;
2 10 minutes and 44 seconds to 10 minutes and 50 seconds;
3 13 minutes and 18 seconds to 13:29; 14:45 and 14:55; 16:10
4 to 16:30.

5 **THE COURT:** Thank you.

6 **BY SOL. CONTESTABILE:**

7 Q. Sergeant Spry, when you were speaking to Whitney Grant
8 roadside right there, where were you y'all again? Where
9 were you located?

10 A. We were in Colleton County at the 53 on-ramp.

11 Q. And when you were speaking to him, did he appear to be
12 under the influence of drugs or alcohol?

13 A. No.

14 Q. Was his speech slurred when he was speaking to you?

15 A. No.

16 Q. Did you promise him anything for talking to you?

17 A. No.

18 Q. Was he coerced in any way?

19 A. No.

20 Q. Did you threaten him in any way?

21 A. Did not.

22 Q. Was he promised anything from a prosecutor if he
23 cooperated?

24 A. No.

25 Q. If he needed to go to the bathroom, get a drink of

1 water, have a break, have a snack, would you have given
2 him -- provided him on one of those?

3 **MR. NEWMAN:** Objection, Your Honor. That's
4 speculation. That didn't happen.

5 **THE COURT:** I'll let you answer. Go ahead.

6 A. Yes. If he needed it, I would've helped him.

7 Q. Okay. And during the traffic stop, did you collect any
8 evidence ---

9 A. I did.

10 Q. --- from Mr. Grant?

11 A. I did.

12 Q. And who was in the vehicle at the time of the traffic
13 stop?

14 A. Just Mr. Grant.

15 Q. Okay. And what did you collect?

16 A. Collected a clear plastic bag that was in the center
17 console that three individual plastic bags inside of it, two
18 of which had MDMA ecstasy in it and one with crack cocaine,
19 as well as a firearm that was located under the driver's
20 seat.

21 Q. Did you locate any drug paraphernalia in the car?

22 A. There was a scale that was in the center console along
23 with the narcotics.

24 Q. Okay. What are other examples of drug paraphernalia?

25 A. The firearm, the individually bagged scale. And I

1 think that's it as far as what I located inside the vehicle.

2 Q. Right. But what are other examples that you might find
3 of drug paraphernalia?

4 **MR. NEWMAN:** Objection. Speculation. Might find and
5 might not find. Stick to the facts.

6 **THE COURT:** Sustained.

7 Q. Did you find any drug paraphernalia on Whitney Grant's
8 person?

9 A. No.

10 Q. The evidence that you did collect -- the scale, the
11 gun, the bag with three separate bags of suspected
12 narcotics -- what did you do with those substances?

13 A. They were collected. They were placed into BEST kit
14 where they were sealed and signed and dated by myself and
15 then placed into evidence to be sent to SLED for further
16 analysis.

17 Q. Did you also field test them?

18 A. I did.

19 Q. And can you explain what a field test is?

20 A. A field test is a roadside test that gives a chemical
21 reaction to the substance. We take a little bit and put it
22 in that kit and we pop the nozzles and then we get a
23 positive or negative reaction depending on if it's narcotics
24 or if it's not.

25 Q. Can one kit test for multiple different types of

1 narcotics at the same time?

2 A. Yes. Yes. We have -- our methamphetamine kits, they
3 are used also for, like, MDMA ecstasy as well as
4 methamphetamine.

5 Q. So if you field test substances, why do you also send
6 them to SLED which is -- I'm sorry -- commonly known as the
7 South Carolina Law Enforcement Division?

8 A. We typically do the roadside test which gives us the
9 probable cause for the actual presumptive test to show that
10 it is narcotics. However, SLED has got a more -- their
11 chemical lab is more accurate than the field test.

12 Q. To your knowledge, can their chemical labs test for one
13 specific substance at a time versus your field kit test
14 which might test for two substances at one time?

15 A. Yes.

16 Q. And you talked about a BEST kit bag. What is a BEST
17 kit bag?

18 A. A BEST kit bag is simply the -- it's an envelope with a
19 sealed envelope inside of it that we -- with forms that we
20 fill out that goes to SLED for their process.

21 Q. Okay. And what is the purpose of sealing a BEST kit
22 bag?

23 A. So that it cannot be tampered with once we place it
24 into it.

25 Q. Okay. Did you tamper with the items that you collected

1 in any way?

2 A. I did not.

3 Q. Did you alter the items in any way?

4 A. I did not.

5 Q. Did anyone in your presence that you know of tamper or
6 alter with them in any way?

7 A. No, ma'am.

8 Q. And after placing the BEST kit bag -- or after placing
9 the evidence in a BEST kit bag, what did you do with it?

10 A. I placed it into evidence where it could then be sent
11 to SLED.

12 Q. Okay. And who sends it to SLED? Is that you?

13 A. No, I do not. Sergeant Bazzle, which is our evidence
14 custodian, handles that side of it.

15 Q. Sergeant Spry, I'm handing you what's been marked as
16 State's Exhibit 4. Do you recognize this?

17 A. I do.

18 Q. How do you recognize it?

19 A. Based off of my -- the brown bag that I sealed and
20 then the -- my handwriting, of course. And then typically
21 it would've been signed and dated. Again, it might be
22 folded. but, yes, I did place it in this bag.

23 Q. Okay. And what is it?

24 A. It is the digital scale that was collected out of the
25 center console.

1 **SOL. CONTESTABILE:** Your Honor, at this time, the State
2 moves to enter State's Exhibit 4 into evidence.

3 **MR. NEWMAN:** Subject to my prior objections, Your
4 Honor.

5 **THE COURT:** All right. They will be admitted as 4
6 then.

7 (State's Exhibit No. 4 was received into evidence.)

8 (Brief pause.)

9 **MR. NEWMAN:** Your Honor, I object to this. It
10 obviously has been tampered with.

11 **THE COURT:** What is it? And happy to hear a response
12 from the State.

13 **BY SOL. CONTESTABILE:**

14 Q. Sergeant Spry, I'm handing you what's been marked as
15 State's Exhibit 5. Do you recognize this?

16 A. I do.

17 Q. How do you recognize it?

18 A. It is the BEST kit that I completed for the -- where
19 the narcotics were placed. It is signed and dated by me.

20 Q. Okay. Does the seal appear to be intact?

21 A. It does.

22 **SOL. CONTESTABILE:** Your Honor, at this time, the State
23 moves to enter State's Exhibit -- or I'm sorry. I'm not
24 moving to enter it yet, Your Honor.

25 **THE COURT:** Okay. I will hold off on your objection

1 then.

2 Q. Sergeant Spry, did you tamper with these in any way?

3 A. I did not.

4 Q. Did you alter these in any way?

5 A. I did not.

6 Q. To your knowledge, did anyone in your presence or at
7 the Sheriff's Office tamper or alter this in any way?

8 A. Did not.

9 **SOL. CONTESTABILE:** Your Honor, may I approach the
10 witness?

11 **THE COURT:** You may.

12 Q. Sergeant Spry, do you recognize this?

13 A. I do. This would be the firearm that I collected from
14 underneath the driver's seat of the vehicle.

15 Q. I'm sorry, what is it?

16 A. It's the firearm that I collected from underneath the
17 driver's seat of the vehicle.

18 Q. Okay. And how do you recognize that?

19 A. Printed my name, dated it, and gave it a description of
20 what it was and where it was located.

21 Q. Did you alter or tamper with this firearm in any way?

22 A. Did not.

23 **SOL. CONTESTABILE:** Your Honor, at this time, the State
24 moves to enter State's Exhibit 6 into evidence.

25 **MR. NEWMAN:** Object on relevance. Not charged with a

1 firearm.

2 **THE COURT:** What is the relevance of the gun?

3 **SOL. CONTESTABILE:** Your Honor, it goes to the fact
4 that distribution can be proved -- the intent to distribute
5 can be proven through other circumstantial evidence such as
6 things like scales, baggies, firearms on the constructive or
7 actual possession of the defendant at the time of the
8 traffic stop.

9 **THE COURT:** All right. And, again, I know I'm sitting
10 as judge and jury here. I can forget things if I want when
11 I consider them. But from a 401, 403 standpoint, it seems
12 like the prejudicial effect of a gun far outweighs the
13 probative value, specially since you've got the scales,
14 et cetera. So I'm gonna sustain the objection. Thank you.

15 **BY SOL. CONTESTABILE:**

16 Q. Sergeant Spry, based off of your training and
17 experience as a sergeant over the narcotics division at the
18 Colleton County Sheriff's Office, what are some common
19 things that you would see a person have if they were
20 disturbing drugs?

21 **MR. NEWMAN:** Objection, Your Honor. That calls for
22 speculation. It has nothing to do with this case. The
23 officer can testify to what he saw and did in this case.
24 What some other people do, that's just not relevant.

25 **THE COURT:** What was the question again? I'm sorry.

1 they shouldn't be driving a vehicle. They should know that
2 they have a suspended license or their license isn't good.
3 So they should know -- they know that they shouldn't be
4 driving.

5 Q. You have no common courtesy?

6 A. I can have common courtesy, yes. But, I mean, it's not
7 like ---

8 Q. But you didn't in this case?

9 A. No, I did not.

10 Q. Okay. Because what you wanted, what your objective
11 was, is to gain leverage on Mr. Grant. Correct?

12 A. Leverage as in?

13 Q. As in going to your hour-and-a-half interview you
14 making promises that, hey, if you work for us, you won't see
15 any jail time?

16 A. I didn't ---

17 Q. So you didn't have any leverage on him if you just told
18 him, "Hey, Whitney, you shouldn't be driving; your license
19 is suspended," or you could've ran it down and verified.
20 But you chose not to because you didn't have leverage on him
21 yet, right? You didn't have him in handcuffs yet, correct?

22 A. I didn't need ---

23 Q. He hadn't committed any crime yet.

24 **THE COURT:** Mr. Newman, just let him finish. He's
25 trying to answer your questions, but . . .

1 A. I didn't have any -- I didn't need any leverage on him.
2 I had, through a previous investigation, learned information
3 about Mr. Grant being involved in narcotic activity. It is
4 my job as a narcotic's officer to investigate that, okay.
5 So when I see Mr. Grant at the gas station, I've already
6 done some of my homework. I knew he had a suspended
7 license. I knew him for having firearms. I know he's had
8 previous traffic stops where he has been found with
9 narcotics as well as firearms.

10 **MR. NEWMAN:** Your Honor, I object.

11 A. It is my job ---

12 **MR. NEWMAN:** Excuse me, I object.

13 **THE COURT:** Hold on one second, sir. Go ahead, sir.

14 **MR. NEWMAN:** He's going way off course with his, 401,
15 403. It's obvious he has an animus towards my client due to
16 some character issues. My client's character is not an
17 issue in a criminal trial unless he testifies. And I object
18 to this rambling on about prior, prior, prior, prior.

19 **THE COURT:** Well, Mr. Newman, you asked a vague, sort
20 of broad question. But go ahead and specify your question,
21 and go on with the question, please.

22 **BY MR. NEWMAN:**

23 Q. All right. My question is you wanted to stop Mr. Grant
24 that night, correct? You had targeted him?

25 A. I wanted to further investigate what I already knew.

1 Q. I take that as a yes, you targeted him.

2 A. It's not a target. It is an investigation of narcotics
3 activity.

4 Q. What's the difference?

5 A. It's an investigation. I have to prove that
6 investigation, whether there's legitimacy to it or not.

7 Q. What was the purpose of the stop?

8 A. The purpose of the stop?

9 Q. Yes.

10 A. It was to investigate ---

11 Q. The real purpose?

12 A. To investigate the narcotics activity that I was aware
13 of.

14 Q. Okay. And that investigation, you had no probable
15 cause to embark on that investigation when you made the
16 stop, did you?

17 A. I had the traffic stop which would give me the probable
18 cause for the stop.

19 Q. No. My question is you said your object, you
20 objectively, was gonna follow Mr. Grant and stop him,
21 whether it was for a tag light or a suspended license or
22 whatever, correct? That was your objective, correct?

23 A. My objective was to investigate a criminal act of
24 narcotics activity within Colleton County. It is my job to
25 do what I have to do to prove that case on whether there's

1 any legitimacy to it. That traffic stop helped me
2 corroborate some of what I already knew.

3 Q. So it's was just ruse?

4 A. It was an investigation.

5 Q. What's the difference?

6 A. I don't know.

7 Q. What's the difference between an investigation and a
8 ruse?

9 A. I don't know. I don't know what ruse means. It you
10 want to explain then I can answer the question.

11 Q. False pretenses, entrapment, things like that.

12 A. I wasn't doing any false pretenses. There was no
13 entrapment.

14 Q. Okay. And you believe Mr. Grant was fair game because
15 you knew him?

16 A. I got his name through an investigation. If you want
17 me to go in depth of that investigation or I can give you a
18 little more detail, I'll be more than happy to do so. But
19 you don't like that I'm going into that, so I'm not gonna go
20 no further unless you want it.

21 Q. This original narrative was by a
22 Sergeant William Janicki, correct?

23 A. The original narrative?

24 Q. Well, that's what it says, original narrative by
25 William Janicki.

Cross-Examination of Sgt. Spry by Mr. Newman

1 A. He may have put some notes in there, yes.

2 Q. Okay. And he's been fired from the department?

3 A. Yes, sir.

4 Q. And he's the one that helped with Mr. Grant personally?

5 A. As far as?

6 Q. His part putting handcuffs on him.

7 A. Well, when he ran, yes.

8 Q. Okay. And Sergeant Janicki was on your team was fired
9 because he's a liar. Isn't that correct?

10 A. He was fired because of him doing some things that he
11 should've been doing, correct.

12 Q. Yeah. He was having sex with CIs, planting drugs.
13 Going wild.

14 A. You are correct. But there's no charges made, so
15 that's just purely allegations at this point. If you want
16 me to go elaborate on that a little more, I can touch on
17 that some more, too, if you'd like.

18 Q. Oh, were you aware of his activity when he was banging
19 CIs?

20 A. I'm the one that completed the investigation on
21 Mr. Janicki and had him terminated from the Sheriff's
22 Office, yes.

23 Q. Okay. So he was a dirty cop?

24 A. Yeah. And I don't work well with dirty cops.

25 Q. Okay. Why was Hallie Godley present?

1 A. She showed up on scene. I don't know why she showed up
2 on scene. I have no idea other than previous investigations
3 that she was assisting with. And I don't know -- again, I
4 don't know why she showed up other than another unit on
5 scene.

6 Q. Okay. She doesn't work for your department?

7 A. No. She's South Carolina Law Enforcement Division.

8 Q. Right. She just showed up?

9 A. She did. We work hand-in-hand together with narcotics
10 activity around the county.

11 Q. Okay. And Ms. Godley, likewise, was released from your
12 department years ago. Is that correct?

13 A. I have no knowledge of that.

14 Q. Okay. Now, I found I'm a little confused on our talk
15 about leverage. Two days after the stop, you went and got
16 Mr. Grant out of jail and took him to the LEC on
17 Mabel Willis Road?

18 A. Not two days. It was the next.

19 Q. Oh, January -- I'm sorry. December 3rd?

20 A. That sounds correct. Like I said, it was the next
21 morning.

22 Q. Okay. What was the purpose of that?

23 A. Because he mentioned on the scene that he
24 wanted -- that he was willing to talk with law enforcement
25 and possibly work with us.

1 Q. Okay. And you didn't initiate any of that?

2 A. I did not. I was advised that, and I said we can look
3 into that.

4 Q. Who were you advised by?

5 A. I believe Agent Godley was talking with him on scene
6 while I was doing other things.

7 Q. Oh, so she had a part of the investigation. How come
8 she didn't write a report?

9 A. I can't answer that. Don't know.

10 Q. How come Janicki didn't write a report?

11 A. You said he dictates notes on ---

12 Q. Well, it says here, but I don't see anything beyond
13 that.

14 A. What does it state?

15 Q. Original narrative by William Janicki.

16 A. What does it state?

17 Q. You don't ask me questions.

18 A. Well, then I'm not gonna answer that question. I'm not
19 gonna put false statements -- statements in my opinion in my
20 mouth because I don't know what he wrote.

21 Q. This is your report, correct?

22 A. It is my report.

23 Q. All right. Why are you pulling teeth?

24 A. Because you're doing it. You won't tell me what he
25 wrote.

1 Q. You don't know what he wrote. You don't know your own
2 report.

3 A. I do. I know my report.

4 Q. So on December 3rd at 11 -- approximately 11:32 hours,
5 you took Mr. Grant out of the jail and took him to the LEC,
6 law enforcement center?

7 A. Yes. With his cooperation.

8 Q. Yeah, he agreed to it. He wanted to help himself,
9 didn't he?

10 A. He did.

11 Q. And you gave them every indication that he could help
12 himself?

13 A. I did.

14 Q. Okay. So you did a Miranda and a waiver?

15 A. I did.

16 Q. And Mr. Grant signed it and initialed, correct?

17 A. Correct.

18 Q. And Hallie Godley witnessed it?

19 A. Correct.

20 Q. And y'all spent -- the Miranda was done at 11:32. The
21 tape is an hour and a half long. So it was approximately
22 1:00 o'clock when you let him out or when you were finished
23 with the investigation, the interrogation, or whatever it
24 is?

25 A. That may be right. I'm not exactly sure on the time

1 frame.

2 Q. Do you want to see the tape?

3 A. If you want open that window.

4 Q. Sure. The one where you were making promises.

5 A. I said things that when I talked to him that if he
6 completed things that, yes, I could help him. Nothing was
7 ever done.

8 Q. And that was because the solicitor told you to forget
9 it, we want to prosecute this guy? Or did you just decide
10 to forget it or Hallie Godley decide to forget it?

11 A. I was advised what the Solicitor's Office was willing
12 to do at the time. I called Mr. Grant on the phone, advised
13 him of that because I wasn't gonna leave them in the blind.
14 I'm not gonna lie to the man. I'm not gonna work him and
15 then tell him, oh, hey, by the way, you're still going to
16 prison. I'm not that type of person. So I called him and I
17 told him that. I told him the cards were going to be left
18 on the table. If he wanted to play then we would keep
19 going. He never called me back.

20 Q. He didn't. Didn't y'all text back and forth? Do you
21 deny texting back and forth?

22 A. I don't deny texting back and forth, no.

23 Q. Okay.

24 A. But I don't know that was -- I don't believe that was
25 after the fact that I would give him that information.

1 Q. After what -- after what fact?

2 A. When I advised him what the solicitor advised and that
3 whatever he produced could go to help him. After that, I
4 don't believe I heard from him again. I think those text
5 messages -- I'm not a hundred percent the text messages. I
6 know he did text, but I believe prior to that.

7 Q. And he sat and gave you a bunch of names. You asked
8 him about a homicide. I don't think he knew any information
9 about that, correct?

10 A. Not that I recall, no. He did give a couple of names,
11 yes. But the names -- I get given names all the time.

12 Q. I understand that. What I'm asking you is this, sir:
13 Mr. Grant was under the impression he could help himself and
14 that's why he was cooperating, correct?

15 A. Correct.

16 Q. And that turned out to be just a bunch of BS. You were
17 never going to help him.

18 A. He didn't never help me, no.

19 Q. You didn't let him.

20 A. I can't make -- I'm not gonna beg a man to do so. I
21 told him what he needed to know in reference to the
22 prosecution side. I told him if he wanted to continue then
23 we would. And never contacted me again. I'm not gonna call
24 him back and ask him to keep going. I'm not begging
25 somebody to do that.

1 Q. You met him out at the airport?

2 A. That was prior to all this. That's when we -- after we
3 interviewed and he got out, we did meet to discuss what we
4 were going to try to do. We never worked up until that
5 point. And then when I relayed that information from the
6 solicitors about what the solicitors talked about at the
7 time, we never met again.

8 Q. And you think you gave Mr. Grant a fair shake on that?

9 A. I gave him the opportunity. He could've done what he
10 wanted to do.

11 Q. Well, why did he meet you at the airport? That's where
12 you meet your CIs, isn't it?

13 A. That as in an attempt to try to make things -- to get
14 the process rolling.

15 Q. So he was cooperating. He showed up at the airport.

16 A. At one point.

17 Q. You're the one that cut the service off.

18 A. I did not cut the service off.

19 Q. The solicitor did that?

20 A. They didn't cut it off. I called him and gave him the
21 information that was provided to me, that if he was to be
22 prosecuted in the case that any time that he got, whatever
23 he produced, could help him on his time. After that
24 conversation, we never met, we never talked anymore.

25 Q. So that was after the airport?

1 A. That was -- yeah, after the airport. It was well after
2 the airport.

3 Q. Okay. Would it be reasonable for Mr. Grant to believe
4 the stuff you were telling him?

5 A. He didn't have to believe me. Same thing with
6 everybody else. I mean, people -- you gotta give me the
7 opportunity. That's why I went the extra effort when I told
8 him that I would work on getting him out of jail. I went to
9 the judge and asked him to give him a PR bond to get him out
10 to show my good faith that I was willing to work with him.

11 Q. Okay. So, in your opinion, he doesn't need to go to
12 prison?

13 A. That's not what I was doing. I was trying to show him
14 that I had good faith, that he could believe what I say by
15 doing that. And if he wanted to work, we could work
16 together and make things happen, and it didn't happen.

17 Q. So you just had a personal breakdown?

18 A. Not a personal breakdown. I've got a job to do. And I
19 do my job the same way every day. I don't hold a grudge
20 against anybody.

21 Q. Really?

22 A. No matter what happens through my job.

23 Q. Now, one the video body cam, you ran it again, being
24 his license?

25 A. His permit?

1 Q. Yes.

2 A. What about it?

3 Q. Well, I heard "DL clear."

4 A. You might've been hearing somebody else. There was
5 another traffic stop going on prior to that.

6 Q. Really?

7 A. His beginner's permit was expired that he had. His
8 license was suspended when I confirmed it before the stop
9 was even done.

10 Q. And you confirmed that without knowing his date of
11 birth and ---

12 A. I don't use his date of birth. There's a thing now
13 called South Carolina Department of Motor Vehicle where we
14 have access to. I can look him up without his date of birth
15 and see whether or not his license was still suspended at
16 the time.

17 Q. Run my license.

18 A. You want me to pull it up and do that?

19 Q. Sure.

20 A. Or you want me to run your client like right now
21 without his date of birth and you can step up here and
22 show ---

23 Q. No. I want you to run my license. I might be under
24 suspension.

25 A. What is your last name?

1 Q. You don't know?

2 A. I don't know you well enough. No, I don't. When I
3 know somebody, I can do that.

4 Q. Newman, N-E-W-M-A-N. English spelling.

5 A. From Beaufort?

6 Q. Sir?

7 A. Out of Beaufort?

8 Q. I don't know.

9 A. You don't know. Well, here's the thing, I do my
10 homework on people prior to. So I knew a little bit more on
11 him than ---

12 Q. You were conducting a drug investigating, not
13 conducting a traffic stop?

14 A. It was a traffic stop.

15 Q. For the purpose of a drug investigation. Can you at
16 least admit that?

17 A. I thought we already touched on that.

18 Q. Oh, you did admit that.

19 (Brief pause.)

20 A. Is this you?

21 Q. Let me see it. Probably is. I can't see worth a damn.
22 Quit flying airplanes 20 years ago. Good God, that ain't
23 me.

24 A. That's you.

25 Q. I'm just kidding ya. I lost 40 pounds. And that took

1 you some time to do, correct?

2 A. Yeah. Only because, one, I didn't know your name, date
3 of birth -- or I didn't need your date of birth -- but your
4 name and then your address. So I have to -- there's your
5 son, I'm assuming has the same address as you. So I picked
6 his first, realized it was him. Then I had to back out and
7 I located you.

8 Q. Okay. So you got my son?

9 A. But I found you. You just looked at you.

10 Q. Okay. But you found my son?

11 A. I did. I'd seen him, too, without a date of birth.

12 Q. You found Jared, Junior?

13 A. Must have been. Same address.

14 Q. Okay. And what was the address?

15 A. I don't recall.

16 Q. My son has lived in Spain for 15 years.

17 A. Well, I didn't look at it hard enough.

18 Q. Of course you didn't.

19 A. I've got your name and date of birth and all your
20 information, driver's license number, off of that.

21 Q. What class driver's license do I have?

22 A. I didn't look at that while I had it up. I was proving
23 my point to you.

24 Q. You don't have to prove anything to me.

25 A. Okay.

1 Q. In your report, there's not a follow-up report that
2 talks about the interview that y'all did the next day at
3 LEC?

4 A. No. I just did a case note in the report that said the
5 interview was conducted on this date and what interview room
6 it was conducted in.

7 Q. Why do you make reports?

8 A. To document what's going on.

9 Q. And to remember?

10 A. Yeah.

11 Q. You trained to be accurate?

12 A. Yes.

13 **MR. NEWMAN:** Judge, I think I'm about done. Just
14 checking.

15 (Brief pause.)

16 **MR. NEWMAN:** Thank you, Your Honor.

17 **THE COURT:** Any redirect?

18 **SOL. CONTESTABILE:** Nothing from the State.

19 **THE COURT:** Thank you so much, sir. You may step down.

20 **SOL. CONTESTABILE:** State calls Sergeant Bazzle.

21 (Whereupon, the witness, STEVE BAZZLE, first being duly
22 sworn, testified as follows:)

23 **THE CLERK:** You can have a seat. State your first and
24 last name, spell your last name for the record. Thank you.

25 **THE WITNESS:** My name is Steve Bazzle, B-A-Z-Z-L-E.

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DIRECT EXAMINATION

BY SOL. CONTESTABILE:

Q. Remind me of your rank again. Is it still sergeant?

A. Yes, ma'am.

Q. Sergeant Bazzle, where do you work?

A. Colleton County Sheriff's office.

Q. How long have you worked there?

A. I've been the evidence custodian for eight years, but I've been in law enforcement since 1978.

Q. What are some of your duties and responsibilities as the evidence custodian?

A. When officers collect evidence and they bring it in, and they put it in a temporary storage locker which is a locked facility. When I come in, I take the evidence out, log it into the system, attach a barcode to it, place it in the larger evidence locker until at such time it's either released or sent to a lab for processing.

Q. Other than yourself, does anyone else at the Sheriff's Office have access to the evidence locker?

A. James Washington is my backup evidence custodian when I'm not there.

Q. I'm handing you what's been marked as State's Exhibit 5. Do you recognize this?

A. Yes, ma'am.

1 Q. How do you recognize it?

2 A. This is the back ---

3 **MR. NEWMAN:** Your Honor, please. It's not an exhibit
4 yet. It's for identification purposes.

5 **THE COURT:** Is it marked for identification?

6 **SOL. CONTESTABILE:** I'm sorry. Yes, Judge. It's
7 marked as No. 5 for identification purposes. I apologize.

8 **THE COURT:** Go ahead.

9 **MR. NEWMAN:** But that's for identification only at this
10 point, correct?

11 **SOL. CONTESTABILE:** Correct.

12 **MR. NEWMAN:** Okay.

13 A. This is the BEST kits. When the officers get them, the
14 inside envelope is part of the kit that goes inside a brown
15 envelope which is sealed and taken into SLED. When SLED
16 process it, they open it, obviously, to get to the narcotics
17 or whatever. But when they finish it, they put it in this
18 heat-sealed package, which I picked up from the evidence
19 login and had it returned back to our office.

20 Q. Where did you collect this back from originally?

21 A. Before it was analyzed?

22 Q. Yes.

23 A. It was in the evidence drop box.

24 Q. Okay. And who placed it in the evidence drop box?

25 A. Officer Spry.

1 Q. Okay. And how do you know that, which officer placed
2 it in the evidence drop box?

3 A. Well, I talk to Spry on a regular basis. But also they
4 sign all of their chain of custody forms, and those are
5 attached and placed in the evidence box with it.

6 Q. When you collected that BEST kit bag from evidence
7 lockbox, was it sealed?

8 A. Yes.

9 Q. Did it appear tampered with?

10 A. No, ma'am.

11 Q. Did it appear altered in any way?

12 A. No, ma'am.

13 Q. Did you tamper with it?

14 A. No, ma'am.

15 Q. Did you alter it in any way?

16 A. No, ma'am.

17 Q. Did you maintain the integrity of the BEST kit bag
18 while it was in your possession?

19 A. I did.

20 Q. What did you do with the BEST kit bag?

21 A. It stayed inside the main evidence locker until it was
22 transferred up to the lab.

23 Q. Okay. And when you transferred it to the lab, what do
24 you do with it? I'm sorry, when you say the lab, what lab
25 are you talking about?

1 A. State law enforcement division lab.

2 Q. Okay. And when you take it to SLED, what do you do
3 with it?

4 A. I meet with the ladies at the evidence login and they
5 receive it with the paperwork and take custody of it.

6 Q. And as the evidence custodian, are you responsible for
7 ensuring that the bag is not tampered with?

8 A. Yes, ma'am.

9 Q. To your knowledge, has anyone else tampered with this?

10 A. Not as far I know.

11 Q. How would you know if somebody tampered with it?

12 A. The only obvious things that I would notice is where it
13 would be open to be processed. If there was anything else
14 done to it, it would've been obvious. The tamper-proof
15 seals that are on the plastic bag, for one; and also before
16 it goes to SLED, it has evidence tape on the back of it as a
17 secondary seal that has my date and initials on it. So it's
18 just the obvious things I would've noticed.

19 Q. And this seal, was it intact?

20 A. Yes.

21 Q. And has it remained intact the entire time it's been in
22 your custody?

23 A. Yes, ma'am.

24 **SOL. CONTESTABILE:** No further questions. Please
25 answer any the defendant has.

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CROSS-EXAMINATION

BY MR. NEWMAN:

Q. Sergeant Bazzle, you've been in law enforcement since 1978?

A. Yes, sir.

Q. When you gonna retire?

A. I don't know.

Q. Okay. I'm just funning with you. You and I've known each other for years and years and years.

A. Yes, sir.

Q. Okay. I was curious on the BEST bag it says "clear plastic bag of 1.6 grams of a white rock substance." Do you know why it weighed out to be less than a gram?

A. No, sir. I don't.

Q. Okay. So this would be wrong on the bag then, if it weighed out to be .9, correct?

A. I have no idea of the measurements on that. I just take the envelope package, put it in evidence, and deliver it to SLED. So any figures that come up with that, I would assume would be from the officer or the lab.

Q. Just a made-up number by the officer?

A. I couldn't tell you.

Q. Because it did not weight out to be 1.6, right?

A. I couldn't answer that either.

1 Q. Who put these stickers on the bag?

2 A. The barcode stickers?

3 Q. Yes, sir.

4 A. I did.

5 Q. Okay. And it was told to you that it was 1.6 grams or
6 did you weigh it?

7 A. I didn't. Not to be rude, sir, but I don't pay
8 attention to what they have on the weights or the
9 descriptions or anything. As long as it meets the
10 qualifications that SLED accepts, that's what I go by.

11 Q. I understand. Not in your pay grade?

12 A. No, sir.

13 Q. All right. Thank you, sir.

14 **MR. NEWMAN:** No further questions.

15 **THE COURT:** Anything else from this witness?

16 **SOL. CONTESTABILE:** No, Your Honor.

17 **THE COURT:** Thank you, sir. You may step down.

18 **SOL. CONTESTABILE:** State calls Shana Sorelles.

19 (Whereupon, the witness, SHANA SORELLES, first being
20 duly sworn, testified as follows:)

21 **THE CLERK:** You can have a seat, please. State your
22 first and last name, spell your last name for the record.

23 **THE WITNESS:** Shana Sorelles, S-O-R-E-L-L-E-S.

24 - - - - -

25 DIRECT EXAMINATION

1 **BY SOL. CONTESTABILE:**

2 Q. Ms. Sorelles, where do you work?

3 A. I work for the South Carolina Law Enforcement Division,
4 more commonly known as SLED.

5 Q. How long have you worked for SLED?

6 A. I've been there for 19 years.

7 Q. Okay. And what departments do you work in?

8 A. I currently work in drug analysis department. I have
9 worked there since 2014. For the previous eight years, I
10 worked in the toxicology department.

11 Q. What do you do in the drug analysis department?

12 A. I am a drug chemist, and I test any substances given to
13 us whether it be rock, crystal, powder, liquid. And I test
14 those substances for the presence or absence of controlled
15 substances. And then I, of course, tell what I found in the
16 courts and to attorneys.

17 Q. I'm sorry, I didn't mean to interrupt you.

18 A. You're fine.

19 Q. So you generate a report after you test substances?

20 A. Yes, I do.

21 Q. And what education and training have you had in
22 chemical analysis of evidence to determine the presence of
23 drugs?

24 A. I have bachelor's degree in chemistry from the
25 University of South Carolina and a master's degree in

1 analytical chemistry from the University of South Carolina.
2 I did extensive training in toxicology where I became a
3 certified toxicologist under a senior analyst. And I was
4 able to test for the presence of drugs, alcohol, poisons in
5 blood urine, brains, livers, muscles. I then switched over
6 to the drug analysis department where, again, I was trained
7 by a senior chemist. I had to do multiple proficiency
8 tests, multiple competency tests, multiple written tests
9 before I was allowed to actually start my own casework.

10 Q. You ever testified in court before?

11 A. Yes, I have.

12 Q. How many times?

13 A. Fifty.

14 Q. Fifty?

15 A. Fifty. Sorry.

16 Q. That's okay.

17 A. Pollen.

18 Q. Have you ever been qualified as an expert?

19 A. Yes, I have.

20 Q. What have you been qualified as an expert in?

21 A. I've been qualified in chemistry, biology, analytical
22 chemistry, pharmacology, and environmentology. I don't know
23 what the last one came from.

24 **SOL. CONTESTABILE:** Your Honor, at this time, the State
25 moves to introduce Ms. Sorelles as an expert in the field of

Direct Examination of Ms. Sorelles by Sol. Contestabile

1 forensic chemistry specializing in the chemical analysis
2 of controlled substances.

3 **THE COURT:** Mr. Newman?

4 **MR. NEWMAN:** No objection.

5 **THE COURT:** No objection. You are so qualified, 51
6 times, I guess.

7 **BY SOL. CONTESTABILE:**

8 Q. Ms. Sorelles, I'm handing you what's been marked as
9 State's Exhibit 5 for identification purposes only. What is
10 that?

11 A. This is actually the K-pack that we place all the
12 evidence in the BEST kit that is submitted to us back into.

13 Q. Okay. And you recognize it?

14 A. Yes, I do. It has my handwriting, my initials, and my
15 date on it.

16 Q. Can you tell us when you received that item?

17 A. I actually received it on -- I received it on April 20,
18 2022.

19 Q. And who did you receive it from?

20 A. I received it from Hannah Jeffcoat. Oh, sorry.
21 Hannah Jefferson.

22 Q. Okay. Can you tell us who Hannah Jefferson received it
23 from?

24 A. She took it out of the evidence room, which is just a
25 storage room, until me, as a drug analyst, calls downstairs

1 and says, hey, I need to pick up this case. And then she
2 goes into the drug locker that only the evidence technicians
3 can get into and gave it to me.

4 Q. Okay. And where do the evidence technicians get these
5 substances from to put in these lockers?

6 A. Well, when they are dropped off by the submitting
7 agency, they log it in. They assign it a specific lab
8 number that is just for that specific case. And then they
9 store it in a -- we're in the process of moving buildings.
10 So I'm not sure where this was actually stored at the time.
11 But they store it into a locked evidence control
12 environment.

13 Q. When SLED receives substances for testing, what steps
14 does SLED take to ensure that the substances have not been
15 tampered with or damaged?

16 A. So when they get them in, our evidence technicians, I
17 believe at the time of this case, they were checking to make
18 sure all the evidence was sealed properly. If it was not,
19 photos would've been taken of the evidence and put into our
20 system. In this case, no photos were taken. They then move
21 it from -- they don't tamper with it. They do not open it.
22 They assume that what is written in there is what is in
23 there. And they place it into, again, the storage
24 locker -- in this area, it would've been in our drugs
25 locker -- until we call down and say, hey, I need to pick up

1 this case number.

2 Q. So when you receive substances, how do you know whether
3 or not they've been tampered with?

4 A. When I receive a substance, the first thing we do is
5 look at the BEST kit. And it is tamper-evident; it is not
6 tamperproof. It's actually very easy to get into. But you
7 can tell if somebody has opened it. The blue lines do not
8 line up. The seal, in this case, was intact. And once I
9 notice that the seals are intact, all lines are lined up, no
10 cuts, no tears in the bag, I will write on the evidence bag
11 that says "seal intact" saying that the seal was intact when
12 I got it, and my initials and the date that I opened it.

13 Q. Does that bag appear to be tampered with in any way?

14 A. It was not, no.

15 Q. Did you tamper with it in any way while it was in your
16 custody?

17 A. Well, I had to open it to get the evidence out to test
18 it.

19 Q. But did anyone else tamper with it in any way while it
20 was in your custody?

21 A. No.

22 Q. Did you maintain its integrity?

23 A. Yes, I did.

24 **SOL. CONTESTABILE:** Your Honor, at this time, the State
25 moves to have State's Exhibit 5 admitted into evidence.

1 **THE COURT:** State's 5, Mr. Newman?

2 **MR. NEWMAN:** I object to it. I believe the chain of
3 custody isn't correct.

4 **THE COURT:** Specifically what?

5 **MR. NEWMAN:** Specifically, Officer Spry did not seize
6 these drugs.

7 **THE COURT:** Happy to hear from the State.

8 **SOL. CONTESTABILE:** Your Honor, it's on the body cam
9 where Officer Spry is collecting -- seizing the drugs out of
10 the center console. And he's testified that he seized the
11 drugs out of the center console. I also have State v.
12 Hatcher which indicates that the chain of custody -- not all
13 parties in the chain of custody are necessary. Mr. Newman
14 wants to bring up the fact that she's the only SLED agent
15 that's testified.

16 **THE COURT:** All right. I'll allow it subject to the
17 objection, of course.

18 **MR. NEWMAN:** Subject to objection, we'll note you can
19 see clearly on the video that the first time this officer
20 sees the drugs, it's sitting on the hood of the car, police
21 car. He did not find the drugs.

22 **THE COURT:** Thank you.

23 **MR. NEWMAN:** And he didn't testify that he found the
24 drugs, because he didn't.

25 **THE COURT:** Anything else from the State on this?

1 **SOL. CONTESTABILE:** No, Your Honor.

2 **THE COURT:** All right. I'll allow it.

3 (State's Exhibit No. 5 was received into evidence.)

4 **THE COURT:** Anything else?

5 **SOL. CONTESTABILE:** Yes, Your Honor, I have a few
6 questions.

7 **BY SOL. CONTESTABILE:**

8 Q. Ms. Sorelles, did you exam State's Exhibit 5?

9 A. Yes, I did.

10 Q. Did you perform a chemical analysis on those
11 substances?

12 A. Yes, I did.

13 Q. What chemical analyses did you perform?

14 A. First thing we do before we get any substances, we take
15 it out of the packaging and weight it. Sorry, it's my
16 voice. We take it out of the packaging and weigh it to get
17 a dry weight, net weight, which is without any of the
18 packaging because packaging is not weighed. Then a small,
19 very small, amount is taken for a color test or a
20 preliminary test. It is more specific than the field test
21 kits that the officers get; but, again, it is not exact.
22 What that does is just give us an idea of what
23 direction we're leaning and what class of drugs we could be
24 dealing with.

25 Once that is done and we have an idea, a small sample

1 is taken and extracted in the appropriate solvents, in
2 appropriate extraction solvents, and then run on a gas
3 chromatography-mass spectrometer, or a GCMS, which provides
4 us with a fingerprint. Based off of the time that is on the
5 column and the chemical breakdown, or electronic ionization
6 breakdown, we can determine exactly what that compound is.

7 Q. And are the testing methods that you just described
8 that were used by you in this case generally accepted and
9 considered reliable in your field?

10 A. Yes, they are.

11 Q. Okay. So as a result of your chemical analysis, were
12 you able to form an opinion about what the substance in item
13 1.1.1 is?

14 A. Yes, I did. May I look at my report?

15 Q. Yes.

16 A. Yes. It was a rock substance, and it was found to be
17 cocaine base with the weight of 0.95 grams.

18 Q. Okay. And as a result of your chemical analysis, were
19 you able to form an opinion about what the substance in item
20 1.1.2 is?

21 A. Yes. It was multicolor tablets, and they were found to
22 have methamphetamine, with a total weight of 6.02 grams.

23 **SOL. CONTESTABILE:** I don't have any further questions
24 for you. Please answer any that Mr. Newman has.

25 **THE COURT:** Mr. Newman?

1

- - - - -

2

CROSS-EXAMINATION

3

BY MR. NEWMAN:

4

Q. Good afternoon. I'm Jared Newman. I don't think we've met before. And I appreciate you being a Gamecock.

5

Hopefully, they'll do well.

6

A. I'm hoping. That's part of why my voice is gone.

7

Q. Mine too. Now, the identification on the BEST bag and on the bar-coded labels, this the white rock substance, which I think you testified tested positive for

10

11

crack-cocaine?

12

A. That's correct, yes.

13

Q. The 0.95. What happened to the other 7 -- 6 and a half, 7 -- .6 and a half, 7 grams?

14

15

A. Most likely it's the weight of the packaging. Out in the field, it's not safe for officers to take the drugs out of the packaging. So they usually get a gross weight, which is why the weight in the lab is much more accurate because we take that packaging out. We don't want to charge anybody with the extra weight of just the packaging of the material.

16

17

18

19

20

21

Q. Right. Because it makes a substantial difference in the penalty, correct?

22

23

A. It can, yes.

24

Q. Okay. So that's why we don't allow officers to give their opinions on the weight of drugs. Is that correct?

25

1 A. That's correct.

2 Q. Okay. And you got this in April of 2022?

3 A. That is correct, yes.

4 **MR. NEWMAN:** I don't have any further questions, Judge.

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

6 **SOL. CONTESTABILE:** No, Your Honor. The State rests at
7 this time. May this witness be accused?

8 **THE COURT:** Yes.

9 **THE WITNESS:** Thank you.

10 **THE COURT:** Thank you so much.

11 Did you say the State rests?

12 **SOL. CONTESTABILE:** Yes, Your Honor.

13 **THE COURT:** All right. Anything, Mr. Newman?

14 **MR. NEWMAN:** May be a good opportunity to go to lunch
15 so I can get my thoughts together for my directed verdict
16 motion.

17 **THE COURT:** I guess we can take a break at this point.
18 How long do we need? 15 minutes, 20 minutes?

19 **MR. NEWMAN:** I don't know if I'm gonna eat lunch or not
20 on this trial.

21 **THE COURT:** Well, I was gonna eat a granola bar. I've
22 got an extra one if you didn't bring one.

23 **MR. NEWMAN:** I brought my crackers.

24 **THE COURT:** All right. Let's -- 30 minutes? Why don't
25 we say 30 minutes?

1 **MR. NEWMAN:** Whatever the Court wants. I'll go ahead
2 now and make it easier. I would like 30 minutes.

3 **THE COURT:** Thirty minutes it is.

4 **MR. NEWMAN:** Thank you.

5 (Lunch recess at 1:18 p.m. The proceedings resumed at
6 1:55 p.m.)

7 **THE COURT:** Back on the record. The State has rested.
8 Mr. Newman, I'm happy to hear from you, sir.

9 **MR. NEWMAN:** Please the Court. I'm gonna need some
10 technical assistance. I want to point out to the Court on
11 what you see on video. You see Officer Spry searching a car
12 and he never takes anything out. You see him go chase
13 Mr. Grant, a short little foot chase. And lo and behold on
14 top of the hood of cops car is this baggy. This officer
15 proved by his video he never found anything. Can we play
16 his body cam?

17 **SOL. KEENEY:** You can play it. The evidence is over
18 there.

19 **THE COURT:** Which number is it?

20 **COURT REPORTER:** You want to do the Court's 2, the one
21 that doesn't skip?

22 **SOL. CONTESTABILE:** Yes.

23 **SOL. KEENEY:** Yeah.

24 **COURT REPORTER:** So it will be Court's 2.

25 (Brief pause to configure Bluetooth connection.)

1 **SOL. KEENEY:** Judge, would you like us to play it for
2 him?

3 **THE COURT:** If you would, that would be kind. Thank
4 you.

5 **MR. NEWMAN:** Yes. I appreciate it.

6 **SOL. KEENEY:** I don't know what minute mark he wants,
7 but . . .

8 **MR. NEWMAN:** I want to direct the Court to about the
9 time when they get Mr. Whitney out of the car. And that
10 would be Sergeant Spry's body cam. And then from the time
11 where you see the bag with the alleged drugs sitting on top
12 of a police car. You couldn't tell, he was chasing this
13 guy.

14 **SOL. CONTESTABILE:** Judge, I will do my best to match.
15 I don't know those exact times, but I'll do my best.

16 **THE COURT:** Yeah. That's all you could do.

17 **MR. NEWMAN:** You that's fine. I appreciate it.

18 (Brief pause.)

19 **SOL. CONTESTABILE:** Mr. Newman, remind me again where
20 you would like me to begin this.

21 **MR. NEWMAN:** About where they're getting out of the
22 car -- searching the car. Thank you.

23 (Video plays at 1:58 p.m.)

24 **MR. NEWMAN:** Pause, please. Drugs didn't come out of
25 that car. That's right on the officer's camera. I think

1 that's pretty compelling. I renew our motion on chain of
2 custody. There's no evidence that that was in the car. I
3 don't care what the officer testified to. The video tells
4 the tale; plainly, tells the tale.

5 **THE COURT:** Is that your directed verdict motion as
6 well?

7 **MR. NEWMAN:** It is. I'm incorporating in it the actual
8 evidence in this case. Never puts the gloves inside the
9 car, and the video speaks louder. You know, people lie,
10 videos can't. I'm renewing my motion on the chain of
11 custody because I don't know where that came from. And,
12 clearly, it did not come from Officer Spry. So I'm renewing
13 that. And I'm making a motion for a directed verdict the
14 State has failed to show that Mr. Grant is in possession of
15 those drugs. Thank you, Your Honor.

16 **THE COURT:** Thank you so much. Yes, ma'am.

17 **SOL. CONTESTABILE:** Judge, in reference to the drugs
18 and whether or not they're in the vehicle, you can see on
19 the video that we just watched at 7 minutes -- it's
20 approximately 7 minutes and 30 seconds. I'm happy to rewind
21 it for Your Honor. Sergeant Spry kicks up the center
22 console. He picks up the drugs with his other hand. You
23 can see them on his body cam. And then he hears the officer
24 that is behind him with Whitney Grant who is Janicki say
25 that he's running. He puts the drugs back down and he goes

1 to help Janicki capture Whitney Grant. And then, Your
2 Honor, State v. Hatcher says I do not need every link in the
3 chain of custody. So those drugs, how they get to Spry's
4 car, Spry still testified that he is the one that collects
5 them. His name is on the chain of custody. His name is on
6 the SLED bags. He testified that he collected them. He put
7 them in the evidence locker.

8 And then in regards to the directed verdict motion,
9 when you review the evidence in the light most favorable to
10 State, there is sufficient evidence there because Mr. Grant
11 says post-Miranda himself that he knew that those drugs were
12 in the center console when Spry asks him on scene. He knows
13 that they were in his possession.

14 **MR. NEWMAN:** The problem with the center counsel
15 is -- he picks up and puts back and then goes run off. So
16 when he's off, how do the drugs get from supposedly the
17 center console to sitting on top of the car when he gets
18 back? That's a complete fabrication. It's right there.

19 **THE COURT:** Can I see the part of the video you're
20 referencing.

21 **SOL. CONTESTABILE:** It's gonna start right here which
22 is around 7:25.

23 (Video plays.)

24 **SOL. CONTESTABILE:** To 7:35. That's when he's off
25 running. I didn't try to slow down ---

1 **MR. NEWMAN:** --- didn't take anything out of the
2 console. Hadn't even opened the console yet.

3 **SOL. CONTESTABILE:** He picks up -- you can see him pick
4 up a baggie and he puts it back down when they say that he's
5 running. So he runs.

6 **MR. NEWMAN:** Judge, this doesn't make any sense. That
7 physically cannot happen.

8 **SOL. CONTESTABILE:** Yes. I'm happy to point it out to
9 Your Honor as well if you need.

10 (Video plays.)

11 **MR. NEWMAN:** --- didn't happen.

12 **THE COURT:** All right. Well, here's what I'm going to
13 do. Of course, we're dealing with existence, not existence
14 of evidence. I'm gonna deny both motions, Mr. Newman. So
15 let me read your client the standard language here.

16 Let's see, could we get the defendant sworn, please.

17 (Whereupon, the defendant, WHITNEY BRIAN GRANT, was
18 duly sworn.)

19 **THE COURT:** All right. You can put your hand down,
20 sir.

21 All right. At this time, I'm gonna explain to you
22 certain of your rights. If you do not understand anything I
23 say, please let me know. If you want me to explain anything
24 in more detail, please let me know. Do you understand?

25 **THE DEFENDANT:** Yes, sir.

1 **THE COURT:** All right. We've now reached the stage in
2 the trial where you may present your defense. You have the
3 right to claim the protections given to you by the
4 Fifth Amendment to the Constitution of the United States.
5 The amendment states, in part, no person shall be compelled
6 in any criminal case to be a witness against himself. This
7 means you cannot be required to testify in the case. You
8 have the right to testify on your own behalf; however, no
9 one can make you testify. This is a personal right and no
10 one can waive this right except you. If you decide to
11 testify, you'll be subject to the same rules that govern
12 other witnesses. You may be examined and cross-examined on
13 any relevant issue in the case. In addition, if you have
14 any convictions involving dishonesty or false statements or
15 for crimes punishable by imprisonment for more than a year
16 and this court determines the probative value of admitting
17 the evidence outweighs its prejudicial effect to you, the
18 Solicitor will be able to introduce your record to attack
19 your credibility.

20 If you decide to testify, this decision on your part
21 must be freely, voluntarily, and intelligently made with the
22 knowledge of the protections given to you by the
23 Fifth Amendment and the consequences of your decision to
24 testify. If you decide not to testify, I will instruct the
25 jurors -- in this case, we have no jurors -- I will

1 consider -- or I will not consider the fact that you did not
2 testify. I'll give it no consideration whatsoever. And
3 there will be absolutely no prejudice to you because you did
4 not testify. It's left entirely up to you whether or not
5 you testify. You may talk with your attorney, your family,
6 whoever you'd like. But the final decision must be left
7 entirely up to you. Do you understand what I've explained
8 to you?

9 **THE DEFENDANT:** Yes, sir.

10 **THE COURT:** All right. Do you have any questions about
11 what I've explained to you?

12 **THE DEFENDANT:** No, sir.

13 **THE COURT:** All right. Do you want a minute to talk
14 with your lawyer?

15 **THE DEFENDANT:** Please, yes.

16 **THE COURT:** Okay.

17 (Brief pause.)

18 **MR. NEWMAN:** We're ready, Your Honor.

19 **THE COURT:** All right. Sir, do you wish to testify?

20 **THE DEFENDANT:** No, sir.

21 **THE COURT:** Okay. All right. Thank you, sir. You may
22 sit.

23 All right. Mr. Newman, happy to hear from you, sir.

24 **MR. NEWMAN:** Yes, sir. The defense rests.

25 **THE COURT:** The defense rests. All right. Any closing

1 from the State?

2 **SOL. CONTESTABILE:** Yes, Your Honor. Just briefly.

3 Your Honor, you heard testimony today from the witness stand
4 from Sergeant Spry in which he conducted this traffic stop
5 due to the smell of marijuana -- or due to the defendant
6 driving under suspension and a third brake light being out.
7 You then heard that Sergeant Spry smelled the odor of
8 marijuana coming from the vehicle, so he conducted a
9 probable cause search in which he located controlled
10 substances inside the center console along with a black
11 scale.

12 The State brings you this evidence and asks that you
13 find the defendant who is was charged with possession with
14 intent to distribute methamphetamine and possession of
15 cocaine base guilty because those -- there's actual --
16 there's actual possession and constructive possession. So
17 actual possession would have been they were on his person.
18 Constructive possession would've been that they are near his
19 person within his dominion and control. And so being in the
20 center console while he's a driver, the sole occupant of the
21 vehicle, they are within his dominion and control. So,
22 therefore, they are constructive, possessed by him.

23 He further -- you heard his statements in which he
24 makes post-Miranda where he claims that he knows that those
25 drugs are there, the scales are there. And so, again, based

1 on that evidence, the State would ask that you find him
2 guilty.

3 **THE COURT:** Thank you very much. Mr. Newman?

4 **MR. NEWMAN:** Please the Court, Your Honor. Again, I
5 think the video is crystal clear. What the officer
6 testified to -- and I know for a fact this officer did not
7 find those drugs. Their story is, okay, I pulled something
8 out of the center console that we don't really see what it
9 is. He runs off, tackles Mr. Grant. They roll around on
10 the grass. And the drugs are already there when he's
11 walking back. How does that happen? That cannot happen.
12 This officer did not find these drugs in that car. It's as
13 simple as that. It's as simple as that. And I would ask,
14 Your Honor, the standard now for you as the fact finder is
15 proof beyond a reasonable doubt as to each and every
16 element.

17 I would also ask -- I'm gonna renew my motion for a
18 directed verdict. Since I rested on the same grounds, I'm
19 gonna renew my motion for recusal and renew my motion on
20 chain of custody and for a directed verdict on that. I
21 believe the evidence is airtight. That's a lie. That's a
22 complete lie. Prove it on that day. It's impossible. It's
23 impossible. I mean, purely impossible.

24 I ask -- that alone is cause for reasonable doubt. And
25 I ask Your Honor to direct a verdict on the possession with

1 the intent to distribute and direct a verdict on possession
2 of drugs based on a physical, known evidence, and it wasn't
3 there. Thank you.

4 **THE COURT:** Thank you very much. All right. If I were
5 a jury, I would be able to sit there for a couple of hours,
6 as long as I wanted, to consider this and talk it over. I'm
7 not. But I don't want to be rushed into a decision either.
8 So I'm gonna give it a little bit of a thought. My question
9 is do we want to try to -- if we start on the other trial
10 tomorrow morning at -- motions at least -- at 9:30 -- if we
11 try to start that trial -- well, why don't y'all give me an
12 hour so. If I need more time, I'll let you know.

13 **MR. NEWMAN:** I was gonna say I am available tomorrow if
14 you want to think about it overnight. I can come back.

15 **THE COURT:** Well, and I may want to do that. But for
16 right now, I want to think about it for an hour or so. And
17 if I come up with a decision, great; if not, I'll, you know,
18 try to tomorrow.

19 **MR. NEWMAN:** Okay. Thank you. I'm just saying I'm
20 available.

21 **THE COURT:** All right. I appreciate that. All right.
22 Well, I'm gonna retire and contemplate all of these things
23 that y'all have given me. So we'll be at ease for a while.
24 Thanks.

25 (Recess at 2:17 p.m.)

1 **THE COURT:** Okay. While you were out, I listened again
2 to the testimony of Sergeant Spry, both the direct and
3 cross. I also listened to both the direct and cross of the
4 chemist. With regard to the Spry audio, I skipped though
5 the silent portions of the cameras because, of course, I was
6 listening to audio only anyway. Anyway, I considered that.
7 I've taken a look at the law; looked at my notes; rethought
8 everything. And the verdict of the Court on both charges is
9 guilty. And I find guilty as to possession of intent to
10 distribute meth, second, and also possession of cocaine
11 base, second. Would you like to do sentencing now?

12 **SOL. CONTESTABILE:** Judge, I just need a few minutes to
13 serve both sentencing sheets. But I can hand you up the
14 certified conviction.

15 (Brief pause.)

16 **SOL. KEENEY:** Judge, may I step out and print the
17 sentencing sheet? I can't print from right here.

18 **THE COURT:** Yes.

19 (Brief pause.)

20 **THE COURT:** All right. Happy to hear from the State.

21 **SOL. CONTESTABILE:** Your Honor, just for the record, I
22 have checked with -- on the PWID meth, second offense, for
23 that charge, the State's recommendation is in this case was
24 ten years. And as far as his -- as far as his prior record
25 goes, he has 2003, breach of peace; 2001, simple possession

1 of marijuana; 2001, two counts trespassing; 2002,
2 trespassing; 2003, criminal sexual conduct with a minor, age
3 11 to 14 years, trespassing, simple possession of marijuana;
4 2007, four counts of forgery, less than \$5,000; 2008,
5 driving under suspension, two counts, along with a probation
6 violation; 2009, five counts of forgery less than \$5,000;
7 2011, sex offender registry violations -- there's two of
8 those -- along with failure to stop for blue lights, forgery
9 less than \$5,000; 2015, a habitual traffic offender, driving
10 under suspension, third offense, sex offender registry
11 violation, third offense, and the distribution of meth which
12 enhanced the charges to the second offenses. And he got
13 five years for that charge.

14 **THE COURT:** So State's recommendation is ten?

15 **SOL. CONTESTABILE:** Yes, sir.

16 **THE COURT:** Concurrent with the lesser one, which
17 obviously is ---

18 **SOL. CONTESTABILE:** Yes.

19 **THE COURT:** Mr. Newman, I'm happy to hear from you,
20 sir.

21 **MR. NEWMAN:** Pleases the Court, Your Honor. Very
22 perplexed in this case -- another courtroom. There's
23 another video in this case -- the State didn't want to show
24 it to you, but I have not choice. It's just almighty.

25 With that, Your Honor, Whitney is 42 years old. He

1 works with his father in the landscaping and maintenance.
2 This is his brother right here. That's his wife.
3 Ms. Breland tells me that Whitney is very good with her
4 child, Whitney's stepson, but is not treated like his
5 stepson. Ms. Breland told me he's a great father. He's
6 very involved in his son's life. Also, tempering that with
7 the fact that this case is almost four years old and
8 Mr. Grant has lived respectfully. He is employed. He is
9 married. And I believe this is a case -- and I believe
10 that's the way the statute was written, probation does
11 suspend the sentence and place him on probation. I think
12 he'll do fine. You heard right after the arrest, the
13 officer went to the judge, some judge, and got him out of
14 jail for their own purposes. You head the breakdown on
15 that.

16 Our side of it is Mr. Grant was not given a real
17 opportunity after they questioned him and met with him at
18 the dirt roads at the airport. I will ask Your Honor, based
19 on all that and based on the last drug conviction being
20 11 years old, that you take that into consideration. The
21 law states the punishment should be no greater than is
22 necessary in any case. And that's federal law, Judge.
23 Doesn't necessarily apply in this court. But I think the
24 feds got it right when they say that.

25 So, Mr. Grant will have his convictions. And I see no

1 reason why he will not do well on probation and complete it.
2 That would give him even more incentive to stay out of
3 trouble, which he has been doing. And I just ask for the
4 Court to look at the facts in this case, and I ask you
5 temper whatever sentence you have with mercy and justice.
6 And if you're mad at anybody in the court, be mad at me.
7 Please don't rub that off on my client.

8 Mr. Grant would like to address the Court.

9 **THE COURT:** I'm happy to hear from you, sir.

10 **THE DEFENDANT:** Yes, sir, Your Honor. My troubles, it
11 bothered me all my life. I've been in and out of these
12 institutions since I was 12 years old. I ain't never really
13 had a chance, you know. When I came home from prison in
14 2017, I had a job five days after that. And the only reason
15 why -- I was on that job for eight months -- but the only
16 reason why I couldn't keep that job because -- it had closed
17 down. But I immediately got a job after that that I was on
18 for six months after. So I took the RPM in Summerville in
19 2021. That's when I got into it with Officer Spry.

20 I had a hip injury. I knew I couldn't run. I just was
21 real nervous. But the reason why I deal with Mr. Spry is
22 because I wanted out. I was working when I came home. I
23 was working the whole time. The only thing would offer a
24 job with a fracture in my hip, my pelvis bone, including
25 different places. And that had me down for about a year.

1 And then after that, I guess the thing with the corporate
2 people or whatever, I just became a liability for everybody
3 as far as the job thing is concerned. But I wanted to go
4 back to work. I was working since I came home. I'm not a
5 troublemaker. I've never did a violent crime. I've never
6 been involved in violence ever in my life. Whenever I got
7 into that trouble, I went to Officer Spry like that because
8 I wanted to work it out. I didn't want to end up back in
9 prison. You know, I was willing to help them however I
10 could help them to get it out of the way, you know. The
11 only reason why I turned back there, Your Honor, it seemed
12 like I was blackballed. I had no other way to go. I had no
13 other out. I tried to find many routes. I work with my dad
14 on the side landscaping, but he couldn't hire me permanently
15 -- you know. And it's really hard for my lady to take of me
16 and her son at the same time. You know, I couldn't find no
17 job nowhere else. But I didn't want to go back to prison.

18 I was working since I came home. I had four different
19 jobs. And the chance that I thought that I was gonna get
20 with Officer Spry, which I gave him what I gave him, I
21 didn't get. That led me back to drugs. You know -- a
22 42-year-old man. I've been in and out of trouble all of my
23 life and I was trying to get out of the way, Your Honor.
24 That's all I wanted you to know, that I was trying to get
25 out of the way. That's it. All I wanted was a way out.

1 That's why I went to Officer Spry. I didn't want to be
2 involved in that lifestyle. I was forced back in it. I
3 didn't want to be involved in that lifestyle at all. I gave
4 him everything I had because I didn't want to be -- I can
5 get killed as I walk out of his door. I didn't want to be
6 involved in the streets anymore. That was a chance I was
7 willing to take, so I gave them everything I had. But then
8 once I gave them everything I had when he called me and said
9 what's on the table, you know. And that drove me back to
10 using drugs, Your Honor, and getting back into trouble
11 again. I didn't want to be there. I didn't want to be on
12 the streets no more. I was going to do whatever that man
13 wanted me to do to be out of the streets.

14 That's all I want you to know, Your Honor. I did not
15 want to go back to prison. I tried everything I could.
16 I've been home since 2017. That's never happened before in
17 my life. That's how long I've been out of prison. That's
18 never happened. I was trying to get out of the way,
19 Your Honor. That's all I want you to know when you're
20 making your decision. I do not want to end up back in
21 prison. I don't want to go back to prison. I know I have
22 to for what I did wrong. I'm a man, I can admit to mine.
23 But I didn't want to. I tried everything in the seven and a
24 half to eight years that I've been free to not get my
25 freedom taken away again because it was finally in my hands

1 whereas, as a child, I wasn't thinking that. You know, when
2 I was a teenager, I wasn't thinking right. But this time
3 the ball is in my court and I was thinking like it. And I
4 tried. But everything just kept forcing me back to using
5 drugs. And that's what kept getting me in trouble.

6 But Officer Spry back in 2001, I thought that was my
7 way to permanently out of having to come back into your
8 courtroom. I thought was my way permanently out of having
9 to come back in the courtroom. I never wanted to come back
10 in here. I was gonna give my life to that man to not have
11 to come back in your courtroom because I'm tired of coming
12 in here and losing my freedom. I'm not getting nowhere.
13 I'm not becoming a productive citizen out there in life.
14 You know, that makes people not want you around, people not
15 like you. Your family member start not trusting you, start
16 being scared of you. It took me everything in my powers to
17 get these people and the rest of my family that can't be
18 here because all of them are on a job, to get these people
19 to love me again. And I did it, all of them, you know.
20 Whenever got into that wreck and nobody wanted to hire me
21 again -- I got into that accident. I've been home since
22 2017 working. The only thing I had was that charge in 2019
23 for that habitual traffic offender one, which I got --
24 licensed with.

25 I was never gonna get in trouble again. I tried,

1 Your Honor. That's all I want you to know when you're
2 making your decision. I tried with everything in me. Had
3 it worked out with Officer Spry back in 2001, you would
4 never see me here again. After a couple months he said
5 there wasn't nothing for me there. And I had did everything
6 that I could as far as my part was concerned. I'm not
7 blaming it on Officer Spry because he ain't been a bad guy
8 to me. And now you're gonna say he did, you know. What he
9 said was, he told, he called my phone, he said, after
10 everything, he said -- no go. You gotta go back to jail.
11 And I kept going on living my life until it was time to go
12 to court. I never missed a court date. I came to every one
13 them. I never missed none. Because -- just go ahead and
14 try to get this right here out of the way so that I could
15 continue on my journey. Because it's gonna be a time when I
16 don't have to come back in no courtroom. I won't be -- come
17 back in the courtroom, Your Honor.

18 I'll be sorry to myself every day. And I'm sorry to
19 everybody that I was a troubled child. I did have no
20 father. All I had was me. I had those guys right there,
21 but they're siblings. They couldn't control me. I was a
22 troubled child. So I was in and out of trouble all my life.
23 Yeah, I'm on the sex offender registry because the only
24 reason why I got arrested was because I was doing that to
25 get back in court to try to get off of it because I don't

1 feel like I'm on it. I've got the paperwork saying I did
2 nothing wrong as far as me even getting a sexual charge. I
3 should not be on it. That's why I got those failure to
4 registers because I did that on purpose to get myself back
5 in front of a judge. Jesse Pringle is one of the guys that
6 will tell you that. I purposely didn't register because I
7 wanted to come back in front of a judge. I was not
8 registering because I was running. I didn't register
9 because I wanted to get back in front of a judge to see if I
10 could be removed off of that registry because it has
11 hindered my life since 2003, man. And I was just trying to
12 get off of it. I didn't have no outcome, no money or
13 nothing like that to get no lawyer, nothing like that to get
14 off of it, you know. So those -- and that's the only
15 violence that's on my record and that's because it's a
16 sexual charge. I have never been a violent offender in my
17 life. I've just been in and out of trouble with little
18 small things. But I couldn't -- you know, in the beginning,
19 I couldn't help myself. This time I'm trying to help
20 myself, Your Honor. And that's all I want you to take into
21 consideration whenever you get ready to sentence me is that
22 I was doing everything I could to never come back in your
23 courtroom again. And here I go back, 42 years old, back in
24 your courtroom again with my freedom on the line. And
25 fought -- and I fought, went against every thing I stand for

1 out there on the streets. And every friend that I thought I
2 had that might have cared about what I was doing or
3 anything, I didn't care. Or anybody that might have wanted
4 to try to come kill me, so what. I don't want to go
5 back -- people courtroom. Those are the people that I'm
6 scared of. I'm not scared of y'all. I'm scared of losing
7 my freedom. And I tried that, I couldn't get that -- but I
8 couldn't get nothing on the other end. Did I get mad? I
9 sure did in court. I know they were looking for me to run.
10 Run for what? I'm trying to end my life of crime. So I
11 have nothing to run from, you know, Your Honor.

12 So I just want you to take that into consideration that
13 I don't want to be here. I don't want to be in trouble. I
14 don't want to be in front of you. I ain't a guy that ever
15 have to come get because I been involved in a shooting or I
16 don't get involved in a stabbing or even a fight. Never,
17 Your Honor, never been involved in nothing violent in my
18 life. It's just that -- I turned to drugs. And that's
19 where everything just came about. That's why -- to be
20 honest with you, in front of my wife, I'm gonna tell you the
21 truth, I was using the drugs. If I were to take a drug test
22 right now, ain't no telling what you might find in my
23 system, you know. That's only because I'm stressed out
24 because I wanted out, man. There was no way that they were
25 going to get me back in trouble again after Spry called me

1 in '21. That's why I'm standing right here with the same
2 charges, you know. I didn't want those. I just want you to
3 know that, Your Honor, while you're sentencing me, just
4 please take that into consideration that I wanted -- I
5 wanted out. I was willing to do whatever. That's it, Your
6 Honor.

7 **THE COURT:** Thank you.

8 **MR. AIKEN:** My name is Ralph Aiken. Whitney is my
9 little brother. We've been together all our life. Same
10 mother, same father. And, you know, growing up, I know it
11 was difficult for him. Because I always ran the streets and
12 I always did what I could do, you know, bring some money in
13 the house. My mother -- our father was a substance abuser.
14 And we grew up in a neighborhood where it was easy to get a
15 controlled substance and, you know, make a couple of
16 dollars. You know, didn't have lights a lot -- didn't have
17 a lot of food. My mom, she worked three jobs. She was
18 never around. My dad was never there. And for him to see
19 me, I just kinda gonna projected to him, it was in his mind
20 that that was a safe spot for him. But I never really
21 wanted that for him in front of him. But inevitably, as I
22 can see right now, it did, and I do apologize to you for
23 that. You know, I wasn't able to provide a better role
24 model for you.

25 But, you know, we was coming up, you know, that's just

1 what it was. You know, everybody was hustling; everybody
2 was, you know, trying to, you know, get rich quick because
3 we didn't have a whole lot of options. And then, you know,
4 I was too young to get a job at the time when I first
5 started going out on the streets and I'm supposed to be home
6 watching them, but you know -- my mom and my father. So
7 that didn't give him any other option but just wonder just
8 to see what I was doing. Sure enough he'd find me on a
9 corner, you know. Too young to drink beer. I was drinking
10 beer, drinking whatever, smoking weed. And, you know,
11 whatever was going on at the time, I participated in those
12 things. So he got a first-hand chance to see those things.

13 You know, as he got older, of course, I continued on
14 the wrong path. And as he got older, I started to notice
15 those, you know, things that I fell into, he started to fall
16 into. And eventually I started to take a different route,
17 you know, just to kinda see if you gonna follow my lead then
18 maybe -- you know, once you in this then maybe I can help
19 lead you out. But sometimes you can kinda get stuck into a
20 situation of mentally some things can kinda be more
21 demanding on some people. Just from the crowd of people
22 that I grew up around and, you know, just the crowd of
23 people that he were around were two different, you know,
24 crowds of people, two different intellects and respectives
25 about what we were trying to get out of this and he was

1 trying to go with it. And I'm realizing that, you know, for
2 him to transition, it's been a very terrible difficult
3 process. Even up until this point, just seeing him going
4 through these things because I've spent so many nights
5 talking and crying and trying to see how we could get to a
6 point where we could, you know, get out of this darkness,
7 and just try reiterating a lot of things that we went
8 through that, you know, you don't want always reflect on
9 some of the terrible things that you go through. Sometimes
10 you have to talk about them in order to be able to, you
11 know, move on. Because those things can -- they can kinda
12 stagger -- it puts you in a situation that, you know,
13 hinders you from moving forward as well.

14 I can see a lot of the things that really bothered him
15 like our mom going through so many things and dad, you know,
16 me out in the world and then him feeling alone. You know,
17 those things were -- the things that continued him to
18 substance abuse and got him, you know, just spiraling down
19 the wrong path in a completely wrong direction. But over
20 the past few years I have definitely seen a tremendous
21 change in him, his attitude. There was one time where it
22 was difficult for him to just converse about, you know,
23 where we at and what we're trying to do. Those things
24 changed tremendously. Thelvita (ph), who I consider to be
25 his wife, since she came into his life, you could just you

1 see like the burdens just being lifted off of him and then
2 him opening up and just finally digging into that filth and
3 that rut and just trying to find the humane side of him and
4 just, you know, try to get away from all those negative
5 things.

6 But, man, I mean, it's so easy to devalue things as
7 long as they-- as long as you -- as long as they're not
8 excessive. But when they become excessive, you know, it's
9 always that what-if factor that weighs into factorization.
10 And sometimes we make terrible decisions. You know, there's
11 not a lot of opportunities around here. Like he said, being
12 on the sexual registry as young as he did, just didn't
13 make any -- you know, it wasn't a lot of job options for
14 him. So that was another reason that he was kind of just,
15 you know, going through another phase in life. You know,
16 thank god for my dad coming along when he did because, you
17 know, God was able to bring him out of the dark, which is a
18 whole another scenario, you know, that he confronted between
19 the parent and the siblings. And I'm quite sure he
20 processes a lot of that as well. And dad, you know, started
21 a company, and we all help out as much as we can, but
22 Whitney pitches in the most, you know. He's the one trying
23 to make the biggest impression that, hey, whatever I've got
24 to do to show you that this is who I am, this is who I want
25 to be. And this is what it's about, family getting together

1 collectively and trying to build something on a foundation
2 that will be unshakable, something that we can actually
3 legitimately stand on and stand for. And he's been one of
4 the major players in that. Seeing him going through what
5 he's going through right now, just I'm distraught because
6 it's like, you know, sometimes we don't realize how lucky we
7 are until we find ourselves in an unfortunate situation.
8 And then, of course, we say dang, you know, if only we had
9 did this, if only we had did that. Sometimes, you know, we
10 don't get to go back. But, you know, we're at a point now
11 where we're moving forward. And if I had to vote for
12 somebody, I'd definitely, you know, vote for him and say,
13 hey, this guy, he's a lot different than the guy that the
14 allegations are being made about. I believe him. I'm here
15 with them, you know. And I'm for him.

16 It's just unfortunate thing because I spend a lot of
17 time -- and right now is the time when he's just at his
18 best. Like, I can remember, when I -- I probably wouldn't
19 have even shown up because I was just upset because I never
20 could say anything that would sink in that made sense. But
21 then I got to that point where it finally started to sink
22 in, forming some good soil, and I could see, you know,
23 change. And I just wanted to be a part of that, you know,
24 because I felt -- I always felt like I was one of the
25 reasons that he was on the streets anyway. So I didn't want

1 to leave him there. But, you know, if I couldn't make an
2 impression, you know, that what I was saying or doing was
3 helping, then I just kind of fell backwards, probably wasn't
4 the best thing. You know, sometimes when you love -- not
5 all the time -- but when you love your family, you just go
6 home thinking, man.

7 Judge, you know, whatever you want to do today, just
8 remember this is a young man's life. Victims of, you know,
9 of different circumstances, that we all fall under those
10 pretenses. And everyone here is -- we're not on trial.
11 Don't need to be made aware of that. He's on trial. And
12 everyone in here has made decisions. Everyone in here knows
13 people got to make decisions. Everyone in here goes through
14 different, you know, phases in their life. Some of us are
15 fortunate enough to turn that thing around; some of us are
16 unfortunate. I do not see a reason at this point to not
17 legitimately give this brother a chance to turn around.
18 Because he has not had a lot of opportunities to really do
19 that. And the mental capacity that he's in now, he's
20 healthy, he's ready. And I do believe that if you ruled in
21 his favor, you won't regret it. That's all I got to say.

22 **THE COURT:** Thank you, sir.

23 **MS. BRELAND:** Your Honor I been with Whitney Grant
24 since 2019. My son was seven at the time. And he's very
25 close to Whitney and he loves him and he needs him. My son

1 needs someone to guide him, you know, show him that way not
2 to do bad things, you know. Because his dad is not around.
3 His dad, I don't know what that man is doing. My son has
4 become very attached to him because, like, that's his dad.
5 So please, please, please -- I'm just gonna ask you to be as
6 lenient as you can because he has had a hard time. He has
7 changed. I been on my face before God plenty of days and
8 nights crying about him, and he has changed. Because he was
9 rough. He was rough around the edges when I met him. But I
10 know what God told me. God told me to talk to him. That's
11 why we're here now. Because under normal circumstances, I
12 probably wouldn't talk to him. But God told me just talk to
13 him, and I've been with him ever since. And I've seen a
14 change in him. His heart has changed. And I know he's not
15 perfect. He does some things, a whole list of things. But
16 please give him a chance because he hasn't really had a
17 chance because he was in and out from the time he was young.
18 He needed love. He needs love. He needs consideration. He
19 needs compassion. And, please, I'm asking, give him some
20 compassion.

21 **THE COURT:** Thank you very much, ma'am. Mr. Newman,
22 anything else?

23 **MR. NEWMAN:** I think that's all, Your Honor. Of course
24 with what they said, I think that -- I've actually seen this
25 because I've been the business since 1980. I watch people

1 grow up. I got some former -- I used to call them thugs --
2 they're now running businesses doing quite well. They're in
3 their 40s. Unfortunately, he fractured his pelvis. I
4 know that certainly did not help him out, help him out with
5 any addictive problems that he had. I think, Your Honor,
6 that you can give a sentence, suspend that sentence, put him
7 on probation. And he can -- in the community. You know, I
8 understand there's a consequence to everything.

9 **THE COURT:** All right. Thank you very much.
10 Mr. Newman, you mentioned a minute ago don't be mad at you.
11 I'm not mad at you. I'm not mad at Mr. Grant. I'm not mad
12 at anybody in here. I'm mad at that bag of evidence down
13 there full of drugs. I mean, that's what makes me mad the
14 more I hear these cases and do these pleas and I hear about
15 how drugs just absolutely ruined people's lives. But the
16 reason for the large sentencing on the distribution is, of
17 course, you've got, you know, a situation where somebody has
18 taken those drugs and distributing them to others creating
19 more victims and creating more problems. And that's why the
20 State has designated this. I mean, the range goes up to
21 30 years for the distribution. That's one of the most
22 serious crimes that the State of South Carolina has. So I
23 can ignore that.

24 I certainly recognize on the difficulty that Mr. Grant
25 has been through. I've listened to his brother. I've

1 listened to his girlfriend. I've listened to him. You're
2 very eloquent, all three of you. But I certainly cannot
3 give probation on a case like this. I can consider several
4 things. I can consider the fact that he was out of trouble
5 for a while. I can consider and will consider the fact that
6 he volunteered to help, even though that didn't really come
7 to anything. I'm aware of that. And, of course, I saw that
8 video as we all did, how he volunteered and wanted to help.
9 I can consider how long it took to get here. I think three
10 or four years between the arrest and now. And he had that
11 hanging over his head. But none of that results in
12 probation.

13 Now, the State has asked for ten years. I'm not gonna
14 go with ten years. But I can't go too low in a situation
15 like this that, again, involves distribution of an
16 incredibly toxic, incredibly dangerous drug. And you know
17 that, sir. And it's not just the use of it. The possession
18 of it is a much smaller sentence. It's the distribution of
19 it, that creating of new addicts, the ruining of new lives.
20 I'm sure you wished you would have never touched drugs. I
21 don't know who the first person that ever sold drugs to you,
22 but that started you on this path. And that's what makes me
23 mad is the drugs themselves. So I can't -- I cannot do a
24 probationary sentence on a case like this. I won't go as
25 high as what the State wants, though.

1 What I'm going to do is on the distribution charge,
2 it'll be confinement to the South Carolina Department of
3 Corrections for a period of seven years. Concurrent with
4 the possession charge, it will be confinement to the
5 South Carolina Department of Corrections for three years.
6 And, again, those will run concurrent. And, sir, I hope you
7 get all the help that you can. You take every course you
8 can, you come out a better man on the other side of this.
9 And I really wish you the best of luck. And I'm so sorry
10 that someone introduced you to drugs at some point in the
11 past. Good luck.

12 Was there time served? It wouldn't have been much
13 based on what I heard. We can just let the -- they'll
14 figure it out.

15 **SOL. CONTESTABILE:** Yeah. We just let the Department
16 of Corrections figure out. I believe it was only just one.

17 **THE COURT:** If it's more, we'll let them make sure they
18 add it in. All right, thank y'all very much.

19 **MR. NEWMAN:** I will have some post-trial motions,
20 Judge. And I'm gonna ask -- I don't know when they plan on
21 transporting Whitney, I will file an appeal for him, and I'm
22 gonna ask this court for an appeal bond.

23 **THE COURT:** I will be here through Thursday. And then
24 just check with my office. I'm all over the 14th.

25 **MR. NEWMAN:** Yes, sir.

1 **THE COURT:** We'll schedule you in there somewhere.

2 **MR. NEWMAN:** Understood.

3 **THE COURT:** All right. Thank y'all very much. Good
4 luck to you, sir.

5 (The trial proceedings concluded on Tuesday, March 25,
6 2025, at 4:30 p.m.)

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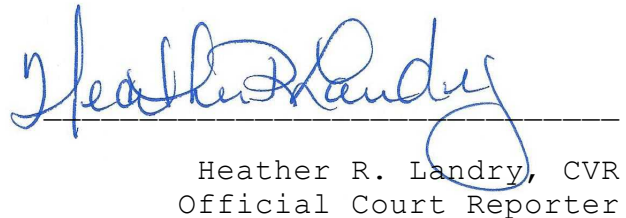
25

1 STATE OF SOUTH CAROLINA)
2) CERTIFICATE OF REPORTER
3 COUNTY OF COLLETON)

4 I, HEATHER R. LANDRY, Court Reporter for the Judicial
5 Department of the State of South Carolina, do hereby certify
6 that the foregoing is a true, accurate and complete
7 Transcript of Record of the proceedings had in the trial of
8 the captioned case, in the Court of General Sessions for
9 Colleton County, South Carolina, on the 24th and 25th
10 day(s) of March 2025.

11 I do further certify that I am neither of kin, counsel,
12 nor interest to any party hereto.

13
14 December 26, 2025
15

16
17 
18 Heather R. Landry, CVR
19 Official Court Reporter
20
21
22
23
24
25

RE: Trial Roster March 24-28

From Dukes, Marvin H., III Law Clerk (Rita McKinley) <mdukeslc@sccourts.org>
Date Fri 3/21/2025 3:09 PM
To Jillian Contestabile <jcontestabile@scsolicitor14.org>; Jared S. Newman <jnewman@jnewmanlaw.com>
Cc Dukes, Marvin H., III Secretary (Jared Browne) <mdukessc@sccourts.org>

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Received. Thank you.

Respectfully,

Rita Avila McKinley
Judicial Law Clerk for
The Hon. Marvin H. Dukes, III
14th Judicial Circuit
O. (843) 255-5082
C. (843) 532-3002

To access Judge Dukes' Virtual Courtroom, please click on his name in my signature block above. When the page opens, you will find the "Virtual Courtroom" link located on the bottom left-hand side of the page.

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From: Jillian Contestabile <jcontestabile@scsolicitor14.org>  
Sent: Friday, March 21, 2025 3:00 PM  
To: Dukes, Marvin H., III Law Clerk (Rita McKinley) <mdukeslc@sccourts.org>; Jared S. Newman <jnewman@jnewmanlaw.com>  
Cc: Dukes, Marvin H., III Secretary (Jared Browne) <mdukessc@sccourts.org>  
Subject: Re: Trial Roster March 24-28

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I can send him a download link for them on evidence.com - they will likely be too large for me to just email over. The primary officer is Sgt. Christopher Spry. There is also an interview of the defendant but I do not plan to use that in my case in chief.

Sincerely,

**Jill Contestabile**

Assistant Solicitor

Fourteenth Circuit Solicitor's Office

Colleton County

P.O. Box 366

Walterboro, SC 29488

Phone: 843-405-9288

Email: [jcontestabile@scsolicitor14.org](mailto:jcontestabile@scsolicitor14.org)



**From:** Dukes, Marvin H., III Law Clerk (Rita McKinley) <mdukeslc@sccourts.org>  
**Sent:** Friday, March 21, 2025 2:56 PM  
**To:** Jillian Contestabile <jcontestabile@scsolicitor14.org>; Jared S. Newman <jnewman@jnewmanlaw.com>  
**Cc:** Dukes, Marvin H., III Secretary (Jared Browne) <mdukessc@sccourts.org>  
**Subject:** RE: Trial Roster March 24-28

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Jillian,

Judge Dukes would like to see the videos for the Grant case. Are you able to send them directly to me for his review? Or if he must be given access to a portal, you may use my email address and we will just access it through that.

*Respectfully,*

**Rita Avila McKinley**  
Judicial Law Clerk for  
The Hon. Marvin H. Dukes, III  
14th Judicial Circuit  
O. (843) 255-5082  
C. (843) 532-3002

*To access Judge Dukes' Virtual Courtroom, please click on his name in my signature block above. When the page opens, you will find the "Virtual Courtroom" link located on the bottom left-hand side of the page.*

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

From: Jillian Contestabile <jcontestabile@scsolicitor14.org>
Sent: Friday, March 21, 2025 12:06 PM
To: Dukes, Marvin H., III Law Clerk (Rita McKinley) <mdukeslc@sccourts.org>; Jared S. Newman <jnewman@jnewmanlaw.com>
Cc: Dukes, Marvin H., III Secretary (Jared Browne) <mdukessc@sccourts.org>
Subject: Re: Trial Roster March 24-28

*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Thank you so much!

Jill Contestabile

Assistant Solicitor

Fourteenth Circuit Solicitor's Office

Colleton County

P.O. Box 366

Walterboro, SC 29488

Phone: 843-405-9288

Email: jcontestabile@scsolicitor14.org

From: Dukes, Marvin H., III Law Clerk (Rita McKinley) <mdukeslc@sccourts.org>
Sent: Friday, March 21, 2025 12:02:03 PM
To: Jillian Contestabile <jcontestabile@scsolicitor14.org>; Jared S. Newman <jnewman@jnewmanlaw.com>
Cc: Dukes, Marvin H., III Secretary (Jared Browne) <mdukessc@sccourts.org>
Subject: RE: Trial Roster March 24-28

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Great! The hyperlink to access Judge Dukes' page is in my signature below. Please click on Judge Dukes' **Virtual Courtroom** (not the sealed courtroom) located at the bottom left hand side of the page.

If you need any help logging on, please feel free to call our office or my cell (numbers in my signature).

Respectfully,

137

Rita Avila McKinley
Judicial Law Clerk for
The Hon. Marvin H. Dukes, III
14th Judicial Circuit
O. (843) 255-5082
C. (843) 532-3002

To access Judge Dukes' Virtual Courtroom, please click on his name in my signature above. When the page opens, the "Virtual Courtroom" link is located on the bottom left-hand side.

CONFIDENTIALITY NOTICE This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

From: Jillian Contestabile <jcontestabile@scsolicitor14.org>
Sent: Friday, March 21, 2025 11:57 AM
To: Dukes, Marvin H., III Law Clerk (Rita McKinley) <mdukeslc@sccourts.org>; Walker, Matthew <mwalker@bcgov.net>; Jared S. Newman <jnewman@jnewmanlaw.com>
Cc: Dukes, Marvin H., III Secretary (Jared Browne) <mdukessc@sccourts.org>
Subject: Re: Trial Roster March 24-28

*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

I just spoke to Jared and he is free this afternoon as well at 230. Can you please send us a link for the virtual courtroom?

Jill Contestabile

Assistant Solicitor

Fourteenth Circuit Solicitor's Office

Colleton County

P.O. Box 366

Walterboro, SC 29488

Phone: 843-405-9288

Email: jcontestabile@scsolicitor14.org

From: Jillian Contestabile <jcontestabile@scsolicitor14.org>
Sent: Friday, March 21, 2025 11:14:47 AM
To: Dukes, Marvin H., III Law Clerk (Rita McKinley) <mdukeslc@sccourts.org>; Walker, Matthew <mwalker@bcgov.net>; Jared S. Newman <jnewman@jnewmanlaw.com>
Cc: Dukes, Marvin H., III Secretary (Jared Browne) <mdukessc@sccourts.org>
Subject: Re: Trial Roster March 24-28

Good morning,

If they are on the trial docket and want to plea, those need to be done Monday morning please. That way if they change their mind we still have a jury available to pick from.

I am free at 2:30 today for a virtual status conference.

Attached are voir dire for Whitney Grant and Jesse Broughton.

Jill Contestabile

Assistant Solicitor

Fourteenth Circuit Solicitor's Office

Colleton County

P.O. Box 366

Email: jcontestabile@scsolicitor14.org

Image

From: Dukes, Marvin H., III Law Clerk (Rita McKinley) <mdukeslc@sccourts.org>
Sent: Friday, March 21, 2025 11:04:16 AM
To: Walker, Matthew <mwalker@bcgov.net>; Tameaka Legette <tlegette@scsolicitor14.org>; Jillian Contestabile <jcontestabile@scsolicitor14.org>; Jared S. Newman <jnewman@jnewmanlaw.com>
Cc: Dukes, Marvin H., III Secretary (Jared Browne) <mdukessc@sccourts.org>
Subject: RE: Trial Roster March 24-28

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you all for the updates.

State v Stephens: Ms. Legette, we look forward to seeing you March 31.

State v Mitchell: Ms. Contestabile and Mr. Walker, will we do the plea first thing Monday morning or wait until after any trials? It will likely not matter to Judge Dukes so just let me know what y'all prefer to do.

State v Grant: Ms. Contestabile and Mr. Newman, are you both available **today at 2:30** for a virtual status conference?

State v Broughton: Ms. Contestabile and Mr. Walker, assuming this is going to trial, it will be the first and only case. Please send any potential jury questions. Do you expect to make any pre-trial motions?

Respectfully,

Rita Avila McKinley

Judicial Law Clerk for

The Hon. Marvin H. Dukes, III

14th Judicial Circuit

O. (843) 255-5082

C. (843) 532-3002

To access Judge Dukes' Virtual Courtroom, please click on his name in my signature above. When the page opens, the "Virtual Courtroom" link is located on the bottom lefthand side.

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**From:** Walker, Matthew <[mwalker@bcgov.net](mailto:mwalker@bcgov.net)>  
**Sent:** Thursday, March 20, 2025 4:08 PM  
**To:** Dukes, Marvin H., III Law Clerk (Rita McKinley) <[mdukeslc@sccourts.org](mailto:mdukeslc@sccourts.org)>; Tameaka Legette <[tlegette@scsolicitor14.org](mailto:tlegette@scsolicitor14.org)>; Jillian Contestabile <[jcontestabile@scsolicitor14.org](mailto:jcontestabile@scsolicitor14.org)>; Jared S. Newman <[jnewman@jnewmanlaw.com](mailto:jnewman@jnewmanlaw.com)>



**Cc:** Dukes, Marvin H., III Secretary (Jared Browne) <mdukessc@sccourts.org>  
**Subject:** Re: Trial Roster March 24-28

139

**\*\*\* EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

Good Afternoon,

I expect Isiah Mitchell to be a plea.

I do not know at this point if Mr. Broughton will be a plea or trial. It is a traffic stop with marijuana found in the car. I would expect a day to a day and a half if it goes to trial.

Please do not hesitate to contact me if you need any further information.

Sincerely,

Matthew Walker

Assistant Public Defender

14<sup>th</sup> Circuit Public Defender's Office (Colleton)

(843) 549-1633

**From:** Dukes, Marvin H., III Law Clerk (Rita McKinley) <mdukeslc@sccourts.org>

**Sent:** Thursday, March 20, 2025 3:02 PM

**To:** Tameaka Legette <tlegette@scsolicitor14.org>; Jillian Contestabile <jcontestabile@scsolicitor14.org>; Jared S. Newman <jnewman@jnewmanlaw.com>; Walker, Matthew <mwalker@bcgov.net>

**Cc:** Dukes, Marvin H., III Secretary (Jared Browne) <mdukessc@sccourts.org>

**Subject:** Trial Roster March 24-28

[EXTERNAL EMAIL] Please report any suspicious attachments, links, or requests for sensitive information to the Beaufort County IT Division at [helpdesk@bcgov.net](mailto:helpdesk@bcgov.net) or to 843-255-7000.

Good afternoon,

According to the online roster, your case is scheduled to be heard before Judge Dukes next Monday, March 24. Please send the following info for your case so that Judge Dukes may prepare:

1. Status of case/trial
2. Brief synopsis and/or incident report.
3. Estimated time your trial will last.

Thank you!

| # | Case Number | Defendant | Prosecuting Attorney | Defendant Attorney | Filed Date | Indictment Number | Charge | Status |
|---|-------------|-----------|----------------------|--------------------|------------|-------------------|--------|--------|
|---|-------------|-----------|----------------------|--------------------|------------|-------------------|--------|--------|

|     |                 |                           |                                             |                                         |            |               |                                                                                                             |                        |
|-----|-----------------|---------------------------|---------------------------------------------|-----------------------------------------|------------|---------------|-------------------------------------------------------------------------------------------------------------|------------------------|
| 140 | 2017A1510100496 | Kasim Rashawn Stephens    | Tameaka A. Legette<br>(843) 474-4717        |                                         | 08/29/2017 | 2017GS1500872 | Murder / Homicide by child abuse (20Y to Life)                                                              | Pending/2nd Appearance |
| 2   | 2017A1510100497 | Kasim Rashawn Stephens    | Tameaka A. Legette<br>(843) 474-4717        |                                         | 08/29/2017 | 2017GS1500873 | Children / Legal custodian, unlawful neglect of child or helpless person                                    | Pending/2nd Appearance |
| 3   | 2019A1510100713 | Isiah Elijah Mitchell Jr  | Jillian Raie Contestabile<br>(843) 405-9288 | Matthew Lee Walker<br>(843) 549-1633    | 10/28/2019 | 2019GS1501053 | Drugs / Possession of less than one gram of meth. or cocaine base, 1st offense                              | Pending/2nd Appearance |
| 4   | 2019A1510100714 | Isiah Elijah Mitchell Jr  | Jillian Raie Contestabile<br>(843) 405-9288 | Matthew Lee Walker<br>(843) 549-1633    | 10/28/2019 | 2019GS1501054 | Drugs / Possession of cocaine, 1st offense                                                                  | Pending/2nd Appearance |
| 5   | 2021A1510100722 | Whitney Brian Grant       | Jillian Raie Contestabile<br>(843) 405-9288 | Jared Sullivan Newman<br>(843) 522-1313 | 12/09/2021 | 2021GS1501089 | Drugs / Distribution, etc. of methamphetamine, 2nd (Excludes manufacturing meth; see CDR Code 3777)         | Pending/2nd Appearance |
| 6   | 2021A1510100723 | Whitney Brian Grant       | Jillian Raie Contestabile<br>(843) 405-9288 | Jared Sullivan Newman<br>(843) 522-1313 | 12/09/2021 | 2021GS1501090 | Drugs / Possession of less than one gram of meth. or cocaine base, 2nd offense                              | Pending/2nd Appearance |
| 7   | 2023A1510100096 | Jesse Sebastian Broughton | Jillian Raie Contestabile<br>(843) 405-9288 | Matthew Lee Walker<br>(843) 549-1633    | 04/06/2023 | 2023GS1500215 | Drugs / Manuf., poss. of other sub. in Sch. I, II, III or flunitrazepam or analogue, w.i.t.d. - 1st offense | Pending/2nd Appearance |

Respectfully,

**Rita Avila McKinley**

Judicial Law Clerk for

The Hon. Marvin H. Dukes, III

14th Judicial Circuit

O. (843) 255-5082

C. (843) 532-3002

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Re: Trial Roster March 24-28

From Jillian Contestabile <jcontestabile@scsolicitor14.org>

Date Thu 3/20/2025 3:14 PM

To Dukes, Marvin H., III Law Clerk (Rita McKinley) <mdukeslc@sccourts.org>; Tameaka Legette <tlegeette@scsolicitor14.org>; Jared S. Newman <jnewman@jnewmanlaw.com>; mwalker@bcgov.net <mwalker@bcgov.net>

Cc Dukes, Marvin H., III Secretary (Jared Browne) <mdukescc@sccourts.org>

2 attachments (137 KB)

jesse broughton.pdf; whitney grant.pdf;

Good afternoon,

Kasim Stephens trial was continued by Judge Bonds on March 10th I believe, but Tameka please correct me if I am wrong.

From what Mr. Walker tells me, Isiah Mitchell will be a plea.

Whitney Grant and Jesse Broughton are both still trials as far as I know and the State is ready. I anticipate the State's case on both of those taking no longer than 1 day each. I have attached my witness list for each trial, along with the incident reports for Your Honor. Please let me know if you need or would like anything else from me.

Sincerely,

Jill Contestabile

Assistant Solicitor

Fourteenth Circuit Solicitor's Office

Colleton County

P.O. Box 366

Walterboro, SC 29488

Phone: 843-405-9288

Email: jcontestabile@scsolicitor14.org



From: Dukes, Marvin H., III Law Clerk (Rita McKinley) <mdukeslc@sccourts.org>

Sent: Thursday, March 20, 2025 3:02 PM

To: Tameaka Legette <tlegeette@scsolicitor14.org>; Jillian Contestabile <jcontestabile@scsolicitor14.org>; Jared S. Newman <jnewman@jnewmanlaw.com>; mwalker@bcgov.net <mwalker@bcgov.net>

Cc: Dukes, Marvin H., III Secretary (Jared Browne) <mdukescc@sccourts.org>

Subject: Trial Roster March 24-28

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

According to the online roster, your case is scheduled to be heard before Judge Dukes next Monday, March 24. Please send the following info for your case so that Judge Dukes may prepare:

1. Status of case/trial
2. Brief synopsis and/or incident report.
3. Estimated time your trial will last.

Thank you!

| # | Case Number | Defendant | Prosecuting Attorney | Defendant Attorney | Filed Date | Indictment Number | Charge | Status |
|---|-----------------|------------------------|--------------------------------------|--------------------|------------|-------------------|--|------------------------|
| 1 | 2017A1510100496 | Kasim Rashawn Stephens | Tameaka A. Legette
(843) 474-4717 | | 08/29/2017 | 2017GS1500872 | Murder / Homicide by child abuse (20Y to Life) | Pending/2nd Appearance |
| 2 | 2017A1510100497 | Kasim Rashawn Stephens | Tameaka A. Legette
(843) 474-4717 | | 08/29/2017 | 2017GS1500873 | Children / Legal custodian, unlawful neglect of child or helpless person | Pending/2nd Appearance |

| | | | | | | | | |
|---|-----------------|---------------------------|--|--------------------------------------|------------|---------------|---|------------------------|
| 3 | 2019A1510100713 | Isiah Elijah Mitchell Jr | Jillian Raie Contestabile (843) 405-9288 | Matthew Lee Walker (843) 549-1633 | 10/28/2019 | 2019GS1501053 | Drugs / Possession of less than one gram of meth. or cocaine base, 1st offense | Pending/2nd Appearance |
| 4 | 2019A1510100714 | Isiah Elijah Mitchell Jr | Jillian Raie Contestabile (843) 405-9288 | Matthew Lee Walker (843) 549-1633 | 10/28/2019 | 2019GS1501054 | Drugs / Possession of cocaine, 1st offense | Pending/2nd Appearance |
| 5 | 2021A1510100722 | Whitney Brian Grant | Jillian Raie Contestabile (843) 405-9288 | Jared Sullivan Newman (843) 522-1313 | 12/09/2021 | 2021GS1501089 | Drugs / Distribution, etc. of methamphetamine, 2nd (Excludes manufacturing meth; see CDR Code 3777) | Pending/2nd Appearance |
| 6 | 2021A1510100723 | Whitney Brian Grant | Jillian Raie Contestabile (843) 405-9288 | Jared Sullivan Newman (843) 522-1313 | 12/09/2021 | 2021GS1501090 | Drugs / Possession of less than one gram of meth. or cocaine base, 2nd offense | Pending/2nd Appearance |
| 7 | 2023A1510100096 | Jesse Sebastian Broughton | Jillian Raie Contestabile (843) 405-9288 | Matthew Lee Walker (843) 549-1633 | 04/06/2023 | 2023GS1500215 | Drugs / Manuf., poss. of other sub. in Sch. I, II, III or flunitrazepam or analogue, w.i.t.d. - 1st offense | Pending/2nd Appearance |

Respectfully,

Rita Avila McKinley

Judicial Law Clerk for

The Hon. Marvin H. Dukes, III

14th Judicial Circuit

O. (843) 255-5082

C. (843) 532-3002

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STATE OF SOUTH CAROLINA  
COUNTY OF COLLETON

STATE OF SOUTH CAROLINA

vs.

Whitney Grant  
Defendant.

IN THE COURT OF GENERAL SESSIONS

Indictment No(s): 2021GS1501089;  
2021GS1501090; 2021GS1501092

**State's Proposed Witness List**

### STATE'S POTENTIAL WITNESS LIST

1. Sgt. Christopher Spry (Colleton County Sheriff's Office)
2. Sgt. Raymond Davis (Colleton County Sheriff's Office)
3. Sgt. Steve Bazzle (Colleton County Sheriff's Office)
4. Forensic Technician Shana Sorelles (SLED)
5. Forensic Technician Lindsey Mitchell (SLED)
6. Hannah Jefferson (Former Forensic Technician SLED)

Respectfully submitted,



Jillian Contestabile  
Assistant Solicitor  
14<sup>th</sup> Circuit Solicitor's Office

March 24, 2025





## Narcotics - Case Action Report By Christopher Spry

PWID Crack, PWID MDMA, Weapons Violation

Case #21-04381

Typed By Christopher Spry

On 12/2/2021 at approximately 1958 hours I, Deputy Spry was patrolling Sniders Hwy near Interstate I-95 north bound on ramp when I observed a black 2004 K.a Sorento with defective equipment (third brake light out). A traffic stop was conducted on the vehicle where it pulled over on the on ramp and contact was made with the driver who I knew from previous encounters Whitney Grant. Grant was advised for the reason for stop and was asked for his SCDL vehicle registration and proof of insurance. Grant handed me his SC beginners permit that was expired and had been expired since 7/30/2021. Upon contact with Grant a strong odor of marijuana was emanating from the vehicle. Grant was asked if there was any marijuana in the vehicle and he stated "NO" that he had just smoked some

Grant was asked to step out the vehicle where a probable cause search was conducted and located in the center console of the vehicle was black digital scale along with a clear plastic bag that had three individual plastic baggies in it. Two of the baggies had multi colored press pills inside it that were identified as MDMA/Ecstasy. One bag had 4 multi colored press pills and the second had 20 multi colored press pills with a total of 24 pills. The third baggie had 1.6 grams of an off white rock like substance inside it that field tested presumptive for Crack/Cocaine. A further search of the vehicle located under the driver seat was a silver and black Smith & Wesson SD 9mm VE bearing Serial#FDB9432. Once the narcotics and firearm was located Sgt Janicki was advised to detain Grant by myself and Deputy Davis where Grant then took off running on foot where he ran into the street sign and then rolled down the embankment then continuing into a wooded area where he was captured and detained.

The handgun was then ran through Colleton County Dispatch where I was advised the gun was clear. I had Colleton County dispatch check to see if Grant was prohibited and I was advised that Grant was state and federally prohibited. Grant was read his Miranda Warning where he agreed to speak with me and he was asked about the Crack/Cocaine and Ecstasy that was located in the center console and he stated that he was aware that it was there and it was his. Grant was asked about the handgun that was located under the driver seat and he denied knowing it was there but stated that it was his girlfriends gun. Grants girlfriend Melvina Breland arrived on scene to take possession of the vehicle where she was advised what Grant was being charged with and she stated that the handgun was hers and it was locked inside the glove box. Breland was advised that the handgun was located under the driver seat and that Grant had moved it.

Grant was advised that he was being placed under arrest for Possession with the Intent to Distribute Crack/Cocaine, Possession with the Intent to Distribute Ecstasy/MDMA, Unlawful Carry of a handgun, and Possession of a firearm by a convicted felon. Deputy Davis transported Grant to the Colleton County Detention Center where he was booked in and a hold was placed for his warrant service. The narcotics were placed into B.E.S.T Kit# B349706 and placed into evidence to be sent to SLED for further analysis. The handgun was also placed into evidence along with the scale that was located in the center console with the narcotics.

This incident was captured on my in car camera and BWC along with Deputy Davis's in car camera and BWC.

Nothing Further at this time



# CASE AUDIT TRAIL

Dept.: 14th Judicial Circuit (SC) Solicitor's Office  
Case ID: 21-4381 - Grant, Whitney  
Unique ID: 0AD9F702-AF00-4158-8466-7732A938049D

Report Generated by  
Name: Keeney, Julie Kate (27)  
Username: jkeeney  
Local Timezone: Eastern Daylight Time (UTC -04:00)  
Generated on: 25 Mar 2025 09:54:58  
Audit Trail Date Range: 01 Mar 2022 - 25 Mar 2025

| #  | Date        | Time              | User                                                                                                           | Activity                                                                                                                                                                                                           |
|----|-------------|-------------------|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | 07 Apr 2022 | 11:47:37 (-04:00) | Hart, Michelle (Badge ID: 98)<br>Username: mhart<br>User ID: e203688e6e0d4ba681b0bf2cbb103c19                  | Case or Case Related Record Accessed                                                                                                                                                                               |
| 2  | 07 Apr 2022 | 12:54:11 (-04:00) | Hart, Michelle (Badge ID: 98)<br>Username: mhart<br>User ID: e203688e6e0d4ba681b0bf2cbb103c19                  | Case or Case Related Record Accessed                                                                                                                                                                               |
| 3  | 20 Apr 2022 | 08:57:47 (-04:00) | Hart, Michelle (Badge ID: 98)<br>Username: mhart<br>User ID: e203688e6e0d4ba681b0bf2cbb103c19                  | Case or Case Related Record Accessed                                                                                                                                                                               |
| 4  | 20 Apr 2022 | 09:27:21 (-04:00) | Hart, Michelle (Badge ID: 98)<br>Username: mhart<br>User ID: e203688e6e0d4ba681b0bf2cbb103c19                  | Case or Case Related Record Accessed                                                                                                                                                                               |
| 5  | 09 Sep 2022 | 13:26:44 (-04:00) | Hart, Michelle (Badge ID: 98)<br>Username: mhart<br>User ID: e203688e6e0d4ba681b0bf2cbb103c19                  | Case or Case Related Record Accessed                                                                                                                                                                               |
| 6  | 09 Sep 2022 | 13:27:09 (-04:00) | Hart, Michelle (Badge ID: 98)<br>Username: mhart<br>User ID: e203688e6e0d4ba681b0bf2cbb103c19                  | Initiated case evidence download link containing 1 package(s) to Anderson, Carles (Badge ID: 10365, Agency: 14th Circuit (SC) Public Defender); including Audit Trails. Included Optional Message:                 |
| 7  | 09 Sep 2022 | 13:27:29 (-04:00) | Hart, Michelle (Badge ID: 98)<br>Username: mhart<br>User ID: e203688e6e0d4ba681b0bf2cbb103c19                  | Case copy sent to:<br>Anderson, Carles (Badge ID: 10365, Agency: 14th Circuit (SC) Public Defender)<br>Including Audit Trails                                                                                      |
| 8  | 09 Sep 2022 | 13:27:32 (-04:00) | Hart, Michelle (Badge ID: 98)<br>Username: mhart<br>User ID: e203688e6e0d4ba681b0bf2cbb103c19                  | Case copy created at agency 14th Circuit (SC) Public Defender                                                                                                                                                      |
| 9  | 09 Sep 2022 | 13:29:41 (-04:00) | System                                                                                                         | Successfully sent case evidence download link containing 1 package(s) to Anderson, Carles (Badge ID: 10365, Agency: 14th Circuit (SC) Public Defender).<br>Download link expires on 04 Jun 2025 13:27:08 (-04:00). |
| 10 | 22 Mar 2023 | 10:14:47 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                               |
| 11 | 18 May 2023 | 12:23:28 (-04:00) | Keeney, Julie Kate (Badge ID: 27)<br>Username: jkeeney<br>User ID: bea2c3eaa7564cc9b40e717617133eff            | Case or Case Related Record Accessed                                                                                                                                                                               |
| 12 | 24 May 2023 | 15:39:24 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                               |
| 13 | 25 May 2023 | 15:25:48 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                               |

## CASE AUDIT TRAIL

Dept.: 14th Judicial Circuit (SC) Solicitor's Office  
Case ID: 21-4381 - Grant, Whitney  
Unique ID: 0AD9F702-AF00-4158-8466-7732A938049D

Report Generated by  
Name: Keeney, Julie Kate (27)  
Username: jkeeney  
Local Timezone: Eastern Daylight Time (UTC -04:00)  
Generated on: 25 Mar 2025 09:54:58  
Audit Trail Date Range: 01 Mar 2022 - 25 Mar 2025

| #  | Date        | Time              | User                                                                                                                 | Activity                                                                                                                                                                                                                                                                         |
|----|-------------|-------------------|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 14 | 30 May 2023 | 10:55:04 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Case or Case Related Record Accessed                                                                                                                                                                                                                                             |
| 15 | 30 May 2023 | 11:20:57 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Evidence 'W Grant.asf' Added to Case                                                                                                                                                                                                                                             |
| 16 | 30 May 2023 | 11:20:57 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Folder '21-4381' Added                                                                                                                                                                                                                                                           |
| 17 | 30 May 2023 | 11:20:57 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Evidence 'W Grant.asf' Added to Folder '21-4381'                                                                                                                                                                                                                                 |
| 18 | 30 May 2023 | 11:21:02 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Case share copy request updated at agency 14th Circuit (SC) Public Defender                                                                                                                                                                                                      |
| 19 | 30 May 2023 | 11:21:03 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Case or Case Related Record Accessed                                                                                                                                                                                                                                             |
| 20 | 30 May 2023 | 11:29:18 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Case copy updated at agency 14th Circuit (SC) Public Defender                                                                                                                                                                                                                    |
| 21 | 30 May 2023 | 12:58:13 (-04:00) | Beliveau, Angela (Badge ID: Colleton County SO 1)<br>Username: CCSO CID<br>User ID: 5d3b159d50604567a8136ca630ac3826 | Case or Case Related Record Accessed                                                                                                                                                                                                                                             |
| 22 | 30 May 2023 | 12:58:27 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Case or Case Related Record Accessed                                                                                                                                                                                                                                             |
| 23 | 30 May 2023 | 12:59:47 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Beliveau, Angela (Badge ID: Colleton County SO 1) was granted Role-based access. Access expires: no expiration                                                                                                                                                                   |
| 24 | 30 May 2023 | 12:59:47 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Padgett, Kelly (Badge ID: 115) was granted Role-based access. Access expires: no expiration                                                                                                                                                                                      |
| 25 | 10 Aug 2023 | 12:43:36 (-04:00) | Keeney, Julie Kate (Badge ID: 27)<br>Username: jkeeney<br>User ID: bea2c3eaa7564cc9b40e717617133eff                  | Case or Case Related Record Accessed                                                                                                                                                                                                                                             |
| 26 | 10 Aug 2023 | 12:44:14 (-04:00) | Keeney, Julie Kate (Badge ID: 27)<br>Username: jkeeney<br>User ID: bea2c3eaa7564cc9b40e717617133eff                  | Initiated case evidence download link containing 1 package(s) to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com), jnewman@jnewmanlaw.com; including Audit Trails; excluding Table of Contents, Transcriptions.<br>Included Optional Message: whitney grant case #2 |



## CASE AUDIT TRAIL

Dept.: 14th Judicial Circuit (SC) Solicitor's Office  
Case ID: 21-4381 - Grant, Whitney  
Unique ID: 0AD9F702-AF00-4158-8466-7732A938049D

Report Generated by  
Name: Keeney, Julie Kate (27)  
Username: jkeeney  
Local Timezone: Eastern Daylight Time (UTC -04:00)  
Generated on: 25 Mar 2025 09:54:58  
Audit Trail Date Range: 01 Mar 2022 - 25 Mar 2025

| #  | Date        | Time              | User                                                                                                                 | Activity                                                                                                                                                                                                                |
|----|-------------|-------------------|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 27 | 10 Aug 2023 | 12:49:19 (-04:00) | System                                                                                                               | Successfully sent case evidence download link containing 1 package(s) to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com), jnewman@jnewmanlaw.com. Download link expires on 31 Mar 2048 12:44:14 (-04:00). |
| 28 | 10 Aug 2023 | 14:23:34 (-04:00) | Client IP Address: 64.253.25.185                                                                                     | Case evidence package 1 of 1 downloaded via download link sent to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com)                                                                                         |
| 29 | 22 Aug 2023 | 14:29:27 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Case or Case Related Record Accessed                                                                                                                                                                                    |
| 30 | 22 Aug 2023 | 14:29:39 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Case Audit Trail Downloaded                                                                                                                                                                                             |
| 31 | 04 Nov 2024 | 15:18:06 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Case or Case Related Record Accessed                                                                                                                                                                                    |
| 32 | 08 Nov 2024 | 09:53:04 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Case or Case Related Record Accessed                                                                                                                                                                                    |
| 33 | 14 Nov 2024 | 12:14:54 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Case or Case Related Record Accessed                                                                                                                                                                                    |
| 34 | 15 Nov 2024 | 12:03:41 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Case or Case Related Record Accessed                                                                                                                                                                                    |
| 35 | 15 Nov 2024 | 12:20:05 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Case or Case Related Record Accessed                                                                                                                                                                                    |
| 36 | 06 Dec 2024 | 11:32:22 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Case or Case Related Record Accessed                                                                                                                                                                                    |
| 37 | 06 Dec 2024 | 11:55:36 (-05:00) | Beliveau, Angela (Badge ID: Colleton County SO 1)<br>Username: CCSO CID<br>User ID: 5d3b159d50604567a8136ca630ac3826 | Case or Case Related Record Accessed                                                                                                                                                                                    |
| 38 | 06 Dec 2024 | 11:55:43 (-05:00) | Beliveau, Angela (Badge ID: Colleton County SO 1)<br>Username: CCSO CID<br>User ID: 5d3b159d50604567a8136ca630ac3826 | Evidence '21-4381 - Case File.pdf' Added to Case                                                                                                                                                                        |
| 39 | 06 Dec 2024 | 13:34:31 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Case or Case Related Record Accessed                                                                                                                                                                                    |

## CASE AUDIT TRAIL

Dept.: 14th Judicial Circuit (SC) Solicitor's Office  
Case ID: 21-4381 - Grant, Whitney  
Unique ID: 0AD9F702-AF00-4158-8466-7732A938049D

Report Generated by  
Name: Keeney, Julie Kate (27)  
Username: jkeeney  
Local Timezone: Eastern Daylight Time (UTC -04:00)  
Generated on: 25 Mar 2025 09:54:58  
Audit Trail Date Range: 01 Mar 2022 - 25 Mar 2025

| #  | Date        | Time              | User                                                                                                           | Activity                                                                                                                                                                                                                                                                   |
|----|-------------|-------------------|----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 40 | 06 Dec 2024 | 13:35:27 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Initiated case evidence download link containing 1 package(s) to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com), jared@jnewmanlaw.com; including Audit Trails; excluding Table of Contents, Transcriptions, Folder Structure.<br>Included Optional Message: |
| 41 | 06 Dec 2024 | 13:40:21 (-05:00) | System                                                                                                         | Successfully sent case evidence download link containing 1 package(s) to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com), jared@jnewmanlaw.com.<br>Download link expires on 22 Apr 2052 14:35:27 (-04:00).                                                   |
| 42 | 06 Dec 2024 | 14:06:26 (-05:00) | Estenson, Meghan (Badge ID: 1478)<br>Username: mestenson<br>User ID: 9b83df189b504c8735852a2916af2c            | Case or Case Related Record Accessed                                                                                                                                                                                                                                       |
| 43 | 09 Dec 2024 | 11:20:25 (-05:00) | Client IP Address: 64.253.25.185                                                                               | Case evidence package 1 of 1 downloaded via download link sent to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com)                                                                                                                                            |
| 44 | 11 Feb 2025 | 10:25:08 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                                                                                       |
| 45 | 19 Feb 2025 | 12:29:02 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                                                                                       |
| 46 | 19 Feb 2025 | 15:04:56 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                                                                                       |
| 47 | 20 Feb 2025 | 14:17:34 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                                                                                       |
| 48 | 20 Feb 2025 | 15:05:38 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                                                                                       |
| 49 | 21 Feb 2025 | 11:50:30 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                                                                                       |
| 50 | 24 Feb 2025 | 19:31:35 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                                                                                       |
| 51 | 25 Feb 2025 | 08:03:44 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                                                                                       |



# CASE AUDIT TRAIL

Dept.: 14th Judicial Circuit (SC) Solicitor's Office  
Case ID: 21-4381 - Grant, Whitney  
Unique ID: 0AD9F702-AF00-4158-8466-7732A938049D

Report Generated by  
Name: Keeney, Julie Kate (27)  
Username: jkeeney  
Local Timezone: Eastern Daylight Time (UTC -04:00)  
Generated on: 25 Mar 2025 09:54:58  
Audit Trail Date Range: 01 Mar 2022 - 25 Mar 2025

| #  | Date        | Time              | User                                                                                                           | Activity                                                                                                                                                                                                                                                                  |
|----|-------------|-------------------|----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 52 | 25 Feb 2025 | 08:24:44 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                                                                                      |
| 53 | 25 Feb 2025 | 09:34:21 (-05:00) | Erdel, George (Badge ID: 1446)<br>Username: gerdel<br>User ID: eb7917a5504a4fa381afa2aff2b4e0c6                | Case or Case Related Record Accessed                                                                                                                                                                                                                                      |
| 54 | 19 Mar 2025 | 10:55:01 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                                                                                      |
| 55 | 19 Mar 2025 | 12:13:21 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                                                                                      |
| 56 | 19 Mar 2025 | 12:18:26 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case Audit Trail Downloaded                                                                                                                                                                                                                                               |
| 57 | 19 Mar 2025 | 12:34:36 (-04:00) | Keeney, Julie Kate (Badge ID: 27)<br>Username: jkeeney<br>User ID: bea2c3eaa7564cc9b40e717617133eff            | Case or Case Related Record Accessed                                                                                                                                                                                                                                      |
| 58 | 19 Mar 2025 | 12:35:51 (-04:00) | Keeney, Julie Kate (Badge ID: 27)<br>Username: jkeeney<br>User ID: bea2c3eaa7564cc9b40e717617133eff            | Initiated case evidence download link containing 1 package(s) to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com), jnewman@jnewmanlaw.com; including Audit Trails; excluding Table of Contents, Transcriptions, Folder Structure. Included Optional Message: |
| 59 | 19 Mar 2025 | 12:41:44 (-04:00) | System                                                                                                         | Successfully sent case evidence download link containing 1 package(s) to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com), jnewman@jnewmanlaw.com. Download link expires on 08 Nov 2049 11:35:51 (-05:00).                                                   |
| 60 | 19 Mar 2025 | 12:59:30 (-04:00) | Client IP Address: 64.253.25.185                                                                               | Case evidence package 1 of 1 downloaded via download link sent to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com)                                                                                                                                           |
| 61 | 19 Mar 2025 | 13:21:31 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                                                                                      |
| 62 | 19 Mar 2025 | 13:55:28 (-04:00) | Keeney, Julie Kate (Badge ID: 27)<br>Username: jkeeney<br>User ID: bea2c3eaa7564cc9b40e717617133eff            | Case or Case Related Record Accessed                                                                                                                                                                                                                                      |
| 63 | 19 Mar 2025 | 13:55:39 (-04:00) | Keeney, Julie Kate (Badge ID: 27)<br>Username: jkeeney<br>User ID: bea2c3eaa7564cc9b40e717617133eff            | Case Audit Trail Downloaded                                                                                                                                                                                                                                               |



## CASE AUDIT TRAIL

Dept.: 14th Judicial Circuit (SC) Solicitor's Office

Case ID: 21-4381 - Grant, Whitney

Unique ID: 0AD9F702-AF00-4158-8466-7732A938049D

Report Generated by

Name: Keeney, Julie Kate (27)

Username: jkeeney

Local Timezone: Eastern Daylight Time (UTC -04:00)

Generated on: 25 Mar 2025 09:54:58

Audit Trail Date Range: 01 Mar 2022 - 25 Mar 2025

| #  | Date        | Time              | User                                                                                                                  | Activity                                                                                                                                                                                                     |
|----|-------------|-------------------|-----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 64 | 20 Mar 2025 | 11:09:43 (-04:00) | <b>Contestabile, Jillian (Badge ID: 1462)</b><br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                         |
| 65 | 21 Mar 2025 | 14:58:30 (-04:00) | <b>Contestabile, Jillian (Badge ID: 1462)</b><br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                         |
| 66 | 21 Mar 2025 | 15:00:21 (-04:00) | <b>Contestabile, Jillian (Badge ID: 1462)</b><br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Initiated case evidence download link containing 1 package(s) to mdukeslc@sccourts.org; including Audit Trails; excluding Table of Contents, Transcriptions, Folder Structure.<br>Included Optional Message: |
| 67 | 21 Mar 2025 | 15:05:49 (-04:00) | <b>System</b>                                                                                                         | Successfully sent case evidence download link containing 1 package(s) to mdukeslc@sccourts.org.<br>Download link expires on 31 Mar 2025 15:00:20 (-04:00).                                                   |
| 68 | 21 Mar 2025 | 15:08:54 (-04:00) | <b>Client IP Address: 155.190.21.5</b>                                                                                | Case evidence package 1 of 1 downloaded via download link sent to mdukeslc@sccourts.org                                                                                                                      |
| 69 | 23 Mar 2025 | 13:40:02 (-04:00) | <b>Contestabile, Jillian (Badge ID: 1462)</b><br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                         |
| 70 | 24 Mar 2025 | 12:51:54 (-04:00) | <b>Contestabile, Jillian (Badge ID: 1462)</b><br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                         |
| 71 | 24 Mar 2025 | 13:28:45 (-04:00) | <b>Contestabile, Jillian (Badge ID: 1462)</b><br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                         |
| 72 | 24 Mar 2025 | 16:18:37 (-04:00) | <b>Keeney, Julie Kate (Badge ID: 27)</b><br>Username: jkeeney<br>User ID: bea2c3eaa7564cc9b40e717617133eff            | Case or Case Related Record Accessed                                                                                                                                                                         |
| 73 | 24 Mar 2025 | 16:18:49 (-04:00) | <b>Contestabile, Jillian (Badge ID: 1462)</b><br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                         |
| 74 | 24 Mar 2025 | 19:15:15 (-04:00) | <b>Contestabile, Jillian (Badge ID: 1462)</b><br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Case or Case Related Record Accessed                                                                                                                                                                         |
| 75 | 25 Mar 2025 | 09:54:28 (-04:00) | <b>Keeney, Julie Kate (Badge ID: 27)</b><br>Username: jkeeney<br>User ID: bea2c3eaa7564cc9b40e717617133eff            | Case or Case Related Record Accessed                                                                                                                                                                         |



EVIDENCE AUDIT TRAIL

Evidence

Evidence ID: 21-4381

Categories:

Title: W Grant.asf

Document Checksum: SHA256-c2731d4b2113b56414ad6c45217cfccbcc7ea4d1a0b81251eda70f73696f43

Recorded: 30 May 2023 10:56:04 (-04:00)

Uploaded: 30 May 2023 11:20:20 (-04:00)

Uploader: Contestabile, Jillian (Badge ID: 1462)

Unique ID: 019F71DFD45942CFA941AA2CD51778B7

Report Generated by

Name: Contestabile, Jillian (Badge ID: 1462)

Username: jcontestabile

Local Timezone: Eastern Daylight Time (UTC -04:00)

Generated on: 25 Mar 2025 11:16:39 (-04:00)

Audit Trail Date Range: 21 Dec 2021 - 25 Mar 2025

Usage

Page views: 14

File downloads:

Video playbacks: 5

Last Viewed Or Downloaded On: 25 Mar 2025 11:16:40

Source

Device Type: None

Device Name: None

Serial Number: None

| #  | Date        | Time              | User                                                                                                           | Activity                                                                                                                           |
|----|-------------|-------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| 1  | 30 May 2023 | 10:56:04 (-04:00) | System                                                                                                         | Evidence Record Created                                                                                                            |
| 2  | 30 May 2023 | 10:56:04 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence title added: 'W Grant.asf'                                                                                                |
| 3  | 30 May 2023 | 11:20:20 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | External ID '21-4381' added                                                                                                        |
| 4  | 30 May 2023 | 11:20:20 (-04:00) | System                                                                                                         | Auto-Transcribe Request Received. Client IP Address: N/A                                                                           |
| 5  | 30 May 2023 | 11:20:21 (-04:00) | System                                                                                                         | Malware Scan Started with Virus Definition 2023.05.30                                                                              |
| 6  | 30 May 2023 | 11:20:49 (-04:00) | System                                                                                                         | Evidence Checksum Recomputed.<br><br>Computed Checksums:<br>SHA-256 c2731d4b2113b56414ad6c45217cfccbcc7ea4d1a0b81251eda70f73696f43 |
| 7  | 30 May 2023 | 11:20:50 (-04:00) | System                                                                                                         | Malware Scan Complete. Result: Clean                                                                                               |
| 8  | 30 May 2023 | 11:20:57 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Added to Case '21-4381 - Grant, Whitney'                                                                           |
| 9  | 30 May 2023 | 11:20:57 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Added to Case '21-4381 - Grant, Whitney' Folder '21-4381'                                                          |
| 10 | 30 May 2023 | 11:21:46 (-04:00) | System                                                                                                         | Malware Scan Started with Virus Definition 2023.05.30                                                                              |
| 11 | 30 May 2023 | 11:21:47 (-04:00) | System                                                                                                         | Malware Scan Complete. Result: Clean                                                                                               |
| 12 | 30 May 2023 | 11:22:40 (-04:00) | System                                                                                                         | System Detected Recorded Duration is 5373.108.                                                                                     |
| 13 | 30 May 2023 | 11:22:40 (-04:00) | System                                                                                                         | Converted Video File(s) Created.                                                                                                   |
| 14 | 30 May 2023 | 11:22:41 (-04:00) | System                                                                                                         | Malware Scan Started with Virus Definition 2023.05.30                                                                              |
| 15 | 30 May 2023 | 11:23:13 (-04:00) | System                                                                                                         | Malware Scan Complete. Result: Clean                                                                                               |





## EVIDENCE AUDIT TRAIL

### Evidence

Evidence ID: 21-4381

#### Categories:

Title: W Grant.asf

Document Checksum: SHA256-c2731d4b2113b56414ad6c45217cf  
ccbccce7ea4d1a0b81251eda70f73696f43

Recorded: 30 May 2023 10:56:04 (-04:00)

Uploaded: 30 May 2023 11:20:20 (-04:00)

Uploader: Contestabile, Jillian (Badge ID: 1462)

Unique ID: 019F71DFD45942CFA941AA2CD51778B7

### Report Generated by

Name: Contestabile, Jillian (Badge ID: 1462)

Username: jcontestabile

Local Timezone: Eastern Daylight Time (UTC -04:00)

Generated on: 25 Mar 2025 11:16:39 (-04:00)

Audit Trail Date Range: 21 Dec 2021 - 25 Mar 2025

| #  | Date        | Time              | User                                                                                                           | Activity                                                                                                                                        |
|----|-------------|-------------------|----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| 16 | 30 May 2023 | 11:25:27 (-04:00) | System                                                                                                         | Auto-Transcript Created. Client IP Address: N/A                                                                                                 |
| 17 | 30 May 2023 | 11:26:35 (-04:00) | System                                                                                                         | Marker Added                                                                                                                                    |
| 18 | 30 May 2023 | 11:29:17 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence copy created at agency 14th Circuit (SC) Public Defender                                                                               |
| 19 | 10 Aug 2023 | 14:23:34 (-04:00) | Client IP Address: 64.253.25.185                                                                               | Evidence downloaded in case evidence package 1 of 1 via download link emailed to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com). |
| 20 | 08 Nov 2024 | 09:56:02 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Accessed. Client IP Address: 165.166.47.195                                                                                     |
| 21 | 08 Nov 2024 | 09:56:04 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Transcript Accessed. Client IP Address: 165.166.47.195                                                                                 |
| 22 | 08 Nov 2024 | 09:56:06 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Media File Buffered by System at Page Load. Client IP 165.166.47.195                                                                            |
| 23 | 14 Nov 2024 | 12:15:13 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Accessed. Client IP Address: 165.166.47.195                                                                                     |
| 24 | 14 Nov 2024 | 12:15:14 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Transcript Accessed. Client IP Address: 165.166.47.195                                                                                 |
| 25 | 14 Nov 2024 | 12:15:16 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Media File Buffered by System at Page Load. Client IP 165.166.47.195                                                                            |
| 26 | 15 Nov 2024 | 12:04:23 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Accessed. Client IP Address: 165.166.47.195                                                                                     |
| 27 | 15 Nov 2024 | 12:04:26 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Transcript Accessed. Client IP Address: 165.166.47.195                                                                                 |
| 28 | 15 Nov 2024 | 12:04:28 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Media File Buffered by System at Page Load. Client IP 165.166.47.195                                                                            |
| 29 | 15 Nov 2024 | 12:04:46 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Streamed. Client IP Address: 165.166.47.195                                                                                     |





EVIDENCE AUDIT TRAIL

Evidence

Evidence ID: 21-4381

Categories:

Title: W Grant.asf

Document Checksum: SHA256-c2731d4b2113b56414ad6c45217cf

cbccce7ea4d1a0b81251eda70f73696f43

Recorded: 30 May 2023 10:56:04 (-04:00)

Uploaded: 30 May 2023 11:20:20 (-04:00)

Uploader: Contestabile, Jillian (Badge ID: 1462)

Unique ID: 019F71DFD45942CFA941AA2CD51778B7

Report Generated by

Name: Contestabile, Jillian (Badge ID: 1462)

Username: jcontestabile

Local Timezone: Eastern Daylight Time (UTC -04:00)

Generated on: 25 Mar 2025 11:16:39 (-04:00)

Audit Trail Date Range: 21 Dec 2021 - 25 Mar 2025

| #  | Date        | Time              | User                                                                                                           | Activity                                                                                                                                                                                                                        |
|----|-------------|-------------------|----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 30 | 06 Dec 2024 | 11:33:13 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Accessed. Client IP Address: 66.180.237.131                                                                                                                                                                     |
| 31 | 06 Dec 2024 | 11:33:17 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Transcript Accessed. Client IP Address: 66.180.237.131                                                                                                                                                                 |
| 32 | 06 Dec 2024 | 11:33:21 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Media File Buffered by System at Page Load. Client IP 66.180.237.131                                                                                                                                                            |
| 33 | 06 Dec 2024 | 11:33:38 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Streamed. Client IP Address: 66.180.237.131                                                                                                                                                                     |
| 34 | 06 Dec 2024 | 13:34:11 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Accessed. Client IP Address: 66.180.237.131                                                                                                                                                                     |
| 35 | 06 Dec 2024 | 13:34:13 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Transcript Accessed. Client IP Address: 66.180.237.131                                                                                                                                                                 |
| 36 | 06 Dec 2024 | 13:34:14 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Media File Buffered by System at Page Load. Client IP 66.180.237.131                                                                                                                                                            |
| 37 | 09 Dec 2024 | 11:20:25 (-05:00) | Client IP Address: 64.253.25.185                                                                               | Evidence downloaded in case evidence package 1 of 1 via download link emailed to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com).                                                                                 |
| 38 | 11 Feb 2025 | 10:26:21 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Initiated bulk evidence download link including this evidence; excluding Audit Trails, Table of Contents, Transcripts.                                                                                                          |
| 39 | 11 Feb 2025 | 10:31:29 (-05:00) | System                                                                                                         | Successfully sent bulk evidence download link including this evidence to Contestabile, Jillian (Badge ID: 1462, Agency: 14th Judicial Circuit (SC) Solicitor's Office). Download link expires on 14 Feb 2025 10:26:21 (-05:00). |
| 40 | 11 Feb 2025 | 10:35:26 (-05:00) | Client IP Address: 152.44.71.227<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Evidence downloaded in bulk evidence package 1 of 1 via download link sent to Contestabile, Jillian (Badge ID: 1462, Agency: 14th Judicial Circuit (SC) Solicitor's Office).                                                    |
| 41 | 11 Feb 2025 | 10:45:20 (-05:00) | Client IP Address: 152.44.71.227<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da       | Evidence downloaded in bulk evidence package 1 of 1 via download link sent to Contestabile, Jillian (Badge ID: 1462, Agency: 14th Judicial Circuit (SC) Solicitor's Office).                                                    |





# EVIDENCE AUDIT TRAIL

## Evidence

**Evidence ID:** 21-4381

**Categories:**

**Title:** W Grant.asf

**Document Checksum:** SHA256-c2731d4b2113b56414ad6c45217cf

ccbccc7ea4d1a0b81251eda70f73696f43

**Recorded:** 30 May 2023 10:56:04 (-04:00)

**Uploaded:** 30 May 2023 11:20:20 (-04:00)

**Uploader:** Contestabile, Jillian (Badge ID: 1462)

**Unique ID:** 019F71DFD45942CFA941AA2CD51778B7

## Report Generated by

**Name:** Contestabile, Jillian (Badge ID: 1462)

**Username:** jcontestabile

**Local Timezone:** Eastern Daylight Time (UTC -04:00)

**Generated on:** 25 Mar 2025 11:16:39 (-04:00)

**Audit Trail Date Range:** 21 Dec 2021 - 25 Mar 2025

| #  | Date        | Time              | User                                                                                                           | Activity                                                             |
|----|-------------|-------------------|----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| 42 | 19 Feb 2025 | 12:29:15 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Accessed. Client IP Address: 97.166.203.150          |
| 43 | 19 Feb 2025 | 12:29:18 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Transcript Accessed. Client IP Address: 97.166.203.150      |
| 44 | 19 Feb 2025 | 12:29:21 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Media File Buffered by System at Page Load. Client IP 97.166.203.150 |
| 45 | 19 Feb 2025 | 12:29:28 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Streamed. Client IP Address: 97.166.203.150          |
| 46 | 19 Feb 2025 | 13:18:41 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Accessed. Client IP Address: 97.166.203.150          |
| 47 | 19 Feb 2025 | 13:18:44 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Media File Buffered by System at Page Load. Client IP 97.166.203.150 |
| 48 | 19 Feb 2025 | 13:18:44 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Transcript Accessed. Client IP Address: 97.166.203.150      |
| 49 | 19 Feb 2025 | 13:42:21 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Accessed. Client IP Address: 97.166.203.150          |
| 50 | 19 Feb 2025 | 13:42:24 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Transcript Accessed. Client IP Address: 97.166.203.150      |
| 51 | 19 Feb 2025 | 13:53:52 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Accessed. Client IP Address: 97.166.203.150          |
| 52 | 19 Feb 2025 | 13:53:56 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Media File Buffered by System at Page Load. Client IP 97.166.203.150 |
| 53 | 19 Feb 2025 | 13:53:56 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Transcript Accessed. Client IP Address: 97.166.203.150      |
| 54 | 19 Feb 2025 | 13:54:36 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Streamed. Client IP Address: 97.166.203.150          |



EVIDENCE AUDIT TRAIL

Evidence

Evidence ID: 21-4381

Categories:

Title: W Grant.asf

Document Checksum: SHA256-c2731d4b2113b56414ad6c45217cf  
ccbccce7ea4d1a0b81251eda70f73696f43

Recorded: 30 May 2023 10:56:04 (-04:00)

Uploaded: 30 May 2023 11:20:20 (-04:00)

Uploader: Contestabile, Jillian (Badge ID: 1462)

Unique ID: 019F71DFD45942CFA941AA2CD51778B7

Report Generated by

Name: Contestabile, Jillian (Badge ID: 1462)

Username: jcontestabile

Local Timezone: Eastern Daylight Time (UTC -04:00)

Generated on: 25 Mar 2025 11:16:39 (-04:00)

Audit Trail Date Range: 21 Dec 2021 - 25 Mar 2025

| #  | Date        | Time              | User                                                                                                           | Activity                                                                                                                                                                                                                                                 |
|----|-------------|-------------------|----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 55 | 19 Feb 2025 | 15:04:45 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Accessed. Client IP Address: 97.166.203.150                                                                                                                                                                                              |
| 56 | 19 Feb 2025 | 15:04:47 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Transcript Accessed. Client IP Address: 97.166.203.150                                                                                                                                                                                          |
| 57 | 19 Feb 2025 | 15:04:49 (-05:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Media File Buffered by System at Page Load. Client IP 97.166.203.150                                                                                                                                                                                     |
| 58 | 19 Mar 2025 | 12:59:30 (-04:00) | Client IP Address: 64.253.25.185                                                                               | Evidence downloaded in case evidence package 1 of 1 via download link emailed to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com).                                                                                                          |
| 59 | 21 Mar 2025 | 15:08:54 (-04:00) | Client IP Address: 155.190.21.5                                                                                | Evidence downloaded in case evidence package 1 of 1 via download link emailed to mdukeslc@sccourts.org.                                                                                                                                                  |
| 60 | 24 Mar 2025 | 16:19:13 (-04:00) | Keeney, Julie Kate (Badge ID: 27)<br>Username: jkeeney<br>User ID: bea2c3eaa7564cc9b40e717617133eff            | Initiated bulk evidence download link including this evidence to jnewman@jnewmanlaw.com, Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com); including Audit Trails; excluding Table of Contents, Transcripts. Optional Message not included. |
| 61 | 24 Mar 2025 | 16:20:06 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Accessed. Client IP Address: 152.44.71.230                                                                                                                                                                                               |
| 62 | 24 Mar 2025 | 16:20:09 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Transcript Accessed. Client IP Address: 152.44.71.230                                                                                                                                                                                           |
| 63 | 24 Mar 2025 | 16:20:11 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Media File Buffered by System at Page Load. Client IP 152.44.71.230                                                                                                                                                                                      |
| 64 | 24 Mar 2025 | 16:20:58 (-04:00) | System                                                                                                         | Successfully sent bulk evidence download link including this evidence to jnewman@jnewmanlaw.com, Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com). Download link expires on 13 Nov 2049 15:19:13 (-05:00).                                  |
| 65 | 24 Mar 2025 | 16:21:08 (-04:00) | Keeney, Julie Kate (Badge ID: 27)<br>Username: jkeeney<br>User ID: bea2c3eaa7564cc9b40e717617133eff            | Evidence Record Accessed. Client IP Address: 152.44.71.230                                                                                                                                                                                               |





# EVIDENCE AUDIT TRAIL

## Evidence

**Evidence ID:** 21-4381

### Categories:

**Title:** W Grant.asf

**Document Checksum:** SHA256-c2731d4b2113b56414ad6c45217cf

ccbccce7ea4d1a0b81251eda70f73696f43

**Recorded:** 30 May 2023 10:56:04 (-04:00)

**Uploaded:** 30 May 2023 11:20:20 (-04:00)

**Uploader:** Contestabile, Jillian (Badge ID: 1462)

**Unique ID:** 019F71DFD45942CFA941AA2CD51778B7

## Report Generated by

**Name:** Contestabile, Jillian (Badge ID: 1462)

**Username:** jcontestabile

**Local Timezone:** Eastern Daylight Time (UTC -04:00)

**Generated on:** 25 Mar 2025 11:16:39 (-04:00)

**Audit Trail Date Range:** 21 Dec 2021 - 25 Mar 2025

| #  | Date        | Time              | User                                                                                                           | Activity                                                                                                                                     |
|----|-------------|-------------------|----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| 66 | 24 Mar 2025 | 16:21:10 (-04:00) | Keeney, Julie Kate (Badge ID: 27)<br>Username: jkeeney<br>User ID: bea2c3eaa7564cc9b40e717617133eff            | Evidence Transcript Accessed. Client IP Address: 152.44.71.230                                                                               |
| 67 | 24 Mar 2025 | 16:21:10 (-04:00) | Keeney, Julie Kate (Badge ID: 27)<br>Username: jkeeney<br>User ID: bea2c3eaa7564cc9b40e717617133eff            | Media File Buffered by System at Page Load. Client IP 152.44.71.230                                                                          |
| 68 | 24 Mar 2025 | 16:21:33 (-04:00) | Keeney, Julie Kate (Badge ID: 27)<br>Username: jkeeney<br>User ID: bea2c3eaa7564cc9b40e717617133eff            | Evidence Audit Trail Downloaded                                                                                                              |
| 69 | 24 Mar 2025 | 18:22:43 (-04:00) | Client IP Address: 64.253.25.185                                                                               | Evidence downloaded in bulk evidence package 1 of 1 via download link sent to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com). |
| 70 | 24 Mar 2025 | 18:22:50 (-04:00) | Client IP Address: 64.253.25.185                                                                               | Evidence downloaded in bulk evidence package 1 of 1 via download link sent to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com). |
| 71 | 24 Mar 2025 | 18:22:50 (-04:00) | Client IP Address: 64.253.25.185                                                                               | Evidence downloaded in bulk evidence package 1 of 1 via download link sent to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com). |
| 72 | 24 Mar 2025 | 18:44:12 (-04:00) | Client IP Address: 64.253.25.185                                                                               | Evidence downloaded in bulk evidence package 1 of 1 via download link sent to Erwin, Dawn (Badge ID: 5869077e3779, Agency: my.evidence.com). |
| 73 | 24 Mar 2025 | 19:15:24 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Accessed. Client IP Address: 75.207.1.72                                                                                     |
| 74 | 24 Mar 2025 | 19:15:26 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Transcript Accessed. Client IP Address: 75.207.1.72                                                                                 |
| 75 | 24 Mar 2025 | 19:15:27 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Media File Buffered by System at Page Load. Client IP 75.207.1.72                                                                            |
| 76 | 24 Mar 2025 | 19:15:28 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Streamed. Client IP Address: 75.207.1.72                                                                                     |
| 77 | 25 Mar 2025 | 11:16:02 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Record Accessed. Client IP Address: 152.44.71.227                                                                                   |



EVIDENCE AUDIT TRAIL

Evidence

Evidence ID: 21-4381

Categories:

Title: W Grant.asf

Document Checksum: SHA256-c2731d4b2113b56414ad6c45217cf  
ccbccc7ea4d1a0b81251eda70f73696f43

Recorded: 30 May 2023 10:56:04 (-04:00)

Uploaded: 30 May 2023 11:20:20 (-04:00)

Uploader: Contestabile, Jillian (Badge ID: 1462)

Unique ID: 019F71DFD45942CFA941AA2CD51778B7

Report Generated by

Name: Contestabile, Jillian (Badge ID: 1462)

Username: jcontestabile

Local Timezone: Eastern Daylight Time (UTC -04:00)

Generated on: 25 Mar 2025 11:16:39 (-04:00)

Audit Trail Date Range: 21 Dec 2021 - 25 Mar 2025

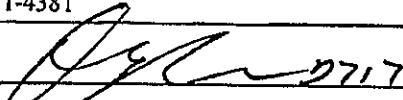
| #  | Date        | Time              | User                                                                                                           | Activity                                                               |
|----|-------------|-------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| 78 | 25 Mar 2025 | 11:16:04 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Evidence Transcript Accessed. Client IP<br>Address: 152.44.71.227      |
| 79 | 25 Mar 2025 | 11:16:06 (-04:00) | Contestabile, Jillian (Badge ID: 1462)<br>Username: jcontestabile<br>User ID: 3eac2abd852b4507aa93f6df1d64a1da | Media File Buffered by System at Page Load.<br>Client IP 152.44.71.227 |



## WITNESSES

Colleton County Sheriff's Office

21-4381

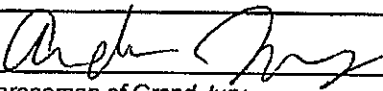
  
Daniel Green

## ARREST WARRANT NUMBER

2021A1510100722

## ACTION OF GRAND JURY

trial Bill



Foreperson of Grand Jury

Date: 12-19-24

## VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2021GS1501089

The State of South Carolina

County of Colleton

COURT OF GENERAL SESSIONS

December Term 2024

THE STATE

vs.

Whitney Brian Grant

## AMENDED Indictment For

Possession with intent to distribute  
methamphetamine, 2nd offense

SC Code: 44-53-375(B)(2)

CDR Code: 3199

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

Defendant

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

Defendant

Witness:

C.C.C. PLS. and G.S.

DEC 19 2024 AM 10:56  
COLLETON CO GS:P GRANT

STATE OF SOUTH CAROLINA

)  
)  
)AMENDED  
INDICTMENT

2021GS1501089

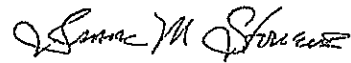
COUNTY OF COLLETON

At a Court of General Sessions, convened on December 19, 2024, the Grand Jurors of Colleton County present upon their oath:

**Possession with intent to distribute methamphetamine, 2nd offense**

That in Colleton County, South Carolina, on or about December 2, 2021, the Defendant, Whitney Brian Grant, did possess with intent to distribute, dispense, or deliver methamphetamine and Whitney Brian Grant had been convicted within the previous ten years of a first violation of a controlled substance offense provision, other than a marijuana offense provision, of Article 3, Narcotics and Controlled Substances, or of another state or federal statute relating to narcotic drugs, depressants, stimulants, or hallucinogenic drugs, to wit: 2015 Possession with intent to distribute methamphetamine, all in violation of Section 44-53-375(B)(2), et al. of the Codes of Law of South Carolina.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



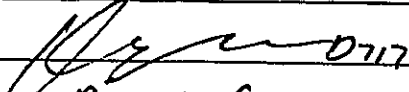
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Solicitor

## WITNESSES

Colleton County Sheriff's Office

21-4381

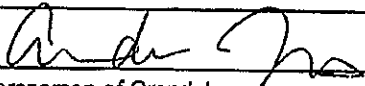
  
Daniel Green

## ARREST WARRANT NUMBER

2021A1510100723

## ACTION OF GRAND JURY

true Bill



Foreperson of Grand Jury

Date: 12-19-24

## VERDICT

Foreperson of Petit Jury

Date:

INDICT

DOCKET NO. 2021GS1501090

The State of South Carolina

County of Colleton

COURT OF GENERAL SESSIONS

December Term 2024

THE STATE

vs.

Whitney Brian Grant

## AMENDED Indictment For

Possession of cocaine base, 2nd  
offense

SC Code: 44-53-375(A)

CDR Code: 3017

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

Defendant

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

Defendant

Witness:

C.C.C. PLS. and G.S.

DEC 19 2024 AM 10:56  
COLLETON CO GS,P GRANT

STATE OF SOUTH CAROLINA

)  
)  
)AMENDED  
INDICTMENT

2021GS1501090

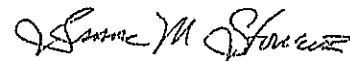
COUNTY OF COLLETON

At a Court of General Sessions, convened on December 19, 2024, the Grand Jurors of Colleton County present upon their oath:

**Possession of cocaine base, 2nd offense**

That in Colleton County, South Carolina, on or about December 2, 2021, the Defendant, Whitney Brian Grant, did knowingly and intentionally possess cocaine base and Whitney Brian Grant had been convicted within the previous ten years of a first violation of a controlled substance offense provision, other than a marijuana offense provision, of Article 3, Narcotics and Controlled Substances, or of another state or federal statute relating to narcotic drugs, depressants, stimulants, or hallucinogenic drugs, to wit: 2015 - Possession with intent to distribute methamphetamine, all in violation of Section 44-53-375(A), et al. of the Codes of Law of South Carolina.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



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**Solicitor**

County of Colleton

State

VS.

Whitney Brian Grant

AKA: SS#: [REDACTED]

RACE: Black SEX: Male

DOB: [REDACTED]

) INDICTMENT/CASE#: 2021GS1501089) AWW#: 2021A1510100722) Date of Offense: 12/02/2021) S.C. Code §: 44-53-375(B)(2)) CDR Code #: 3199

) Range of Offense: 5-30 years

In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADSTO: Possession with Intent to Distribute Methamphetamine 2<sup>nd</sup> offense

Range of Offense Pled: 5-30 years

In violation of § 44-54-375(b)(2) of the S.C. Code of Laws, bearing CDR Code # 3199☐ NON-VIOLENT ☐ VIOLENT ☒ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45  
(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.The plea is: ☐ w/o Rec/Negotiations ☐ Negotiated☐ Recommendation[Signature]  
Solicitor Jillian Contestabile SC Bar # 105804[Signature]  
Attorney for Defendant Jared Sullivan SC Bar # NewmanThe Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Programfor a determinate term of 7 days/months/years/Time Served ☐ YOA NTE     years and/or shall pay a fineof \$    ; provided that upon the service of     days/months/years/Time Served and or paymentof \$    ; plus costs and assessments as applicable\*; the balance is suspended with probation for     months/years and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.☒ The sentence shall run CONCURRENT or ☐ CONSECUTIVE to sentence on: 2021GS1501090☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.    days/month ☐ To include time spent on monitored house arrest prior to trial and sentencing.

## SPECIAL CONDITIONS:

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

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

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1)(Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-2995 (DUI Assessment)

§56-1-286 (DUI Breath Test)

§14-1-212 (Law Enforce. Funding)

§14-1-213 (Drug Court Surcharge)

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

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

- ☐ Appointed PD or appointed other counsel, Provviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees  
☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund

Fine/Costs and Assessments are to be paid to the

Clerk of Court within     days/months

|         |                  |
|---------|------------------|
| \$      | \$               |
| \$100   | \$ <u>100.00</u> |
| \$100   | \$               |
| \$12    | \$               |
| \$25    | \$               |
| \$25    | \$ <u>25.00</u>  |
| \$150   | \$ <u>150.00</u> |
| \$41    | \$               |
| \$50    | \$               |
| \$40/ea | \$               |
| TBD     | \$ <u>8.25</u>   |
| \$500   | \$               |
| TBD     | \$               |
| TOTAL   | \$ <u>283.25</u> |

[Signature]  
Clerk of Court/Deputy Clerk  
[Signature]  
Court Reporter2785  
Judge Code3/25/25  
Sentence Date[Signature]  
Presiding JudgeSCCA217B  
01/27/2025

County of Colleton

State

VS.

Whitney Brian Grant

AKA: SS#: [REDACTED]

RACE: Black SEX: Male

DOB: [REDACTED]

) INDICTMENT/CASE#: 2021GS1501090

) AW#: 2021A1510100723

) Date of Offense: 12/02/2021

) S.C. Code §: 44-53-375(A)

) CDR Code #: 3017

) Range of Offense: 0-5 years

In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADSTO: Possession of cocaine base 2<sup>nd</sup> offense

Range of Offense Pled: \_\_\_\_\_

In violation of § 44-53-375(a) of the S.C. Code of Laws, bearing CDR Code # 3017

☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45  
(CSC w/minor 1<sup>st</sup> or CSC w/minor 3<sup>rd</sup>)The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.The plea is: ☐ w/o Rec/Negotiations☐ Negotiated☐ Recommendation

Solicitor Jillian Contestabile

SC Bar # 105834

Jared Newman  
Attorney for Defendant Jared Sullivan SC Bar # NewmanThe Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Programfor a determinate term of 3 days/months/years/Time Served ☐ YOA NTE \_\_\_\_\_ years and/or shall pay a fine

of \$ \_\_\_\_\_; provided that upon the service of \_\_\_\_\_ days/months/years/Time Served and or payment

of \$ \_\_\_\_\_; plus costs and assessments as applicable\*; the balance is suspended with probation for \_\_\_\_\_ months/years and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.

☒ The sentence shall run CONCURRENT or ☐ CONSECUTIVE to sentence on: 2021GS1501089☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.\_\_\_\_\_ days/month ☐ To include time spent on monitored house arrest prior to trial and sentencing.

## SPECIAL CONDITIONS:

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- ☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135
- ☐ Other: \_\_\_\_\_

☐ RESTITUTION See Separate Order (20% per S.C. Code § 24-21-490 (B) )Restitution \$ \_\_\_\_\_  
FINE: \$ \_\_\_\_\_

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1)(Conv. Surcharge)

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| TBD     | \$ 25     |
| \$500   | \$        |
| TBD     | \$        |
| TOTAL   | \$ 283.25 |

Gary Hale  
Clerk of Court/Deputy ClerkHeather Landry  
Court Reporter2785  
Judge Code3/25/25  
Sentence Date

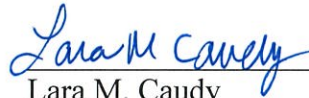
Presiding Judge

SCCA217B  
01/27/2025

**CERTIFICATE OF COUNSEL FOR APPELLANT**

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

Respectfully Submitted,

**RECEIVED****Jul 13 2026****SC Court of Appeals**

Lara M. Caudy  
Senior Appellate Defender

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

ATTORNEY FOR APPELLANT

This 13th day of July, 2026.