

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
Jul 24 2026
SC Court of Appeals

Appeal from Colleton County

Honorable Marvin H. Dukes, III, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JORDIN QUOLEAHA GLOVER,

APPELLANT

APPELLATE CASE NO. 2025-000849

RECORD ON APPEAL

W. CHANDLER NORVILLE
Appellate Defender

ALAN WILSON
Attorney General

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

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

ATTORNEY FOR APPELLANT

R. BRANDON LARRABEE
Assistant Attorney General
PO Box 11549
Columbia, SC 29211-1549
(803) 734-3727

I. McDUFFIE STONE, III
Solicitor, Fourteenth Judicial Circuit
PO Box 1880
Bluffton, SC 29910
(843) 790-6194
ATTORNEYS FOR RESPONDENT

INDEX

INDEX	i
TRIAL TRANSCRIPT DATED APRIL 21-24, 2025	1
OPENING STATEMENT BY MS. LEGETTE	16
OPENING STATEMENT BY MR. WALKER	18
TESTIMONY	
ANGELA STALLINGS	
Direct Examination by Ms. Legette	23
JAMES REDMOND	
Direct Examination by Ms. Legette	28
Cross-Examination by Mr. Walker	44
Redirect Examination by Ms. Legette	46
SAKASIA BYRAMS	
Direct Examination by Ms. Legette	48
Cross-Examination by Mr. Walker	89
Redirect Examination by Ms. Legette	97
KYA BYRAMS	
Direct Examination by Ms. Legette	100
Cross-Examination by Mr. Walker	135
Redirect Examination by Ms. Legette	140
JACKSON RILEY	
Direct Examination by Ms. Legette	140
Cross-Examination by Mr. Walker	150
Redirect Examination by Ms. Legette	161
KEVIN BAKER	
Direct Examination by Ms. Legette	163
RICHARD HARVEY	
Direct Examination by Ms. Legette	170
BRANDON GRAYSON	
Direct Examination by Ms. Legette	173
OLIVIA NOBLES	
Direct Examination by Ms. Legette	177

Cross-Examination by Mr. Walker	201
KEVIN KINARD	
Direct Examination by Ms. Legette	205
Cross-Examination by Mr. Walker	211
Redirect Examination by Ms. Legette	216
Recross-Examination by Mr. Walker	217
CHARLES SHIPP	
Direct Examination by Ms. Legette	219
Cross-Examination by Mr. Walker	228
SUZANNE CROMER	
Direct Examination by Ms. Legette	236
Cross-Examination by Mr. Walker	257
DANIEL BUTLER	
Direct Examination by Ms. Legette	259
Cross-Examination by Mr. Walker	275
STATE RESTS	282
DEFENSE MOTION FOR A DIRECTED VERDICT BY MR. WALKER	282
RESPONSE BY MS. LEGETTE.....	283
COURT’S RULING DENYING DEFENSE MOTION FOR DIRECTED VERDICT	285
TESTIMONY COLLOQUY WITH DEFENDANT	286
TESTIMONY	
JORDIN GLOVER	
Direct Examination by Mr. Walker	290
Cross-Examination by Ms. Legette.....	319
Redirect Examination by Mr. Walker	334
Recross-Examination by Ms. Legette	336
TYREECE GREEN	
Direct Examination by Mr. Walker	370
Cross-Examination by Ms. Legette.....	351
Redirect Examination by Mr. Walker	355
DEFENSE RESTS	356

TESTIMONY

KYA BYRAMS	
Direct Examination by Ms. Legette	357
STATE RESTS	358
DEFENSE RENEWS MOTION FOR A DIRECTED VERDICT	359
COURT RENEWS RULING DENYING MOTION FOR A DIRECTED VERDICT	359
CLOSING ARGUMENT BY MS. LEGETTE.....	361
CLOSING ARGUMENT BY MR. WALKER.....	394
CHARGE ON THE LAW	427
VERDICT	455
POLLING OF THE JURY.....	455
DEFENSE RENEWS MOTION FOR A DIRECTED VERDICT	458
SENTENCING	494
DEFENSE MOTION FOR CREDIT FOR TIME SERVED ON HOME DETENTION	466
OBJECTION TO AWARDING CREDIT FOR TIME SERVED ON HOME DETENTION BY MS. LEGETTE.....	466
COURT'S RULING AWARDING CREDIT FOR TIME SERVED ON HOME DETENTION	466
INDICTMENT	469
SENTENCE SHEET.....	471
CERTIFICATE OF COUNSEL	472

**[THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:
STATE'S EXHIBIT NO. 2 (WAFFLE HOUSE VIDEO)]**

STATE OF SOUTH CAROLINA	)	IN THE COURT OF
COUNTY OF COLLETON	)	GENERAL SESSIONS
	)	
	)	
STATE OF SOUTH CAROLINA,	)	CASE NO.:
	)	2023-GS-15-00112
v.	)	
	)	
JORDIN QUOLEAHA GLOVER	)	<u>TRANSCRIPT OF RECORD</u>

Monday, April 21, 2025 - Thursday, April 24, 2025

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

APPEARANCES:

For the State of South Carolina:
Tameaka A. Legette, Assistant Solicitor
Fourteenth Circuit Solicitor's Office
101 Hampton Street
Walterboro, SC 29488

For the Defendant:
Matthew Walker, Assistant Public Defender
115 Benson Street
Walterboro, SC 29488

Heather R. Landry, CVR
Court Reporter

INDEX

1		
2	Voir Dire	5
3	Jury Selection	20
	<i>*Strike Sheet Attached</i>	
4	Jury Instruction	38
5	Opening Statement by Sol. Legette	46
6	Opening Statement by Mr. Walker	48
7		
	<u>WITNESS TESTIMONY</u>	
8	STATE'S WITNESS: Angela Stallings	
	Direct Examination By Sol. Legette	53
9		
	STATE'S WITNESS: Webb Redmond	
10	Direct Examination By Sol. Legette	58
	Cross-Examination By Mr. Walker	74
11	Redirect Examination By Sol. Legette	76
12	STATE'S WITNESS: Sakasia Byrams	
	Direct Examination By Sol. Legette	78
13	Cross-Examination By Mr. Walker	119
	Redirect Examination By Sol. Legette	127
14		
	STATE'S WITNESS: Kya Byrams	
15	Direct Examination By Sol. Legette	130
	Cross-Examination By Mr. Walker	165
16	Redirect Examination By Sol. Legette	170
17	STATE'S WITNESS: Jackson Riley	
	Direct Examination By Sol. Legette	170
18	Cross-Examination By Mr. Walker	180
	Redirect Examination	191
19		
	STATE'S WITNESS: Kevin Baker	
20	Direct Examination By Sol. Legette	193
21	STATE'S WITNESS: Richard Harvey	
	Direct Examination By Sol. Legette	200
22		
	STATE'S WITNESS: Brandon Grayson	
23	Direct Examination By Sol. Legette	203
24	STATE'S WITNESS: Olivia Chapman Nobles	
	Direct Examination By Sol. Legette	207
25	Cross-Examination By Mr. Walker	232

1	STATE'S WITNESS: Kevin Kinard	
	Direct Examination By Sol. Legette	235
2	Cross-Examination By Mr. Walker	241
	Redirect Examination By Sol. Legette	246
3	Recross-Examination By Mr. Walker	247
4	STATE'S WITNESS: Charles Shipp	
	Direct Examination By Sol. Legette	249
5	Cross-Examination By Mr. Walker	258
6	STATE'S WITNESS: Suzanne Cromer	
	Direct Examination By Sol. Legette	266
7	Cross-Examination By Mr. Walker	287
8	STATE'S WITNESS: Dr. Daniel Chadwick Butler	
	Direct Examination By Sol. Legette	289
9	Cross-Examination By Mr. Walker	305
10	DEFENDANT'S WITNESS: Jordin Glover	
	Direct Examination By Mr. Walker	320
11	Cross-Examination By Sol. Legette	349
	Redirect Examination By Mr. Walker	364
12	Recross-Examination By Sol. Legette	366
13	DEFENDANT'S WITNESS: Tyreece Green	
	Direct Examination By Mr. Walker	370
14	Cross Examination By Sol. Legette	381
	Redirect Examination By Mr. Walker	385
15	STATE'S REBUTTAL WITNESS: Kya Byrams	
16	Direct Examination By Sol. Legette	387
17		
18	Closing Statement by Sol. Legette	391
19	Closing Statement by Mr. Walker	424
20	Rebuttal Closing Statement by Sol. Legette	453
21	Jury Charge	457
22	Verdict	484
23	Sentence of the Court	495
24	Certificate	498
25		

1

STATE'S EXHIBITS

2

State's 1 911 Calls57

State's 2 Waffle House Video63

3

State's 3-82 Still Photos of Video65

State's 84-195 Still Photos of Video66

4

State's 197-259 Crime Scene Photos212

State's 263-265 Crime Scene Photos212

5

State's 268 Diagram218

State's 269-271 Crime Scene Photos238

6

State's 272 Cartridge Casings228

State's 273 Fired Bullets & Fragments228

7

State's 274-275 Autopsy Bullet Packages279

State's 274A-275A Bullets from Autopsy304

8

State's 276 Autopsy Photo (ID ONLY)292

State's 277 Body Diagram294

9

State's 278-289 Autopsy Photographs295

10

DEFENDANT'S EXHIBITS

11

Defendant's 1A Gun185

Defendant's 1B Magazine Clip185

12

Defendant's 1C Gun Shells185

Defendant's 1D Gun Shells185

13

14

COURT'S EXHIBITS

15

(No exhibits were received)

16

17

18

19

20

21

22

23

24

25

1 (Trial proceedings began on Monday, April 21, 2025 at
2 3:11 p.m.)

3 VOIR DIRE

4 THE COURT: Madam Solicitor, did you want to call the
5 case?

6 SOL. LEGETTE: Yes, Your Honor. May it please the
7 Court? The State is ready to proceed in indictment number
8 2023-GS-15-00112, the State of South Carolina
9 versus Jordin Quoleaha Glover, the offense of murder. The
10 defendant has pled not guilty. This is the trial.

11 THE COURT: All right. Thank you so much.

12 So, ladies and gentlemen, as you heard, we're about to
13 begin the trial of the State versus Glover. Before we
14 select the jury, there's several questions I'm gonna ask
15 you. You all, of course, are already sworn.

16 Is any member of the jury panel related by blood or
17 marriage to the defendant, Jordin Glover? If so, please
18 stand.

19 (No response.)

20 THE COURT: All right. Is any member of the jury panel
21 have a close, personal, or social relationship with
22 Jordin Glover? If so, please stand.

23 (No response.)

24 THE COURT: All right. Can I get the attorneys to
25 please stand and introduce themselves starting with the

1 (Trial proceedings resumed Tuesday, April 22, 2025, at
2 9:34 a.m.)

3 THE COURT: Anything for the record before we bring the
4 jury in?

5 SOL. LEGETTE: We've agreed to sequester the witnesses,
6 Your Honor.

7 THE COURT: I'm sorry?

8 SOL. LEGETTE: We have agreed to sequester the
9 witnesses in this case.

10 THE COURT: Okay. All right.

11 SOL. LEGETTE: That's all from the State.

12 THE COURT: And that's already handled with the
13 bailiffs?

14 MR. WALKER: I think they have a list of State's
15 witnesses. My witnesses were not gonna be here until later
16 today, so I haven't had chance to talk to them. I don't
17 care if the witnesses are sequestered. So I wasn't planning
18 on it. So I have to talk to them about it. Hopefully,
19 between my staff and the bailiffs, we'll catch them when
20 they get here.

21 THE COURT: Okay.

22 MR. WALKER: But I have not yet talked to my witnesses
23 about sequestration.

24 THE COURT: Okay. But for the record, the parties have
25 agreed to sequester witnesses?

1 MR. WALKER: Yes, Your honor.

2 THE COURT: All right. Anything else then?

3 SOL. LEGETTE: Not from the State, Your Honor.

4 MR. WALKER: No, Your Honor.

5 THE COURT: All right. Please bring the jury. And we
6 didn't swear them yesterday, so we need to swear them first
7 thing.

8 (The jury enters the courtroom at 9:37 a.m.)

9 THE COURT: Good morning. Mr. Clerk, can we swear the
10 jury, please.

11 (Jury sworn at 9:37 a.m.)

12 THE COURT: So everyone had a good evening, I hope.
13 Did everyone follow the instructions on no research, no
14 discussion, nothing like that?

15 Fantastic. Now, that rule continues until you begin to
16 deliberate. And so there are gonna be a lot of breaks.
17 You're gonna be back there and then, of course, we'll go
18 home at the end of today. And I'm assuming this will go on
19 until tomorrow. But whenever you leave, whenever you're not
20 here, that rule follows. So don't discuss the case or any
21 of the testimony or speculate or anything like that with
22 each other, with other people, don't do any outside research
23 whether you're here or not. The signal for you, at some
24 point during this trial, to begin deliberations will be when
25 any exhibits that have been introduced are taken back to you

1 and the bailiffs tell you that here you go, it's time to do
2 that. But until then -- and that may be today, it may not
3 be today -- until then, please don't discuss it with
4 anybody. Again, it's critical that you not do that.

5 All right. So I'm gonna read you a few things. You're
6 probably thinking shouldn't he have all this stuff
7 memorized, why is he reading from a book. And that's
8 because some of the things must be said precisely under our
9 law. And so I'm gonna read you some things. Please pay
10 attention and then we'll get started.

11 JURY INSTRUCTION

12 THE COURT: So, ladies and gentlemen of the jury, the
13 case we're about to try is the case of the State versus
14 Glover. Before we begin this trial, I want to tell you this
15 trial probably will be different from what you might expect.
16 Many people do not have the chance to attend actual court
17 sessions as you're doing now and may think from watching
18 television or movies or reading books that trials are always
19 full high drama, intense action, and riveting circumstances.
20 While all of these things may be true at times, this trial
21 is not for entertainment. It is a fundamental part of our
22 democracy; an effort to make sure that justice is done
23 between the parties before the Court.

24 Making sure that justice is done is often slow,
25 deliberate, and repetitive, the opposite of what you may

1 have seen in television or movies or read in books. The
2 courtroom is a place of honor, dedicated to the protection
3 and preservation of citizens' rights through what many have
4 called the greatest justice system ever created. The
5 attorneys appearing before you are advocates for the parties
6 they represent; but first and foremost, they're officers of
7 the Court sworn to uphold the integrity and fairness of our
8 judicial system and help you in the search for truth. You
9 should expect them to be professional, competent, and
10 ethical in their representation of their client's interest.
11 You are also expected to be professional, reasonable, and
12 ethical. Thank you for accepting the important
13 responsibility of jury service and for your contribution
14 today to our justice system.

15 What I will now say is intended to serve as an
16 introduction to this trial. These remarks are not a charge
17 on the law. I will instruct you on the applicable law at
18 the end of the trial before you retire to consider your
19 verdict. This is merely an explanation of the procedure
20 that we'll follow during the trial so that you may better
21 understand what may be happening. This trial will not be
22 that many days. So we will not take notes during this
23 trial. So please pay close attention to what you hear from
24 this witness stand and any instructions that I give you.

25 The defendant is charged by indictment filed in this

1 court with the crime of murder, the elements of which will
2 be explained to you later. The indictment is simply the
3 charge by which the case is brought into court. It is not
4 in any sense evidence of any of the allegations it contains.
5 The defendant has pled not guilty to this indictment. The
6 State, therefore, has the burden of proving each of the
7 elements of the indictment beyond a reasonable doubt. Proof
8 beyond a reasonable doubt is proof that leaves you firmly
9 convinced of the defendant's guilt. It will be your duty,
10 ladies and gentlemen, to decide whether the State has met
11 that burden.

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

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

1 law you may consider. You must accept and follow it even
2 though you may disagree with it. I cannot tell you what the
3 facts are, and you cannot disagree with me about what the
4 law is or should be. Your job is to take the law as I give
5 it to you and apply it to the facts as you find them from
6 the testimony of the witnesses and any other evidence that
7 is introduced. After doing that, you'll render your
8 verdict, a verdict under the solemn oath that you just took
9 as jurors.

10 Until I tell you that you may begin to deliberate, you
11 must not discuss the case with anyone, including your fellow
12 jurors, friends, family members, anyone involved in the
13 case. The attorneys and parties in the case have all been
14 advised they are not to talk to you at all. So if you see
15 anyone involved in the case and they do not even say hello,
16 they're not being unfriendly, they're just following my
17 instructions.

18 You must make your decision based solely on the
19 evidence presented here in this courtroom. This means that
20 during the trial you must not conduct any independent
21 research about the facts of the case, the evidence
22 presented, or the people or organizations involved in any
23 way with this trial. Please do not try to find out any
24 information from any source outside the courtroom. In other
25 words, you must not look at dictionaries or other reference

1 materials, search the Internet, websites, or blogs, or use
2 any electronic tools to get information about this case or
3 help you decide the case. You may not use computers,
4 telephones, cell phones, smartphones, tablets, the Internet,
5 or other tools of technology with communication capabilities
6 at any time while you're in the courtroom or during your
7 deliberations. During your breaks for meals or overnight,
8 if necessary, you may use these devices; however, you must
9 not use the devices to communicate with anyone about the
10 case until the case is over. This means you must not use
11 phone calls, emails, text messages, instant messages,
12 Twitter or any blog, chat room, or website including
13 Facebook, Google Plus, MySpace, LinkedIn, YouTube, or any
14 social media websites to send and receive information about
15 this case. This includes information about a party, a
16 witness, an attorney, or a court officer, news accounts
17 about the case, research on any topics raised and any topics
18 which you feel might be helpful in deciding the case, or any
19 testimony presented by any witness.

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

1 Internet, or from other sources might be wrong or
2 incomplete. In our judicial system, it is important that
3 you are not influenced by anything or anyone outside of this
4 courtroom. If you become aware of another juror's violation
5 of these instructions, please inform me immediately.

6 It is important that you keep an open mind and not
7 decide on any issue in the case until all of the evidence
8 has been presented, the parties have made their closing
9 arguments, and I've instructed you on the law. It is your
10 solemn responsibility to determine the guilt or innocence of
11 the defendant, and your verdict must be based solely on the
12 evidence as it is presented to you in this trial and on the
13 laws I instruct you during and at the close of trial. In
14 just a moment the Solicitor will make what is called an
15 opening statement in which the Solicitor will explain to you
16 what the issues are, or at least what the Solicitor thinks
17 the issues are. The attorney for the defendant may also
18 make an opening statement, although he's not required to do
19 so.

20 What the attorneys tell you during their opening
21 statements is not evidence. It is only their contention as
22 to what the issues are. The evidence will be presented to
23 you by the testimony of sworn witnesses from this witness
24 stand and/or by exhibits that may be introduced into
25 evidence.

1 From time to time during the trial you may hear one of
2 the lawyers say something like, "Your Honor, I believe we
3 have a question of law or a matter of law to discuss with
4 you," or "Your Honor, may we approach the bench." Or
5 sometimes I myself might find it necessary to excuse you
6 from the courtroom for a short while while the attorneys and
7 I discuss a matter of law. The reason for this is because
8 you're the judge of facts. And sometimes when I'm
9 discussing matters of law with the attorneys, it may be
10 necessary for me to make some comment as to the facts in
11 connection with ruling whether or not a particular law
12 applies. I am not supposed to tell you what I think the
13 facts are. So I will excuse you from the courtroom while
14 these discussions take place so that in no way will you be
15 influenced by anything that I might say or do in connection
16 with the facts.

17 In determining what the true facts are, you must decide
18 whether or not the testimony of the witness is believable.
19 It will be my responsibly to rule as a matter of law as to
20 whether or not certain testimony is admissible at all or
21 not. But once the testimony is admitted, whether or not you
22 believe it is solely for you to determine. In deciding
23 whether to believe a witness you have the right to consider
24 the interest of any witness, the bias of any witness, the
25 prejudice of any witness, the opportunity for the witness to

1 have seen matters and things about which the witness may
2 testify, and the way the witness acts on the witness stand.
3 You have a right to consider anything that is in the record
4 that will help you evaluate the testimony of witnesses.
5 That means it is your duty to pay close attention to these
6 witnesses, to observe these witnesses, to listen to the
7 witnesses, and to pay close to the attorneys and the Court.
8 Don't let your thoughts wander, but give strict attention to
9 the testimony so at the end of all the testimony, after the
10 arguments of counsel and the charge on the law by the Court,
11 you'll be in a position to determine what the true facts are
12 and apply the law to those facts and thus render a verdict.

13 It is your added duty, Mr. Foreperson, to preside in
14 the jury room and be the jury's spokesperson here in court.
15 It will also be your duty to write the verdict. I will give
16 you further instruction about that at the conclusion of the
17 trial.

18 In order to preserve everyone's rights, I'll give the
19 parties an opportunity to object to anything I've said. Any
20 exceptions from the State?

21 SOL. LEGETTE: None from the State.

22 THE COURT: Any from the defense?

23 MR. WALKER: None from the defense.

24 THE COURT: All right. We will now begin the trial.

25 Yes, ma'am.

OPENING STATEMENTS

SOL. LEGETTE: May it please the Court, Mr. Walker.

Ladies and gentlemen, good morning. A silent killer. A silent killer. That is what this case is about, a silent killer. And that silent killer was Jordin Glover. Early morning, February 18, 2023, early Saturday morning Jordin Glover became a silent killer. Now, there's another man here, another man that's not here today, Charles Breland. He was also involved. He also, too, is a part of that silent killer, but he will be here at another time in front of another jury. But this week your attention should be focused on Jordin Glover.

Now, let's go back. It's February 18, 2023. It's 1:00 a.m. Young people have been out partying. And they've gone to the Waffle House to take a ride out of this courthouse. They go down Jeffries Boulevard. They take a left on Bells Highway. They go all the way down near the interstate. They come to the Waffle House. February 18, 2023, at 1:00 a.m., LaMontre Green is preparing to die. By 1:40 a.m., LaMontre Green would be dead. And that is why we're here.

Now, you'll hear from witnesses on the witness stand who will tell you what happened that night. But I want to give you a roadmap, what to look for. Sakasia Byrams, Kya Byrams, they've been out. We told you about them going

1 out partying. They come to the Waffle House. Jordin Glover
2 was also at the Waffle House. LaMontre Green would show up.
3 He and Kya Byrams had a daughter together. They were
4 dating. They had an argument. He did pull her out of the
5 booth. He wanted to leave. She didn't want to leave at
6 that time. She sat back down. LaMontre went outside, came
7 back, at which point he started to leave again. And the
8 silent killer, Jordin Glover, shot him in the back. While
9 Jordin was shooting him, Charles Breland would also join in.
10 We'll bring you the video. You'll be able to see it for
11 yourselves. You'll hear from witnesses who will be able to
12 tell you what the video is showing.

13 Now, the video, it happens very, very quickly. I told
14 you around 1:30 a.m. it kind of all begins. And by
15 1:40 a.m., LaMontre Green is a dead man or he lays dying.
16 You'll hear from witnesses. You'll hear about bullets,
17 shell casings. And there were two separate types of shell
18 casings, two types of bullets. The pathologist will tell
19 you that all of the gunshot wounds contributed to LaMontre
20 Green's death. But you'll also hear some things about the
21 LaMontre Green. I'll just be honest with you,
22 LaMontre Green turned his back. He was walking away. When
23 the paramedic found him, the officer found him, he had a gun
24 in his waistband. He never pulled it. He was shot in the
25 back as he was leaving.

1 And that's what this case is about, ladies and
2 gentlemen. A silent killer on February 18, 2023,
3 Jordin Glover, shot LaMontre Green in the back causing his
4 death. With that charge, Jordin Glover has been charged
5 with murder. And that is why we're here. That's what the
6 evidence will show this week. And, ladies and gentlemen,
7 when all the evidence is in, I'll come back before you and
8 I'll ask you to find Jordin Glover guilty of murder for
9 being the silent killer of February 18, 2023. Thank you.

10 THE COURT: Thank you. Yes, sir.

11 MR. WALKER: Thank you, Your Honor. May it please the
12 Court, Madam solicitor?

13 SOL. LEGETTE: Yes, sir.

14 MR. WALKER: Good morning. All Jordin wants, all I
15 want, is for you to be fair. You heard the judge say
16 yesterday, he was telling you not to talk about the case.
17 And we went through all this work because we're trying to
18 get a fair trial, a fair process, and that's all we want.
19 Because I believe the evidence, when viewed in a fair light,
20 cannot support the charge of murder. Now, the facts are,
21 generally, as the Solicitor told you. You know, I think
22 she's trying to lay it all out there. But I think the
23 evidence is gonna show you that on that night, LaMontre
24 showed up at the Waffle House, unexpectedly. As you heard,
25 he walked in the Waffle House with a 40-caliber

1 semi-automatic handgun with an extended magazine in his
2 waistband. He walked over to the booth where his girlfriend
3 was, grabbed her jacket, snatched her out of the booth,
4 almost all the way across the Waffle House and almost fell
5 on the floor. Regained her balance, got free of him, and
6 sat back down. And he ends up coming back over to the table
7 in a minute, arguing with the ladies that are sitting at the
8 table, threatening them, acting angrily. There's also some
9 gentlemen that come in the Waffle House and around him, and
10 he then also argues with them. And Jordin shoots him and
11 she leaves. She turned -- and also shooting him is a
12 gentleman named Charles Breland. And she turned herself
13 into the police the next day.

14 Now, you know, the Solicitor just used the words that
15 "Charles Breland joined in the shooting." And I think this
16 is kind of -- it's a legally interesting, kind of a weird
17 scenario. Because I don't believe Charles joined in the
18 shooting. The words I would use to express what the
19 evidence will show is that Charles Breland committed a
20 completely separate shooting. Because there's no commerce,
21 planning, anything happening between Jordin Glover and
22 Charles Breland, who is not here, to agree to commit a
23 shooting. It's a wrinkle that we don't see often, and it's
24 a wrinkle that's important for some of the legal arguments
25 later. So I just want to point out that we would say there

1 are two separate events happening in the same time frame
2 from kind of a legal point of view. And I think that is
3 what the evidence is gonna show.

4 Now, one of the reasons that we're here -- and you'll
5 listen to this evidence -- we've heard that there's a silent
6 killer. Maybe because this is all on video and we can see
7 it, but there's no sound. I mean, I'm just gonna hope
8 that's why we're terming this a silent killing, and it is.
9 But we're gonna give some voice and sound to it through the
10 witness testimony. People that were there who can tell us
11 what was going on. You know, Jordin Glover did not give any
12 statements to the police, but she doesn't have to. You've
13 all heard or watched enough TV shows that everyone has the
14 right to remain silent under the Constitution. So that's
15 certainly can't be what we're referring to when we're
16 talking about a silent killing or a silent killer.

17 But why we're here is to give a fair trial. And why do
18 we have fair trials? Because the Constitution says citizens
19 have the right to a trial by a jury of their peers when
20 they're accused of a crime. And so we have juries -- when
21 the government says you did something, we want to punish
22 you, we have juries to go hold on, you gotta get by us
23 first; you gotta prove it to us; you gotta prove that they
24 did what you said. In this case, the State has said
25 Jordin committed the crime of murder. And that means

1 something. It has a definition. If I said to you, hey,
2 there's a duck. And you looked over you and you saw a
3 yellow bird with a bill, webbed feet paddling in the pond
4 quacking. You'd say, oh, yeah, that's a duck; I agree. But
5 you might go wait a minute, that bird has got a bill and
6 webbed feet and paddling, but it's pretty big and it's white
7 and it's honking. You know, kind of like a duck, but not a
8 duck. A swan or that's a 5-foot tall crazy-looking thing
9 bouncing on its hind legs with a pouch. To me, that's a
10 kangaroo. It's not even close to a duck. People could look
11 around, don't see anything.

12 But they said we've got a duck. So what duck are they
13 trying to say? They have to show that in Colleton County,
14 which they will be able to show, Jordin Glover, which they
15 will be able to show because she was there, she did shoot
16 him, killed LaMontre Green unlawfully with prior planning.
17 Although the Judge will use when he's instructing you on the
18 law, or the Solicitor may use and I may use -- kinda got
19 this King James English wording that we use in the
20 law -- malice aforethought. But that's basically with
21 premeditation, with the ill intent and premeditation and
22 planning. That's what was in her heart when the event
23 happened.

24 And as you hear things, you'll see that, you know, the
25 facts don't describe a duck. And those are the things that

1 the State has to prove, and those are the things that you
2 have to see, is was the State proving each of those things
3 through their evidence? So we're here to find out what
4 really happened. We're not here to find out -- you know,
5 get justice in a general way. You know, we're not here to
6 -- we're gonna talk about Charles Breland because his
7 actions are important and impacting. He was there that
8 night and it's going on. But, you know, what ends up
9 happening to Charles Breland is not something that -- you
10 know, that will be something for a different jury to
11 consider. So those aren't things that you're to consider.
12 You're to consider whether the State, who chose to charge
13 Jordin with murder, can prove murder. And, again, I believe
14 a fair reading of the events that night will show they
15 can't.

16 Thank you. Please give you attention to the State's
17 witnesses.

18 THE COURT: Please call your first witness.

19 SOL. LEGETTE: Thank you, Your Honor. The State calls
20 Captain Angela Stallings.

21 (Whereupon, the witness, ANGELA STALLINGS, was duly
22 sworn.)

23 THE CLERK: Please have a seat. State your first and
24 last name, spell your last name for the record.

25 THE WITNESS: Good morning. Angela Stallings,

1 S-T-A-L-L-I-N-G-S.

2 - - - - -

3 DIRECT EXAMINATION

4 BY SOL. LEGETTE:

5 Q. Good morning, Captain Stallings.

6 A. Good morning.

7 Q. Captain Stallings, where do you work?

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

9 Q. And what are your duties at the Colleton County
10 Sheriff's Office?

11 A. I am currently the captain over Administrative
12 Services. Administrative Services includes our civil
13 process division, training division, supply equipment, SROs,
14 sex offenders, and our 911 communication center.

15 Q. All right. Now, so how long have you been the captain
16 at the Colleton County Sheriff's Office over Administrative
17 Services?

18 A. Captain since 2019.

19 Q. Okay. And what other law enforcement experience do you
20 have?

21 A. This past year I just reached my 25 -- my 25th year
22 mark. I started off in 1998 as a dispatcher with the
23 Walterboro Police Department. In 1999 I went to the
24 South Carolina Criminal Justice academy and became certified
25 as class 1 officer. At that point, I worked road patrol

1 with Walterboro Police Department until 2001. I went to the
2 Colleton County Sheriff's Office after that, worked road
3 patrol for a little over a year, then I went to the Criminal
4 Investigations Division where I was an investigator for
5 approximately seven years. I obtained the rank of sergeant
6 in investigations. I became one of their court liaisons. I
7 oversaw case management and case assignment.

8 I then left there, worked part time for Cottageville
9 Police Department and then was offered a community policing
10 position with Walterboro Police Department. Went back to
11 Walterboro Police Department as a community officer and then
12 was offered a position with Solicitor's Office as a criminal
13 investigator. I went to the Solicitor's Office for
14 five years as an investigator with their criminal unit. Was
15 then offered the lieutenant's position over 911 with the
16 Sheriff's Office. So I came back to the Sheriff's Office
17 and oversaw the 911 division. Then was given the
18 opportunity to become captain over investigations. So I was
19 captain over investigations and 911. And, currently, I am
20 now the captain over support services.

21 Q. Excellent. So, Captain Stallings, as it relates to
22 your duties as captain over the E-911 communications ---

23 A. Yes, ma'am.

24 Q. --- tell us about that particular job.

25 A. So our 911 communications center actually dispatches

1 for seven agencies. We dispatch for the Colleton County
2 Sheriff's Office, Colleton County Fire Rescue, Walterboro
3 Police Department, Walterboro Fire Department, Edisto Police
4 Department, Edisto Fire Department, and Cottageville Police
5 Department. We answer all 911 calls that come into the
6 county. And we answer the majority of the administrative
7 calls that come in, of course, for our agency and most of
8 the other agencies.

9 When a call comes in, we answer or we ask a series of
10 questions. Based on the responses of the questions that we
11 ask, we determine who responds to that call. Sometimes it's
12 just one agency; sometimes it's a phone call; sometimes it
13 requires a response from multiple agencies. As the calls
14 come in, they are all recorded, 911 and admin. As the call
15 is live, it immediately starts recording. And we maintain
16 those records for three years. And as the call comes in, we
17 dispatch the agencies. And depending on the response,
18 depends on the type of response that we give to that call.

19 Q. Thank you. So as the captain over dispatch or E-911,
20 does that mean that you are the custodian of records?

21 A. Yes, ma'am.

22 Q. All right. So, now, were you the custodian of records
23 in February of 2023?

24 A. Yes, ma'am.

25 Q. All right. Specifically, we talked about earlier the

1 agency -- to make a recording whenever a call comes into
2 911?

3 A. That's correct.

4 Q. And are you familiar with the recordings in this case?

5 A. Yes, ma'am.

6 Q. All right. And are these recordings kept in the
7 ordinary course of business?

8 A. Yes, ma'am. They are.

9 Q. Now, in our request, have you previously reviewed those
10 recordings for accuracy?

11 A. Yes, ma'am. I have.

12 Q. I'm gonna hand you now what's been previously marked as
13 State's Exhibit No. 1. I want you to take a minute and tell
14 me if you recognize State's 1.

15 SOL. LEGETTE: May I approach?

16 THE COURT: You may.

17 A. Yes, ma'am. I do.

18 Q. And what is State's 1?

19 A. It is a disc with the calls. And it has my initials
20 and the date that I reviewed them.

21 Q. And is State's 1 a fair and accurate reflection of the
22 911 calls taken in this case?

23 A. Yes, ma'am. It is.

24 Q. And, to your knowledge, has it been changed or altered
25 in any way?

1 A. No, ma'am.

2 Q. And I requested that you previously review those
3 recordings for accuracy?

4 A. Yes, ma'am.

5 SOL. LEGETTE: At this time, Your Honor, I would offer
6 State's 1 for admission into evidence.

7 MR. WALKER: No objection.

8 THE COURT: State's 1 without objection.

9 SOL. LEGETTE: Thank you, Your Honor. Permission to
10 publish?

11 THE COURT: You may.

12 SOL. LEGETTE: Thank you. Beg the Court's indulgence.

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

14 (911 calls start play at 10:07 a.m. and ends at
15 10:13 a.m.)

16 BY SOL. LEGETTE:

17 Q. Captain Stallings, were those the 911 calls that were
18 taken in this case?

19 A. Yes, ma'am.

20 Q. And beyond that, did you have any other further
21 involvement in this case?

22 A. No, ma'am.

23 Q. Thank you. I have no further questions. Please answer
24 any questions ---

25 A. Yes, ma'am.

1 Q. --- Mr. Walker.

2 THE COURT: Mr. Walker?

3 MR. WALKER: Nothing for this witness, Your Honor.

4 THE COURT: All right. Thank so you so much.

5 THE WITNESS: Thank you.

6 THE COURT: Any objection to this witness being
7 excused?

8 SOL. LEGETTE: None, Your Honor.

9 MR. WALKER: No, Your Honor.

10 THE COURT: Thank you so much.

11 SOL. LEGETTE: State calls Webb Redmond.

12 (Whereupon, the witness, JAMES WEBB REDMOND, was duly
13 sworn.)

14 THE CLERK: Please have a seat. State your first and
15 last name, spell your last name for the record.

16 THE WITNESS: Good morning. James Redmond,
17 R-E-D-M-O-N-D.

18 - - - - -

19 DIRECT EXAMINATION

20 BY SOL. LEGETTE:

21 Q. Good morning, sir.

22 A. Good morning.

23 Q. All right. Sir, your name is -- tell us your name. Is
24 your name James Redmond or James Webb Redmond?

25 A. James Webb Redmond. I go by Webb.

1 Q. You go by Webb. Okay. All right. So good
2 morning, Mr. Redmond. Mr. Redmond, where do you work?

3 A. I work for Waffle House.

4 Q. How long have you worked for Waffle House?

5 A. About eight years now.

6 Q. All right. And so what are your duties at
7 Waffle House?

8 A. The majority of my duties are to liaison with
9 law enforcement agencies throughout our coverage in the US
10 which is about 25 states.

11 Q. Twenty-five states. And, Mr. Redmond, did you have any
12 background in law enforcement prior to working for
13 Waffle House?

14 A. Yes. I retired from the Gwinnett County Police
15 Department which is North Metro Atlanta, Georgia.

16 Q. Okay. And you retired at -- what was your rank?

17 A. A lieutenant.

18 Q. A lieutenant. All right. So Lieutenant Redmond?

19 A. Yes.

20 Q. Okay. So, Lieutenant Redmond, you work for
21 Waffle House in 25 states. So as part of your duties, what
22 do you actually do for Waffle House?

23 A. Well, I respond to critical incidents all over those 25
24 states and make sure that law enforcement get the evidence
25 that they're looking for, which is usually video evidence,

1 but also provide them with still images of whatever that
2 type of incident might be to help them with their
3 investigation.

4 Q. Does part of your duties include collecting videos and
5 testifying in court?

6 A. Yes, ma'am.

7 Q. All right. So, now, did you become involved in the
8 case before the Court?

9 A. Yes, I did.

10 Q. All right. So tell us about your involvement.

11 A. Well, there was a shooting at Waffle House -- and we
12 identify the Waffle Houses by unit numbers. So this is
13 Waffle house Unit 770. Because there's 2000 of them and
14 that's the easiest way for me to keep up with them. So
15 there was a shooting incident in Walterboro. And I actually
16 drove up here following the incident to liaison and meet
17 with Walterboro Police Department.

18 Q. And were you contacted originally by the Walterboro
19 Police Department?

20 A. Yes.

21 Q. And what date did that particular incident happen? Or
22 do you remember?

23 A. Back in '23, I think.

24 Q. '23?

25 A. Yeah.

1 Q. Okay. All right. So what was your actual -- you said
2 you came down to the Waffle House here, number 770. What
3 did you actually do?

4 A. Well, I came to the unit. And typically when I
5 respond, my responsibility is to get the video of the
6 particular incident to law enforcement; review the store, do
7 a security survey; and make sure that whatever law
8 enforcement needs, they get in the way video evidence.

9 Q. Were you actually able to collect and download video
10 evidence in this case?

11 A. Yes, ma'am.

12 Q. And once you collected that video evidence, what, if
13 anything, did you do with that?

14 A. I shared it with the Walterboro Police Department via a
15 Dropbox link, which is a platform that we utilize to share
16 large video files that you cannot share via a regular email.

17 Q. And prior to sharing that video, were you able to
18 review the video?

19 A. Yes.

20 Q. All right. What were you able to see on the video?

21 A. I was able to see ---

22 MR. WALKER: Objection. Hearsay.

23 THE COURT: I'm sorry?

24 MR. WALKER: Hearsay. He wasn't there. All he did was
25 provide a business record.

1 THE COURT: Yes. It's sustained.

2 BY SOL. LEGETTE: I'm gonna question him, Your Honor.

3 THE COURT: Thank you.

4 BY SOL. LEGETTE:

5 Q. Now, Lieutenant Redmond, upon reaction, did you
6 actually review the video prior to giving it to law
7 enforcement?

8 A. Yes.

9 Q. And I requested that you previously review that video
10 for accuracy?

11 A. Yes, ma'am.

12 Q. And along with the video, did you also download any
13 photographs from the video?

14 A. Yes. Typically what I do with the majority of my
15 criminal investigations is try to get law enforcement
16 everything that they would need, having the experience that
17 I have, to make a case. So not only do I provide the video
18 evidence, I also extract or withdraw individual still images
19 of incident that's easier to toggle through and see details
20 and things of that nature.

21 Q. Thank you. All right. Now, Lieutenant Redmond, in a
22 moment, I'm going to hand you what's been previously marked
23 at State's Exhibit No. 2. Please take a moment and tell me
24 if you recognize State's 2.

25 SOL. LEGETTE: May I approach the witness?

1 THE COURT: You may.

2 A. Yes, ma'am. This is the DVD that contains the video
3 file for this particular incident.

4 Q. And, Lieutenant Redmond, is State's Exhibit No. 2 a
5 fair and accurate reflection of the Waffle House video that
6 you provided to law enforcement in this case?

7 A. Yes, ma'am. It is.

8 Q. And I requested that you previously review that video
9 for accuracy?

10 A. Yes, ma'am. I have.

11 Q. It hasn't been changed or altered in any way?

12 A. No, ma'am.

13 SOL. LEGETTE: At this time, Your Honor, I would offer
14 State's 2 for admission into evidence.

15 MR. WALKER: No objection?

16 THE COURT: State's 2 without objection.

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

18 SOL. LEGETTE: Thank you, Your Honor. May I approach?

19 THE COURT: You may.

20 BY SOL. LEGETTE:

21 Q. Now, Lieutenant Redmond, you also testified that you
22 also were able to download still shots from that video?

23 A. Yes, ma'am.

24 Q. All right. I'm gonna hand you now what's been
25 previously marked for identification at State's Exhibit

1 Numbers 3 through 82. I want you to take a moment and tell
2 me if you recognize State's Exhibits 3 through 82.

3 SOL. LEGETTE: May I approach the witness?

4 THE COURT: You may. Mr. Walker, you've reviewed
5 previously, correct?

6 MR. WALKER: I have, Your Honor.

7 BY SOL. LEGETTE:

8 Q. Lieutenant Redmond, do you recognize State's 3 through
9 82?

10 A. Yes, ma'am.

11 Q. And what are State's 3 through 82?

12 A. These are gonna be the still images that I provided in
13 an Adobe Acrobat PDF format to the Waltherboro Police
14 Department.

15 Q. And are State's 3 through 82 a fair and accurate
16 reflection of the still shots you download from the
17 Waffle House video?

18 A. Yes, ma'am.

19 Q. Have they been changed or altered in any way?

20 A. No, ma'am.

21 SOL. LEGETTE: At this time, Your Honor, I would offer
22 for admission into evidence State's 3 through 82.

23 MR. WALKER: No objection.

24 THE COURT: State's 3 through 82 entered without
25 objection.

1 (State's Exhibit Nos. 3 through 82 were received into
2 evidence.)

3 BY SOL. LEGETTE:

4 Q. And now, Lieutenant Redmond, were you also able to
5 download other still shots from the Waffle House video that
6 shows slower increments than the ones in 3 through 82?

7 A. Yes, ma'am.

8 Q. All right. I'm gonna hand you now what's been
9 previously marked for State's -- for identification as
10 State's 84 through 195. I want you to take a moment and
11 tell me if you recognize State's 3 -- sorry -- 84 through
12 195.

13 SOL. LEGETTE: May I approach?

14 THE COURT: You may.

15 Q. Do you recognize State's Number 84 through 195?

16 A. Yes, ma'am.

17 Q. And what are State's 84 through 195?

18 A. These are some additional still images that I provided
19 upon request.

20 Q. All right. And are State's Exhibits Number 84 through
21 195 a fair and accurate reflection of the video images or
22 still shots from the Waffle House video that you collected
23 on February 18, 2023?

24 A. Yes, ma'am.

25 Q. Have they been changed or altered in any way?

1 A. No, ma'am.

2 SOL. LEGETTE: At this time, Your Honor, I would offer
3 for admission into evidence State's 84 through 195.

4 MR. WALKER: No objection.

5 THE COURT: State's 84 through 195 entered without
6 objection.

7 (State's Exhibit Nos. 84 through 195 were received into
8 evidence.)

9 SOL. LEGETTE: At this time, Your Honor, permission to
10 publish State's No. 3?

11 THE COURT: Permission granted.

12 SOL. LEGETTE: Thank you, Your Honor.

13 THE COURT: Are you gonna roll the screen?

14 SOL. LEGETTE: Yes, sir. I can roll it so everybody
15 can see it.

16 BY SOL. LEGETTE:

17 Q. Lieutenant Redmond, I may have to get you down.

18 A. Okay.

19 Q. Just so we can get a little understanding of what we
20 are seeing. You can come on down here with me.

21 SOL. LEGETTE: Can I get a microphone for
22 Lieutenant Redmond?

23 THE WITNESS: I can talk loud.

24 SOL. LEGETTE: Okay. Talk loud then. Talk loud.

25 (Brief pause.)

1 Q. All right. Lieutenant Redmond, if you don't mind, can
2 you just tell us what are we seeing -- and this is State's
3 No. 3. But what are we seeing in this video? If you could
4 just describe what the videos are of.

5 A. All right. These are the eight cameras that were at
6 the store at the time of this particular incident. These
7 are all analog cameras. So there are two exterior cameras
8 and six interior cameras. So you got the parking lot here
9 and there, and then you've got the interior dining area on
10 these three. This is what we call the back room. So this
11 is like the back room, the back door. And this is the
12 picture of the manager's office. And this is over the
13 register.

14 Q. Trying to make sure everybody can see. So this is the
15 actual dining area right here?

16 A. Yes, ma'am.

17 Q. In the far right corner. Okay.

18 A. We call it a dining room/front door camera.

19 Q. All right. And so I'm gonna do my best to turn down
20 some of these. So I'm gonna take away the back room. And
21 we want to take away this. And I'm gonna take away the
22 other -- the extended angle of the dining area. And I'm
23 gonna take away -- this is the manager's office?

24 A. That is.

25 Q. All right. I'm gonna take that away. And I'm gonna

1 take away the cash register. All right.

2 A. Okay. If you to that four grid, it will make that a
3 little bit bigger for you.

4 (Brief pause.)

5 A. Do you want me to set it up for you?

6 Q. Sure. Yes, absolutely. Because I'm having a little
7 bit of technical difficulty.

8 (Brief pause.)

9 Q. Thank you, Lieutenant Redmond. I apologize for the
10 technical difficulties.

11 All right. So, Lieutenant Redmond, what are we
12 seeing -- this is still State's Exhibit No. 3. But we no
13 longer have the eight camera angles. So what camera angles
14 are we seeing now?

15 A. We're currently seeing the parking lot front, the
16 dining room front-door camera, and the parking lot rear or
17 parking rear.

18 Q. Okay. Now, when you pulled this actual video, you
19 pulled it from a range of time?

20 A. Correct.

21 Q. And what range of time were you asked to pull or did
22 you pull?

23 A. I believe this was like from around the 01:00 o'clock
24 hour, actually a little bit before that. And then I can't
25 remember when it stopped.

1 Q. Okay. But it lasts for about maybe an hour or so would
2 you say?

3 A. Yeah.

4 Q. So, Lieutenant Redmond, is there way to fast-forward
5 through some of the videos?

6 A. Yes.

7 Q. All right. So we're gonna try to fast-forward just a
8 little bit for brevity.

9 (Brief pause.)

10 THE WITNESS: You can also use the controls at the
11 bottom of the player.

12 (Brief pause.)

13 Q. All right. So, Lieutenant Redmond, what are we seeing?

14 A. We're seeing the dining room front door camera at 0130.

15 Q. Okay.

16 (Video plays.)

17 Q. Now, Lieutenant Redmond, at the top of the screen to
18 the left -- please show the jury -- the top of the screen to
19 left, is there a time stamp there?

20 A. Yes, there is. It's currently on the 18th of
21 February, 2023, at 0137 hours and 31 seconds.

22 Q. All right. What is the screen we're seeing now?

23 A. This is the dining front-door camera.

24 Q. Okay.

25 A. So this shows customers coming in the entry door in the

1 front of the store.

2 Q. And that's the entry door?

3 A. Yes.

4 (Video plays.)

5 Q. Now, Lieutenant Redmond, anything strange appear to
6 have happened at that particular time on this video? What
7 number are we at now?

8 A. 0140 hours and 22 seconds.

9 Q. Did anything strange appear to have happened?

10 A. Yes. There is an individual who appears to fall down
11 in the area to the left of the entry door.

12 Q. All right. Is the part of the video that you pulled
13 for the Waltherboro Police Department?

14 A. Yes. Yes, ma'am, it is.

15 Q. All right. So this is the actual -- what area are we
16 looking at at this particular time?

17 A. Dining room front door. So this shows the front door
18 entry as well as the dining area towards the back of the
19 restaurant where the bathrooms are located in the door back
20 there.

21 Q. And the approximate time, if you can tell us, from the
22 time that the individual that fell to the floor walked in to
23 the time that individual fell to the floor, about how much
24 time had elapsed?

25 A. Only a couple of minutes. Because he comes in, I

1 think, originally at 0138 hours; and then goes out and comes
2 back in at 0139 hours. And then there's an encounter with
3 another customer and then he falls down within, you know,
4 minutes of coming back in that second time.

5 Q. And is there also an angle to what we watched earlier,
6 the outside of the store?

7 A. Yes.

8 (Brief pause.)

9 A. The parking front, is that the one you're looking for?

10 Q. Yeah. The parking front. And is there another parking
11 lot also?

12 A. And the parking rear.

13 Q. All right. We're gonna try to go back in time.

14 (Video plays.)

15 Q. Now, lieutenant Redmond, if you don't mind telling us,
16 what particular video scene is this?

17 A. This is gonna be the parking front camera.

18 Q. Okay.

19 A. It looks into the parking lot towards the roadway and
20 the front door.

21 Q. All right. What time are we at now, what time stamp?

22 A. 0138 and 40 seconds. And, basically, what this is
23 showing is the victim arriving in a silver Chevy and
24 entering into the restaurant at about the 0138 hours coming
25 through that front door.

1 Q. Okay.

2 A. And that's him walking back out. And he's gonna come
3 basically right back in, the victim.

4 (Video plays.)

5 A. All right. So the incident has occurred inside and
6 people are leaving through the front door.

7 Q. Thank you, Lieutenant Redmond. I think that is what I
8 have in regards to the video itself. And those photographs
9 we talked about earlier?

10 A. Yes, ma'am.

11 Q. Those still shots?

12 A. Yes, ma'am.

13 Q. Are you able to see the screen, Lieutenant Redmond?

14 A. I will shift over to here where I can. Yes, ma'am.

15 Q. All right. So this is gonna be State's 80 -- I'm
16 sorry -- State's Numbers 3 through 82. I just want to go
17 through them really quickly. These are the still shots?

18 A. The initial still shots, yes.

19 Q. Okay. And this is the same thing we just saw just in a
20 still shot form?

21 A. Yes, ma'am.

22 (Brief pause.)

23 Q. All right. That was State's Exhibit Numbers 3 through
24 82. I'm gonna show you now -- this is gonna be State's 84
25 through 195 that was previously admitted into evidence.

1 (Brief pause.)

2 Q. All right. Same thing here. But what's the difference
3 between State's Numbers 80 -- I'm sorry -- 84 through 195
4 versus State's 3 through 82?

5 A. Okay. To kind of explain it, the first set of still
6 images are what was extracted with the program that allows
7 you continuous still images pull. And basically the video
8 is three to four frames per second. So it's only picking
9 out one of those frames for each of those seconds on that
10 first PDF.

11 So on the second PDF, you have to go through manually
12 and just select every single image. So you get a more
13 cleaner, more true-to-life kind of video basically where you
14 can go frame to frame. So it's gonna include multiple
15 images within that second. Typically, three to four images.
16 Where before, on that first PDF, it was just one image per
17 second. So that was kinda choppy, if you might've noticed
18 that. So this kinda cleans it up a little bit and adds
19 those images within that second time frame.

20 Q. Thank you for the explanation.

21 A. Yes.

22 Q. All right. So we're going through now, this is
23 State's 84 through 195. And like you said, this is that
24 cleaner image?

25 A. Correct.

1 (Brief pause.)

2 Q. Thank you, Lieutenant Redmond. You can have a seat
3 back up on the witness stand.

4 A. Yes, ma'am.

5 Q. Lieutenant Redmond, did you have any other involvement
6 in this case once you were able to collect the still shots
7 and the video from the Waffle House that night?

8 A. I'm sorry, what was that ---

9 Q. Did you have any other involvement in this case aside
10 from collecting the video and downloading the still shots?

11 A. No, ma'am.

12 Q. Okay. Thank you. I have no further questions. Please
13 answer any questions from Mr. Walker.

14 - - - - -

15 CROSS-EXAMINATION

16 BY MR. WALKER:

17 Q. Good morning.

18 A. Good morning, sir.

19 Q. My name is Matthew Walker. I represent Jordin Glover.
20 Can I get that stuff she handed to you?

21 A. Absolutely.

22 Q. Thank you.

23 Are you familiar with, like, flip books that children
24 have where there's a bunch of drawings on each page ---

25 A. Yes, sir.

1 Q. And it looks like a moving picture?

2 A. Correct.

3 Q. That would be similar to what we just kinda saw in
4 those PDFs that you supplied?

5 A. Yes. That's a good example, yes.

6 Q. And so State's No. 2, the video that you showed, all
7 the other printed photo exhibits and PDFs we saw on the
8 screen were taken from this video?

9 A. Yes, sir.

10 Q. Okay. And the difference between State's 3 to 82 and
11 State's 84 to 190-something, is that from this video? The
12 first set, you took every few -- a shot every few ---

13 A. A shot every second.

14 Q. A shot every second. And that gave us the first set of
15 the pictures?

16 A. Yes, sir.

17 Q. And the second pictures is more shots per second?

18 A. Correct. Three to four, typically.

19 Q. So all the photos that are in the first set of exhibits
20 should also be contained in the second set?

21 A. Correct.

22 Q. And, again, these are all taken from the video camera;
23 there's no other cameras or anything these were taken from?

24 A. Correct. It's all extracted from the video.

25 Q. No further questions.

1 THE COURT: Any redirect?

2 SOL. LEGETTE: Just briefly, Your Honor.

3 - - - - -

4 REDIRECT EXAMINATION

5 BY SOL. LEGETTE:

6 Q. Lieutenant Redmond, when you took those second set of
7 shots, were there about a thousand of those photographs?

8 A. I believe so. It was quite a few.

9 Q. Quite a few. Okay. Have you sent all those to me?

10 A. Yes, I did.

11 Q. Okay. All right. So the ones that we saw in here
12 today, they were not all 1,000 of those?

13 A. Correct.

14 Q. But there were about a thousand of them?

15 A. Yes, ma'am.

16 Q. Okay. Thank you. Nothing further.

17 MR. WALKER: Nothing further.

18 THE COURT: Thank you so much, sir. You may step down.
19 Does anyone foresee Lieutenant Redmond being needed?

20 SOL. LEGETTE: No, Your Honor. I'd ask that he be
21 excused, please.

22 THE COURT: All right. Any objection to ---

23 MR. WALKER: No objection.

24 THE COURT: All right. Thank you so much, sir.

25 THE WITNESS: Yes, sir. Have a good day.

1 THE COURT: Is this a good time for a break? I'm sure
2 they would appreciate one.

3 SOL. LEGETTE: Yes, sir.

4 THE COURT: All right. So let's take about a 10- or
5 15-minute break. And don't discuss the case with each
6 other. And we'll come back and get started in about
7 15 minutes.

8 (The jury exits the courtroom at 10:54 a.m.)

9 THE COURT: Anything for the record before we break?

10 SOL. LEGETTE: Not from the State, Your Honor.

11 MR. WALKER: No, Your Honor.

12 THE COURT: All right. Let's take a break.

13 (Brief recess at 10:55 a.m.)

14 (The jury enters the courtroom at 11:10 a.m.)

15 THE COURT: All right. I think I promised y'all when
16 we were picking a jury about every hour or two hours we'd
17 have a break. So we were bumping up on two hours. So I
18 apologize it took that long. But we'll get started again
19 here in a second.

20 I was just taking the time to look around this
21 courtroom while y'all were out. Y'all should be very proud
22 of this courthouse and this courtroom. I mean, Beaufort, in
23 comparison, has a bunch of acoustic tiles across the top.
24 And there's nothing special about it, no windows or anything
25 like that. I mean, look at these fantastic windows and the

1 molding. And this really is a magnificent courthouse and
2 courtroom that you've got here. So you should be very proud
3 of it.

4 Anyway, back to the case. Yes, ma'am, please call your
5 next witness.

6 SOL. LEGETTE: Yes, sir. Thank you, Your Honor. The
7 state calls Sakasia Byrams.

8 (Whereupon, the witness, SAKASIA BYRAMS, was duly
9 sworn.)

10 THE CLERK: Have a seat right there. State your first
11 and last name, and spell your last name for the court
12 reporter, please.

13 THE WITNESS: (No response.)

14 - - - - -

15 DIRECT EXAMINATION

16 BY SOL. LEGETTE:

17 Q. Good morning. All right. Sakasia?

18 A. Yes, ma'am.

19 Q. Okay. I need you to speak up, darling, okay.

20 A. Okay.

21 Q. You can get a little closer to the microphone. All
22 right. Now, we're gonna use our outdoor voices, okay?

23 A. Okay.

24 Q. You can do that. Sound check. Spell your last name.

25 A. B-Y-R-A-M-S.

Direct Examination of S. Byrams by Sol. Legette

- 1 Q. All right. And is it Byrams?
- 2 A. Yes, ma'am.
- 3 Q. Okay. All right. So, Sakasia, how old are you?
- 4 A. 20.
- 5 Q. 20. Okay. And what high school did you go to?
- 6 A. Colleton.
- 7 Q. Colleton. Okay. And what year did you graduate?
- 8 A. I didn't graduate.
- 9 Q. Okay. So what are you doing now?
- 10 A. Doing hair.
- 11 Q. You do hair?
- 12 A. Uh-huh.
- 13 Q. Okay. You do hair. AND I'm gonna get you to say yes
- 14 or no, okay. So we shake our head like this or we nod up
- 15 and down like this. This lady right here in front of you,
- 16 she can't take it all down. Okay. So you do hair?
- 17 A. Yes.
- 18 Q. Yes. Okay. All right. So, Sakasia, where are you
- 19 from?
- 20 A. Walterboro, South Carolina.
- 21 Q. All right. And do you have any sisters and brothers?
- 22 A. Yes.
- 23 Q. All right. How many sisters do you have?
- 24 A. Seven.
- 25 Q. Seven. Okay. And out of those seven, what rank are

1 you? Are you the oldest? Are you middle?

2 A. I'm the third oldest.

3 Q. Third oldest. Okay. All right. And do you have an
4 older sister?

5 A. Yes.

6 Q. All right. And tell me your older sister's name?

7 A. Alajha Byrams.

8 Q. Okay. And who else?

9 A. Kya Byrams.

10 Q. Kya Byrams. All right. And so how much older than you
11 is Kya?

12 A. We're two years apart.

13 Q. You're two years apart. Okay. All right. Now, you
14 said you went to Colleton High School?

15 A. Yes.

16 Q. Colleton County High School?

17 A. Yes.

18 Q. All right. Did you know Jordin Glover?

19 A. Yes.

20 Q. And how did you know Jordin Glover?

21 A. We used to hang around each other.

22 Q. Used to hang around each other?

23 A. Yeah.

24 Q. Okay. Did you consider yourselves friends?

25 A. No.

1 Q. No. Okay. All right. And is Jordin Glover present in
2 court today?

3 A. Yes.

4 Q. Can you point her out, please?

5 A. (Witness complies.)

6 Q. Can you describe what she's wearing?

7 A. A green collar chart.

8 Q. Green collar shirt. Okay.

9 SOL. LEGETTE: Let the record reflect the witness has
10 identified the defendant, Jordin Glover.

11 THE COURT: The record will so reflect.

12 SOL. LEGETTE: Thank you, Your Honor.

13 Q. So, Sakasia, how long would you say you've known
14 Jordin Glover?

15 A. Like, a few years. I don't really know.

16 Q. A few years. Okay. All right. And did she know your
17 sister also?

18 A. Yes.

19 Q. Your sister Kya?

20 A. Yes.

21 Q. And what kind of relationship did they have, do you
22 know?

23 A. They was in a relationship.

24 Q. They were in a relationship. Okay. Now, how about
25 LaMontre Green? Did you know LaMontre Green?

- 1 A. Yes.
- 2 Q. Can you describe how long you knew LaMontre Green?
- 3 A. Since I was in middle school. Like, a few years.
- 4 Q. A few years. Since you were in middle school. Okay.
- 5 So middle school is what, seventh and eighth grade?
- 6 A. Sixth.
- 7 Q. Sixth grade. So would you had been 12, 13?
- 8 A. Yeah.
- 9 Q. So you knew him since you were about 12 or 13?
- 10 A. Yes.
- 11 Q. Okay. Now, did LaMontre Green know your sister Kya?
- 12 A. Yeah.
- 13 Q. And how did he know her as far as you knew?
- 14 A. They was in a relationship.
- 15 Q. They were in a relationship. All right. Did they have
- 16 any family members together?
- 17 A. No.
- 18 Q. Did they ever had any kids together?
- 19 A. Yes.
- 20 Q. Okay. How many children?
- 21 A. One.
- 22 Q. One. And what's her name?
- 23 A. Zhurri.
- 24 Q. Zhurri. Okay. And you would be considered her what?
- 25 A. Her auntie.

1 Q. Her auntie. Okay. You're her auntie. Okay. And how
2 old is Zhurri?

3 A. She's 2.

4 Q. She's 2. All right. So, Sakasia, let's talk about
5 February 18, 2023. Do you remember February 18, 2023?

6 A. Yeah.

7 Q. You remember. Okay. Can you start by telling
8 us before -- gonna go to Waffle House first. Let's talk
9 about what happened prior to Waffle House. What were you
10 doing on February 18, 2023?

11 A. I went to a party and I was with my sisters.

12 Q. Okay. You went to a party with your sisters. All
13 right. So which sisters?

14 A. Kya and Alajha.

15 Q. All right. Are you saying Laysia (ph)?

16 A. Alajha.

17 Q. Alajha. Okay. All right. So Kya, you went to a party
18 with Kya and Alajha. All right. And where was this party
19 at?

20 A. Neyles Community Center.

21 Q. Neyles Community Center. Okay. Can you tell us who
22 all was there besides you and Kya and Alajha?

23 A. We was at a friend's party. There was a lot of people
24 and her family there.

25 Q. Okay. Y'all's friend's party. Okay. All right. And

1 did you ever see Jordin Glover there?

2 A. Yeah. She came when we was leaving.

3 Q. She came as y'all were leaving. All right. So did
4 y'all got to that party together?

5 A. No.

6 Q. Okay. So who went to the party together?

7 A. Me, Kya, and Alajha.

8 Q. All right. So you, Kya, and Alajha went to the party
9 at a friend's in Neyles. And about how long would you say
10 y'all stayed? Do you remember?

11 A. Probably like three hours.

12 Q. Three hours. Okay. Now, would this had been like on
13 -- this would have been probably Friday night going into
14 Saturday morning?

15 A. Yeah.

16 Q. Okay. All right. So you go out with your sisters.
17 Jordin Glover comes when y'all were leaving?

18 A. Yeah.

19 Q. Okay. So what happens when y'all leave? And who
20 leaves together?

21 A. Me, Kya, and Alajha. And we left and Alajha dropped us
22 off at Kay's Place.

23 Q. Okay. So when Alajha dropped y'all off at Kay's Place,
24 what is Kay's Place?

25 A. It's a bar.

- 1 Q. It's a bar. Okay. All right. And where is that
2 located, in what county?
- 3 A. It's down there on 15.
- 4 Q. On 15. So the same county as where we are now?
- 5 A. Yeah.
- 6 Q. Colleton?
- 7 A. Yeah.
- 8 Q. Okay. So Alajha takes you and Kya to Kay's Place?
- 9 A. Yeah.
- 10 Q. All right. Did she bring anyone else with y'all?
- 11 A. Huh-uh. She dropped us off.
- 12 Q. She dropped y'all off. Okay. Did she go too?
- 13 A. No. She dropped us off.
- 14 Q. Okay. All right. And so when you were at Kay's Place,
15 who was together, you and Kya? You and who else?
- 16 A. Me, Kya. My cousin Jayda, she was there.
- 17 Q. Okay. So it's you, Kya, and Jayda. Do you ever see
18 anyone else there that you recognize?
- 19 A. Yeah.
- 20 Q. Who else?
- 21 A. I'd seen De'ja Lingard.
- 22 Q. Okay.
- 23 A. I'd seen Jordin.
- 24 Q. Okay.
- 25 A. I'd seen Charles.

1 Q. Okay.

2 A. And I'd seen Chico.

3 Q. Chico. Okay. All right. Now, you said you saw De'ja
4 and Charles and Jordin and Chico. How would you describe
5 the relationship between you and those people, you and De'ja
6 and Charles and Chico and Jordin?

7 A. We were all on good terms.

8 Q. Good terms. Okay. All right. So did you go there
9 with any of them?

10 A. No.

11 Q. All right. So who went with you?

12 A. Kya.

13 Q. Now, how long would you say y'all stayed at
14 Kay's Place?

15 A. I don't remember.

16 Q. You don't remember. Okay. So at some point did you
17 leave Kay's Place?

18 A. Yeah.

19 Q. All right. So tell us about that. Who left together?

20 A. Me, Kya, and De'ja Lingard, we left to go
21 to Waffle House.

22 Q. All right. So you, Kya, your sister, and De'ja Lingard
23 left to go to Waffle House?

24 A. Yeah.

25 Q. Who else was in the car with y'all?

- 1 A. Just us.
- 2 Q. Just y'all. All right. And so when you got to -- when
- 3 you and De'ja and Kia -- who was driving?
- 4 A. De'ja.
- 5 Q. De'ja was driving. All right. And what seat were you
- 6 in: front, back?
- 7 A. I don't remember.
- 8 Q. You don't remember. Okay. But just three of y'all?
- 9 A. Yeah.
- 10 Q. All right. So you get to Waffle -- you go to
- 11 Waffle House?
- 12 A. Yeah.
- 13 Q. Okay. And where is Waffle House?
- 14 A. I don't know the address. It's down here, though.
- 15 Q. It's down here?
- 16 A. Yeah.
- 17 Q. Is it near the interstate?
- 18 A. Yeah.
- 19 Q. Okay. I guess it's in what city?
- 20 A. Walterboro.
- 21 Q. Okay. And what county is that in?
- 22 A. Colleton.
- 23 Q. I'm sorry to ask you dumb questions. I'm sorry. I
- 24 just have to ask those questions, okay. So it's in
- 25 Colleton County?

- 1 A. Yeah.
- 2 Q. Okay. So you and De'ja and Kya go to Waffle House?
- 3 A. Yeah.
- 4 Q. Do you know what time it is?
- 5 A. No.
- 6 Q. All right. Do you have a cell phone at that time?
- 7 A. Yeah.
- 8 Q. All right. Was it still operational or active?
- 9 A. Yeah.
- 10 Q. Was it on?
- 11 A. Yeah.
- 12 Q. Did you make any phone calls?
- 13 A. No.
- 14 Q. You didn't make any phone calls?
- 15 A. No.
- 16 Q. Okay. All right. Now, when you got to Waffle
- 17 House -- what kind of plans did y'all have when y'all got to
- 18 Waffle House?
- 19 A. My sister was ordering food. When I got there, I went
- 20 to the bathroom. I ain't never order no food.
- 21 Q. Okay. All right. Did y'all have any plans after
- 22 Waffle House?
- 23 A. Yeah.
- 24 Q. What kind of plans did y'all have after Waffle House?
- 25 A. We was going home. Her baby daddy and his friend was

1 supposed to meet us there.

2 Q. Okay. All right. So let's go back to that. So when
3 y'all got to the Waffle House, who's with you?

4 A. Kya and De'ja Lingard.

5 Q. And so who had plans after Waffle House?

6 A. Me and Kya.

7 Q. And what were you and Kya going to do?

8 A. Just go home.

9 Q. Okay. But home with who?

10 A. LaMontre and his friend.

11 Q. Okay. And you remember his friend's name?

12 A. Yeah.

13 Q. What was his friend's name?

14 A. Jah (ph).

15 Q. Jah. Okay. So you get to Waffle house. You,
16 De'ja Lingard, and your sister, Kya, y'all have -- and you
17 and Kya have plans to go home after Waffle House with
18 LaMontre and Jah, LaMontre's friend?

19 A. Yeah.

20 Q. Okay. And did y'all ever make it home with those two
21 men?

22 A. No.

23 Q. Now, when you say that y'all had plans, was Kya in on
24 these plans too?

25 A. Yeah.

1 Q. So did you ever -- while you were at Waffle House that
2 night, or prior to going to Waffle House, did you speak to
3 either LaMontre or Jah about coming to see them?

4 A. Yeah.

5 Q. Okay. Who did you speak to?

6 A. Jah.

7 Q. All right. And was Kya aware you were speaking to him?

8 A. Yeah.

9 Q. Now, so you get to Waffle House. Tell us what happens
10 at Waffle House.

11 A. When I got there, I went to the bathroom and my sister
12 sat down with De'ja Lingard. And then Jordin and them came
13 in and they sat at the table with her.

14 Q. Okay. So let's talk about Jordin. Did y'all come
15 there with Jordin?

16 A. No.

17 Q. Okay. How did y'all get there at the same -- did y'all
18 get there at the same time or ---

19 A. Everybody left -- everybody left Kay's Place and went
20 to Waffle House.

21 Q. To the Waffle House. Okay. But y'all already had
22 plans to go back home with LaMontre and Jah?

23 A. Yeah.

24 Q. So you went to the bathroom, your sister sits down, and
25 then Jordin comes in. What happens when Jordin comes in?

1 A. I don't know because I was in the bathroom. But when I
2 got out, we all just was talking and laughing.

3 Q. Talking and laughing. Okay. So tell us who's at the
4 table?

5 A. Me, Kya, De'ja Lingard, Jordin, and Willie.

6 Q. Okay. All right. So what are y'all just doing?

7 A. Sitting, talking, laughing.

8 Q. Okay. All right. And so does anything unusual happen?

9 A. Yeah.

10 Q. All right. Tell us about that.

11 A. LaMontre had came in. And him and my sister was
12 talking. He was trying to get her to leave. But I went
13 outside. And then when I came back in, all of them was
14 arguing.

15 Q. Okay. You said all of them was arguing. Who was
16 arguing?

17 A. Chico and LaMontre. And I don't know if Jordin was
18 arguing with them. But I know Chico and LaMontre was
19 arguing.

20 Q. Okay.

21 A. And they started walking out the door.

22 Q. Who started walking out the door?

23 A. Me, Chico, LaMontre, Jordin, Charles. Everybody that
24 was at the table.

25 Q. All right. So y'all began walking out the door?

1 A. Yeah.

2 Q. All right. What happens?

3 A. LaMontre was walking out the door first. And then
4 that's when I just heard the shot and he fell.

5 Q. Okay. Did you see who shot him?

6 A. Yeah.

7 Q. Who shot him?

8 A. Jordin.

9 Q. All right. Did anyone else shoot along with Jordin?
10 Well, I'm sorry, not along with Jordin. But did anyone else
11 shoot?

12 A. Yeah. After Jordin, Charles had started shooting.

13 Q. Okay. And so let's go back a little bit. So you said
14 LaMontre is doing what?

15 A. He was walking out the door.

16 Q. All right. So there was an argument first between who?

17 A. LaMontre and Chico.

18 Q. All right. So is Chico a man or -- I'm sorry -- a man
19 or a woman or a girl or a boy?

20 A. He's a boy.

21 Q. He's a boy. Okay. And how do you know Chico?

22 A. We all went to school together.

23 Q. All right. And how would you describe Chico?

24 A. He's cool. He's funny.

25 Q. All right. So you described him like a heavy -- what

1 does he look like?

2 A. He's heavysset. He's got like a bead of dreads. I
3 don't know. He's tall.

4 Q. Tall. About how tall would you say you are?

5 A. Like 5-5, 5-6.

6 Q. Okay. About how tall would you say Chico is? Just
7 guesstimate. Over 6 feet tall?

8 A. Huh-uh. Probably like 5-7.

9 Q. Okay. But is he bigger than you?

10 A. (Nonverbal response.)

11 Q. Is that a yes?

12 A. Yes.

13 Q. Okay. All right. And so LaMontre and Chico are, you
14 said, getting into an argument?

15 A. Yeah.

16 Q. All right. And is anyone else arguing at this point?

17 A. I don't remember.

18 Q. Okay. You don't remember. All right. So what is your
19 sister doing at this time?

20 A. I don't remember. I think we was all standing there.

21 Q. All standing there. Okay. All right. And so you're
22 -- okay. So there's an argument going on. The argument is
23 between, what you remember, Chico and LaMontre?

24 A. Yeah.

25 Q. All right. And LaMontre begins to do what?

1 A. Walk out the door.

2 Q. All right. Now, when LaMontre is walking out the door,
3 does he ever show you any weapons?

4 A. No.

5 Q. Okay. Does he ever make any threats while he's walking
6 out of the door?

7 A. No.

8 Q. When you heard this argument between LaMontre and
9 Chico, did you ever hear LaMontre make any threats?

10 A. No.

11 Q. At that time, were you ever afraid of LaMontre?

12 A. No.

13 Q. So LaMontre and Chico are arguing, and LaMontre turns
14 to go out. And what door does he go out of, or try to go
15 out of?

16 A. I only know one door in Waffle House.

17 Q. Only one door?

18 A. Yeah.

19 Q. So he's going out that door?

20 A. Yeah.

21 Q. Okay. And so when LaMontre is walking out of the door,
22 what happens?

23 A. Jordin shot him.

24 Q. She shot him. Okay. Do you remember how many times
25 she fired?

- 1 A. I think it was like two times.
- 2 Q. Okay. Could've been more, but you don't know?
- 3 A. I think it was like two or one time.
- 4 Q. Okay. All right. And so then you said -- so
- 5 Jordin shoots first?
- 6 A. Yes.
- 7 Q. All right. And then who shoots?
- 8 A. Charles.
- 9 Q. All right. And are you standing -- where are you
- 10 standing?
- 11 A. Right there in front of them.
- 12 Q. Right there in front of them. Okay. And so when
- 13 Jordin shoots LaMontre and then Charles joins in and starts
- 14 shooting LaMontre, what does LaMontre do?
- 15 A. He was laying down. He was already on the ground.
- 16 Q. He was already on the ground. And at that point, once
- 17 he's already on the ground, what's happening now? Describe
- 18 what you see happening.
- 19 A. A lot of commotion going on. Me and my sister was
- 20 yelling and crying.
- 21 Q. Okay. Do you remember going outside at some point?
- 22 A. Yeah.
- 23 Q. Did you see -- you said you saw Jordin shoot?
- 24 A. Yeah.
- 25 Q. You saw Charles shoot. Did you see them leave?

1 A. Yeah, I see them leave.

2 Q. Who did they leave with? Do you remember?

3 A. I don't know.

4 Q. You don't know. Okay. Did you see how they left or
5 what kind of vehicle they left in?

6 A. Yeah.

7 Q. What kind of vehicle did they leave in?

8 A. A black truck.

9 Q. Okay. All right. So once you saw that happen, did you
10 ever go back inside? What did you do next?

11 A. Yeah, I went back inside.

12 Q. At some point did you talk to the police?

13 A. Yeah.

14 Q. You told them what you saw?

15 A. Yeah.

16 Q. Now, Ms. Byrams, at some point, did you have an
17 opportunity -- or did you get to see the Waffle House video?

18 A. Yeah.

19 Q. Okay. And is that video a fair and accurate reflection
20 of what actually happened that night?

21 A. Yeah.

22 Q. All right. Ms. Byrams, in a moment, I'm gonna hand you
23 what's been previously marked and entered into evidence as
24 State's Exhibit No. 2. Please take a moment and tell me if
25 you recognize State's No. 2.

1 SOL. LEGETTE: May I approach the witness?

2 THE COURT: You may.

3 Q. Do you recognize State's 2, Ms. Byrams?

4 A. Yeah.

5 Q. Ms. Byrams, what is State's No. 2?

6 A. I don't know.

7 Q. Okay. So you recognize it. What is it?

8 A. The video from Waffle House.

9 Q. Okay. All right. And at our request in the past, have
10 you previously reviewed that video, State's 2, to make sure
11 it's accurate as to what happened the night of February 18,
12 2023?

13 A. Yeah.

14 Q. And is that video contained on that particular disc a
15 fair and accurate reflection of the events of the night of
16 February 18, 2023?

17 A. Yeah.

18 Q. Okay. Thank you.

19 SOL. LEGETTE: May I approach?

20 Q. Now, Ms. Byrams, at our request, have you also at some
21 point in the past previously reviewed the still photographs
22 from the Waffle House video on the night of February 18th?

23 A. Yeah.

24 Q. Ms. Byrams, I'm gonna hand you now what's been
25 previously entered into evidence as State's Exhibits

1 -- they've been entered into evidence -- State's Exhibit
2 Numbers 3 through 82 and 84 through 195. Take a moment and
3 tell me if you recognize State's Exhibits 3 through 82 and
4 84 through 195.

5 SOL. LEGETTE: May I approach?

6 THE COURT: You may.

7 Q. Just take your time and look through them.

8 A. (Witness complies.)

9 Q. Do you recognize them?

10 A. Yeah. I recognize them.

11 Q. You recognize them. Okay. And are State's Exhibit
12 Numbers 3 through 82 and 84 through 195 a fair and accurate
13 reflection from those still shots from the video at
14 Waffle House the night of February 18, 2023?

15 A. Yeah.

16 Q. All right. Thank you. Ms. Byrams, I'm gonna direct
17 your attention now ---

18 SOL. LEGETTE: Beg the Court's indulgence.

19 Q. I may have to get you down from the witness stand,
20 okay. So I'm gonna get you a microphone.

21 (Brief pause.)

22 Q. Ms. Byrams, while I'm setting this all up, just
23 briefly, were you and your sister expecting LaMontre and his
24 friend to come to Waffle House and meet y'all?

25 A. No.

1 Q. You were not?

2 A. No.

3 Q. Well, how were y'all gonna go home with them?

4 A. They were gonna meet us at our house.

5 Q. Oh, they were gonna meet you at your house?

6 A. Yeah.

7 Q. Okay. Do you remember telling us that y'all were
8 planning on meeting them there?

9 A. Uh-huh. Yeah.

10 Q. Okay. So they were planning on meeting y'all there or?

11 A. Planning on meeting us at the house?

12 Q. At Waffle House.

13 A. No. They was planning on meeting us at our house.

14 Q. Okay. So who called them?

15 A. Nobody called them.

16 Q. Well, how -- okay. I'm sorry, let's back up. Did you
17 call LaMontre and his friend that night to come to the
18 Waffle House, told him where y'all were at?

19 A. He texted and asked where was we at and I told him we
20 was at Waffle House.

21 Q. Okay. All right. And y'all planned on meeting them
22 afterwards?

23 A. Uh-huh.

24 Q. Okay.

25 (Brief pause.)

1 Q. All right. Ms. Byrams, I'm gonna get you off the
2 witness stand.

3 SOL. LEGETTE: Can we hit the lights, Mr. Clerk?

4 Q. I'm gonna get you a microphone.

5 SOL. LEGETTE: May I approach?

6 Q. I want you to come down here and -- all right. Stand
7 by me. Stand by me. And I want you to tell the jury what
8 you are seeing. So let me queue it up.

9 (Brief pause.)

10 Q. Now, Ms. Byrams, this is State's Exhibit No. 2. This
11 is the video. When you get to the Waffle House, can you
12 point out in this screen where you are sitting when you get
13 to the Waffle House? Which video?

14 (Video plays.)

15 Q. It's fast forwarding.

16 (Video plays.)

17 Q. All right. Ms. Byrams, do you see anybody you
18 recognize?

19 A. Yes.

20 Q. All right. So who do you recognize in this particular
21 screen?

22 A. Kya and Willie.

23 Q. Can you point out Kya?

24 A. Kya be.

25 Q. Okay.

- 1 A. And that's Willie.
- 2 Q. All right. And what did Willie have on?
- 3 A. Black.
- 4 Q. All right. What does Kya have on?
- 5 A. She got on a brown jacket.
- 6 Q. Brown. You can see it right here?
- 7 A. Yeah.
- 8 Q. The brown jacket, that's Kya. Okay. Who else do you
- 9 recognize?
- 10 A. De'ja Lingard.
- 11 Q. All right. Where's De'ja Lingard?
- 12 A. She's right here.
- 13 Q. All right. Is that De'ja Lingard right here with this?
- 14 A. Yeah.
- 15 Q. All right. Who else do you recognize?
- 16 A. Jordin.
- 17 Q. All right. Where's Jordin?
- 18 A. Right here.
- 19 Q. All right. This is Jordin right here?
- 20 A. Yeah.
- 21 Q. Can you describe what Jordin has on?
- 22 A. It looks like she got on black.
- 23 Q. All right. Can you describe what her hair looks like?
- 24 A. Yeah. It's green. It's in a ponytail.
- 25 Q. All right. Where's the ponytail sitting?

- 1 A. (Indicating.)
- 2 Q. What part of her head?
- 3 A. At the top.
- 4 Q. At the top of her head. Okay. So Jordin is right here
- 5 with this green ponytail on the top of her head?
- 6 A. Yeah.
- 7 Q. All right. And this is Willie right here in the black?
- 8 A. Yeah.
- 9 Q. Okay. And then this person right here is who?
- 10 A. Kya.
- 11 Q. That's Kya, your sister. All right. Now, where are
- 12 you at this point?
- 13 A. I'm in the bathroom.
- 14 Q. In the bathroom. You've already come in?
- 15 A. Yeah.
- 16 Q. Okay. I think I fast-forwarded past you. So earlier
- 17 you testified about y'all come in the Waffle House. For
- 18 what, what purpose?
- 19 A. Get some food.
- 20 Q. Okay. Did you get any food?
- 21 A. I didn't get no food.
- 22 Q. Okay.
- 23 (Video plays.)
- 24 Q. Now, is that Jordin that just walked by on the screen?
- 25 A. Yeah.

- 1 Q. Okay. Now, who is this?
- 2 A. That's me.
- 3 Q. That's you. Okay. Let me ask you this question: Did
- 4 you have on shoes?
- 5 A. Yeah, I had on shoes.
- 6 Q. All right. What kind of shoes are they?
- 7 A. Sandals.
- 8 Q. Sandals. Okay.
- 9 (Video plays.)
- 10 Q. So this is the point y'all are all just having last
- 11 time?
- 12 A. Yeah.
- 13 Q. Okay. Now, this person at the door right here, who is
- 14 that?
- 15 A. Jordin.
- 16 Q. That's Jordin. Okay. The person in the back a little
- 17 behind her is who?
- 18 A. Willie.
- 19 Q. That's Willie. Okay.
- 20 (Video plays.)
- 21 Q. I'm going to speed it up a little bit.
- 22 (Brief pause.)
- 23 Q. So now you went outside. What do you do outside to do?
- 24 A. I don't remember.
- 25 Q. Okay.

1 (Video plays.)

2 Q. Okay. Now who's this person that came in in the red
3 coat?

4 A. Tyreece.

5 Q. So now who's sitting at the booth together at this
6 point?

7 A. Me, Kya, Willie, and De'ja Lingard.

8 Q. All right. So that's -- the person in the brown is
9 Kya. This person right here in the middle is you?

10 A. Yeah.

11 Q. All right. And this is Willie?

12 A. Yeah.

13 Q. And this is De'ja Lingard?

14 A. Yeah.

15 Q. All right.

16 (Video plays.)

17 Q. Who's coming in now?

18 A. Jordin.

19 Q. That's Jordin. Okay.

20 (Video plays.)

21 Q. Do you know who that is who just came in?

22 A. Yeah.

23 Q. What's her name?

24 A. Victoria.

25 Q. Now, who just sat down at the table with y'all?

1 A. Jordin.

2 Q. Now, who just went out the door?

3 A. Jordin.

4 (Video plays.)

5 Q. Okay. All right. Now, what are you getting ready to
6 do?

7 A. She came and told us that LaMontre was outside. That's
8 why I was getting up and I was going to see.

9 Q. And who just came in?

10 A. LaMontre.

11 Q. All right. What is LaMontre wearing?

12 A. Black. It looks like all black.

13 Q. Okay. Now, who is this man right here that just walked
14 in?

15 A. That's Chico.

16 Q. All right. So describe Chico.

17 A. Heavysset. He's got a hat on.

18 Q. Okay. Was he wearing all black or?

19 A. Looks like a black shirt. I can't tell the pants.

20 Q. All right. And so who is he standing beside?

21 A. Tyreece.

22 Q. All right. And do you recognize anyone else that came
23 inside?

24 A. It looks like Charles.

25 Q. Charles. Okay.

1 (Video plays.)

2 Q. All right. Now, who just came in?

3 A. LaMontre.

4 Q. Okay.

5 (Video plays.)

6 Q. Now, who just came in?

7 A. Me.

8 Q. All right. Now, what are you getting ready to do at
9 this point?

10 A. I don't know.

11 Q. Okay. But you testified earlier about there was an
12 argument going on?

13 A. Yeah. That's what's going on now.

14 Q. All right. So you can actually hear the argument.
15 Okay. So now what are you doing at this point?

16 A. I'm getting my sister.

17 Q. Okay. Why are you getting your sister?

18 A. Because I'm telling her that we need to go.

19 Q. Okay. All right. So this is you trying to get your
20 sister out?

21 A. Yeah.

22 Q. All right. So now, what are you actually seeing at
23 this point? You're trying to get your sister out. And what
24 do you see at this point? So I've stopped it. Describe
25 what you're seeing.

1 A. I see LaMontre laying down.

2 Q. All right. Now, what are you seeing when you're
3 actually there?

4 A. We was walking out the door.

5 Q. All right. And who shot?

6 A. Jordin.

7 Q. Okay. And this is Jordin. Who is going out the door
8 right here?

9 A. Jordin.

10 Q. All right. And so who is standing behind Jordin
11 shooting?

12 A. Charles.

13 Q. And who is this person right here that's blocking the
14 frame?

15 A. Which one?

16 Q. Well, the person -- yeah, right there, yes. You
17 described as tall, big guy with the black shirt on.

18 A. It looks like ---

19 Q. Is that Chico? The guy with the -- right here in the
20 frame, the guy with the ---

21 A. I don't see no guy.

22 Q. Right here, this guy?

23 A. Yeah.

24 Q. Who is that?

25 A. That's Chico.

1 Q. That's Chico. And this person behind Chico is you?

2 A. Yeah.

3 Q. All right. So do you know Chico's real name?

4 A. Jamel (ph). Jamel or something like that.

5 Q. Do you know his last name?

6 A. Aiken.

7 Q. Aiken. Okay. So he's standing right there watching
8 the whole thing too?

9 A. Yeah.

10 Q. Okay. All right. Now, so you go outside. What are
11 you doing outside?

12 A. I don't know.

13 Q. You don't know. Okay. But you said you saw them get
14 in a vehicle and leave?

15 A. Yeah.

16 Q. Okay. All right. Now, while I have you down here,
17 those still shots that we talked about earlier that we saw,
18 we're just gonna run through them really quickly. This is
19 gonna be State's 84 through 195.

20 All right. So this is a slowed-down version of what
21 you just saw. So this is you coming in?

22 A. Yeah.

23 Q. Okay. Tell me what you're doing.

24 A. I'm going to grab my sister.

25 Q. Okay. Who is coming in the door right now?

1 A. Jah.

2 Q. That's Jah. Okay. And you described him earlier as
3 being who?

4 A. LaMontre's friend.

5 Q. LaMontre's friend. Okay. All right. So what's going
6 on right now? You're trying to get your sister. Is this
7 your sister right here in the brown?

8 A. Yeah. That's me pulling her.

9 Q. Pulling her. Okay. And where do you want to go? You
10 want to go with LaMontre and ---

11 A. No.

12 Q. Okay.

13 A. I'm trying to leave.

14 Q. Trying to leave. Okay. Why are you trying to leave?

15 A. Because they already started arguing.

16 Q. Okay. All right. So now what do you see LaMontre
17 doing?

18 A. He's leaving.

19 Q. He's leaving.

20 A. Walking out the door.

21 Q. He's walking out of the door. Okay. All right. So
22 now, at some point, where is Jordin sitting in this whole
23 thing?

24 A. I can't see.

25 Q. You can't see. Okay. All right. So who is this

1 person right here?

2 A. That's Chico.

3 Q. That's Chico. Okay. Who is this person in the red
4 jacket?

5 A. Tyreece.

6 Q. That's Tyreece. Okay. Who is the person right here
7 with this black hoodie?

8 A. That's Charles.

9 Q. That's Charles.

10 A. Green.

11 Q. All right. So, at some point, you're in here trying to
12 get your sister, Kya, to leave?

13 A. Uh-huh.

14 Q. All right. Is that a yes?

15 A. Yeah.

16 Q. Okay. Trying to get Kya to leave. All right. Where
17 was Jordin sitting when you were trying to get Kya to leave?

18 A. I think she was sitting like in the front part.

19 Q. Sitting right beside Kya?

20 A. No. In front of us.

21 Q. In front of y'all. Okay. So what is LaMontre doing at
22 this point?

23 A. Walking out the door.

24 Q. He's walking. He's moving away from the table. He's
25 walking away. All right. So where is De'ja Lingard at this

- 1 point?
- 2 A. Still sitting down right there.
- 3 Q. Point her out?
- 4 A. Right here.
- 5 Q. Right here?
- 6 A. Yeah.
- 7 Q. All right. Who was sitting right here?
- 8 A. Willie.
- 9 Q. I think Willie is a guy.
- 10 A. Oh, well, I don't know. It's blurry.
- 11 Q. It's blurry. Is that Jordin?
- 12 A. No.
- 13 Q. You don't see the person right here?
- 14 A. Yeah. But that person got on black.
- 15 Q. Well, didn't Jordin have on all black earlier you
- 16 testified?
- 17 A. That's not Jordin. That person don't have no spikes in
- 18 their hair. That's not her.
- 19 Q. Do you see spikes right here? In this area, do you see
- 20 spikes, the green spikes?
- 21 A. Yeah.
- 22 Q. Do you see the green spikes right there?
- 23 A. Yeah. I see it now.
- 24 Q. All right. Now, let's go back right here. Do you see
- 25 Willie leave out?

1 A. Yeah.

2 Q. Okay. So spikes, you see spikes right here, it's
3 green?

4 A. Yeah.

5 Q. Okay. Is that a yes?

6 A. Yeah.

7 Q. Okay. You see spikes right here. All right. So this
8 person is sitting right beside who?

9 A. Kya.

10 Q. Your sister, Kya. Okay. Them green spikes, we talked
11 about who had them on earlier?

12 A. Jordin.

13 Q. All right. So you're trying to get Kya to leave. And
14 what is LaMontre doing?

15 A. He's walking out the door.

16 Q. Okay. Do you see the person with the green spikes
17 right there?

18 A. Yeah.

19 Q. You see the arm come up?

20 A. Uh-huh.

21 Q. Okay. Is that a yes or a no?

22 A. Yes.

23 Q. All right. So what's happening now?

24 A. We're all leaving.

25 Q. You're all leaving. All right. So what happens? What

- 1 do you hear?
- 2 A. We hear the gunshots.
- 3 Q. Who do you see shooting?
- 4 A. Jordin.
- 5 Q. All right. So LaMontre, does he threaten anyone right
- 6 here?
- 7 A. No.
- 8 Q. Okay. Did you ever see LaMontre pull any guns?
- 9 A. No.
- 10 Q. Did you ever know LaMontre to carry a gun?
- 11 A. No.
- 12 Q. All right. So, now, LaMontre, what is he doing at this
- 13 point in the screen?
- 14 A. He's falling.
- 15 Q. Okay. He's falling. All right. So who else do you
- 16 see in this screen?
- 17 A. (Nonverbal response.)
- 18 Q. Describe what you see. So LaMontre -- this is LaMontre
- 19 falling. He's been shot. Gunshots are going off.
- 20 A. I see Jordin. I see Chico.
- 21 Q. All right. Where's Jordin? Point her out.
- 22 A. She's right there.
- 23 Q. That's her right there in the green spikes?
- 24 A. Yeah.
- 25 Q. All right. Where's Chico?

- 1 A. He's right there.
- 2 Q. All right. He's right here. This big man with this
- 3 black shirt on?
- 4 A. Yeah.
- 5 Q. All right. And where are you?
- 6 A. I'm right here.
- 7 Q. That's you right there. That's you?
- 8 A. Yeah.
- 9 Q. Okay. So you're watching the whole thing happen?
- 10 A. Yeah.
- 11 Q. All right. What's happening now? This is a different
- 12 screen. Same thing?
- 13 A. Yeah.
- 14 Q. All right. Where is Jordin?
- 15 A. She's right there.
- 16 Q. All right. She's right here shooting?
- 17 A. Yeah.
- 18 Q. All right. And where's Charles?
- 19 A. He's right there.
- 20 Q. All right. That's Charles. He's in the black hoodie?
- 21 A. Yeah.
- 22 Q. Okay. And what is LaMontre doing?
- 23 A. He's still falling.
- 24 Q. He's still falling. Okay.
- 25 All right. So now what are we seeing in this screen?

- 1 This is a different screen. You see yourself?
- 2 A. Yeah, I still see me.
- 3 Q. All right. Where are you?
- 4 A. Right there.
- 5 Q. Standing there watching?
- 6 A. Yeah.
- 7 Q. All right. So where is Jordin?
- 8 A. Right there.
- 9 Q. That's her right here in the green spikes?
- 10 A. Yeah.
- 11 Q. All right. Where's Charles?
- 12 A. Right there.
- 13 Q. He's right here. Okay. Where's LaMontre?
- 14 A. He's on the ground.
- 15 Q. He's on the floor. He's on the ground. All right. So
- 16 are they still shooting?
- 17 A. Yeah.
- 18 Q. All right. So this is a different screen. Where are
- 19 you?
- 20 A. Still right here.
- 21 Q. That's you right there looking. All right. So who's
- 22 standing right here?
- 23 A. Charles.
- 24 Q. That's Charles in the black hoodie. All right.
- 25 Where's Jordin?

1 A. Right there.

2 Q. All right. What does she appear to be doing?

3 A. I don't know.

4 Q. Is she looking down at the victim, still shooting?

5 A. Yes, still looking at him.

6 Q. All right. And who is this, the person in the black
7 shirt?

8 A. Chico.

9 Q. Chico. Okay. All right. Now, where is LaMontre?

10 A. On the ground.

11 Q. He's on the ground. Okay. And were you still
12 watching?

13 A. Yeah.

14 Q. Okay. All right. So now what's happening in this
15 screen?

16 A. I see people running.

17 Q. All right. People running. All right. So where's
18 LaMontre?

19 A. On the ground.

20 Q. Okay. All right. So now what are you seeing in this
21 screen?

22 A. I see Charles shooting.

23 Q. Charles was shooting. All right. You see Jordin?

24 A. Yeah.

25 Q. Where is she?

- 1 A. In front of Charles.
- 2 Q. In front of Charles. Who is she standing over?
- 3 A. LaMontre.
- 4 Q. All right. She's still shooting?
- 5 A. No.
- 6 Q. You don't think she's still shooting at this point?
- 7 A. No. It was Charles.
- 8 Q. It was Charles. Okay. All right. So she shot and
- 9 Charles shot?
- 10 A. Yes.
- 11 Q. All right. So what do you see in this screen?
- 12 A. I see Charles still shooting. I see Jordin looking at
- 13 him.
- 14 Q. All right. She's looking towards him?
- 15 A. Yeah.
- 16 Q. All right. So who's standing here behind Jordin?
- 17 A. Chico.
- 18 Q. And where are you standing?
- 19 A. I'm standing right here.
- 20 Q. Okay. Now, on this screen, what do you see?
- 21 A. It looks like they were still shooting.
- 22 Q. Okay. They're still shooting. Jordin is standing here
- 23 shooting. Charles standing here ---
- 24 A. Charles.
- 25 Q. They're shooting, Charles and Jordin?

- 1 A. Charles was shooting.
- 2 Q. All right.
- 3 A. At this point, Charles was shooting.
- 4 Q. Okay. So what is Jordin doing, looking at ---
- 5 A. Looking.
- 6 Q. Do you know what kind of gun Jordin had?
- 7 A. No.
- 8 Q. You know what kind of gun Charles had?
- 9 A. No.
- 10 Q. All right. So now what's happening?
- 11 A. That's me, my sister, and De'ja Lingard going to
- 12 LaMontre. Well, my sister ran into the bathroom. And
- 13 that's me and De'ja Lingard going. Charles walking out the
- 14 door and Chico still standing right there.
- 15 Q. Okay. Now you're going out?
- 16 A. I don't know.
- 17 Q. You see yourself?
- 18 A. I see myself. I'm standing there, though.
- 19 Q. Standing there. Okay. All right. You said earlier
- 20 eventually you went outside?
- 21 A. Yeah.
- 22 Q. All right. Thank you, Ms. Byrams. You can have a seat
- 23 on the witness stand.
- 24 A. (Witness complies.)
- 25 SOL. LEGETTE: Beg the Court's indulgence.

1 Q. All right. Ms. Byrams, now, let's be clear. Who shot
2 LaMontre Green the night of February 18, 2023?

3 A. Jordin and Charles.

4 Q. Jordin and Charles. Do you know how many times either
5 one of them shot?

6 A. No.

7 Q. You don't know how many times either one of them shot.
8 But you're clear on who shot him?

9 A. Yeah.

10 Q. Okay.

11 SOL. LEGETTE: Beg the Court's indulgence.

12 Q. Thank you, Ms. Byrams. I have no further questions.
13 Answer any questions from Mr. Walker.

14 - - - - -

15 CROSS-EXAMINATION

16 BY MR. WALKER:

17 Q. Hello.

18 A. Hey.

19 Q. My name is Matthew Walker. I represent Jordin. I
20 kinda want to ask you some questions just kinda generally in
21 the same order as Ms. Legette.

22 Ms. Legette asked you how long you had known Jordin and
23 LaMontre and you said a few years. And then she asked you
24 some more detail about LaMontre. But you've known them
25 about the same amount of time?

1 A. Yeah.

2 Q. Okay. All the way back to middle school and even
3 before then?

4 A. Yeah.

5 Q. Okay. Now, LaMontre and Kya were in a relationship in
6 February of '23 when this shooting happened, right?

7 A. Yes.

8 Q. Okay. Now, was that the first time they had been in a
9 relationship or had they been in a relationship back when
10 they were in school?

11 A. They'd been in a relationship in school.

12 Q. Okay. And then they broke up for a while?

13 A. Yeah.

14 Q. And then got back together?

15 A. Yeah.

16 Q. Okay. In that intervening period, Kya and Jordin
17 dated, right?

18 A. Yeah.

19 Q. Okay. And you said you went to the party at Neyles
20 Community Center with your sisters Kya and Alajha?

21 A. Yeah.

22 Q. Okay. And just the three of you together?

23 A. Yeah.

24 Q. Okay. And was LaMontre -- did you see LaMontre out
25 there that night?

- 1 A. No.
- 2 Q. Okay. But there were a lot of people there?
- 3 A. Yeah.
- 4 Q. You left that and then you went to Kay's Place?
- 5 A. Uh-huh. Yeah.
- 6 Q. I'm sorry?
- 7 A. I said yeah.
- 8 Q. Okay. And you said -- I'm sorry if I get her
- 9 name -- Alajha dropped you off at Kay's Place?
- 10 A. Yeah.
- 11 Q. And she went somewhere else?
- 12 A. Yeah.
- 13 Q. And then they went through -- some of the people you
- 14 saw at Kay's Place were Jayda and Kya. Who is Jayda?
- 15 A. Jayda is our cousin.
- 16 Q. Okay. Is it Jayda or Jadin?
- 17 A. Jayda.
- 18 Q. Jayda. Okay. You also mention you saw De'ja Lingard?
- 19 A. Yeah.
- 20 Q. Okay. Are you related to her?
- 21 A. No.
- 22 Q. And she was also at the Waffle House we just saw in the
- 23 video?
- 24 A. Yeah.
- 25 Q. And Jordin was there and Charles Breland was there.

1 Are you related to Charles Breland at all?

2 A. No.

3 Q. Okay. And Chico which is also Shamel, right?

4 A. Yeah.

5 Q. Are you related to Chico?

6 A. No.

7 Q. Okay. Do you and your sister Kya have the same
8 parents?

9 A. Yeah.

10 Q. Okay. But as far as you know, Chico is not a cousin of
11 yours?

12 A. No.

13 Q. And those are the only people you mentioned being at
14 Kya's [sic] Place. But there were other people there as
15 well, right?

16 A. Yeah.

17 Q. And were those the people you were kinda hanging
18 out with that saw?

19 A. Yeah.

20 Q. And you went straight from Kya's Place -- everybody got
21 hungry and went to the Waffle House?

22 A. Yeah.

23 Q. And Ms. Legette asked you about meeting up with
24 LaMontre and his friend. Is it Jah?

25 A. Yeah.

1 Q. Okay. And you were supposed to you -- once you were
2 done at Waffle House -- go and meet them somewhere else?

3 A. Yeah.

4 Q. And do you remember meeting with the Solicitor and her
5 investigator on April 9th of this year?

6 A. Yeah.

7 Q. And telling them that same thing, that they were
8 supposed to meet up with LaMontre Green and his friend
9 Jaheim (ph) after they left the Waffle House?

10 A. Yeah.

11 Q. So when LaMontre showed up at the Waffle House, it was
12 a surprise to everybody?

13 A. Yeah.

14 Q. And did anybody but you and your sister know that you
15 were gonna go and meet LaMontre later?

16 A. No.

17 Q. Okay. So the only two people that had even given a
18 thought to LaMontre that night were you and your sister?

19 A. Yeah.

20 Q. And you testified a minute ago that -- and we saw -- we
21 saw on the video of him come in and grab your sister out of
22 the chair, and then she sits back down, and he's arguing
23 with I guess y'all sitting at the table. And then you said
24 after that, you were trying to get her to leave, and then
25 Chico and LaMontre were arguing?

1 A. Yeah.

2 Q. All right. Can you tell us what you remember about
3 what they were arguing about or what was being said?

4 A. I didn't hear. I walked in on it.

5 Q. Okay. So just raised voices but you didn't ---

6 A. Yeah.

7 Q. --- detect. Now, you just testified about
8 Jordin shooting LaMontre and then you said about Charles
9 started shooting as well. Do you recall talking to an
10 officer on the scene that night?

11 A. Yeah.

12 Q. All right. Do you remember telling that officer that
13 Jordin shot LaMontre?

14 A. Yeah.

15 Q. Okay. But at that time, you didn't say anything about
16 seeing Charles shooting anybody. Is that correct?

17 A. I don't know. I was drunk.

18 Q. Okay. But you would not disagree or argue the case
19 that you didn't tell anybody at the time of the shooting
20 that you saw Charles shooting?

21 A. Repeat yourself.

22 Q. So if somebody says she never told us that she saw
23 Charles Breland shoot somebody, you would not disagree with
24 that?

25 A. Yes, I will.

1 Q. The night it happened?

2 A. That night, I didn't mention him.

3 Q. Okay. Yeah, that's what I'm saying. Just that night,
4 right after it happened, the only person you mentioned
5 seeing shoot was Jordin?

6 A. Yeah.

7 Q. Okay. And then you were talking about seeing
8 Jordin and Charles leave a minute ago. When you were saying
9 that, did you mean to say you saw them leaving the
10 Waffle House or you saw them leaving like the parking lot,
11 completely driving off down the road?

12 A. I seen them driving off out of the parking lot.

13 Q. Okay. Do you remember -- he's not in the courtroom
14 right now -- but Officer Kinard and Officer Fisk coming out
15 on February 20th of 2023 to talk to you guys about the
16 incident again at your house?

17 A. Yeah.

18 Q. Okay. Do you remember talking to them and telling them
19 that you saw Charles and Chico drive away together?

20 A. Yeah.

21 Q. And not mentioning Jordin?

22 A. I don't remember what I told them.

23 Q. Okay. But, again, if Officer Kinard were to say she
24 never told us that, you wouldn't disagree?

25 A. I guess not.

1 Q. Okay. And also in that interview that Officer Fisk and
2 Officer Kinard, again, the only people you mentioned as
3 shooting was Jordin Glover. Is that right?

4 A. Yeah.

5 Q. When were you shown the video, the first time?

6 A. April.

7 Q. Just this last April?

8 A. Yeah. No. I seen it when I went to go talk to them.

9 I don't remember what day it was. I think it was like last
10 month.

11 Q. Okay. But you had been informed well before then that
12 Charles Breland had also shot?

13 A. Uh-huh. Yeah.

14 Q. Do you remember who told you that and when?

15 A. After me and my sister sat down and talked.

16 Q. Okay. So at the Waffle House, was there anyone that
17 you were related to?

18 A. My sister.

19 Q. Yeah, of course. Other than your sister? I'm sorry.

20 A. No.

21 Q. Okay. No further questions.

22 THE COURT: Any redirect?

23 SOL. LEGETTE: Briefly, Your Honor.

24 - - - - -

25 REDIRECT EXAMINATION

1 BY SOL. LEGETTE:

2 Q. Ms. Byrams, I think I'm a little bit confused. Who did
3 you see shooting that night?

4 A. Jordin and Charles.

5 Q. Okay. And you're clear about that today?

6 A. Yes.

7 Q. Okay. Now, when you told the officers about Charles,
8 are you -- do you remember what you told the officers about
9 Charles?

10 A. No.

11 Q. Okay. But as far as what you saw that night, who did
12 you see shooting?

13 A. Jordin and Charles.

14 Q. Jordin and Charles. Okay. All right. And so -- let
15 me apologize. You were supposed to meet up with LaMontre
16 and Jah after the Waffle House?

17 A. Yeah.

18 Q. Okay. All right. But while you were there at the
19 Waffle House, did you have a chance to speak to LaMontre?

20 A. No.

21 Q. You didn't. Okay. You don't remember speaking to him
22 outside?

23 A. No.

24 Q. Okay. All right.

25 SOL. LEGETTE: Beg the Court's indulgence.

1 Q. But you did get a text from him, right?

2 A. No. I got a text from Jah.

3 Q. Jah. You got a text from Jah. Okay. Thank you.

4 Nothing further.

5 THE COURT: Any recross related to the redirect?

6 MR. WALKER: No, Your Honor.

7 THE COURT: Thank you very much, ma'am. You may step
8 down. How much time will the next witness take, roughly?

9 SOL. LEGETTE: About an hour. She's the other
10 eyewitness.

11 THE COURT: So plus cross. I'm thinking now for lunch.
12 What do y'all think?

13 SOL. LEGETTE: Probably so. Yes, sir.

14 THE COURT: Does that work with the defense?

15 MR. WALKER: (Nonverbal response.)

16 THE COURT: All right. Let's do that then. Ladies and
17 gentlemen, we'll go ahead and take about an hour lunch break
18 now. You can leave if you want, you can do whatever. But
19 please try to be back -- let's call it, you know, 1:20,
20 something like that, and we'll get started after that. As
21 usual -- I'm gonna sound like a broken record -- but don't
22 discuss the case with anyone; don't discuss the case amongst
23 yourselves; don't do any independent research; don't talk
24 with anyone about anything that you've heard so far today.
25 Any questions?

1 (No response.)

2 THE COURT: All right then. We'll see you back at

3 1:20.

4 (The jury exits the courtroom at 12:16 p.m.)

5 THE COURT: All right. Anything for the record before

6 we break for lunch?

7 SOL. LEGETTE: Not from the State.

8 MR. WALKER: No, Your Honor.

9 THE COURT: All right. We'll see you at 1:20 then.

10 (Lunch recess at 12:17 p.m.)

11 (Trial Proceedings resumed at 1:26 p.m.)

12 THE COURT: Anything before we bring the jury back in?

13 SOL. LEGETTE: Not from the State.

14 THE COURT: All right.

15 MR. WALKER: No, Your Honor.

16 (Brief pause.)

17 (The jury enters the courtroom at 1:26 p.m.)

18 THE COURT: Everyone get lunch? Everyone follow the

19 instructions not to discuss the case?

20 Fantastic. All right. Thank you so much. Please call

21 your next witness.

22 SOL. LEGETTE: Thank you, Your Honor. The State calls

23 Kya Byrams.

24 (Whereupon, the witness, KYA BYRAMS, was duly sworn.)

25 THE CLERK: Have a seat right there for me. State your

1 first and last name, and spell your last name, please.

2 THE WITNESS: It is Kya Byrams and last name is
3 B-Y-R-A-M-S.

4 - - - - -

5 DIRECT EXAMINATION

6 BY SOL. LEGETTE:

7 Q. Hi, Ms. Byrams.

8 A. Hi.

9 Q. So first name is Kya?

10 A. Yes.

11 Q. How do you spell Kya?

12 A. K-Y-A.

13 Q. K-Y-A. All right. So, Kya, tell us about yourself.

14 Where are you from?

15 A. I'm from Walterboro.

16 Q. Okay. Is there anything else about you, yourself, you
17 want to tell us?

18 A. I have a daughter. She's two years old. Her name is
19 Zhurri [REDACTED]

20 Q. Her name is Zhurri [REDACTED]. Okay. All right. So, now
21 Kya, do you know a woman named Sakasia Byrams?

22 A. Yes. That's my sister.

23 Q. She's your sister. All right. And so are you older or
24 younger than Sakasia?

25 A. I'm older.

1 Q. Older. Okay. How many years?

2 A. One.

3 Q. One year. Okay. Kya, do you know a woman named
4 Jordin Glover?

5 A. Yes, I do.

6 Q. And is she present in court today?

7 A. Yes, she is.

8 Q. Can you point her out, please?

9 A. She's right there.

10 Q. All right. Can you describe what she's wearing?

11 A. It looks like a blue under shirt and a green sweater.

12 Q. Green sweater. Okay.

13 SOL. LEGETTE: Let the record reflect the witness has
14 identified the defendant Jordin Glover.

15 THE COURT: All right. The record will so reflect.

16 SOL. LEGETTE: Thank you.

17 Q. Now, Ms. Byrams, or Kya, did you know a man named
18 LaMontre Green?

19 A. Yes. He's my child's father.

20 Q. Your child's father. Okay. And how long did you know
21 LaMontre Green?

22 A. Since elementary school.

23 Q. Elementary school. All right. So can you tell us
24 about the relationship you had with LaMontre?

25 A. We started dating in middle school and it was

1 on-and-off relationship. And we got to high school and it
2 was just off, and it was just basically us talking here and
3 there. And then when we got out of -- when we graduated
4 high school, I got pregnant by him at 22. And then we had
5 our baby on [REDACTED] 2022.

6 Q. All right. So if I understood you correctly, you and
7 LaMontre dated from, I guess, elementary through middle
8 school, off and on; and then you got to high school, you
9 were kind of off; and then at some point, y'all started
10 dating again?

11 A. Yes.

12 Q. All right. And so on the night of February 18, 2023,
13 what would you call your relationship at that time?

14 A. We were still together.

15 Q. Still together. Still dating. Okay. All right. So
16 you were dating LaMontre. And let's talk about
17 Jordin Glover. How long did you know Jordin?

18 A. I've known her since childhood.

19 Q. Since childhood. Okay. And tell us about your
20 relationship with Jordin?

21 A. We had a good relationship, too, at some point in time.
22 And when me and LaMontre broke up in middle school, we
23 started dating in eighth grade. And then it was basically
24 still the on-and-off thing from there.

25 Q. All right. So if understood you correctly, you've

1 known Jordin, Ms. Glover, the defendant, basically since
2 childhood and y'all were friends and then y'all began dating
3 in eighth grade?

4 A. Yes.

5 Q. And it was off and on after eighth grade?

6 A. Uh-huh. Yes, it was.

7 Q. All right. So let me ask you this question: The night
8 of February 18, 2023, how would you describe your
9 relationship you had with Jordin at that time?

10 A. We were good friends.

11 Q. Just good friends?

12 A. Yes.

13 Q. So y'all weren't dating on that night?

14 A. No.

15 Q. Did you know whether not Jordin was in a relationship?

16 A. I don't really know. She's just doing it.

17 Q. All right. Okay. So you basically -- both LaMontre
18 and Jordin, and at some point you dated both of them at some
19 point or another?

20 A. No.

21 Q. No. Okay. You explain. I mixed that up.

22 A. Like, when me and LaMontre would stop talking, me and
23 Jordin would communicate. So I was never with both of them
24 at the same time. It was just like we would stop talking
25 and wouldn't communicate and then I would get back with

1 LaMontre or I would get back with Jordin. That's just how
2 it is.

3 Q. All right. So let me ask you this question: What was
4 the dynamic or tell me about the relationship or not
5 relationship between Jordin and LaMontre?

6 A. They didn't like each other.

7 Q. Do you know why they didn't like each other?

8 A. I guess it was because of me.

9 Q. All right. And so how did you know they didn't like
10 each other? Did they ever tell you they didn't like each
11 other?

12 A. No. They never told me. Like, it was just ---

13 Q. You could just tell ---

14 A. You could just tell, like, they did not like each
15 other.

16 Q. Okay. All right. So if I understand you correctly,
17 you knew both of these parties. You knew both LaMontre and
18 you knew Jordin?

19 A. Yes.

20 Q. And they didn't like each other?

21 A. Yes.

22 Q. Okay. And possibly because of you?

23 A. Yes.

24 Q. Okay. So let's talk now about -- so Zhurri, your
25 daughter Zhurri, how old is she now?

1 A. She's two years old.

2 Q. She's two years old. All right. Has she had the
3 terrible 2s that I hear about with children?

4 A. Terrible 1s and 2s.

5 Q. Terrible 1s and 2s. All right. Okay. And so Zhurri
6 is your daughter. And she's your daughter with who?

7 A. LaMontre.

8 Q. LaMontre. All right. And so the night of February 18,
9 2023, how old was Zhurri?

10 A. She was three months old.

11 Q. Three months old. Okay. All right. So now let's talk
12 about the night of February 18, 2023. Do you remember that
13 night?

14 A. Yes. Parts of it.

15 Q. Parts of it. Okay. All right. So let's go back to
16 that particular day. Would that had been a Friday -- well,
17 I'm sorry. So let's talk about, I guess, February 17th
18 going into February 18th. Do you remember that part?

19 A. Yes.

20 Q. Okay. So can you tell the jury tell, tell the Court,
21 about what you did leading up to February 18th going to the
22 Waffle House?

23 A. First, me and my sisters, we went to a party in Neyles.
24 And then we went to -- well, after we left the party at
25 Neyles, we went to Kay's Place, the club on 15. And then we

1 went to Waffle House.

2 Q. Okay. All right. So let me ask you this: You and
3 your sisters, so can you tell me which sisters?

4 A. Sakasia Byrams and Alajha Byrams.

5 Q. All right. And how do you spell Alajha's name?

6 A. A-L-A-J-H-A.

7 Q. A-L-A-J-H-A. Okay. All right. So you and Alajha and
8 Sakasia went to a party at Neyles?

9 A. Yes.

10 Q. All right. After the party at Neyles, if I'm
11 understanding you correctly, y'all went to Kay's Place?

12 A. Yes. But Alajha did not go into Kay's Place.

13 Q. All right. So how did y'all get to Kay's Place?

14 A. She drove us there.

15 Q. All right. She drove y'all there. All right. But she
16 didn't go in?

17 A. No.

18 Q. So when you're at Kay's Place, what did y'all do at
19 Kay's Place? Just have fun, have a good time? What are
20 y'all doing?

21 A. Having a good time.

22 Q. And did you see anyone that you recognized at
23 Kay's Place that night?

24 A. Yes. It was me, Sakasia. It was my cousin Jayda and
25 Jordin, her best friend Kara (ph.) And it was another girl

1 named Jayda that was there.

2 Q. So it was you and your sister Sakasia, your cousin
3 named Jayda. And Jayda's name is spelled J-A-Y ---

4 A. J-A-Y-D-A.

5 Q. J-A-Y-D-A?

6 A. Uh-huh. Yes.

7 Q. And then another girl named Jayda and then Jordin was
8 there also?

9 A. Yes.

10 Q. All right. And once y'all -- do you recall how long
11 y'all stayed at Kay's Place?

12 A. It was probably like an hour or two. I don't remember.

13 Q. Okay. All right. So once you -- at some point, did
14 you leave Kay's Place?

15 A. Yes, we did.

16 Q. All right. Where did you go?

17 A. We went to Waffle House.

18 Q. So how did you get to the Waffle House?

19 A. Me and my sister Sakasia, we rode with De'ja Lingard.

20 Q. And so tell us who De'ja Lingard is?

21 A. She's a friend of Jordin. We always hang around her.
22 Well, we used to hang around her and Jordin and . . .

23 Q. All right. So you catch a ride. So are you catching a
24 ride ---

25 A. Yes, we did.

1 Q. All right. You're catching a ride. Because your
2 sister, Alajha, had dropped y'all off there. Did she come
3 back to y'all or what happened with Alajha?

4 A. No. She just dropped us off.

5 Q. Dropped you off. All right. So you catch a ride with
6 De'ja Lingard to Waffle House?

7 A. Yes.

8 Q. All right. So what was the plan when you got to
9 Waffle House?

10 A. To get food.

11 Q. To get food. Okay. So who was in the car with you?

12 A. Me, De'ja Lingard, and Sakasia.

13 Q. And Sakasia. You don't remember who was driving?

14 A. De'Ja was.

15 Q. De'ja was driving. All right. So De'Ja is a friend of
16 Jordin and y'all caught a ride up there with her. Now, I
17 want to just go back a little bit so I'm clear. Are you
18 actually out -- who are out with?

19 A. My sister and my cousin. And once we left the party at
20 Neyles, Jordin was texting me asking me where was we going
21 next. So I told her we was going to Kay's Place. And then
22 that's when she -- well, she met us at Kay's Place. And she
23 got in the car with me and my sisters and we was telling her
24 that we didn't have an ID to get in. So she got in the car
25 and went to go find us two IDs. And she came back with the

1 IDs and we when into Kay's Place.

2 Q. So y'all didn't go out with Jordin; Jordin was there
3 when y'all got there?

4 A. Yes.

5 Q. Okay. All right. And so at some point y'all talked?

6 A. Yes.

7 Q. And she got you some IDs?

8 A. Yes.

9 Q. So y'all were able to get into Kay's?

10 A. Yes.

11 Q. All right. So you're at Kay's. At some point you
12 leave, and you leave with De'ja Lingard. And where do y'all
13 go?

14 A. We went to Waffle House.

15 Q. All right. So when you get to Waffle House, who is
16 with you?

17 A. Me, my sister, and De'ja Lingard.

18 Q. So are you actually out together with Jordin, or are
19 y'all just having to see each other out and she's texting
20 you?

21 A. We just happened to see each other out. Well, she
22 already knew I was gonna be there because we were texting.

23 Q. Okay. All right. So y'all were texting y'all were
24 gonna be there?

25 A. Yes.

1 Q. Okay. All right. Had you had any contact this night
2 with LaMontre at any point?

3 A. Yes. Before my phone went dead.

4 Q. Before your phone went dead. All right. So did y'all
5 have plans?

6 A. Me and LaMontre?

7 Q. Yes.

8 A. No.

9 Q. Okay. All right. So, at some point, you get to
10 Waffle House. And what happens at Waffle House?

11 A. We went inside. We sat down. My sister -- she just
12 kept walking around. She went to the bathroom, she came
13 back. We were talking. And then she went outside and she
14 came back in. So did Jordin. She went to the bathroom, she
15 came back to booth. And we were all sitting down. Then she
16 went inside and outside. I was sitting down on the inside
17 the whole time.

18 Q. Okay. So I want to make sure I'm not confused. When
19 you say "she" -- okay. You said you went inside and sat
20 down. So who is walking around?

21 A. My sister ---

22 Q. Your sister.

23 A. --- and Jordin was and a couple of other people.

24 Q. Okay. So you sit down at a booth. And does anyone sit
25 around you?

1 A. It was me, De'ja Lingard, Willie, Jordin, and my
2 sister, Sakasia.

3 Q. Okay. All right. So y'all are all there. And you
4 said you went there for food. Did you ever order any food?

5 A. No.

6 Q. Were you planning on ordering any food?

7 A. Yes.

8 Q. So while you're at Waffle House, does anything unusual
9 happen?

10 A. Yes.

11 Q. Tell us what happened.

12 A. When LaMontre got there, Jordin came in and she told
13 me, she said your baby daddy is outside. And I looked and
14 he was walking through the door. And when he got there, he
15 pulled me up out of the booth and was trying to get me to
16 leave, and I sat back down. And my sister tried to get me
17 to leave and I sat back down. And then that's when LaMontre
18 was arguing with Chico. And when all the arguments started,
19 he started to walk away and then Jordin started shooting.

20 Q. All right. So y'all are all sitting there together.
21 If I understood you correctly, you were all sitting there
22 together. And LaMontre comes in. He and Chico -- do you
23 know Chico's real name?

24 A. No.

25 Q. He and Chico start arguing, and then Jordin pulled out

1 a gun and shoots LaMontre?

2 A. Yes.

3 Q. Okay. During the argument, do you ever hear LaMontre
4 make any threats to anyone?

5 A. No.

6 Q. Do you ever feel at any point threatened by LaMontre?

7 A. No, I did not.

8 Q. While LaMontre is there, you said he pulled you out of
9 the booth. At that point did you feel threatened by
10 LaMontre?

11 A. No.

12 Q. And you said they tried to get you to go. LaMontre
13 tried to get you to go; your sister tried to get you to go.
14 Why didn't you go?

15 A. I just didn't want to. I was in there having fun.

16 Q. You were having fun. So while you're sitting there and
17 LaMontre comes in, can you describe -- who is sitting beside
18 you, do you remember?

19 A. No, I do not.

20 Q. You don't remember. Okay. All right. So you're
21 sitting there. LaMontre is there. There's an argument
22 going on. Did you ever see LaMontre pull out any weapons?

23 A. No.

24 Q. Did you know LaMontre to carry any weapons?

25 A. Yes.

1 Q. Okay. All right. Did you know Jordin to carry any
2 weapons?

3 A. Yes.

4 Q. While you're sitting there, you said you didn't feel
5 threatened by LaMontre. Did you ever feel like you needed
6 anyone to defend you?

7 A. No.

8 Q. Did you need Jordin to defend you?

9 A. No.

10 Q. Did you ask anybody to defend you that night?

11 A. No, I didn't.

12 Q. You didn't?

13 A. No.

14 Q. Now, at some point, were you able to -- so you said you
15 saw Jordin shoot LaMontre?

16 A. Yes.

17 Q. All right. Did you ever see another person shooting
18 him?

19 A. No.

20 Q. Okay. Where was your attention focused?

21 A. It was focused on Jordin.

22 Q. Okay.

23 A. And LaMontre.

24 Q. And LaMontre. All right. So once Jordin shot
25 LaMontre, what did you do?

1 A. I got up out of the booth and I ran to LaMontre.

2 Q. What was going through your mind at this time?

3 A. I don't know.

4 Q. Did you believe at that time that Jordin had did what
5 she did?

6 A. No, I did not.

7 Q. Once this was over, did you talk to the police and tell
8 them what you saw?

9 A. Yes, I did.

10 Q. At some point, Ms. Byrams, did you have an occasion or
11 did you have any opportunity to review the Waffle House
12 video?

13 A. Yes.

14 Q. And having reviewed that video, was that video a
15 fair -- as far as your understanding, was it a fair and
16 accurate reflection of the events that happened the night of
17 February, or early morning, of February 18, 2023?

18 A. Yes.

19 Q. Now, Ms. Byrams, I want to hand you what's been
20 premarked and entered into evidence as State's No. 2. Please
21 take a moment and tell me if you recognize State's 2.

22 SOL. LEGETTE: May I approach?

23 (Brief disruption.)

24 SOL. LEGETTE: May I approach?

25 THE COURT: Yes.

1 Q. This is State's 2. Do you recognize State's 2?

2 A. Yes, I do.

3 Q. Okay. And, Ms. Byrams, what is State's 2?

4 A. It's a video recording of the shooting at Waffle House.

5 Q. And, Ms. Byrams, is State's 2 a fair and accurate
6 reflection of the Waffle House -- of the events at the
7 Waffle House that night of February 18, 2023?

8 A. Yes.

9 Q. Now, Ms. Byrams, have you also had the occasion or had
10 the opportunity to review some still shots from that video?

11 A. No. I didn't.

12 Q. I'm sorry. Did you have an occasion -- have you seen
13 the pictures from that video?

14 A. No.

15 Q. Let me ask it a different way. Are you familiar with
16 the video photographs that came from the video themselves?

17 A. Yes.

18 Q. All right. And are those photographs that came from
19 the video a fair and accurate reflection of the events in
20 the video itself?

21 A. Yes.

22 SOL. LEGETTE: At this time, Your Honor, permission to
23 publish the video with the witness?

24 THE COURT: You may.

25 SOL. LEGETTE: Thank you, Your Honor.

1 Q. I'm gonna ask you to sit right there. We've got to
2 queue this up.

3 (Brief pause.)

4 Q. Now, Ms. Byrams, at the appropriate time, I'm gonna get
5 you down with a microphone and get you to just come over and
6 kind of narrate for us, okay.

7 (Brief pause.)

8 Q. Something I didn't do, Ms. Byrams. I should've showed
9 these to you. I'm gonna hand you now what's been premarked
10 and entered into evidence as State's Exhibit Numbers 3
11 through 82 and State's Exhibit Numbers 84 through 195. Just
12 take a moment and tell me if you recognize these.

13 SOL. LEGETTE: May I approach?

14 THE COURT: You may.

15 Q. And my apologies, again.

16 A. (Witness complies.)

17 Q. Do you recognize them?

18 A. Uh-huh.

19 Q. So State's 3 through 82 and State's Number 83 through
20 195, you recognize those exhibits?

21 A. Yes.

22 Q. Okay. All right. So, Ms. Byrams, I'm gonna get you in
23 a moment to stand down here in front of the jury with this
24 little microphone. And I'm gonna do my best to fast-forward
25 through this. So if you could just come down.

1 A. (Witness complies.)

2 Q. And I'm gonna get you to stand by me right here, okay.

3 All right. So if you stand right here so everybody can see

4 and hear you, okay. And we're gonna talk about this. Do

5 you recognize what's playing on the screen?

6 A. Yes. The Waffle House.

7 Q. It's the Waffle House. Okay. All right. So I got

8 this little pointer right here. So I'm gonna fast-forward a

9 little bit, okay, so we can all see.

10 Now, you said you all had been out that night at, I

11 believe, a party in Neyles, right?

12 A. Yes.

13 Q. And then there was another party. You went to

14 another -- I'm sorry -- Kay's, right?

15 A. Yes.

16 Q. Okay. And then y'all came to Waffle House?

17 A. Yes.

18 Q. So we're gonna fast-forward.

19 (Brief pause.)

20 Q. All right. So when y'all went out -- let's talk about

21 this -- was it originally a Saturday or a Friday night?

22 A. Friday.

23 Q. So it was a Friday night?

24 A. Yes.

25 Q. Okay. So you were going out on a Friday night. And

1 then what happens? It turns into Saturday?

2 A. Yes.

3 Q. Saturday morning?

4 A. Uh-huh.

5 Q. Okay. Just bear with me.

6 (Brief pause.)

7 Q. All right. Now, do you recognize anyone in these
8 particular frames, Ms. Byrams?

9 A. No. Well, I see Little Willie right there.

10 Q. That's Little Willie. Okay. Do you recognize the man
11 in the red jacket?

12 A. Yes. That's Tyreece.

13 Q. That's Tyreece. Okay. Had y'all all been out together
14 that night? Or y'all were not out together. Had y'all all
15 been out at the same locations, or do you remember?

16 A. I know Little Willie was at Kay's Place, but I don't
17 remember seeing Tyreece there.

18 (Video plays.)

19 A. This is us walking in: me, Jordin, and my sister, and
20 De'ja Lingard.

21 Q. Okay. So what are you wearing?

22 A. The brown jacket.

23 Q. All right. So you're wearing the brown jacket. This
24 is you right here?

25 A. Yes.

- 1 Q. All right. And this woman were here?
- 2 A. De'ja Lingard.
- 3 Q. All right. And this woman right here?
- 4 A. Jordin.
- 5 Q. All right. Can you describe her hair?
- 6 A. It is black and green.
- 7 Q. Black and green.
- 8 A. In a ponytail.
- 9 Q. In a ponytail. All right. And who is this person
- 10 right here?
- 11 A. Willie.
- 12 Q. That's Willie. Okay.
- 13 (Video plays.)
- 14 Q. All right. So this woman right here is Jordin?
- 15 A. Yes.
- 16 (Video plays.)
- 17 Q. Okay. And who is this coming out of the bathroom?
- 18 A. Sakasia.
- 19 Q. That's your sister?
- 20 A. Yes.
- 21 Q. Okay.
- 22 And y'all went to get food. And did you place an order
- 23 or do you remember?
- 24 A. No.
- 25 Q. So you said earlier that Jordin kept going in and out,

1 and your sister kept going in and out. Did you ever go out?

2 A. No.

3 Q. All right.

4 (Video plays.)

5 Q. All right. I'm gonna speed up a little bit.

6 Do you recall, Ms. Byrams, where were y'all going after
7 you left the Waffle House?

8 A. Home.

9 Q. You were going home. Okay. Now, sitting in this
10 booth are -- who's sitting in the booth?

11 A. Me, my sister, Willie, and De'ja Lingard.

12 Q. All right. And that's De'ja Lingard right there.
13 Okay.

14 (Video plays.)

15 Q. All right. Now, who is this coming back in?

16 A. Jordin.

17 Q. That's Jordin. Okay. All right.

18 All right. Now, earlier I think you testified about at
19 some point Jordin came back in and told you someone was
20 outside?

21 A. Yes.

22 Q. Okay.

23 (Video plays.)

24 Q. Now, what's happening right here?

25 A. Everybody came in. I think that's Asia Sanders.

1 Jordin going back to the door. I don't know if this is the
2 part where she told me that he was outside, but my sister
3 was getting up to go outside.

4 Q. Okay. All right. So your sister is getting up to go
5 outside. Jordin has come in. Well, this may be the part
6 where she told you LaMontre -- how did she say it?

7 A. She just said your baby daddy outside.

8 Q. Okay.

9 (Video plays.)

10 Q. All right. Now, who is this?

11 A. That's LaMontre walking in.

12 Q. All right. That's LaMontre walking in. All right. So
13 what was going through your mind at this point?

14 A. I don't know.

15 Q. You don't know. Okay.

16 A. That's the part when he snatched me up out of the
17 booth.

18 Q. All right. So he snatches out of the booth. Okay.
19 What happens here? What are you thinking?

20 A. I don't know. I don't remember.

21 Q. You don't remember. Okay. Now, and you said earlier
22 that you did not leave with him?

23 A. I didn't.

24 Q. All right. What did he want you to do?

25 A. He wanted me to leave with him.

1 Q. Okay. And do you remember why you didn't want to go?

2 A. I just didn't want to.

3 Q. You didn't want to go. Okay.

4 And what happens here? Do y'all have a conversation or
5 is it an argument? What's going on?

6 A. We were arguing back and forth.

7 Q. All right. And so do you remember the argument itself
8 or what you were arguing about?

9 A. No.

10 Q. All right. So now I noticed that you're talking to him
11 here. Is someone coming through the door? Who is this
12 person?

13 A. I can't see.

14 Q. You can't see. I'll play a little bit ---

15 A. It looks like Chico.

16 Q. That looks like Chico. Okay. Now, when he pulled you
17 out of the booth, how did -- did you feel threatened at that
18 time?

19 A. No.

20 Q. How long had you known him, LaMontre, at this point?

21 A. Since elementary school.

22 Q. Since elementary school. So what years in elementary
23 school? Like fifth grade, sixth grade, fourth grade?

24 A. Fourth grade.

25 Q. Fourth grade. All right. And at this point in time,

1 how old were you?

2 A. Nineteen.

3 Q. You were 19. Okay. And how old was LaMontre again?

4 A. Twenty.

5 Q. Twenty. Okay. So you've known him since you were,
6 what, 9 years old?

7 A. Yes.

8 Q. So about ten years you had known him?

9 A. Yes.

10 Q. And y'all had how many, what, one baby, right?

11 A. Yes.

12 Q. Zhurri. You only have one child, right?

13 A. Yes.

14 Q. So we're gonna play a little bit more.

15 All right. So you sat back down. And what does
16 LaMontre do?

17 A. He walks off.

18 Q. At any point did you feel threatened?

19 A. No.

20 Q. All right. So what's happening now?

21 A. He's coming back in, inside, to come talk to me.

22 Q. All right. So who is he talking to at this point? Do
23 you remember who he's talking to?

24 A. No. He was talking to me and Asia, I guess.

25 Q. Talking to y'all. Okay. All right. At some point, do

1 you remember there being -- do you ever remember there being
2 an argument?

3 A. He was going back and forth with Chico.

4 Q. All right. And so when they were going back and forth,
5 can you describe, I guess, the words? Was it threats or
6 what was going on?

7 A. It wasn't threats. They were just -- Chico just told
8 him to stop pulling me like that.

9 Q. Okay. But it was not threats?

10 A. No. This is my sister trying to get me to come out of
11 the booth too.

12 Q. All right. So this is your sister trying to get you to
13 come out. All right. What does she want you to do?

14 A. She wants me to leave too.

15 Q. All right. So he wants you to leave, she wants you to
16 leave?

17 A. Yes.

18 Q. Okay. All right. Do you recognize anybody else in
19 this particular . . .

20 A. Yes. Jaheim Bellamy.

21 Q. Okay. Jaheim. This is this young man right here?

22 A. Yes. He came with LaMontre.

23 Q. He came with LaMontre. Okay.

24 (Video plays.)

25 Q. All right. So what's happening at this point? Do you

1 remember what's happening?

2 A. Yes. LaMontre was turning around to go walk out the
3 door.

4 Q. All right. He's turned around to go out the door. So
5 if you can describe -- just turn and face the jury. This
6 way. So if you can describe, who was in the booth?

7 A. It was De'ja Lingard. I think Little Willie got up.
8 And then there was me. And Jordin was past that beside me.

9 Q. All right. So you're sitting -- okay. So this is the
10 booth. You're sitting right here in the booth, right? And
11 right here is the table. So where in the booth?

12 A. So it was me. Jordin was sitting right there.

13 Q. Okay.

14 A. And De'ja Lingard was sitting across from me.

15 Q. In front of you?

16 A. Yes.

17 Q. Okay. So it's you -- I'm going to pretend I'm
18 Jordin -- and De'ja Lingard is sitting here?

19 A. Yes.

20 Q. All right. So when LaMontre comes to the booth, you're
21 here. All right. So where is he?

22 A. Standing right there.

23 Q. So standing right here at the end of the booth?

24 A. Yes.

25 Q. All right. So he's talking to who?

1 A. Me and De'ja Lingard.

2 Q. He's talking to y'all. All right. So at some point,
3 who else gets involved in the conversation?

4 A. Chico.

5 Q. Chico gets involved in the conversation. All right.
6 At any point did you feel -- how do you feel at this point?

7 A. I just wanted them to stop arguing, going back and
8 forth.

9 Q. All right. You wanted them to stop arguing with
10 LaMontre?

11 A. Yes.

12 Q. Did you ever feel threatened by LaMontre?

13 A. No.

14 Q. Okay. All right. So LaMontre is standing here.
15 You're sitting here. I'm Jordin, I'm sitting right here.
16 So tell me what happened? What do you see?

17 A. LaMontre went to turn around and go out the door, and
18 then Jordin pulled out a gun and started shooting.

19 Q. All right. So, if I'm now gonna step into the shoes of
20 LaMontre -- so I'm doing this -- tell me what I'm doing.

21 A. He was facing the booth.

22 Q. Facing the booth, right. I'm facing the booth now.
23 You're there. This is Jordin.

24 A. He turned around. As soon as he turned around ---

25 Q. Or you be Jordin. Come here. Come here. I'm sorry,

1 you're gonna be me my prop to me, if you don't mind.

2 All right. So you're gonna be you, Ms. Byrams. This
3 is gonna be Jordin. I'm gonna be LaMontre. So I'm standing
4 here talking. All right. Tell me what to do?

5 A. Like, turn around ---

6 Q. I turn around.

7 A. --- and Jordin started shooting him.

8 Q. I walk away. And then what does Jordin do?

9 A. Pulls her gun and starts shooting.

10 Q. She pulls her gun. Put up your hand. Ups her hand and
11 starts shooting him?

12 A. Yes.

13 Q. All right. So -- thank you, sir, you can have a seat.

14 So LaMontre turned around walking toward the door,
15 Jordin pulls out a gun, sitting right beside you.

16 A. Yes.

17 Q. And then she fires at LaMontre?

18 A. Yes.

19 Q. While she's firing at LaMontre, what are you thinking?

20 A. I was shocked. I didn't know what to think.

21 Q. You didn't know what to think. You were shocked?

22 A. Yeah.

23 Q. Okay. What happens when LaMontre is shot?

24 A. He goes -- like the first -- I guess the first one made
25 him fall and go down.

1 Q. So he falls down. Jordin, is she still shooting? Did
2 you remember how many times she shot?

3 A. I don't remember how many times she shot. But when he
4 was on the ground, she was still shooting.

5 Q. She was still shooting. Okay. At that point -- let's
6 see, you said that you knew LaMontre to carry a weapon. Had
7 you ever seen him pull a weapon out at that time?

8 A. No.

9 Q. Okay. Who pulled out a weapon first?

10 A. Jordin.

11 Q. Jordin. Okay. Did you ask her to pull out a weapon?

12 A. No.

13 Q. Did you ask her to protect you from him?

14 A. No.

15 Q. Did you ever ask Jordin to defend you?

16 A. No.

17 Q. Was this self-defense?

18 A. It was not.

19 Q. All right. Ms. Byrams, I'm gonna direct your attention
20 back to the screen just briefly. Is this what you're
21 talking about?

22 A. Yes.

23 Q. All right. All right. So after the shooting itself is
24 over, what do you do?

25 A. After I came back to realize he was shot, I got up and

1 went to LaMontre.

2 Q. All right. And after that, that's when -- after it was
3 over, you told the police what happened?

4 A. I don't believe I spoke to the police that night
5 because I was still out of it, drunk.

6 Q. Okay. So now I'm gonna direct your attention,
7 Ms. Byrams, to State's Exhibit Numbers -- I think it's gonna
8 be 3 through 82 and 4 through -- no -- 3 through 82 and 84
9 through 195, okay. But first, we're gonna start with these.

10 Strike that. We're gonna start with State's
11 Exhibit Numbers 84 through 195, okay. Now, you testified
12 earlier that you recognized these still photos? These are
13 photos from the video.

14 A. Yes.

15 Q. All right. Okay. So same thing here. You're sitting
16 in the booth?

17 A. Yes.

18 Q. Can you point to yourself?

19 A. Right here.

20 Q. Right here?

21 A. Yes.

22 Q. Okay. All right. Can you point out anyone else?

23 A. My sister, Tyreece, Chico, LaMontre, and De'ja Lingard.
24 I can't see Jordin in this one, but she was sitting right
25 beside me.

1 Q. All right. So you talked about earlier that Jordin has
2 green hair?

3 A. Yes.

4 Q. All right. She had green hair this night?

5 A. Yes.

6 Q. All right. Do you see green hair in this still shot?

7 A. Yes.

8 Q. Okay. So you see the green hair. Okay. All right.
9 So Jordin is sitting right beside you. And like you
10 testified earlier, do you see anyone else in the video that
11 you recognize or in the still shot?

12 A. Chico.

13 Q. Chico. Okay. Do remember how tall Chico is?

14 A. Him and LaMontre are about the same height.

15 Q. Same height. Okay. So about how tall would you
16 say LaMontre is?

17 A. About 5-10, 5-11.

18 Q. Pretty tall. All right. Taller than you?

19 A. Yes.

20 Q. All right. How tall is Jordin? About your height or a
21 little shorter?

22 A. She's a little bit shorter than me.

23 Q. A little shorter than you. How tall are you?

24 A. 5-2.

25 Q. About 5-2. Okay. All right. So what's happening in

1 this particular ---

2 A. Everybody is arguing.

3 Q. They're all arguing. All right. This young man right
4 here, do you recognize him?

5 A. Jaheim Bellamy.

6 Q. That's Jaheim Bellamy. Does he have a nickname?

7 A. Jah.

8 Q. Jah. Okay. All right. So they're arguing. You said
9 now their argument has turned between -- it was first
10 between -- he was talking to you?

11 A. Yes.

12 Q. All right. All right. So moving screen by screen.

13 Now, what's happening in this particular screen of State's
14 84 through 195?

15 A. LaMontre turns and walks away.

16 Q. So this person right here is LaMontre walking away?

17 A. Yes.

18 Q. All right. And who is standing right here beside him?

19 A. Chico.

20 Q. Do you recognize this person in this hoody?

21 A. Charles.

22 Q. That's Charles. Okay. All right. And so you said you
23 were still sitting down in this booth?

24 A. Yes.

25 Q. All right. Is Jordin still sitting beside you at this

1 point?

2 A. Yes.

3 Q. All right. So LaMontre is walking away. Can you show
4 us in the video where Jordin's hand goes up to shoot him?

5 A. I can't see it right there.

6 Q. You can't see it right there. Okay. It's kinda hard
7 to see.

8 A. Right up in there.

9 Q. Right in there. You want to look at my screen to see
10 if you can see it better? And then you can use this right
11 here. Is it easier to see?

12 A. Yeah. Right where I pointed at.

13 Q. Right where you pointed at. Okay. So her hand goes
14 up. You see it now?

15 A. Yes.

16 Q. All right. So if you point to it -- so that's Jordin?

17 A. This is Jordin.

18 Q. That's Jordin. All right. And her hand goes up. Now,
19 where is LaMontre?

20 A. Right there.

21 Q. Walking towards the door?

22 A. -- Chico, yeah.

23 Q. Okay. Jordin's hand goes up. He's turned his back,
24 he's walking away. What do you see in this screen, same
25 thing?

1 A. Yes.

2 Q. Okay. And is LaMontre still walking away?

3 A. Yes. And this is when he starts to go down.

4 Q. Okay. And you see Jordin's hand still up. Now, at
5 some point, LaMontre is going down. What are you seeing
6 now?

7 A. Jordin right here standing behind him.

8 Q. She's standing behind him. Okay. And is LaMontre
9 going down further now?

10 A. Yes. He's basically on the ground.

11 Q. Basically on the ground. Okay. All right. Where is
12 Jordin?

13 A. She's still standing over him.

14 Q. Still standing over him. The one with the green hair?

15 A. Yes.

16 Q. All right. All right. And so in this particular
17 screenshot, still shot, what are we seeing?

18 A. Everybody running from where she was shooting at.

19 Q. Where she was shooting at. Okay. All right. So the
20 person in this particular still shot, you see what?

21 A. Jordin, Chico, and Charles standing behind Jordin.

22 Q. Okay. And where is LaMontre?

23 A. On the ground.

24 Q. So he's on the ground at this point?

25 A. Yes.

1 Q. All right. And now, in this particular screenshot,
2 LaMontre is still?

3 A. He's on the ground.

4 Q. All right. What is Jordin doing?

5 A. She's still standing over him. And that's Chico
6 pulling out his gun.

7 Q. Chico?

8 A. Yes.

9 Q. Is Chico the person in the ---

10 A. I mean Charles. Sorry.

11 Q. So that's Charles. Okay. So that's Charles. And this
12 person right here in the green that's standing over
13 LaMontre?

14 A. That's Jordin.

15 Q. That's Jordin in the green right there with the black
16 on. All right. And you are still sitting?

17 A. In the booth.

18 Q. In the booth. Okay.

19 Okay. Thank you, Ms. Byrams. You can have a seat back
20 up on the witness stand.

21 SOL. LEGETTE: Beg the Court's indulgence.

22 (Brief pause.)

23 SOL. LEGETTE: Beg the Court's indulgence.

24 THE COURT: Take your time.

25 Q. Finally, Ms. Byrams, is the woman who shot

1 LaMontre Green present in court today?

2 A. Yes.

3 Q. Can you point her out, please?

4 A. She's right there.

5 Q. And her name is what?

6 A. Jordin Glover.

7 Q. Thank you, Ms. Byrams. I have no further questions.

8 Answer any questions from Mr. Walker.

9 - - - - -

10 CROSS-EXAMINATION

11 BY MR. WALKER:

12 Q. Good afternoon.

13 A. Good afternoon.

14 Q. Matthew Walker. I'm sorry for your loss. This is a
15 sad business. Gonna kinda walk through just what we did
16 with Ms. Legette. Clear up a few points.

17 She asked you briefly about the party you went to and
18 then you went to Kay's Place. And you named some people
19 that you were there with?

20 A. Yes.

21 Q. Now, is it also true that there were other people at
22 Kay's Place you didn't meet?

23 A. If so, I don't remember.

24 Q. You were drinking throughout the evening?

25 A. Yes, I was.

1 Q. And by the end of the evening, you would classify
2 yourself as drunk?

3 A. Yes.

4 Q. But you were having a good time. You're not a bad
5 drunk. Everybody was having a good time.

6 A. Yes.

7 Q. And you and Jordin had been texting through the day but
8 met up at Kay's Place with other people for the first time
9 that evening?

10 A. Yes.

11 Q. And then everybody at Kay's Place kinda as a group
12 decided they were hungry and wanted to go to Waffle House
13 were the people you knew?

14 A. Yes.

15 Q. You said earlier your phone had died at some point and
16 that you weren't talking to LaMontre because your phone was
17 dead. Was it dead at Kay's Place or before then or?

18 A. It went dead at the party in Neyles.

19 Q. At the party at Neyles?

20 A. Uh-huh.

21 Q. So once you left that party, your phone was dead?

22 A. Yes.

23 Q. And then you got to Waffle House. You weren't
24 expecting LaMontre at the Waffle House, were you?

25 A. No.

1 Q. As far as you knew, nobody was expecting LaMontre at
2 the Waffle House?

3 A. As far as I know.

4 Q. So the first thing you knew of his being there was when
5 Jordin said your baby daddy is here?

6 A. Yes.

7 Q. And then she walked away?

8 A. Yes.

9 Q. And then he came in?

10 A. Yes.

11 Q. And snatched you up out of the booth?

12 A. Yes.

13 Q. Do you recognize that that is legally an assault and
14 battery?

15 A. It wasn't to me.

16 Q. That's not the first time you've had to worry about
17 LaMontre Green assaulting you, is it?

18 A. No, it's not.

19 Q. He had just recently hit you in the face?

20 A. He did.

21 Q. And even as far back in school. He had been suspended
22 from school for hitting you at school?

23 SOL. LEGETTE: Objection.

24 THE COURT: What's the objection?

25 SOL. LEGETTE: I withdraw, Your Honor. I withdraw.

1 THE COURT: All right. Thank you. You may answer.

2 A. Yes. So was Jordin.

3 Q. Okay. Would it be fair to say based on the outcomes of
4 these prior assaults that you did not fear -- feel that him
5 assaulting you this night was something that would cause you
6 great bodily harm?

7 A. Can you repeat it?

8 Q. Well, you said you were not in fear.

9 A. I wasn't.

10 Q. Right. And is that -- he had never seriously hurt you
11 before. And so you knew that he probably wouldn't seriously
12 hurt you again that night. Is that why you weren't in fear?

13 A. I don't know. I was drunk. I don't know.

14 Q. Okay. Now, you said that -- you didn't get into
15 specifics -- but you were arguing about him wanting to go
16 with you and then he turned from that arguing with you and
17 the others at the table to Chico?

18 A. Yes.

19 Q. Okay. And you said that the reason that he started
20 arguing with Chico was that Chico told him not to put his
21 hands on you?

22 A. Yes.

23 Q. And so that then redirected LaMontre's ire and anger
24 towards Chico and away from you?

25 A. He wasn't mad at Chico. He just didn't want to talk to

1 him.

2 Q. Okay. But your words to Ms. Legette a minute ago that
3 he was going back and forth with Chico?

4 A. Yes. They were arguing.

5 Q. And you didn't realize at the time that he was shot
6 that Charles Breland had shot him, did you?

7 A. No, not at the time.

8 Q. And even -- do you remember Officer Kinard and
9 Officer Fisk coming up to talk to you at your house?

10 A. Yes, I do.

11 Q. And even then when they came out later to your house,
12 you didn't even realize that Charles Berlin had shot?

13 A. No, not until they asked.

14 Q. Well, is that when you became aware of that fact?

15 A. Yes.

16 Q. On the night that this happened, up until it happened,
17 LaMontre came into the Waffle House, everybody was having a
18 good time and being friendly?

19 A. Yes.

20 Q. And you were not -- and you were there with Jordin as a
21 friend, not in any kind of relationship or talking?

22 A. Yes, as a friend.

23 Q. And did Jordin later said to you an apology for the
24 events of that night?

25 A. She didn't say it to me. She said it to my father.

Direct Examination of Corporal Riley by Sol. Legette

170

1 Q. Through a family member?

2 A. My father.

3 Q. No further questions.

4 THE COURT: Any redirect?

5 SOL. LEGETTE: Just briefly.

6 - - - - -

7 REDIRECT EXAMINATION

8 BY SOL. LEGETTE:

9 Q. Ms. Byrams, the night of the incident, who did you see
10 shoot LaMontre Green?

11 A. Jordin Glover.

12 Q. Thank you. Nothing further.

13 THE COURT: Thank you so much. You may step down.

14 Call your next witness.

15 SOL. LEGETTE: Thank you, Your Honor. The State calls
16 Deputy Jackson Lee Riley.

17 (Whereupon, the witness, JACKSON RILEY, was duly
18 sworn.)

19 THE CLERK: Have a seat right there. state your first
20 and last name, spell your last name for the record.

21 THE WITNESS: My name is Jackson Riley, last name
22 R-I-L-E-Y.

23 - - - - -

24 DIRECT EXAMINATION

25 BY SOL. LEGETTE:

1 Q. Good afternoon, Officer Riley.

2 A. Good afternoon.

3 Q. Officer Riley, where do you work?

4 A. I currently work at the Jasper County Sheriff's Office.

5 Q. And how long have you been at the Jasper County
6 Sheriff's Office?

7 A. I've been at Jasper for approximately two months.

8 Q. Two months. All right. And what is your current rank?

9 A. My rank at Jasper is a corporal on the Narcotics
10 Enforcement Team.

11 Q. All right. Should I call you Deputy Riley or
12 Corporal Riley?

13 A. Either is fine.

14 Q. Either is fine. All right. So, Corporal Riley, you've
15 been at the Jasper County Sheriff's Office for two months.
16 Do you have any other law enforcement experience prior to
17 that?

18 A. Yes. I worked at the Walterboro Police Department for
19 a little over seven and a half years.

20 Q. Seven and a half years. And during that time, can you
21 talk to us about your responsibilities and your rank at the
22 Walterboro Police Department?

23 A. Yes, ma'am. I worked my way up to road patrol
24 supervisor as a sergeant, which just essentially means the
25 team that was working whatever night, I was the -- at night

1 or the highest rank or sometimes at night first-line
2 supervisor, essentially. And I was also a K-9 handler and
3 worked some of the street crime as well.

4 Q. And now you're in Jasper doing narcotics?

5 A. Yes, ma'am.

6 Q. All right. So were you working for the Walterboro
7 Police Department back in, let's say, February 2023?

8 A. I was.

9 Q. And I want to turn your attention specifically to
10 February 18, 2023. Were you working that particular shift?

11 A. I was. I believe it was a Friday, Friday night going
12 into Saturday.

13 Q. So was it Friday going into a Saturday morning?

14 A. Yes. I got on shift -- we get on shift around 6:45 to
15 7:00. We work until 7:00 the next morning.

16 Q. All right. So you would've come in on Friday night, I
17 guess the 17th?

18 A. Yes.

19 Q. And then worked until 7:00 a.m. Saturday morning?

20 A. That's correct.

21 Q. All right. So you're working for the Walterboro Police
22 Department back February 18, 2023. That was a Saturday
23 morning, I guess. Came on shift around 7:00 p.m. on that
24 Friday night?

25 A. Yes, ma'am.

1 Q. All right. Did you happen to get any calls that night
2 for dispatch for assistance?

3 A. Yes. We went to a shooting at Waffle House.

4 Q. All right. And so where is Waffle House located?

5 A. It's located on Bells Highway right next to 95, which
6 is in the city of Walterboro's jurisdiction in
7 Colleton County, South Carolina.

8 Q. Okay. So you got dispatched to the Waffle House. What
9 did you do?

10 A. I was riding passenger seat with Nathan Tuten, who I
11 was in the middle field training. And I directed him where
12 to go and, you know, what to do as far as turning your
13 lights on, when to turn them off, getting close to the
14 scene, and stuff like that.

15 Q. All right. So your job that night, I guess, was the
16 supervisor or trainee -- trainer for Mr. Tuten?

17 A. Yes. I was doing both. I was supervisor of the team
18 and field training Officer Tuten at the time.

19 Q. Okay. So you got this call to go to Waffle House.
20 Tell us about that ride to the Waffle House and what you
21 found when you arrived at Waffle House?

22 A. So we -- I believe Tuten I were on Black Street. And
23 we drove from there, you know, as quick as we could, lights
24 and sirens. When we got close, we turned our sirens off.
25 And I may have actually had him not even turn the sirens on

1 just because a lot of times, you know, sound travels very
2 far at night. Got our lights until we got, I believe, to
3 Robertson and Bells. I had him turn them off just in case
4 we passed the suspects. Didn't want to tip them off if they
5 see or heard us coming to a scene like that.

6 We parked at the entrance of Waffle House, which is
7 kind of behind the windows and stuff from Waffle House where
8 no one could see, also to start blocking that driveway. And
9 then Tuten and I began approaching -- I believe Officers
10 Tuten and Pinckney, who arrived after, went to the left side
11 of Waffle House, and I went around the right side, again,
12 making sure there was no active threat at the scene.

13 Q. Okay. And when you mean active threat, what does that
14 mean?

15 A. For instance, somebody with a firearm or, you know, any
16 threat to law enforcement so we can -- if there's a
17 shooting, you know, try to get medical personnel in there.
18 You have to secure the scene before you can do anything like
19 that.

20 Q. All right. So once you got a Waffle House, did you
21 find any shooters or active shooters or active threats when
22 you got there?

23 A. I did not find any -- we did not find any active
24 threats when we got there. It took a minute to assess the
25 situation. It was a little hectic. A lot of people

1 screaming at the front door. But, you know, from what we
2 gathered, there was no -- the person -- the perpetrators had
3 already left.

4 Q. All right. So tell us what you found when you arrived?

5 A. When I walked in, there were several people crowded
6 around the front door. There was actually -- there is what
7 appeared to be deceased male just, if you walked in the
8 door, to the left. And there was a crowd of people around
9 him at the time. Everybody was screaming. It was very
10 hectic. And we were trying -- started trying to clear them
11 out of there, asking, you know, what happened, who did it,
12 where are they at, you know, things like that.

13 Q. And were you able to determine who might've been
14 involved?

15 A. Well, after some time, getting some people to calm
16 down, we did talk to some people and we did get several
17 names or a couple of names that were involved.

18 Q. Okay. All right. So at some point, you said that you
19 were -- did you ever have a chance to assist the victim?

20 A. At one point when -- we always, if there's a victim of
21 a shooting, we try to see if we can render any aid. When I
22 arrived there, I looked and didn't see any signs of life at
23 the time. When I was talking to Waffle House employees, one
24 of them thought that he had moved. So I checked for any
25 signs of life. I did a sternum rub to see if I could -- if

1 there was any reaction from him.

2 Q. Okay. And just out of curiosity, what is a sternum
3 rub? What does that mean?

4 A. You just take your knuckles and rub it across really
5 hard on their chest to see if you get any reaction.
6 Essentially, if you do it hard enough, if somebody has, you
7 know, any brain function, a lot of times they'll have some
8 reaction to you grinding between the rib bones.

9 Q. And what, if any, response did you get from Mr. Green?

10 A. I didn't get any response from him.

11 Q. No response. All right. So while you were checking
12 Mr. Green, did you find anything on his person?

13 A. Yes. I found -- I located a firearm in his waistband.

14 Q. All right. So describe where that firearm was located?

15 A. It was -- I can't remember exactly where. I know it
16 was in his front half of, but it was down in his pants. I
17 think the only reason I could see it -- I don't remember if
18 I saw it under his shirt or it looked like his shirt kinda
19 slid up, maybe he slid down the wall or something, and it
20 was down in his pants. And with all the people around, I
21 didn't want somebody to take anything from the scene. Have
22 a firearm there, you know, if somebody shows back up that
23 was involved and they grab a gun. So I always secure any
24 firearms that are around in a scene like that to ensure no
25 one else grabs it or, you know, accidentally kicks it and it

1 goes off or something like that.

2 Q. And based on where the gun was found, what were you
3 able to conclude as far as the gun itself?

4 A. It just looked like it had been in his waistband and
5 was tucked in there whenever he was deceased.

6 Q. All right. So now what, if anything, did you do? Did
7 you collect the firearm?

8 A. I did. And at some point -- I may have just kept it on
9 my person, maybe in my pocket, for just a minute to start
10 clearing people out. I know eventually I took it to my car
11 and locked it in my patrol car.

12 Q. And do you recall if you ever turned it over to anyone
13 in your office?

14 A. Yes. That night I released it to -- I believe it was
15 either -- I believe it was Shipp who I turned the firearm
16 over to. It was either Shipp or Kinard. I know we had
17 another call of a possible shooting or something, and I had
18 to get out of there. So I gave it to one of the officers on
19 scene.

20 Q. Okay. And at some point during the evening while you
21 were still there before you got that other call, did you
22 have occasion to review the Waffle House video?

23 A. I did.

24 Q. All right.

25 SOL. LEGETTE: Beg the Court's indulgence.

1 Q. Now, you did have body cam and dash cam that night?

2 A. Yes, ma'am.

3 Q. Thank you, Corporal Riley. I have no further
4 questions. Answer any questions of Mr. Walker.

5 (Brief pause.)

6 MR. WALKER: May we approach, Your Honor?

7 THE COURT: Yes.

8 (A bench conference was held off the record and out of
9 the hearing of the jury panel.)

10 THE COURT: All right. Ladies and gentlemen, it's
11 probably time for an after-lunch break. So let's take about
12 a 15-minute break. Don't discuss the case with anyone. And
13 we'll get you back in here in about 15 or so.

14 (The jury exits the courtroom at 2:38 p.m.)

15 THE COURT: Jury is out. You may walk around or do
16 whatever you like, just don't discuss the case with anyone.
17 Don't discuss your testimony with anyone.

18 THE WITNESS: Yes, sir.

19 (Brief recess at 2:39 p.m.)

20 THE COURT: You got everything figured out?

21 MR. WALKER: I think so, Your Honor. Although, I
22 believe the Solicitor wanted to discuss some scheduling
23 matters.

24 THE COURT: I believe what? I'm sorry.

25 MR. WALKER: I think she wanted to discuss some

1 scheduling matters.

2 THE COURT: Oh, okay.

3 SOL. LEGETTE: Yes, Your Honor. It might be -- we're
4 trying to keep it on track. It might be necessary -- well,
5 not necessary -- but we request, if necessary, to stay a
6 little later today in order to get as close to the end of
7 the State's case as possible. Because we're, at this point,
8 planning on bringing two witnesses in the morning and then
9 rest our case.

10 THE COURT: Okay.

11 SOL. LEGETTE: But I'm not sure how long it's gonna
12 take with this witness. And then we have a really short
13 witness and then we have -- we have three short witnesses
14 after him. And then a somewhat longer witness and another
15 short witness and then a somewhat longer witness and then
16 we'll be done. So we're hoping to be able to --
17 (descriptive sound) -- possibly at 5:00 o'clock. But if we
18 need to stay a little later, I would like to ask the Court
19 to do so.

20 THE COURT: Suits me. Any problem?

21 MR. WALKER: No objection.

22 THE COURT: All right. Let's do it.

23 SOL. LEGETTE: Thank you, Your Honor.

24 THE COURT: And can we bring the jury in? Anything
25 before we bring the jury in?

1 MR. WALKER: We're ready.

2 SOL. LEGETTE: We're ready.

3 THE COURT: Please bring them in.

4 (Brief pause.)

5 (The jury enters the courtroom at 3:06 p.m.)

6 THE COURT: All right. Everyone follow the
7 instructions during the break? I thought so. Thank you.

8 You're still under oath, sir. Please continue,
9 Mr. Walker.

10 MR. WALKER: Thank you, Your Honor. May it please the
11 Court?

12 - - - - -

13 CROSS-EXAMINATION

14 BY MR. WALKER:

15 Q. Good afternoon.

16 A. Good afternoon.

17 Q. Just want to walk briefly through -- well, let me start
18 this way. You are trained in how to use and handle firearms
19 for through your job, right?

20 A. That's correct.

21 Q. Can you briefly describe what training you've undergone
22 relating to firearms?

23 A. To firearms, we go through qualification shootings at
24 the Academy. We go through qualification shootings
25 every -- it's either a year or six months. I don't think

1 I've had any advanced firearm trainings or anything like
2 that, just basic Academy qualification every so often for
3 work.

4 Q. So qualifications just make sure you can shoot and hit
5 what you're aiming?

6 A. That's correct.

7 Q. When you just said the Academy, what's the Academy?

8 A. The police academy, the South Carolina Criminal Justice
9 Academy. I can't remember the exact score, but you have to
10 shoot a certain score on a course. I believe it's 50
11 rounds.

12 Q. Okay. And do they also instruct you on when it's
13 appropriate to use a firearm?

14 A. That's correct.

15 Q. And when did they tell you it's appropriate to use a
16 firearm?

17 A. It would be -- they don't exactly give you a certain
18 scenario. But it's when you need you to defend yourself,
19 essentially.

20 Q. Okay.

21 A. When making -- when, like, making an arrest. Or even
22 it you're not making an arrest, if somebody were to shoot
23 you or something like that or point a gun at you. Those may
24 be times.

25 Q. Okay. And in the course of your firearm training, have

1 you ever heard of the 21-foot rule?

2 A. With a knife.

3 Q. Well, just what your understanding of it is if you've
4 heard of it?

5 A. Yes. At the Academy, they actually go through training
6 where someone is running at you starting at 21 foot, and you
7 draw a fake firearm, you know, a dummy pistol, and practice
8 drawing. There's another time we actually just did a drill
9 where you're sitting in a seat and somebody runs from you
10 from 21 feet and you practice shooting before they get to
11 you, essentially, drawing and shooting.

12 Q. You said runs from you. But you mean runs towards you?

13 A. Runs toward you, yeah. Well, they ran to you, but they
14 were behind you. So it was like if they touched you.

15 Because they didn't want to be in front of you while you
16 were shooting a live round. So it was just a drill to work
17 your time if someone were to ever attack you with a knife.

18 Q. So that's -- as weapons, point weapons, there's a
19 lethal -- potential lethal radius of 21 feet around a
20 person?

21 A. It depends on the situation, but could be.

22 Q. But your trainings is that you should be able to get
23 your weapon out at firing if someone is within 21 feet?

24 A. That is a drill they work at the Academy.

25 Q. If you feel threatened?

1 A. If someone was running at you with a knife in this
2 scenario, yes.

3 Q. Now, does a 21-foot rule apply to someone that's
4 already firing?

5 A. There's not a -- like I said, there's not a certain
6 distance they even tell you. Like with a knife, it depends
7 on your training and experience and stuff like that. You
8 know, some people may feel comfortable closer, some may feel
9 comfortable further.

10 Q. But the probable lethal radius of a firearm would be
11 further than 21 feet?

12 A. That is correct. All depends on -- could be further
13 depending on if it's a rifle with a scope and things like
14 that.

15 Q. But you can feel threatened or need to draw your weapon
16 if someone was further away than 21 feet from you with a
17 firearm?

18 A. Depends on the situation. There's a lot of times,
19 traffic stops, there's people with firearms. I don't draw
20 out on them. I talk with them. You know, secure it for the
21 remainder of the stop and give it back to them. Just
22 precautionary.

23 Q. Now, in that 21-foot drill, were any of your other
24 shooting qualification drills that you do, do they give you
25 any instruction on shooting to wound or to be nonlethal in

1 your shooting?

2 A. They don't. You shoot the target. It's not like in
3 the movies where you can shoot the gun out of someone's hand.
4 I don't even know under duress if an expert marksman could
5 do that or not. It's you shoot, you know, center mass so
6 you don't miss. But, no, there is no shoot to wound.

7 Q. Okay. Is there instruction about, once you started
8 shooting at someone, when to stop?

9 A. When to stop?

10 Q. Yeah.

11 A. Whenever the threat is no longer there.

12 Q. Now, your testimony about your involvement in this case
13 is that you were one of the first responders in that when
14 you were checking Mr. Green for injury, you saw in his pants
15 a firearm?

16 A. That's correct.

17 Q. I'm gonna ask you to look at the contents of this box
18 and tell us, tell me, if you recognize it.

19 A. This appears to be the firearm that I took out of the
20 victim's pants.

21 Q. And essentially in the same condition as when you found
22 it?

23 A. I mean, it looks the same. It, obviously, had the
24 bullets in the magazine and stuff.

25 MR. WALKER: At this time, defense would move Defense 1

1 A through D into evidence?

2 SOL. LEGETTE: No objection.

3 THE COURT: All right. Without objection, Defense 1 A
4 through D, did you say?

5 MR. WALKER: Yes, Your Honor.

6 (Defendant's Exhibit Nos. 1A-D were received into
7 evidence.)

8 Q. Gonna retrieve that from you. Tell me again what you
9 saw in this box?

10 A. A firearm and magazine. And I don't remember how many
11 rounds.

12 Q. Does the firearm -- or this is the magazine that you
13 recovered?

14 A. That's correct.

15 Q. And then these were loaded into the weapon when you
16 recovered them?

17 A. Yes.

18 Q. Do you have your service weapon with you?

19 A. I have one for Jasper County. Yes, sir.

20 Q. You have it on your person?

21 A. Yes, sir.

22 Q. Okay. What kind of weapon is that?

23 A. Jasper County carries a 40-cal Glock. I can't remember
24 exactly what model. I just got it.

25 Q. Okay. And what kind of -- mechanically, what kind of

1 pistol is it?

2 A. It's a semi-automatic pistol.

3 Q. Can you explain the operation of a semi-automatic --
4 well, is this also a semi-automatic pistol?

5 A. Yes.

6 Q. Is this also 40-caliber pistol?

7 A. I don't remember the caliber, to be honest.

8 Q. Can you explain the operation of a semi-automatic
9 pistol?

10 A. A semi-automatic pistol, whenever you pull the trigger,
11 each trigger pull, the top of the gun will slide back and
12 put a new round into the chamber when you release the
13 trigger. And you can pull it again and it will shoot again.

14 Q. Okay. Where on your person is your service firearm?

15 A. It's on my right hip.

16 Q. Can you unbutton your coat, expose your weapon, and
17 just stand up so we can see it, so we can all see it.

18 A. (Witness complies.)

19 Q. I would like you to show on your weapon where the
20 bullets contained.

21 A. They're contained in the magazine here.

22 Q. And what is the magazine?

23 A. The magazine is what holds the rounds that, when I was
24 talking about to you, they change out. They will put a new
25 one into the barrel for you to fire, again, after that on

1 the next trigger pull.

2 Q. And the magazine you just pointed to is the magazine
3 issued with that weapon?

4 A. That's correct.

5 Q. How many rounds does it hold?

6 A. I believe it holds -- it's either 15 or 16. And then
7 it's always plus 1 if you keep one in the chamber.

8 Q. So all the bullets for the gun are in that magazine
9 unless there's one in the actual firing chamber?

10 A. That's correct.

11 Q. And then once the gun is fired, what happens?

12 A. A projectile comes out of the barrel and then, like I
13 said, it recycles through and another bullet is put into the
14 barrel.

15 Q. Okay. Does everything come out of the front of the
16 barrel when it's fired?

17 A. That is -- or no. Excuse me. The projectile does.
18 Now, the cartridge is ejected to the side.

19 Q. Okay. This would be kind of accurate state of battery
20 for a gun that had just been fired and is in the process of
21 cycling?

22 A. In the process, like halfway through that process?

23 Q. Right.

24 A. That would be halfway through the process.

25 Q. And in this state that a casing would then come in the

1 gun, in this particular gun, to the right as part of the
2 mechanical action of the gun?

3 A. That's correct.

4 Q. And does it just kinda roll out of there, or does it
5 come out with some force?

6 A. It comes out a little bit. It depends on the firearm
7 and the caliber and make of the gun and all that, and how
8 hard you're holding onto the gun. You know, it if you have
9 a softer grip, it may not go as far. There's a bunch of
10 factors that could change that.

11 Q. But, in general, you wouldn't expect to find in a
12 semi-automatic pistol the round dropping right at your feet
13 from where you shot it?

14 A. Like I said, it depends on how you're holding it. But
15 it's all very situational.

16 Q. Okay. And you said that after you retrieve the gun
17 from LaMontre's pants, you kept it for a while and
18 transferred it to someone else?

19 A. Right. I kept it -- I believe I put it in either his
20 side pocket or back pocket just to make sure no one, like I
21 said, grabbed it or anything. Just part of securing the
22 scene. And then I put it locked in my car until I provided
23 it to one of the other officers on scene when I had to leave
24 for another call.

25 Q. Do you recall which officer you gave it to?

1 A. I believe it was Shipp. But I don't remember -- I knew
2 it was one of the officers on scene.

3 Q. Shipp is one of the Waltherboro Police Department
4 officers?

5 A. Yes.

6 Q. Okay. And one final question. You talked a minute ago
7 about the magazine. In your gun that you just showed us,
8 and your magazine was flush with the base of the handle,
9 what would be the function of having a longer magazine?

10 A. So my magazine, actually, it has what's called
11 "plus-one," which is you can take the bottom of a flush
12 magazine off and it all add one more. I have it on a couple
13 of my guns. I have a couple of different ones like that.
14 But it's just for more rounds.

15 Q. So you can hold more bullets?

16 A. That is correct.

17 Q. Without reloading?

18 A. Right. That's correct. With a bigger magazine, you
19 can hold more bullets.

20 Q. And then after you completed -- you basically turned
21 over the investigation to some more senior investigators
22 once they arrived on scene?

23 A. I turned it over to the investigators because that's
24 their duties. Yes, sir.

25 Q. Because you were working road?

1 A. I was working road patrol as a sergeant. Yes, sir.

2 Q. Do you remember talking to Ms. Sakasia Byrams on scene
3 that night?

4 A. I believe I talked to several people. I believe she
5 was one of them.

6 Q. Okay. And do you recall her telling you that
7 Jordin Glover was the person that shot?

8 A. Yes.

9 Q. And she did not mention Mr. Breland at that time?

10 A. I talked to so many people that time, I couldn't tell
11 you who exactly said what. It would be definitely notated
12 on my body cam. But I do remember that Ms. Glover is one of
13 the names that I received that night. Can't tell you a
14 hundred percent who I received it from. I talked to at
15 least --

16 Q. Let me back you up there. The night when you were on
17 scene, y'all didn't -- correct me if I'm wrong -- but no one
18 realized that Breland was involved until after you all had
19 looked at the tapes. Isn't that correct? That's when his
20 name first came up, right?

21 A. Again, I don't know as far as the actual investigation
22 part. Once I left the scene, that was the majority of my
23 involvement with the case.

24 Q. Well, you'd agree you didn't write Mr. Breland's name
25 in your report that you provided?

1 A. I don't believe I did.

2 Q. And if someone had mentioned him as shooting the
3 victim, you would've put it in?

4 A. I normally would do that.

5 Q. I have no further questions.

6 THE COURT: Redirect?

7 SOL. LEGETTE: Just briefly.

8 - - - - -

9 REDIRECT EXAMINATION

10 BY SOL. LEGETTE:

11 Q. Corporal Riley, explain to the jury again, when you
12 found that gun on the victim, where was the gun found?

13 A. It was in his waistband. Like I said, I don't remember
14 exact location. I remember it was on the front half of his
15 body tucked in pretty good under his waistband.

16 Q. On his waistband. Okay. All right. If you were to
17 demonstrate with the gun on your side, basically, you would
18 take it out of the holster and put it down in your
19 waistband?

20 A. Right. There was no holster. It was just -- it's
21 called a free carry is when you just put the firearm in your
22 waistband. And essentially your belt, or if your pants are
23 tight enough, will hold it right there if you're just
24 walking around.

25 Q. Okay. And so you testified earlier that you had

1 reviewed the Waffle House video prior to appearing up on the
2 scene that night?

3 A. I believe I viewed it. I don't remember if it was that
4 night or if someone showed me after. But I definitely
5 viewed it. It may have been that night. I can't say a
6 hundred percent what day I viewed it, but I know I did view
7 it. Yes, ma'am.

8 Q. And will you agree, when you viewed that video, were
9 you able to see the victim in any of those screens -- not
10 screens -- but the actual video itself?

11 A. Yes, ma'am.

12 Q. All right. And were you able to see a gun on him when
13 you saw him in the video?

14 A. I did not notice one on the video.

15 Q. Okay.

16 SOL. LEGETTE: Beg the Court's indulgence.

17 I have nothing further.

18 MR. WALKER: Nothing further.

19 THE COURT: Thank you so much. May this witness be
20 excused?

21 SOL. LEGETTE: Yes, pleas.

22 THE COURT: Mr. Walker?

23 MR. WALKER: Yes, Your Honor.

24 THE COURT: Thank you so much, sir.

25 SOL. LEGETTE: The State calls Mr. Kevin Baker.

1 (Whereupon, the witness, KEVIN BAKER, was duly sworn.)

2 THE CLERK: Please have a seat. State your first and
3 last name, spell your last name for the record, please.

4 THE WITNESS: Kevin Baker, B-A-K-E-R.

5 - - - - -

6 DIRECT EXAMINATION

7 BY SOL. LEGETTE:

8 Q. Good afternoon, Mr. Baker.

9 A. Good afternoon.

10 Q. Mr. Baker, where do you work?

11 A. Colleton County Fire and Rescue.

12 Q. All right. And so what are your duties at
13 Colleton County Fire Rescue?

14 A. Firefighter/paramedic.

15 Q. Okay. And what does a firefighter/paramedic do?

16 A. Fight fires and we run medical calls, treat medically
17 sick patients.

18 Q. Okay. And so how long have you been working for the
19 Colleton County Fire Rescue?

20 A. Fifteen years.

21 Q. Fifteen years. Okay. And so you're a paramedic?

22 A. Yes, ma'am.

23 Q. And is there a difference between a paramedic and an
24 EMT?

25 A. Yes, ma'am.

1 Q. Can you describe briefly the difference?

2 A. And EMT is a basic EMT and it is a paramedic.

3 Paramedics can -- is advanced. You can do a little bit more
4 training, like do a little bit more treatment than an EMT.

5 Q. Okay. So EMT stands for what? Emergency?

6 A. Emergency medical technician.

7 Q. Okay. All right. So there's two levels: EMT and
8 basic?

9 A. There's actually three levels. There's an EMT basic,
10 an EMT Advanced, and an EMT Paramedic.

11 Q. All right. And so when we see all of those fancy
12 firetrucks going by or the Fire Rescue vehicle, who is the
13 person on the vehicle that could give the most medical
14 treatment?

15 A. The paramedic.

16 Q. Paramedic. Okay. So those vehicles come equipped with
17 I guess paramedics and EMTs?

18 A. Basically. One of each. Sometimes they have two --
19 sometimes we'll have two paramedics on a truck.

20 Q. All right. So can you tell us about the education and
21 training and experience it takes to become a paramedic?

22 A. Very long. It's two years -- right at two years.

23 Q. Okay.

24 A. To become a paramedic. You have so many hours of
25 clinicals, you have so many rides, and studying. So it's

1 about a year and a half to two years.

2 Q. All right. So I think you told us. How long have you
3 been -- I'm sorry -- a paramedic?

4 A. I've only been a paramedic four years.

5 Q. Four years. Okay. All right. So let's turn your
6 attention now to February 18, 2023. Do you recall then?

7 A. Yes, ma'am.

8 Q. All right. Were you working for Colleton County Fire
9 Rescue back in February of 2023?

10 A. Yes, ma'am.

11 Q. All right. And were you considered a paramedic at that
12 time?

13 A. Yes, ma'am.

14 Q. All right. Now, did anything -- well, you say
15 paramedic do medical calls?

16 A. Right.

17 Q. All right. Did you get a call for medical assistance,
18 let's talk about, February 18, 2023?

19 A. Yes.

20 Q. All right. Can you tell us about that call, the call
21 for assistance?

22 A. The call for assistance?

23 Q. Yes, sir. Dispatch.

24 A. For a gunshot victim?

25 Q. Yes. Tell us about that call.

1 A. We got a call for a gunshot victim. We responded from
2 the station. Got on scene, found the patient. Rendered
3 care to the patient, started CPR. Put him in our truck and
4 began emergency transport to the emergency department.

5 Q. All right. Now, this patient, where was he found? Do
6 you remember the location he was found?

7 A. If memory serves me right, it was the Waffle House on
8 the floor.

9 Q. Would it help you to refer to your report?

10 A. Yes, ma'am.

11 Q. It would. Okay.

12 SOL. LEGETTE: May I approach?

13 THE COURT: You may.

14 Q. Is that your report?

15 A. Yes, ma'am.

16 Q. Okay.

17 A. The patient lying supine on the floor just inside the
18 Waffle House.

19 Q. What does supine mean?

20 A. Flat on your back, looking up.

21 Q. Okay. So he's lying flat on his back. This is at the
22 Waffle House?

23 A. Yes, ma'am.

24 Q. Okay. All right. And where is the Waffle House
25 located, in what county?

1 A. Colleton County.

2 Q. Colleton County. All right. So what treatment, if
3 any, is rendered to him?

4 A. We began CPR. We placed them on a backboard. We began
5 CPR. Started CPR and we continued CPR all the way to
6 Colleton Medical Center.

7 Q. All right. So you got him on a gurney, take him to
8 your truck?

9 A. Right.

10 Q. All right. So during that CPR, was he put on any kinds
11 of machines?

12 A. He was put on a monitor and found to be in PEA.

13 Q. What is PEA?

14 A. Pulseless electrical activity.

15 Q. And can you tell us a little bit about what that means?

16 A. The heart has got electrical activity, but it has no
17 blood for it to pump.

18 Q. Okay. All right. So it's kind of critical?

19 A. Right.

20 Q. All right. So it's really critical?

21 A. Critical.

22 Q. All right. And so you got him on this machine. He's
23 got this PEA, pulseless electrical activity. His heart has
24 got no blood to pump. And what is going on in the truck?

25 A. We're all working. We're putting him -- we got him on

1 a LUCAS device, which is a device that does CPR for us so we
2 don't tire ourselves out. It continuously does adequate
3 chest compressions, better than we can as humans. So we had
4 him on a LUCAS device. He was on a backboard. It was
5 continuous. We're breathing, bagging for him on the way to
6 the hospital.

7 Q. On the way to the hospital. And, I'm sorry, I may have
8 forgotten to ask you. What was the patient's name?

9 A. I don't even --

10 Q. Is it in your report?

11 A. It's in my -- it's in my report but . . .

12 Q. Would it had been LaMontre Green?

13 A. Yes, ma'am.

14 Q. All right. So LaMontre Green, you got him on the LUCAS
15 device. LUCAS device, tell us again, does continuous CPR?

16 A. Right. It does CPR for us so we don't have to
17 physically do CPR ourselves.

18 Q. And what is CPR designed to do?

19 A. Restart the heart.

20 Q. Restart the heart. Okay. All right. So you got him
21 on this device. You got him in the truck. Everybody's
22 working him. When you say everybody, who was with you?

23 A. If memory serves me right, I had one or two people in
24 the back of the truck with me.

25 Q. All right. But you're the top man on the truck?

1 A. Right.

2 Q. Okay. So you eventually get him to the hospital?

3 A. Right.

4 Q. Which hospital?

5 A. Colleton Medical Center.

6 Q. All right. And at that point, when you get him to
7 Colleton Medical Center, what happens?

8 A. We push him into the ER, take him off our gurney, put
9 him on their gurney, and they take over care. I give them a
10 report, tell them what we got going on, and they take over
11 care.

12 Q. All right. So that's what you did in this case?

13 A. Right.

14 Q. And once you turned him over to Colleton Medical
15 Center, did you have any other involvement in this case?

16 A. None.

17 Q. Thank you, Mr. Baker. I have no further questions.
18 Please answer any questions from Mr. Walker.

19 MR. WALKER: Nothing for this witness.

20 THE COURT: Thank you so much, sir. You can step down.
21 Any objection to releasing this witness?

22 SOL. LEGETTE: No, Your Honor.

23 MR. WALKER: No, Your Honor.

24 THE COURT: Thank you, sir.

25 THE WITNESS: You're welcome.

1 SOL. LEGETTE: State calls Richard Harvey.

2 (Whereupon, the witness, RICHARD HARVEY, was duly
3 sworn.)

4 THE CLERK: Please have a seat there. State your first
5 and last name, spell your last name for the record. Thank
6 you, sir.

7 THE WITNESS: Richard Harvey, H-A-R-V-E-Y.

8 - - - - -

9 DIRECT EXAMINATION

10 BY SOL. LEGETTE:

11 Q. Good afternoon, Mr. Harvey.

12 A. Good afternoon.

13 Q. Mr. Harvey, what is your occupation?

14 A. I'm the Colleton County Coroner.

15 Q. All right. Mr. Coroner. So, Mr. Coroner, how long
16 have you been the coroner for Colleton County?

17 A. This is my 32nd year.

18 Q. All right. Now, Mr. Coroner, what does a coroner do?

19 A. A coroner investigates any death that occurs outside of
20 a medical facility, inside a medical facility, specifically
21 the emergency room, the operating room, labor and delivery,
22 and anybody who's been in the hospital for less than 24-hour
23 time frame.

24 Q. Mr. Harvey, or Coroner Harvey, you're also an elected
25 official, correct?

1 A. Correct.

2 Q. All right. So, Coroner Harvey, did you become involved
3 in the case before the Court?

4 A. I did.

5 Q. Can you tell us about how you became involved?

6 A. The hospital emergency room secretary called me and
7 advised me that they had a death in the ER.

8 Q. All right. And Mr. -- sorry. Coroner Harvey, as a
9 result of you getting a phone call from the ER about a death
10 in the ER, what did you do?

11 A. I responded to the emergency room to do my
12 investigation.

13 Q. All right. Mr. -- I'm sorry -- Coroner Harvey, and
14 when you got to the emergency room -- I may have asked and I
15 may not have heard you say it -- but what emergency room was
16 this?

17 A. It was the Colleton Medical Center.

18 Q. So when you got to Colleton Medical Center at the ER,
19 what did you find when you arrived?

20 A. I was brought to one of the emergency room examination
21 rooms. I don't specifically remember what number it was.
22 But I observed the body of LaMontre Green deceased.

23 Q. All right. And let me ask you this question: Do you
24 recall the date? Would it had been February 18, 2023?

25 A. Let me make sure. I'll look at my paperwork and make

1 sure of that. It was. It was February 18, 2023.

2 Q. And that victim -- I'm sorry -- that deceased person
3 was identified as who?

4 A. LaMontre Green.

5 Q. And he was already deceased?

6 A. He was already deceased.

7 Q. And once you arrived and found LaMontre Green already
8 deceased, what did you do?

9 A. I took photographs of the body.

10 Q. And aside from taking any photographs, did you
11 authorize anything to be done to his body?

12 A. Yes. After I got through with my photography and
13 examination of the room and all that, I made contact with
14 the Medical University of South Carolina to have a forensic
15 autopsy performed.

16 Q. And did you have anyone transport his body?

17 A. Yes, I did.

18 Q. Who was that person?

19 A. Brandon Grayson.

20 Q. Thank you, Coroner Harvey. I have no further
21 questions. Answer any questions from Mr. Walker.

22 MR. WALKER: No questions for the Coroner.

23 THE COURT: Thank you very much, sir. You can step
24 down.

25 THE WITNESS: Thank you.

1 THE COURT: May this witness be released?

2 SOL. LEGETTE: Yes, please.

3 MR. WALKER: Yes, Your Honor.

4 THE COURT: All right. Thank you so much, sir.

5 SOL. LEGETTE: The State calls Brandon Grayson.

6 (Whereupon, the witness, BRANDON GRAYSON, was duly
7 sworn.)

8 THE CLERK: Please have a seat right in the witness
9 stand. State your first and last name, spell your last name
10 for the record, please.

11 THE WITNESS: Brandon Grayson. Grayson is
12 G-R-A-Y-S-O-N.

13 - - - - -

14 DIRECT EXAMINATION

15 BY SOL. LEGETTE:

16 Q. Thank you. Good afternoon, Mr. Grayson.

17 A. How are you doing.

18 Q. I'm doing well. How are you, sir?

19 A. All right.

20 Q. Good. Now, Mr. Grayson, where do you work?

21 A. Grayson's Mortuary Transport and the Coroner's Office.

22 Q. Now, how long have you worked for Grayson's Mortuary
23 Transport?

24 A. Twelve years.

25 Q. Twelve years. Okay. That's your own business?

1 A. Yes, ma'am.

2 Q. All right. And how long have you worked for the
3 Colleton County Coroner's Office?

4 A. Ten years.

5 Q. Ten years. All right. So what is your duty as a part
6 of working for the Colleton County Coroner's Office as well
7 as Grayson's Mortuary Transport?

8 A. I'm over transportation at the Coroner's Office, and
9 basically the same thing for my business.

10 Q. Okay. And so what do you transport or who do you
11 transport?

12 A. Human remains.

13 Q. Human remains. Okay. So let's talk about -- let's go
14 back to February 2023. Do you recall February 2023?

15 A. Yes, ma'am.

16 Q. And were you working for Grayson's Mortuary Service as
17 well as the Colleton County Coroner's Office?

18 A. Yes, ma'am.

19 Q. In February 2023?

20 A. Yes, ma'am.

21 Q. All right. Did you have an occasion do -- were you
22 contacted by the coroner for Colleton County?

23 A. Yes.

24 Q. All right. And what were you asked to do?

25 A. Come to the hospital to do the removal for

1 Mr. Pinckney, take him to MUSC.

2 Q. All right. And who were you asked to remove?

3 A. I can't remember his first. I believe his last name
4 was Pinckney.

5 Q. Or Green?

6 A. Green, I mean. I'm sorry.

7 Q. This is around February 2023?

8 A. Yes, ma'am.

9 Q. All right. And so what did you do to remove
10 Mr. Green's body?

11 A. We just got him out of the morgue, loaded him up in my
12 van, and took him straight to Charleston.

13 Q. And what do you typically do when you get a body from
14 the morgue and take it to Charleston?

15 A. We sign paperwork and make sure the tag is on the back,
16 and then we just load them and take them where they need to
17 go.

18 Q. And was the tag on the bag in this case?

19 A. Yes, ma'am.

20 Q. All right. And so when you transport a body, do you
21 make any stops?

22 A. No, ma'am.

23 Q. And as it relates to Mr. Green's body, were any stops
24 made in this case?

25 A. No, ma'am.

1 Q. All right. Was the body tampered with in any way?

2 A. No.

3 Q. All right. And so when you got him to MUSC, what did
4 you do with him?

5 A. Just unloaded him, gave him to the care of the morgue
6 workers.

7 Q. At MUSC?

8 A. Yes.

9 Q. And did you have any further involvement in this case?

10 A. No, ma'am.

11 Q. Thank you. I have nothing further. Answer any
12 questions of Mr. Walker.

13 MR. WALKER: No questions.

14 THE COURT: Thank you so much, sir. Any objections to
15 releasing this witness?

16 SOL. LEGETTE: Excuse him, Your Honor.

17 THE COURT: All right. Thank you, sir.

18 SOL. LEGETTE: The State calls Special Agent Olivia
19 Chapman Nobles.

20 (Whereupon, the witness, OLIVIA CHAPMAN NOBLES, was
21 duly sworn.)

22 THE CLERK: You can have a seat right there. State
23 your first and last name, spell your last name for the
24 record, please.

25 THE WITNESS: Olivia Nobles, N-O-B-L-E-S.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- - - - -

DIRECT EXAMINATION

BY SOL. LEGETTE:

Q. Good afternoon, Special Agent Nobles.

A. Good afternoon.

Q. How are you, ma'am?

A. Doing well, thank you.

Q. Good, good. Now, Special Agent Nobles, where do you work?

A. I work at the South Carolina Law Enforcement Division also known as SLED.

Q. And what do you do at SLED?

A. I'm a special agent assigned to the Crime Scene Unit.

Q. Crime scene. Okay.

A. Yes, ma'am.

Q. And tell us what -- what is crime scene?

A. So, at crime scene, SLED is an assisting agency. So we assist local law enforcement agencies across the state of South Carolina. And when there's a request for crime scene assistance, we will respond.

Q. Okay. And tell us about your education and background as it relates to being a crime scene investigator?

A. Yes. I went to -- I graduated from Limestone University in 2020 with a biology degree. I then was hired in the crime scene unit in June of 2021. I then

1 attended the South Carolina Criminal Justice Academy where I
2 became a class 1 law-enforcement officer. I then began my
3 in-house training with the SLED Crime Scene Unit which
4 consists of different block trainings such as shooting
5 incident reconstruction, sketching, evidence collection,
6 firearms. And that's just to name a few. Once I complete
7 each of those blocks, I will complete a proficiency test as
8 well as a written exam.

9 Once I completed all the blocks in my training, I then
10 will complete a mock scene, a mock court, and a cumulative
11 exam. Once I've completed all of that and deemed competent
12 in crime scene investigations -- and I do that while
13 responding to crime scenes all across the state of
14 South Carolina.

15 Q. And if you can tell us in that particular part of your
16 testimony, what does a crime scene investigator actually do?

17 A. Yes. So we respond to crime scenes across the state of
18 South Carolina. We will respond, meet with the lead
19 investigator, discuss -- kind of formulate a plan as far as
20 what needs to be processed, what we're looking for, a little
21 bit about what happened. And then we will mark evidence,
22 collect evidence, and then transport it back to the SLED
23 Forensic Services Laboratory in Columbia.

24 Q. Okay. I know you said in 2021, but how long have you
25 been a crime scene investigator?

1 A. Yes. Almost four years, coming up on four years.

2 Q. And in those four years, approximately how many crime
3 scenes would you say you worked?

4 A. In my four years at SLED, I have worked approximately
5 170 crime scenes.

6 Q. Okay. So Special Agent Nobles, I want to turn your
7 attention now to the case before the Court. Do you recall
8 the case before the Court and were you actually called to
9 assist the Waltherboro Police Department in the case before
10 the Court?

11 A. Yes, I was.

12 Q. Can you tell us about your response?

13 A. Yes. So we received a call from our SLED operations
14 desk, which is kind of like our dispatch. We receive a call
15 and then we have 30 minutes to be en route to the crime
16 scene. We then will respond, blue lights and sirens. And
17 then once we arrive on scene, we will meet with the lead
18 investigator.

19 Q. All right. So let me back up a little bit. Now, back
20 in February of 2023, what was your last name?

21 A. My last name was Chapman.

22 Q. Okay. So your reports all reflect that name?

23 A. Yes, ma'am. They do.

24 Q. All right. So you recently had a name change?

25 A. Yes, ma'am. I recently got married.

1 Q. Got married. Okay. Very good. So now your name is
2 Nobles?

3 A. Nobles. Yes, ma'am.

4 Q. Olivia Chapman Nobles?

5 A. Yes, ma'am.

6 Q. So, Special agent Nobles, you responded to the scene.
7 Where did you come to Walterboro. Where did you go?

8 A. I went to the Waffle in House Walterboro on
9 Bells Highway.

10 Q. All right. And was anyone with you when you responded
11 to scene at the Waffle house on Bells Highway?

12 A. Yes. I respond to crime scenes with a partner. So my
13 partner was with me.

14 Q. All right. And let's talk about your response. Can
15 you tell us what happen you when you revived?

16 A. Whenever I arrived, I met with the lead investigator.
17 We completed an initial walk through. And I received any
18 additional information that he may have received while I was
19 responding to the crime scene.

20 Q. And so when you responded to the crime scene, were you
21 able to document the crime scene?

22 A. Yes. So we document the crime scene with photographs.
23 I'll take rough notes and a rough sketch with measurements.

24 Q. All right. And so were those documentations, the
25 photographs and the rough sketch, did you create any

1 documents or any diagrams?

2 A. Yes. Once we come back to the lab, I will complete
3 casework such as crime scene notes. We'll do a final
4 diagram and then do a few other information sheets, status
5 sheets, for our casework.

6 Q. Okay. All right. Now, Special agent Nobles, I'm gonna
7 hand what has previously marked for identification as
8 State's Exhibit Numbers -- bear with me here -- 197 through
9 259, and I believe 263 through 265. They're a little bit
10 out of order. But take a moment and tell me if you
11 recognize these.

12 (Brief pause.)

13 Q. All right. So Special Agent Nobles, I gave you now
14 that's been previously marked, as I said before, State's
15 Exhibit Numbers 197 through 259 and 263 through 265. Take a
16 moment and tell me if you recognize these exhibits?

17 SOL. LEGETTE: May I approach?

18 THE COURT: You may.

19 A. (Witness complies.) Yes, I do.

20 Q. And what are those exhibits?

21 A. These are photographs that were taken at the crime
22 scene?

23 Q. Okay. And are those exhibits a fair and accurate
24 reflection of the crime scene the night of or early morning
25 hours of February 18, 2023?

1 A. Yes, ma'am. They are.

2 Q. Have they been changed or altered in any way?

3 A. No, ma'am.

4 SOL. LEGETTE: At this time, Your Honor, I would offer
5 State's Exhibits Numbers -- I believe it's 197 through --
6 I'm sorry. Pardon me. There's so many.

7 THE WITNESS: 259, and 253 through 265.

8 SOL. LEGETTE: Those. Yes.

9 MR. WALKER: No objection.

10 THE COURT: No objection. All right. Those will be
11 State's exhibits as stated.

12 SOL. LEGETTE: Thanks so much. May I approach, Your
13 Honor?

14 THE COURT: You may.

15 (State's Exhibit Nos. 197-259 were received into
16 evidence.)

17 (State's Exhibit Nos. 263-265 were received into
18 evidence.)

19 Q. Now, Special Agent Noble, I'm gonna ask you to step
20 down. We're gonna put them on the screen for the jury to
21 review. Unless you can see?

22 A. No, ma'am. I can't.

23 THE WITNESS: May I step down, Your Honor?

24 THE COURT: Yes.

25 Q. All right. So Special Agent Nobles, what are we seeing

1 it State's Exhibit -- I believe this is gonna be State's
2 Exhibit No. 198?

3 A. So this is the parking lot of the Waffle House. And
4 this is just showing Bells Highway and the signs going
5 towards 95.

6 Q. All right. Now, I'm gonna show -- this is State's
7 Exhibit No. 197.

8 A. Yes, ma'am. This is outside the Waffle House, the
9 exterior. Bells Highway would be behind us, we would have
10 taken this photo.

11 Q. And now State's Exhibit No. 199?

12 A. This is the front door of -- the front door of the
13 Waffle House. So we just took that photo from over here and
14 then now we're walking around the building. So we take
15 exterior photographs as well as interior photographs. So,
16 again, we're just circle the building.

17 Q. Okay. And this is gonna be State's Exhibit No. 200.

18 A. Yes, ma'am. This is the back end of a vehicle that was
19 located in the parking lot of the Waffle House.

20 Q. Okay. And then State's Exhibit No. 201?

21 A. Yes. This is the middle of the vehicle that was
22 located in the parking lot of the Waffle House.

23 Q. And State's No. 202?

24 A. This is a cartridge case located underneath that same
25 vehicle that we just saw in the parking lot.

1 Q. And State's No. Exhibit 203?

2 A. Yes. So this is -- once we take our photographs, we'll
3 then place markers on scene to orient it. And so this is us
4 marking that cartridge case underneath that vehicle in the
5 parking lot.

6 Q. And this is State's 204?

7 A. So we will take overall photographs and then midrange
8 and close-ups. So, overall, it's just an overall view the
9 crime scene or the building or the car or whatever it is.
10 So for this, we took overalls of the vehicle and then we
11 went to a midrange photograph, which kind of orients
12 it -- so it's like orienting it to the vehicle here. And
13 then we'll go to a close-up photograph.

14 Q. All right. State's 205?

15 A. So this is a close-up photograph of the cartridge case.

16 Q. Okay. And now this is State's 206?

17 A. So this is the interior of the Waffle House. Right
18 here would be the front door that we were looking at. And
19 this is the interior of the Waffle House.

20 Q. And what is the purpose of taking this particular
21 photograph in State's 206?

22 A. So this is showing what the scene consisted of. Same
23 thing that I was saying about the overall photograph. This
24 is kind of showing that prior to us putting markers down.

25 Q. And this State's 207?

1 A. Yes. This is just a different angle. Same thing, kind
2 of orienting it to the front door and to the evidence.

3 Q. All right. State's 208?

4 A. Just a different angle of that.

5 Q. All right. I think I got the same one. But this is
6 State's 208.

7 A. Yes, ma'am. So same thing. So we were over here
8 taking that picture prior and then now we're facing the door
9 more so.

10 Q. Okay. And then State's 209?

11 A. Yes, ma'am. This is -- so we took the photograph from
12 the front door. And when you walk in the front door, you
13 would then turn to the left, and this was the last booth on
14 the left before the bathrooms.

15 Q. This is gonna be State's 210?

16 A. This is just another angle of it, just getting the
17 floor more so than the booth. And this is a close-up of a
18 cartridge case near that booth.

19 Q. State's 211. Okay. All right. So this is gonna be
20 State's No. 212.

21 A. Yes. So this is those similar angles that we saw
22 before, but we have now placed markers on -- within the
23 crime scene.

24 Q. And what's the purpose of placing markers? You may
25 have testified earlier. But what is the purpose of markers?

1 A. Yeah. So we're just marking pieces of -- potential
2 pieces of evidence that we will then measure and collect and
3 transport back to the SLED Forensic Services Laboratory.

4 Q. Okay. And now State's 213.

5 A. This is just another angle. And this is more of a
6 midrange photograph. So you are orienting certain markers
7 to each other. So, again, we can complete a final diagram
8 at the end.

9 Q. And this is State's 214.

10 A. This is another angle. So, as we saw before, 2, 3, 4,
11 now we're moving down to the other markers.

12 Q. And State's 215.

13 A. Yeah. So this is that booth that we saw earlier, and
14 this is now with markers. So 16 we just saw in the last
15 photo and then this is orienting 16 and 17.

16 Q. This is State's No. 216.

17 A. So same booth that we saw earlier. Cartridge case that
18 we saw earlier, it's now marked by 18. And then 19 was
19 marking another piece of evidence.

20 Q. And then State's 217?

21 A. This is just a different angle. So, instead, now we're
22 near the bathrooms taking it out towards the front of the
23 Waffle House, enter into the Waffle House.

24 Q. And this is gonna be State's No. 218.

25 A. Just a different angle. We're coming back to the

1 markers to show where we're at in that photograph in
2 process.

3 Q. All right. This gonna be State's No. 219.

4 A. Yes. So this is marker 5. This is a more close-up
5 image of marker 5.

6 Q. All right. What are we seeing in marker 5?

7 A. My I refer to my ---

8 Q. Your notes?

9 A. Yes, ma'am.

10 Q. Okay. That's fine. Yes, ma'am. Or you want to refer
11 to your proxy diagram?

12 A. Sure.

13 Q. Okay. So you testified earlier that you actually did a
14 proxy diagram as well?

15 A. Yes, ma'am. I did.

16 Q. All right. So I'm gonna hand you now what's been
17 previously marked -- this is gonna be State's No. 268. Take
18 a moment and tell me if you recognize 268?

19 A. Yes, ma'am.

20 Q. What is State's 268?

21 A. So this is our final -- or my final diagram that I
22 completed. It was a two-page diagram with the measurements
23 on the second page, but it has been conformed to one page.

24 Q. All right. Is State's 268 a fair and accurate
25 reflection of the diagram you completed in this case?

1 A. Yes, ma'am.

2 Q. All right. Has it changed -- aside from it being put
3 from two pages to one page on this big board, has it changed
4 or altered in any way?

5 A. No, ma'am.

6 SOL. LEGETTE: At this time, Your Honor, I would offer
7 State's 268 into evidence?

8 MR. WALKER: No objection.

9 THE COURT: Without objection.

10 (State's Exhibit No. 268 was received into evidence.)

11 Q. All right. So I'm gonna come around. And you tell
12 us -- okay. So as it relates to State's Exhibit No. -- I
13 believe that's 219, what are we seeing in marker 5?

14 A. Marker 5, the photograph is a close-up and is a partial
15 footwear impression.

16 Q. Just leave that there. All right. We're gonna move
17 now to State's Exhibit No. 220. What do we see in 220?

18 A. So this is a midrange photograph marking markers 4, 6,
19 and 7.

20 Q. All right. So what are we seeing in 4, 6, and 7?

21 A. So with 4, we are marking the miscellaneous cards right
22 here. In 6 we are marking a projectile. And in 7 we are
23 marking a projectile.

24 Q. Okay. All right. Now looking at State's Exhibit
25 No. 221. What are we seeing in 221?

1 A. So this would be a close-up of marker 6, which is that
2 projectile.

3 Q. Projectile. Okay. All right. And this is gonna be
4 State's Exhibit No. 223.

5 A. So this is a close-up of marker 7 of that projectile.

6 Q. Okay, number 7. All right. Now, in 224, what are we
7 seeing in 224?

8 A. This is a midrange photograph of 7, 8, and 11.

9 Q. All right. And so what are we seeing in 7, 8, and 11?

10 A. In 7, we say the projectile; 8 is a cartridge case; and
11 11 is a cartridge case.

12 Q. All right. So I guess in State's Exhibit
13 No. 225 -- 225, what is 225?

14 A. 225 is a close-up version of marker 8. Still of that
15 cartridge case.

16 Q. Cartridge case. Okay. All right. And 226, what are
17 seeing in 26?

18 A. So this is close-up photograph as well showing that
19 this cartridge case was at marker 8, and this is that
20 headstamp of the cartridge case that was laying in marker 8.

21 Q. All right. And then State's 228. All right. So this
22 is State's 228. And I noticed that this is in a different
23 color. Were they taken in black and white or were they
24 taken in color?

25 A. They were not taken in black and white. They were

1 taken in color.

2 Q. Okay. So what are we seeing in State's 228? What are
3 we seeing in 228?

4 A. So this is a close-up of the fragment at marker 10.

5 Q. And we say fragment. Did it appear to be what kind of
6 fragment, a bullet fragment?

7 A. A bullet fragment. Suspected bullet fragment.

8 Q. And now this is gonna be State's 229. What are we
9 seeing in State's 229?

10 A. So this is another close-up showing that a cartridge
11 case is at marker 11.

12 Q. And 230?

13 A. This is that same cartridge case now showing the
14 headstamp at marker 11.

15 Q. All right. Now, in State's 231, what are we seeing?

16 A. So this would be a close-up of marker 12 which is a
17 suspected bullet fragment.

18 Q. And now this State's No. 232.

19 A. Yes. So this is a close-up of marker 13 which is a
20 cartridge case.

21 Q. And this is gonna be State's No. 233.

22 A. This is just another photograph of that cartridge case
23 at marker 13, and this is the headstamp, showing the
24 headstamp of the cartridge case.

25 Q. And are you able tell what the headstamp says or do you

1 need to look at your notes?

2 A. It may not be on there.

3 Q. Okay. All right. We can go over it ---

4 A. Okay.

5 Q. So this is gonna be State's No. 233. So we're moving
6 now to State's 234.

7 A. So this is marker 14 here and the cartridge case
8 located at marker 14.

9 Q. All right. And this is gonna be 235.

10 A. This is another photograph of that cartridge case at
11 marker 14 showing the headstamp.

12 Q. All right. State's 236?

13 A. This is marker 15, suspected bullet fragment.

14 Q. Bear with me. This State's 238. We skipped 237.

15 A. Okay. So this is marker 16 and there are suspected
16 partial footwear impressions that were being marked by
17 marker 16.

18 Q. All right. This is gonna be State's No. 239. What are
19 we seeing in 239?

20 A. So this is marker 17 and there is a projectile located
21 underneath the seat of the booth marking that.

22 Q. And I believe State's 240?

23 A. This is just taking out that shadow. Just another
24 angle of that projectile.

25 Q. This is gonna be State's 241.

1 A. Yes, ma'am. This is a close-up of that projectile at
2 marker 17.

3 Q. Okay. State's 242.

4 A. This is marker 18 and 19 just orienting. It's midrange
5 photograph of marker 18 and 19.

6 Q. All right. State's 243.

7 A. This is a close-up of the cartridge case located at
8 marker 18.

9 Q. And 244.

10 A. This is another photograph of marker 18 and it's
11 showing the headstamp.

12 Q. 245?

13 A. This is a -- we would consider this a midrange
14 photograph orienting it to the door, the bathroom door, and
15 this is marker 19.

16 Q. All right. And 246.

17 A. This is a cartridge case located at marker 19.

18 Q. All right. And then State's 247.

19 A. This is a close-up photograph of the headstamp at
20 marker 19.

21 Q. All right. And then State's 248.

22 A. This is the front door right here. And this is
23 suspected blood on the front door, on the interior of the
24 door, in the Waffle House, in the window.

25 Q. And then State's 249.

1 A. So this is the bottom of the interior of the front
2 door, and this is a suspected bullet defect marked by
3 defect A.

4 Q. Now, this is one we're gonna skip. All right. This is
5 gonna be State's No. 227.

6 A. Yes. So this is marker 8, as you can see. And from
7 our diagram, you can see 8 and 7 are close to each other.
8 So this is 7 and this is 8. And this is a suspected bullet
9 fragment in between marker 7 and 8.

10 Q. This is going to be State's No. 251. What are we
11 seeing in 251?

12 A. So this is the interior of the front door of the
13 Waffle House. And this is like the door, like the bottom of
14 the door, essentially with a fragment, a suspected bullet
15 fragment.

16 Q. All right. And this is State's No. 252.

17 A. Yes. So these are the markers that we just saw. And
18 then this is the interior of the front door. And then now
19 we have put scale tape up to scale the suspected blood on
20 the interior of that window and that door.

21 Q. And I noticed that some of these photographs appear to
22 be taken at night time. But this particular photograph in
23 State's No, I believe, 252, it appears that there's light
24 outside. How long have you been at the crime scene?

25 A. So we arrived at the crime scene at approximately

1 4:33 a.m. and we departed at approximately 7:51 a.m. So the
2 sun came up while we were on the crime scene.

3 Q. All right. And this is gonna be, I believe,
4 State's 253?

5 A. Yes. So instead of tape like we taped that scale that
6 you just saw, this is just an L-scale that we use, another
7 form of a scale. And I am scaling that suspected bullet
8 defect labeled Defect A.

9 Q. This is State's No. 254.

10 A. Yes. This is just another angle of that. So before I
11 was getting like a width of the suspected bullet defect
12 whereas now I'm getting the height of the suspected bullet
13 defect.

14 Q. All right. And this is gonna be State's 256.

15 A. So this is suspected bullet Defect B, and this is
16 located near marker 10 in the floor of the interior of the
17 Waffle House.

18 Q. All right. That's actually 255. I'm sorry, I
19 misspoke. My apology for the record. All right. This is
20 gonna be State's 256.

21 A. So we then went to Colleton Medical Center and
22 collected evidence from the victim. This is -- so clothing
23 items that were located in a bag. Once we got to the
24 Medical Center, we then photographed those and scaled any
25 suspected bullet defects that we saw.

1 Q. I noticed in States 256 it appears that you have a
2 scale on the pants. What are you scaling?

3 A. So this is a suspected bullet defect that we observed
4 in the pants.

5 Q. All right. Now this is gonna be State's 257.

6 A. Yes. This is a midrange photograph showing which arm
7 of the shirt or the jacket that it was. And we scaled
8 it -- we scaled the suspected bullet defect that we
9 observed.

10 Q. And this is gonna be State's 258.

11 A. So we're scaling the suspected bullet defect here.

12 Q. All right. Is that on the same arm or is that at a
13 different location?

14 A. I cannot say for sure. I'm sorry.

15 Q. That's okay. And this is gonna be State's 259.

16 A. This appears to be that same -- this is that arm that
17 we saw earlier that we scaled in kind of like the fold of
18 the jacket. I am scaling that suspected bullet defect that
19 we observed.

20 Q. And this is State's 256 -- I'm sorry -- 265.

21 A. This is a suspected bullet defect that we observed and
22 that was scaled, photograph and scaled.

23 Q. All right. And this is State's Exhibit

24 No -- State's -- this is 265. So this is State's 265. What
25 are we seeing in 265?

1 A. This is another suspected bullet defect that we
2 documented and scaled.

3 Q. All right. So this is gonna be State's 252 -- sorry --
4 255. What are we seeing in 255?

5 A. This is a suspected bullet fragment that was located on
6 the victim at the hospital.

7 Q. Okay. Thank you. I think those are all the
8 photographs I have for you. You can take a seat back on the
9 witness stand.

10 A. (Witness complies.)

11 Q. All right. So, Special Agent Nobles, along with ---

12 SOL. LEGETTE: Beg the Court's indulgence.

13 Q. Special Agent Nobles, we talked a lot about the crime
14 scene that you worked, the photographs you took, the shell
15 casings that you found, the suspected bullet fragments that
16 were found, the suspected bullets that were -- fired bullets
17 that were found. Did you collect any of those items?

18 A. Yes, ma'am. I did.

19 Q. And did you collect all of those items?

20 A. Yes, ma'am. I did.

21 Q. All right. Special Agent Nobles, I'm gonna hand you in
22 a moment what's been marked for identification as State's
23 272 and State's 273. Take a moment and tell me if you
24 recognize State's 272 and 273?

25 SOL. LEGETTE: May I approach?

1 THE COURT: You may.

2 A. (Witness complies.) Yes, ma'am. I do recognize them.

3 Q. And, Special Agent Nobles, what are State's 272 and
4 273?

5 A. So once we transport the evidence back to the SLED
6 forensic services laboratory, we will log it into our
7 computer system and then transfer it to our evidence
8 control, which they then will disperse it throughout the lab
9 to where we designate it to go.

10 This is a bag where we can containerize. We give each
11 item -- excuse me -- each piece of evidence an item number.
12 And then we will put it into a container. And when we do
13 that, it will go to the respective department.

14 Q. And, Special Agent Nobles, along with collecting the
15 items from you Waffle House the night of February 18, 2023,
16 did you receive any other items of evidence from any other
17 members of the Walterboro Police Department?

18 A. Yes, I did.

19 Q. What else did you receive?

20 A. May I refer to my notes?

21 Q. Yes, yes.

22 A. I received a handgun from Corporal Shipp -- Walterboro
23 Police Department, Corporal Shipp -- as well as a cartridge
24 case from Walterboro Police Department, Lieutenant Kinard.

25 Q. And with regards to the shell casing that you received

1 from the Walterboro Police Department, Officer Kinard, would
2 that have been contained within the -- I think it was
3 State's Exhibit No. 247, the shell casings? I'm sorry, 272.

4 A. 272? Yes, ma'am.

5 Q. All right. And so, Special Agent Nobles, are State's
6 Exhibit No. 272 and State's Exhibit No. 273 essentially in
7 the same condition today as when you previously collected
8 them on or about February 18, 2023?

9 A. Yes, ma'am.

10 Q. Have they been changed or altered in any way?

11 A. No, ma'am.

12 SOL. LEGETTE: At this time, Your Honor, I would offer
13 for admission into evidence State's Nos. Exhibit 272 and
14 273.

15 MR. WALKER: No objection.

16 THE COURT: So 272 and 273, State's exhibits, entered
17 without objection.

18 (State's Exhibit Nos. 272 and 273 were received into
19 evidence.)

20 Q. All right. So now, Special Agent Nobles, you testified
21 that you collected those items from the Waffle House as well
22 as Officer Kinard and the Walterboro Police Department. And
23 I believe you said they were turned over to SLED's evidence
24 control?

25 A. Yes, ma'am.

1 Q. All right. Can you tell us how many shell casings you
2 collected and what caliber they were?

3 A. Yes, ma'am. So I collected, directly, seven cartridge
4 cases, and I was transferred the one from Lieutenant Kinard.
5 So we had multiple headstamps on scene. And the headstamps
6 that we collected there was FC 357 Sig, a Hornady 357 Sig, a
7 BHA 45 ACP, a GFL 45 ACP, and a S&B 45 Auto.

8 Q. All right. And so I heard you mention that you had
9 357 Sigs and 45 caliber auto. So can you tell us or tell
10 the jury how many of each one of those shell casings you
11 either collected from the Waffle House or received from
12 Lieutenant Kinard?

13 A. Sure. I received -- or excuse me -- I directly
14 collected three FC 357 Sig cartridge cases. I collected one
15 Hornady 357 Sig. I collected two BHA 45 ACP cartridge cases
16 and one GFL 45 ACP. And then I was transferred one
17 cartridge case headstamped SNB 45 Auto.

18 Q. All right. So if we total that up, how many 357 Sigs
19 were collected from either you collecting them yourself or
20 getting them from Lieutenant Kinard?

21 A. I had four that had the 357 Sig in its headstamp.

22 Q. And how many cartridge cases that were collected during
23 this particular crime scene investigation would've been
24 marked 45 caliber?

25 A. I had four. Four marked 45.

1 Q. All right. So you had four 45 caliber and four
2 357 caliber?

3 A. Yes, ma'am. That is correct.

4 Q. All right. And as part of your investigation -- I'm
5 sorry. As part of your training experience of being a
6 police officer, are you familiar with cartridge cases?

7 A. I am familiar with cartridge cases.

8 Q. And the fact that you found four 357 Sig caliber
9 cartridge cases as well as four -- or you collected four
10 45 caliber auto cartridge cases, what does that tell you
11 about how many guns were in play?

12 A. There are two different caliber cartridge cases that we
13 collected. But I cannot say for certain how many handguns
14 or firearms were used.

15 Q. But does a 357 come out of a 357 type gun?

16 A. I'm not sure. That would be a question for our
17 firearms department.

18 Q. All right. Thank you.

19 A. Yes, ma'am.

20 Q. So how many fired bullets did you collect from this
21 crime scene?

22 A. I collected eight either projectile or fragments from
23 the crime scene and one suspected bullet fragment from the
24 hospital bed of the decedent.

25 Q. And what was done with those particular, I guess,

1 bullet fragments or fired bullets? What was done with
2 those?

3 A. What was done with those?

4 Q. Yes, ma'am.

5 A. So what we do is we will seal those, secure those in
6 our vehicle, and transport those back to the SLED Forensic
7 Services Laboratory. And this is when we log it into our
8 computer system and it goes to its respective department.

9 Q. Now, once you cleared up from the Waffle House, you
10 indicated earlier that you went to the hospital and were
11 able to see the victim himself?

12 A. Yes, ma'am. I did.

13 SOL. LEGETTE: Beg the Court's indulgence.

14 Q. Special Agent Nobles, did you have any other
15 involvement in this case besides going to Waffle House,
16 doing crime scene investigation, creating the crime scene
17 sketch, and collecting the fired bullets and the shell
18 casings?

19 A. No, ma'am. I did not.

20 Q. Thank you. I have no further questions. Answer any
21 questions from Mr. Walker.

22 A. Thank you.

23 - - - - -

24 CROSS-EXAMINATION

25 BY MR. WALKER:

1 Q. Good afternoon.

2 A. Good afternoon.

3 Q. Matthew Walker. I represent Jordin Glover. Just to
4 clear up a couple of things. Talking about 357 Sig and 45 F
5 whatever, what are those numbers?

6 A. So that is a headstamp on the cartridge case, and it
7 indicates the caliber of cartridge case it is.

8 Q. And what is the caliber?

9 A. So the caliber is that different types of -- so you
10 have 9s, you have 40s, 45s. You have different types of
11 caliber handguns or rifles.

12 Q. Fair to say caliber is a measure of size?

13 A. Sure. That would be fair to say, yes.

14 Q. So different bullets are different sizes?

15 A. Yes. That is correct.

16 Q. And so the caliber of the bullet is made to fit into a
17 certain barrel size?

18 A. Yes. That is correct.

19 Q. I'm gonna hand you what's been previously marked as
20 Defense 1 A through D. Ask you to look at that and if you
21 recognize that?

22 A. (Witness complies.)

23 Q. What is that?

24 A. So this is -- I was transferred this firearm from
25 Corporal Shipp on scene.

1 Q. What caliber is that one?

2 A. It reads a Glock 27, 40 caliber.

3 Q. Okay. So different than the other calibers we're
4 already talked about?

5 A. Yes, sir.

6 Q. And what did you do with that when you received it?

7 A. Whenever we received it, I secured it -- sealed it,
8 secured it -- in my vehicle and transported it back to the
9 SLED Forensic Services Laboratory.

10 Q. Are you the one that put it in that box?

11 A. Yes, I was.

12 Q. Can you open the box. And there is a brown paper bag
13 folded up there with writing on it. Did you do that?

14 A. Yes, sir. So I cleared it, rendered it safe. And then
15 we removed the magazine, removed anything inside the
16 chamber, and then sealed it.

17 Q. What's the purpose of the brown bag?

18 A. So the brown bag is -- it is showing the magazine that
19 was inside the gun whenever I received it.

20 Q. So the magazine was in the gun when you got it. And
21 then did you put it in the brown bag?

22 A. Yes, sir. I put it inside the brown bag, collected it.

23 Q. And then took it back out of the brown bag and put it
24 all in the box?

25 A. So we do not clear as far as like the magazine. We do

1 not take out any unfired cartridges in the magazine. So we
2 would've documented it as it was and then we would've placed
3 the magazine with the unfired cartridges in the bag.

4 Q. Which bag?

5 A. In this brown bag. Excuse me.

6 Q. Do you know how it got out of the brown bag and just
7 loose in the box?

8 A. No, sir. I do not.

9 Q. Okay. So when you put it in there, the cartridges and
10 the magazine were in that brown bag?

11 A. The cartridges were inside of the magazine and the
12 magazine went into the brown bag.

13 Q. Okay. So someone later came along and did something
14 with the gun and that's how they got inside the box?

15 A. It could've been from processing. I could've been
16 from -- yes. Yes. Someone essentially came and then took
17 those out of that magazine.

18 Q. I was just confused about the brown bag. So thank you.

19 A. Yeah.

20 Q. I don't have any further questions.

21 THE COURT: Anything else for this witness?

22 SOL. LEGETTE: Nothing further, Your Honor, for this
23 witness.

24 THE COURT: Thank you so much.

25 THE WITNESS: Thank you.

1 THE COURT: You may be excused.

2 THE WITNESS: Thank you so much, Your Honor.

3 THE COURT: No objection to excusing this witness?

4 SOL. LEGETTE: No objection.

5 MR. WALKER: No objection.

6 THE COURT: Thank you so much.

7 SOL. LEGETTE: The State calls Lieutenant Kevin Kinard.

8 (Whereupon, the witness, KEVIN KINARD, was duly sworn.)

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

11 THE WITNESS: Kevin Kinard, K-I-N-A-R-D.

12 - - - - -

13 DIRECT EXAMINATION

14 BY SOL. LEGETTE:

15 Q. Good afternoon, Lieutenant Kinard.

16 A. Good afternoon.

17 Q. All right. Lieutenant Kinard, where do you work?

18 A. At Waltherboro Police Department.

19 Q. And what is your current rank?

20 A. I'm the lieutenant over the investigations division.

21 Q. And what does that mean? What do you do?

22 A. I handle the day-to-day operations of the detectives
23 that are under me: case management, scheduling. Kind of
24 have my hand in pretty much every case that comes across
25 Waltherboro Police Department.

1 Q. Okay. And do you have any other law enforcement
2 experience aside from the Walterboro Police Department?

3 A. I do. I'm in my 18th year this year. I believe this
4 was year number 6 as a lieutenant over investigations.
5 Previous to that -- during the 18 years, I spent the bulk of
6 it in some kind of investigative capacity. I've worked
7 interdiction on I-95 where I was TFO'd with
8 Homeland Security. Also been task force with SLED. And I
9 did some work with the DEA also with narcotics.

10 Q. Thank you. And, Lieutenant Kinard, were you working
11 for the Walterboro Police Department back in February of
12 2023?

13 A. I was.

14 Q. And did you have occasion to become involved in the
15 case before the Court?

16 A. I did.

17 Q. And can you tell us about your involvement, please?

18 A. Yes, ma'am. I responded with other investigators to
19 the scene of the Waffle House that night. I was called by
20 dispatch and stated that an incident had happened at the
21 Waffle House where I responded and kind of went from there.

22 Q. All right. And so you went to the Waffle House. And
23 who was called in to work the scene?

24 A. SLED Crime Scene was called in to actually work the
25 crime scene, yes.

1 Q. And who became the lead investigator in this case?

2 A. Detective Charles Shipp.

3 Q. Okay. Now, you went to the Waffle House. And did you
4 review any evidence while you were at the Waffle House?

5 A. I did not collect any evidence initially.

6 Q. Okay.

7 A. I was notified by the hospital that -- I don't remember
8 if the hospital contacted us directly or it was through
9 dispatch. They contacted us and stated that there was
10 a -- there was a possible shell casing that had traveled
11 with the victim to the hospital and was laying on the
12 backboard they transported him in.

13 Q. Okay. And as a result of getting that call, what did
14 you do?

15 A. I made contact with the SLED -- the crime scene that
16 was on scene. They stated that -- they asked me to go to
17 the hospital and actually collect that one shell casing from
18 the hospital. And that's what I did.

19 Q. Okay. I'm gonna hand you now what's been previously
20 marked as State's Exhibit Numbers 269, 70, and 71. Please
21 take a moment and tell me if you recognize State's 269, 70,
22 and 71?

23 SOL. LEGETTE: May I approach?

24 A. Yes, ma'am. (Witness reviews.)

25 (Brief pause.)

1 A. Yes, ma'am.

2 Q. All right. And do you recognize State's 269 through
3 71?

4 A. I do.

5 Q. And what are State's 269 through 271?

6 A. 269 would be kind of an overall picture of the
7 backboard in which the victim was transported laying on the
8 floor as I found it whenever I arrived at the hospital. 270
9 would be a close-up view of that same backboard that shows
10 the shell casing in one of the crevices of that backboard.
11 And it looks like 271 is a close-up of the headstamp of that
12 shell casing that I collected.

13 Q. And, Lieutenant Kinard, are State's 269, 70, and 71 a
14 fair and accurate reflection of the scene that you saw at
15 the hospital when you collected the shell casing from the
16 backboard of the victim in this case?

17 A. They are. I took the pictures myself.

18 SOL. LEGETTE: At this time, Your Honor, I would offer
19 State's 269, 70, and 71 for admission into evidence.

20 MR. WALKER: No objection.

21 THE COURT: All right. Entered without objection.

22 SOL. LEGETTE: Thank you, Your Honor.

23 (State's Exhibit Nos. 269, 270, and 271 were received
24 into evidence.)

25 Q. And, Lieutenant Kinard, just briefly, sir, once you

1 took the photographs of State's 269, 70, and 71, what, if
2 anything, did you do with that shell casing?

3 A. I did. I bagged that in one of our evidence bags and I
4 immediately took that back to the crime scene, which was the
5 Waffle House, where the SLED Crime Scene -- I guess they're
6 called technicians -- were on scene. I don't remember if I
7 immediately handed it over to them when they got finished
8 doing what they were doing. But I handed it over to them
9 eventually during the night.

10 Q. Okay. And after you handed over that shell casing to
11 SLED Crime Scene, what else did you do in this case? What
12 other involvement did you have in this case?

13 A. That night, I believe there was some evidence on scene
14 that had no evidentiary value as far as the shooting. I
15 believe there was a couple of credit cards located on scene
16 and a bag of marijuana that was located on the floor of the
17 Waffle House. SLED asked me to collect that since it didn't
18 hold anything really in relation to that crime. So I
19 collected that, and that was held in our evidence at
20 Waltherboro Police Department.

21 Q. Okay. And along with collecting that evidence, did you
22 have an occasion be involved in, I guess, the arrest of any
23 suspects in this case?

24 A. I did.

25 Q. Okay. And who did you help arrest?

- 1 A. Yes, ma'am. We went to the home of Charles Breland.
- 2 Q. And he was arrested for this crime?
- 3 A. He was.
- 4 Q. Okay. All right. And did you also have the occasion
- 5 to speak to any witnesses in this matter?
- 6 A. I did.
- 7 Q. And who did you speak to?
- 8 A. The name is ---
- 9 Q. You know the last names?
- 10 A. Is it Sakasia and Kyra?
- 11 Q. Kya?
- 12 A. Kya.
- 13 Q. Byrams?
- 14 A. Byrams. Yeah. Sorry. It escaped me for a second.
- 15 Q. And you said you interviewed them?
- 16 A. I did.
- 17 Q. Who was with you?
- 18 A. Sergeant Fisk.
- 19 Q. All right. Sergeant Fisk. And when you interviewed
- 20 Sakasia Byrams and Kya Byrams, was that the night of the
- 21 incident or sometime after?
- 22 A. That was -- I believe it -- it was sometime after. I
- 23 believe it was the next day.
- 24 Q. Sometime after?
- 25 A. Right.

1 Q. All right. And along with what you already testified
2 to here today, did you have any other involvement in this
3 case that you remember?

4 A. No, not that I can recall.

5 SOL. LEGETTE: Beg the Court's indulgence.

6 Q. Thank you, Lieutenant Kinard. I have no further
7 questions. Please answer any questions from Mr. Walker.

8 - - - - -

9 CROSS-EXAMINATION

10 BY MR. WALKER:

11 Q. Good afternoon.

12 A. Good afternoon, Mr. Walker.

13 Q. You didn't do anything with the gun they took off from
14 LaMontre Green, did you?

15 A. Not that I recall. I don't believe I even -- I don't
16 know if I even saw the gun before right now.

17 Q. Okay. And the only evidence you collected at the scene
18 was the -- I guess was the non-evidentiary value evidence?

19 A. Correct. I believe it was just a couple of credit
20 cards that were laying on the floor and a bag of marijuana.
21 I believe that was it.

22 Q. And did you collect that before you went to the
23 hospital or after?

24 A. I would say that was probably after because that was
25 right when SLED Crime Scene was finishing what they were

1 doing. And I collected the shell casing kind of in the
2 middle while they were still processing.

3 Q. Let's shift from the actual accident for a minute and
4 let me talk to you about all the training and experience you
5 had that you listed out. I guess from your early days
6 you've been given firearms training, correct?

7 A. I have.

8 Q. And that's ongoing?

9 A. That is ongoing. I'm currently an instructor.

10 Q. You're a firearms instructor?

11 A. Correct.

12 Q. Okay. You would have noticed it?

13 A. I hope so.

14 Q. So what does a police officer instruct in firearms?

15 A. I didn't -- what ---

16 Q. When you instruct a police officer about firearms, what
17 are you instructing on, broadly?

18 A. Again, broad strokes, I mean, you know, first and
19 foremost would be safety, would be kind of first and
20 foremost. And then, you know, just -- that's kinda the
21 first thing we do whenever -- you know, you get your
22 firearm, we take you to the range. It's kind of a safety
23 briefing. And then after that, we kind of, you know,
24 instruct you on how to safely point and shoot the firearm.
25 I mean, I don't really know what you're asking.

1 Q. Well, I'll ask more questions. So when you take them
2 to the range, you're trying to get them to hit what they
3 shoot at, right?

4 A. Correct.

5 Q. Okay. And they have to do that repetitively and show
6 proficiency?

7 A. Correct.

8 Q. Now, do you give them instruction on when they should
9 be pulling out their gun and shooting?

10 A. When they should be as far as me?

11 Q. Yeah.

12 A. No. I'm just pretty much a proficiency, you know,
13 during -- we have a set course that we instruct as far as
14 the shoot. When to shoot and don't shoot, that's not part
15 of my instruction.

16 Q. You've undergone that training?

17 A. I think everyone has, yes.

18 Q. And where did you undergo that training?

19 A. Criminal Justice academy. And I believe we have
20 some -- yeah. We have yearly trainings. And that will pop
21 up during the yearly trainings also, which is a video that's
22 put out by the Criminal Justice academy. Not in every one
23 video, but I'm sure it pops up.

24 Q. Okay. And what do they teach you as to why you should
25 draw your firearm and use it?

1 A. Well, to draw the firearm and use it is -- the only
2 reason that you shoot at someone is to eliminate that
3 threat. So if there's a threat to your life or someone
4 else's life then, yes, that is when you would drawn and
5 shoot a firearm.

6 Q. In your training or as you're instructing, are you
7 familiar with 21-foot rule?

8 A. Yeah. Talking about the knife?

9 Q. With an edged weapon?

10 A. With an edged weapon, yes.

11 Q. And can you explain your understanding of that rule?

12 A. Honestly, I don't remember if it was called the 21-foot
13 rule or not, and I don't remember the footage. But I
14 believe -- that I understand what you're saying -- to draw a
15 weapon if someone is less than 21 feet away from you. And
16 I'm not sure. I'm going off your word of that that it's
17 21 feet. Anyone closer than 21 feet from you, if they have
18 an edge weapon, it takes them -- it takes you longer to draw
19 your weapon, acquire the target, and fire than it does for
20 them to close that distance and stab you with it.

21 Q. And does that rule apply to someone who has a firearm?

22 A. No.

23 Q. Why?

24 A. Well, because a firearm can be further away than that.
25 It only takes a split second for a bullet to travel that

1 distance.

2 Q. In circling back to your involvement in this case, you
3 went out and participated in the arrest of
4 Mr. Charles Breland?

5 A. I did.

6 Q. Any you all -- because you weren't the only one, right?

7 A. Yeah. There were several of us.

8 Q. And y'all had to go out to his house to arrest him,
9 right?

10 A. Yes, we did.

11 Q. Well, Ms. Glover turned herself in to the police
12 office?

13 A. From my understanding, yes.

14 Q. And the Solicitor spoke to you about an interview you
15 did with the Byrams sisters?

16 A. Yes, sir.

17 Q. With Officer Fisk?

18 A. Yes, sir.

19 Q. And did they tell you anybody -- they saw anybody else
20 shooting other than Jordin Glover at that time?

21 A. At that time, no.

22 Q. Do you know when they became aware that Charles Breland
23 was also involved in shooting?

24 A. I have absolutely no idea. I believe that's probably a
25 recent development.

1 Q. No further questions.

2 THE COURT: Do you have any redirect for this witness?

3 - - - - -

4 REDIRECT EXAMINATION

5 BY SOL. LEGETTE:

6 Q. Lieutenant Kinard, you testified that you've been in
7 law enforcement for how many years, 19?

8 A. Eighteen.

9 Q. Eighteen.

10 A. Yes, ma'am.

11 Q. Now, before you were a law-enforcement officer, were
12 you trained on the 21-foot rule?

13 A. Yeah. I'm not even sure that it's still called the
14 21-foot rule. And, honestly, I believe there's literature
15 on to shrinking that to a closer distance than that. I'm
16 not even sure if that's a thing that's still taught.

17 Because 21 feet is a long way. I'm sorry, not shrinking
18 distance, actually lengthening that distance. I've seen
19 literature on that over the years where it's, you know,
20 anywhere from 40 feet that you can draw a weapon and get
21 closer. So I don't know how much that's taught.

22 Q. But that's training for police officers?

23 A. Correct.

24 Q. All right. Do civilians get that kind of training?

25 A. Not that I'm aware of.

1 Q. All right. Not that you're aware of. Okay. When you
2 were a civilian, did you get that kind of training?

3 A. Never even heard of it.

4 Q. And when you actually talked to the Byrams sisters, did
5 one of them mention Charles Breland in that video?

6 A. They mentioned that he was there.

7 Q. Okay. All right. But you heard the name
8 Charles Breland prior to -- I guess Charles Breland was
9 arrested in this case, correct?

10 A. Correct.

11 Q. All right. So at some point you did hear the name
12 Charles Breland?

13 A. Correct.

14 Q. Okay. Thank you. Nothing further.

15 - - - - -

16 RECROSS-EXAMINATION

17 BY MR. WALKER:

18 Q. Don't want to belabor the point because I agree with
19 you: 21 foot might not be current, but that's just kind of
20 what everybody knows?

21 A. Correct.

22 Q. But your understanding of the current literature and
23 training is that 21 feet may be too small a distance to
24 protect yourself and you should consider something further
25 out?

1 A. I've heard it all kinds of different ways. You know,
2 and I'm not even sure -- I've heard it one time that that's
3 an old thing is the 21-foot rule. Some classes teach it,
4 some classes don't. I'm not even sure what the Criminal
5 Justice Academy teaches with that anymore. I have not seen
6 anything on that since I've been at the Academy.

7 Q. Back when you were training, it was the 21-foot?

8 A. Well, I'm going at your word that it was 21 foot. They
9 could've said 35 and I don't know. They could've said 15.
10 And I honestly don't remember the footage. That's how
11 little it's heard anymore.

12 Q. You're going to be quick to have your hand on your
13 weapon if anybody approached you with an edge weapon?

14 A. If -- correct.

15 Q. No further questions.

16 THE COURT: Anything else for this witness?

17 SOL. LEGETTE: Not for this witness, Your Honor.

18 THE COURT: Any reason not to let this witness go?

19 SOL. LEGETTE: No, Your Honor.

20 MR. WALKER: No, Your Honor.

21 THE COURT: All right. Thank you so much.

22 THE WITNESS: Thank you, sir.

23 THE COURT: You're excused. Have a good day.

24 SOL. LEGETTE: The State calls Investigator
25 Charles Shipp.

Direct Examination of Corporal Shipp by Sol. Legette

249

1 (Whereupon, the witness, CHARLES SHIPP, was duly
2 sworn.)

3 THE CLERK: Have a seat on the witness stand. state
4 your first and last name, spell your last name for the
5 record, please.

6 THE WITNESS: My name is Charles Shipp. Last name is
7 spelled S-H-I-P-P.

8 - - - - -

9 DIRECT EXAMINATION

10 BY SOL. LEGETTE:

11 Q. Good afternoon, Officer Shipp. Sir, where do you work?

12 A. Walterboro Police Department.

13 Q. And what is your current rank?

14 A. I'm a corporal.

15 Q. All right. Corporal. Are you also considered an
16 investigator?

17 A. Yes.

18 Q. All right. And so Investigator Shipp, how long have
19 you worked for the Walterboro Police Department?

20 A. I've been there for seven years now.

21 Q. Seven years. And what are your current duties?

22 A. I work in the investigations division.

23 Q. All right. So as far as being an investigator, what do
24 you do?

25 A. I get assigned cases varying from simple, large news up

1 to a case like this.

2 Q. All right.

3 A. So I have varying degrees of cases that I work.

4 Q. All right. So you're a criminal investigator?

5 A. Yes.

6 Q. Okay. So now do you have any previous law
7 enforcement experience besides Walterboro Police Department?

8 A. No. I just got hired on 2018, worked the road until
9 about midway through 2020 when I got to the investigations
10 position.

11 Q. Okay. All right. So you're currently an investigator.
12 And let's go back to February 2023. What was your role in
13 February 2023 at the Walterboro Police Department?

14 A. I was an investigator with Walterboro Police
15 Department.

16 Q. Okay. And so, specifically, as it relates to this
17 case, tell us how you became involved in this case?

18 A. I was the on-call investigator during this time frame.
19 So I was notified as the on-call investigator to respond to
20 the scene.

21 Q. All right. And so as the on-call investigator, what
22 did you do when you arrived at the scene?

23 A. Typically, when I arrive on scene, I kind of get an
24 understanding of what the crime scene parameters are. I
25 take a look at the evidence. I was -- in this particular

1 case, I was advised that SLED Crime Scene had been contacted
2 to process the scene. At this point, I would stand by and
3 wait for them to process the scene and assist in any other
4 manner that I could.

5 Q. All right. And so you waited for SLED to process the
6 scene. Did you have occasion to speak to any witnesses or
7 investigators or other officers on scene?

8 A. I had spoken to the responding officers. They gave me
9 some brief rundown of their understanding of the situation.
10 I do recall somebody mentioning Jordin Glover's name during
11 that time.

12 Q. Okay. And so you maybe heard the name Jordin Glover
13 being mentioned. Did you review any evidence, any videos
14 while you were at the Waffle House?

15 A. Yes. I got in touch with management at Waffle House in
16 order to review video footage on site.

17 Q. And were you able to review any video footage?

18 A. Yes.

19 Q. And what were you able to see in that video footage?

20 A. I was able to see the entire incident play out that led
21 up to the phone calls, the 911 calls.

22 Q. The 911 calls. Okay. All right. So you come to the
23 scene, you actually were able to review the actual
24 Waffle House video. And with crime scene -- at some point,
25 you said crime scene arrived?

1 A. Yes.

2 Q. All right. So were you able to speak to SLED Crime
3 Scene once they were able to process the scene?

4 A. Yes. During them processing the scene, they did advise
5 me that they discovered that there were two different
6 caliber casings that they had discovered.

7 Q. All right. As a criminal investigator for all these
8 years, in your training and experience, what does it mean,
9 if anything, that SLED Crime Scene called you and told you
10 there's two different calibers?

11 A. That tells me that there's at least two different
12 caliber firearms potentially used during the crime.

13 Q. All right. And so, at some point, I think you told us
14 you became the lead investigator on this case?

15 A. Yes.

16 Q. All right. And so, at some point, did you get any
17 names as to who was involved in this case?

18 A. So the night of the incident, the only name I recall
19 hearing was Jordin Glover. The following day, I was advised
20 by my lieutenant that a couple of names of Chico and
21 Charles Breland were also mentioned as being present.

22 Q. All right. Do did you ever figure out who Chico was?

23 A. There are some other officers that had done some
24 interviews. While I was attending the autopsy, I was told
25 that they identified Chico as, I believe, it's Shamel Aiken.

1 Q. All right. So do you have any descriptors of who
2 Shamel Aiken -- how tall is Shamel Aiken?

3 A. Probably 5-8 to 6 foot. Somewhere in that range.

4 Q. Okay. All right. Now, you said that you heard the
5 name Jordin Glover. You heard the name Charles Breland.
6 You heard the name Chico. Through your investigation, who
7 did you decide to arrest?

8 A. The more recognizable suspect would've been
9 Jordin Glover due to multiple witnesses stating that they
10 had seen her shoot the victim. Per looking up her DMV, she
11 also had a similar hairstyle. It was not the same color at
12 the time.

13 Q. All right. So did you arrest her?

14 A. Yes.

15 Q. You got an arrest warrant?

16 A. Yes. She was the first suspect that we had the arrest
17 warrant for.

18 Q. All right. So how did that arrest come to be?

19 A. Through reviewing the video surveillance and the
20 statements made by witnesses on scene.

21 Q. I'm sorry, I misspoke. I miscommunicated there. How
22 did you end up arresting her? Did she turn herself in? Did
23 you have to go find her?

24 A. Within 24 hours, she turned herself in.

25 Q. She turned herself in. Okay. And let's talk about

1 when she turned herself in. Did she turn herself in with
2 any firearms?

3 A. No. She did not have any firearms with her when we
4 took her into custody.

5 Q. Did you ever find any firearms in her house?

6 A. No.

7 Q. All right. And so, at some point, you also later
8 arrested Charles Breland. How did you come to arrest
9 Charles Breland?

10 A. So through observing the video, again, we did see where
11 there was a second shooter. Due to the slender build of the
12 individual that we see that had the firearm, we ruled out
13 Chico as the potential second or codefendant in the case.
14 At that point, we had heard some rumors that he had stayed
15 at his mom's or his parents' house. At that point, we got a
16 search warrant for that residence, and that's where we made
17 contact with Mr. Breland.

18 Q. And did you arrest Mr. Breland?

19 A. Yes.

20 Q. All right. Did you find any automatic caliber firearms
21 or 357 firearms at Mr. Breland's residence?

22 A. The only thing I recall firearm related that we did
23 collect was a 30-round magazine of 556.

24 Q. 556?

25 A. Yes.

1 Q. All right. So no firearms themselves, just the
2 magazine?

3 A. Correct.

4 Q. All right. And did you collect any other evidence from
5 Mr. Breland's house?

6 A. We did find that hoody that he was wearing in the video
7 as well as some shoes.

8 Q. All right. And so you indicated earlier that you had
9 reviewed the Waffle House video. Were you able to determine
10 what caliber firearm -- when you arrested Jordin Glover and
11 Charles Breland for this crime against LaMontre Green, were
12 you ever able to determine what caliber firearm either of
13 them was firing?

14 A. There is no way for me to tell which caliber was fired
15 by which individual.

16 Q. Okay. And you testified that Ms. Glover turned herself
17 in, but she did not have a firearm when she turned herself
18 in?

19 A. That's right.

20 Q. And you testified you went to Mr. Breland's house.
21 What did you find there?

22 A. We found the AR style magazine for 556, the hoody he
23 was wearing during the incident, and the shoes he was
24 wearing.

25 Q. But you did not find a handgun?

1 A. We did not recover a handgun.

2 Q. Now, you testified earlier that you actually attended
3 the autopsy in this case?

4 A. I did.

5 Q. All right. And did you bring back any evidence from
6 that autopsy?

7 A. Yes.

8 Q. All right. And do you specifically recall bringing
9 back any shell casings? Not shell casings. I'm sorry.
10 Fired bullets?

11 A. I believe there were some projectiles fragments among
12 many other typical items I returned with from an autopsy.

13 Q. I'm gonna hand you what's been premarked for
14 identification State's Exhibit No. 274A and 275A. Take a
15 moment and tell me if you recognize 274A and 275A.

16 SOL. LEGETTE: May I approach?

17 A. Yes. I recognize them.

18 Q. And what are State's 274A and 275A?

19 A. 274A would be the bullet from the left clavicle of the
20 victim. And 275A would be the bullet from the right pleural
21 of the victim.

22 Q. And are State's Exhibit Numbers 274A and 275A
23 substantially in the same condition today as when you picked
24 them up from the autopsy of Mr. LaMontre Green?

25 A. Yes.

1 Q. Have they been changed or altered in any way that you
2 can tell?

3 A. No.

4 Q. Now, Investigator Shipp, as being the lead investigator
5 in this case, did all the evidence pretty much or the
6 information flow through you?

7 A. Yes. All information was funneled towards me.

8 Q. All right. And did you ever receive any information
9 from SLED about a possible NIBIN hit it regarding a firearm
10 in this case?

11 A. Yes.

12 Q. Can you tell us about that and what you were able
13 to -- were you able to link it to anyone?

14 A. So the casings and projectiles, when they get sent up
15 to SLED, they go through a lot of testing. They have a
16 firearms lab that they'll do what they do. They'll look at
17 these casings and look at the markings. And what they do is
18 they compare it to other agencies and their casings that
19 they send up. And what they notified me is that the 357 and
20 the 45 caliber both had multiple reports with different
21 agencies. Beaufort PD, I believe it was, had ties to the
22 45-caliber casings and had the firearm in their possession.

23 Q. And were you ever able to link that 45-caliber firearm
24 to any of the suspects in this case?

25 A. I ran the names related to that report from Beaufort

1 through our reporting system, and I didn't see any
2 correlation between any of those individuals and our
3 reporting system.

4 Q. Now, you've been in law enforcement a long time. So as
5 it relates to your training and experience as a
6 law-enforcement officer, how common is it for guns to
7 go -- just randomly be passed around?

8 A. So it's not uncommon for them to kinda disappear after
9 a crime. Sometimes guns are used as a form of currency for
10 drug transactions. Also, typically in a case like this,
11 they don't want that gun anywhere near them. They'll try to
12 find a reason to get rid of it.

13 SOL. LEGETTE: Beg the Court's indulgence.

14 Q. Did you also get the Waffle House video in this case?

15 A. I did.

16 Q. All right. Where did you put it when you got it? Did
17 you put in evidence?

18 A. Yes.

19 SOL. LEGETTE: Beg the Court's indulgence.

20 Q. Thank you, Investigator Shipp. I have no further
21 questions. Answer any questions for Mr. Walker.

22 - - - - -

23 CROSS-EXAMINATION

24 BY MR. WALKER:

25 Q. Good afternoon.

1 A. Good afternoon, sir.

2 Q. The notice or whatever she was just talking about,
3 Beaufort had a gun in their possession that they had gotten
4 from a specific person, right?

5 A. Yes.

6 Q. And you are not able to link that specific person to
7 either Jordin Glover or Charles Breland?

8 A. I found no correlation between any individuals named in
9 Beaufort's report to anyone in Walterboro or
10 Colleton County.

11 Q. That's a really long way to say no.

12 A. No.

13 Q. You went to the autopsy. We got two projectiles that
14 were just entered into evidence. You also got some personal
15 items of the victim?

16 A. Yes.

17 Q. And what did you do with them?

18 A. Those are in evidence.

19 Q. And then the pathologist conducting the exam told
20 you that LaMontre had been shot five times?

21 A. Approximately five times.

22 Q. Approximately five times. And then State's No. 1 here,
23 you gave this to SLED?

24 A. I did.

25 Q. Did you do anything else -- did you give it to

1 them like -- obviously not with a zip tie in it -- but just
2 not in anything, just handed them the gun?

3 A. It was rendered safe when I received it. So the
4 magazine was extracted. If there was a round in the
5 chamber, that was taken out of the firearm.

6 Q. So these were already out of the gun when you got it?

7 A. No. They would've been in the magazine.

8 Q. Just the magazine was out and the chamber was clear,
9 but they would've been still in the magazine?

10 A. Yes, sir.

11 Q. And other than transferring it from the officer you
12 received it from to SLED, did you do anything with it?

13 A. No.

14 Q. Other than saving it?

15 A. Other than saving it, I may have secured it in my
16 vehicle until I could transport to the SLED agent.

17 Q. And it had already been removed from Mr. Green when you
18 arrived?

19 A. Correct.

20 MR. WALKER: Court's indulgence.

21 Q. And you were one of the officers that went out to
22 Charles Breland's house and arrested him there, right?

23 A. Yes, sir.

24 Q. No further questions.

25 THE COURT: Any redirect?

1 SOL. LEGETTE: None, Your Honor.

2 THE COURT: Y'all have some witnesses -- not
3 witnesses -- exhibits you identified. Were those ---

4 SOL. LEGETTE: They have not been admitted yet.

5 THE COURT: Got it. Okay. All right. May this
6 witness be excused?

7 SOL. LEGETTE: He's our case officer ---

8 THE COURT: That's right. He's here. So you may step
9 down, sir.

10 THE WITNESS: Would you like me to bring these down?

11 SOL. LEGETTE: Yes, sir, please.

12 THE COURT: Do we want to give them a break before we
13 continue?

14 SOL. LEGETTE: He's the last one we have for today,
15 Your Honor. We only have two more tomorrow. So we are on
16 schedule.

17 THE COURT: Okay. Well, let me let them go and then
18 we'll discuss anything we need to discuss after that.

19 SOL. LEGETTE: Yes, sir.

20 THE COURT: Ladies and gentlemen of the jury, thank you
21 so much for being so patient today. We'll start at 9:30,
22 same time, tomorrow?

23 SOL. LEGETTE: Yes, Your Honor.

24 MR. WALKER: Yes, Your Honor.

25 THE COURT: At 9:30, same as today. Thank you all very

1 much. Standard restrictions: don't discuss the case with
2 anybody, don't watch TV, don't read any news accounts, don't
3 discuss it amongst yourselves. We'll see you at 9:30
4 tomorrow morning. Thank you so much.

5 (The jury exits the courtroom at 4:56 p.m.)

6 THE COURT: So you've got three -- two or three more?

7 SOL. LEGETTE: Two more, Your Honor, before the State
8 rests.

9 THE COURT: That's the coroner and -- I'm sorry, not
10 the coroner -- the medical examiner and ---

11 SOL. LEGETTE: Yes, Your Honor. And the firearms,
12 SLED, Lieutenant Suzanne Cromer.

13 THE COURT: Okay. All right. And 9:30 works for
14 everybody. Anything we need to do for the record before we
15 call it a day?

16 MR. WALKER: No, Your Honor.

17 SOL. LEGETTE: No, Your Honor. Not from the State.

18 (The trial proceedings concluded for the day at
19 4:57 p.m.)

20 - - - - -

21 (The trial proceedings resumed Wednesday, April 23,
22 2025, at 9:32 a.m.)

23 THE COURT: Let's see, when we left last night, we had
24 an exhibit that was -- we're still trying to run down. Is
25 that ---

1 SOL. LEGETTE: So, your Honor, what I figured out is,
2 in my haste, I took out one of the exhibits from my actual
3 pile of exhibits that I had, that I failed to mention on the
4 record that that exhibit was longer in there. I was trying
5 to make certain that the same exhibit would be published on
6 the screen to the jury. And I couldn't find it in my
7 computer, publishing exhibit, so I took it out. And then I
8 put it back in -- for the record. But I apologize. But
9 that exhibit, though it was admitted into evidence,
10 it's -- it's not actually in my stack of files -- in my
11 stack of exhibits.

12 THE COURT: Got it. Was it in like one of
13 those -- like we had 189 to 154. Was it in one of those?

14 SOL. LEGETTE: It was in one of those. It was 237.
15 Yes, sir.

16 THE COURT: 237. Okay. And you're aware of this, or
17 have y'all spoken about that?

18 MR. WALKER: We have. Just to clarify, I don't
19 think -- 237 is not from the video of the Waffle House. 237
20 is the crime scene photos.

21 SOL. LEGETTE: Yes.

22 MR. WALKER: So I think she misunderstood what you're
23 asking, or I misunderstood. But it's in one of
24 those -- it's the pack of the SLED crime scene photos with
25 the SLED agent.

1 SOL. LEGETTE: Yes.

2 MR. WALKER: And, you know, obviously, she had shown me
3 that stuff earlier and told the sequence.

4 THE COURT: So just be clear for the record, yesterday
5 the number 237 was offered as an exhibit, no objection, it
6 was approved. We're now, for the record, indicating that
7 there was no actual 237?

8 MR. WALKER: That's my understanding.

9 THE COURT: So the Court's exhibits will not include a
10 237, and all parties agree to that. Is that ---

11 SOL. LEGETTE: That's correct. Yes, Your Honor.

12 MR. WALKER: Yes.

13 THE COURT: Okay. All right. There's a lot of
14 exhibits. I figured there would be some issue with all of
15 that. So anything before we bring the jury back in?

16 SOL. LEGETTE: Not from the State, Your Honor.

17 MR. WALKER: Your Honor, the Solicitor called me last
18 night and told me that she neglected to provide me with some
19 information regarding the Waffle House employee testimony
20 yesterday, that he had been compensated by the State. He's
21 not a witness that I have any issues or value for. So I
22 appreciate her -- though, I appreciate her letting me know
23 that. I, obviously, didn't have any issues with her
24 concealing it. She just forgot to tell me. And I'm fine
25 with that. And I don't believe my case was impaired.

1 THE COURT: Y'all just want to stipulate on the record
2 that or in front of a jury? I don't care.

3 MR. WALKER: I don't think the jury needs to know.
4 From my perspective, he's basically just a custodian of some
5 business records.

6 THE COURT: Right. Not a fact witness on the scene.

7 Okay. Well, anyway, thank you for that. Anything else
8 then for the record before we bring the jury in?

9 SOL. LEGETTE: Not from the State, Your Honor.

10 MR. WALKER: No, Your Honor.

11 THE COURT: And you've got two, three witnesses?

12 SOL. LEGETTE: Two witnesses.

13 THE COURT: Two witnesses. And then we'll try to
14 figure out whatever. We can take a break and figure out
15 whatever you want to do after motions, so.

16 All right. Can we please get the jury.

17 (Brief pause.)

18 (The jury enters the courtroom at 9:38 a.m.)

19 THE COURT: Good morning. I hope everyone had a good
20 evening. I need to ask you the question: Did all of you
21 follow the instructions with regard to not discussing the
22 case, researching the case, et cetera?

23 Okay. Let the record reflect everyone nodded. So that
24 will work. All right. Happy to hear from you, ma'am.

25 SOL. LEGETTE: Thank you, Your Honor. May it please

1 the Court? State calls Lieutenant Suzanne Cromer.

2 (Whereupon, the witness, SUZANNE CROMER, was duly
3 sworn.)

4 THE CLERK: Please have a seat on the stand. State
5 your first and last name, spell your last name for the
6 record, please.

7 THE WITNESS: My name is Suzanne Cromer, C-R-O-M-E-R.

8 - - - - -

9 DIRECT EXAMINATION

10 BY SOL. LEGETTE:

11 Q. Good morning.

12 A. Good morning.

13 Q. How are you, ma'am?

14 A. I'm fine.

15 Q. Good, good. So where do you work?

16 A. I work at the South Carolina Law Enforcement Division,
17 commonly referred to as SLED, in the Forensic Services
18 Laboratory.

19 Q. Okay. And so what is your rank at SLED?

20 A. I'm a lieutenant.

21 Q. Okay. Lieutenant Cromer?

22 A. Yes.

23 Q. Now, Lieutenant Cromer, how long have you worked for
24 SLED?

25 A. Twenty-six years and four months.

1 Q. Wow.

2 A. Not that I'm counting.

3 Q. Yes, ma'am. Okay. Now, tell us about what you do at
4 SLED.

5 A. Well, I am the supervisor of the firearms department.
6 What we do in the firearms department is we analyze
7 ammunition components -- fired bullets, cartridge
8 cases -- to determine whether they were fired by or loaded
9 into, extracted from a specific firearm. If we don't have
10 specific firearm, we can look at those ammunition components
11 and give investigators an idea of how many firearms were
12 fired at a particular scene, and maybe even the actual
13 models or makes of firearms that were fired at the scene.

14 We also do serial number restoration. We destroy guns
15 for agencies. We do that National Integrated Ballistic
16 Information Network, which is a digital database for
17 cartridge cases that can link to seemingly unrelated or
18 unknown cases together.

19 Q. Okay. Excellent. Now, if you don't mind, can you
20 please tell us about your education background, training and
21 experience ---

22 A. Sure.

23 Q. --- as it relates to working in the firearms department
24 at SLED?

25 A. I have a bachelor's degree from Clemson University. I

1 did some graduate work at the University of South Carolina
2 in criminal justice. During that time, I did an internship
3 with SLED in the forensics lab in the firearms department.
4 Loved it. Was hired on in December of '98.

5 Since then, I started the in-house training program for
6 firearm toolmark examiners in February of 2000. That
7 training program is a multiyear program. It's more of an
8 apprenticeship, if you will, where we study under other
9 court qualified firearms examiners. We have a training
10 manual that's full of different modules. For each module,
11 we have to pass a test, whether it is an essay test, a
12 written test, terms test, practical test, or sometimes all
13 three. We have to pass each test for each module. And then
14 when we complete the full training manual, we're given a
15 comprehensive final which covers terms, essays, practical
16 knowledge, and mock casework. That is graded by your
17 training officer and your lieutenant, and then you are
18 granted competency. Then we also take proficiency tests
19 every year.

20 I've taken classes with the Association of Firearm and
21 Toolmark Examiners, which is an international organization
22 for our profession. They meet once a year for a weeklong
23 seminar. We discuss relevant topics in our field. They
24 also offer extra workshops. I've taken several of those
25 extra workshops like machine-gun conversion, barrel making,

1 ethics, gunshot residue, those sort of things. I've also
2 taken classes and attended the FBI's Southeastern AFT
3 Regional, which was also a group of firearms examiners that
4 get together and talk about relevant topics. I've taken
5 classes through the South Carolina chapter of the
6 International Association of Identification. Most pertinent
7 was two different three-day shooting-scene reconstruction
8 workshops. I've taken classes through the Bureau of
9 Alcohol, Tobacco, and Firearms on serial number restoration
10 and the National Integrated Ballistics Information
11 Network or NIBIN. I've taken classes and toured numerous
12 firearms manufacturers such as Ruger. I've toured that in
13 North Carolina and in New England states. I've toured
14 Smith & Wesson. I've toured FN. I've toured Daniel
15 Defense, Perry USA just to name a few. And I've also toured
16 tool manufacturers.

17 Q. Wow. That's impressive.

18 A. Thank you.

19 Q. So with the 24 1/2 years of experience at SLED and
20 being the lieutenant over the firearms department and all of
21 that training and experience, have you ever been qualified
22 as an expert in the field of firearms identification and/or
23 toolmarks?

24 A. Yes, I have.

25 Q. How many times?

1 A. Over 145 times.

2 Q. And testified in court also?

3 A. Yes.

4 SOL. LEGETTE: At this time, Your Honor, I would offer
5 Lieutenant Suzanne Cromer as an expert in the field of
6 firearm identification and toolmark identification.

7 MR. WALKER: No objection.

8 THE COURT: All right. So qualified.

9 SOL. LEGETTE: Thank you, Your Honor.

10 Q. Now, Detective Cromer, can you tell us what is firearm
11 identification?

12 A. Well, as I said before, what we do is we look at the
13 ammunition components submitted to us from a crime scene,
14 basically. And what we do first is we look and try to
15 determine caliber. We look at them and figure out what
16 caliber they are, what they could've been fired from. And
17 then we do a lot of microscopic examination on a comparison
18 microscope. So firearms identification is the discipline of
19 forensic science that we look at ammunition components.

20 Q. Okay. And so what makes those kinds of identifications
21 possible?

22 A. During the manufacturing process, there are defects
23 that are left on that gun by the manufacturer,
24 unintentional, kind of like cartridge cases. A fired
25 cartridge case can be marked by semi-automatic pistol in

1 five different areas, whether it's the breached face of the
2 firearm, the firing pin, the chamber, the extractor, the
3 injector. All of those can leave a unique mark, kind of
4 like your fingerprint, and bullets coming down the barrel.
5 What's put in the barrel by the manufacturer is called
6 rifling. It's a series of raised and depressed areas that
7 we call lands and grooves that make that bullet spin in a
8 rotary motion. It's a very similar concept to a quarterback
9 throwing a football. He wants it to go into a tight spiral
10 so it will go more accurate towards its target. Because if
11 you don't get it in that spiral, it's just gonna lob end
12 over end. So that rifling is making that bullet spiral.

13 And that rifling is made up of what we said, lands and
14 grooves, and there's different numbers of lands and grooves
15 and there's different types of rifling. So there's two
16 types of rifling -- conventional, polygonal -- then there's
17 a different number of lands and grooves. You can have three
18 up to what we call micro groove, which is in the 20s and
19 30s. Or, and then you have your direction of twist.
20 Whether that bullet is gonna spin to the left or to the
21 right, any time that rifling is put into the gun barrel, it
22 can leave those defects because you're talking about hard,
23 metal tools into a metal barrel. And each time it's going
24 to leave a little trace behind.

25 Also, use and abuse. If someone doesn't take care of

1 their firearm, if somebody is using a steel brush on their
2 firearm. All of those can leave unique markings to that
3 firearm.

4 Q. So now, is firearms identification and toolmark
5 identification the same thing?

6 A. Toolmark identification is actually the broader term
7 because it is tools that are used to make guns. So firearms
8 identification is kind of a subset of toolmark because it's
9 a specific tool that we're talking about.

10 Q. All right. So now turning your attention to the case
11 before the Court, did you receive any evidence in the case
12 before the Court?

13 A. Yes, I did.

14 Q. Can you tell us what you received in this case as it
15 relates to, I guess, shell casings and bullets and I
16 guess -- well, tell the jury what you received.

17 A. I received eight fired cartridge cases. Would you like
18 me to go further?

19 Q. Sure. Yeah.

20 A. Four of those were 357 Sig caliber and four were
21 45 auto caliber. And I received 11 bullet or bullet
22 fragments. Check my notes for a second.

23 Four of those bullet fragments were consistent with
24 what we call nominal 38 caliber, which can include 9mm,
25 357 Sig. And two of them were 45 auto caliber and five were

1 unsuitable for identification, meaning I couldn't determine
2 their caliber.

3 Q. All right. So if I heard you correctly, you've got
4 eight fired -- I'm sorry -- eight fired cartridge cases.
5 Shell cases, basically?

6 A. That's correct.

7 Q. All right. And then four of those were 45 cal -- were
8 shot by a 45 cal?

9 A. Correct.

10 Q. And four of those were from -- shot by 357 Sig
11 or -- gun?

12 A. Right. 357 Sig is caliber.

13 Q. Gotcha. All right. And you also got
14 eight -- eleven bullets, and four of those bullets were
15 consistent with being fired through a 357?

16 A. A 9-millimeter 38 which includes 357 or a 9-millimeter.

17 Q. A 9 38.

18 A. Right. Those bullet diameters are the same size, so
19 you can potentially load a 9-millimeter bullet into a
20 357 Sig. It's the same. They're both about .355 inches in
21 diameter.

22 Q. If I heard you correctly, you got two fired bullets
23 that were fired by a 45-caliber pistol?

24 A. That's correct.

25 Q. And you had several others -- you had four others that

1 you ---

2 A. I had five others.

3 Q. That you weren't able to tell?

4 A. That's correct.

5 Q. And that was because of what?

6 A. They were either too damaged or they were just a lead
7 fragment. A lead fragment usually does not come in contact
8 with the inside of the barrel. How I like to explain it is
9 an M&M. You think about an M&M, has that hard candy shell
10 with milk chocolate in the middle. Well, a jacketed bullet
11 is the same concept. The lead is in the middle and the
12 copper jacket is on the outside. So when that bullet is
13 going down the barrel, the copper jacket is what's engaging
14 in the rifling, and the lead does not get engaged. So it
15 should not be marked by the rifling. And then I also
16 received a 40-caliber firearm.

17 Q. All right. So, now, what did you do with these items
18 when you received them?

19 A. How we work a case like this is, typically, I will look
20 at my ammunition components first. I will photograph how
21 they're packaged. I open them up. We check them for any
22 what we call blood or fibers, trace evidence. And then what
23 we'll do is we'll weigh them, we'll measure them, and try to
24 determine their caliber. For each projectile or bullet, I
25 take a page of notes. For cartridge cases, I will look at

1 them based on their headstamp, which the headstand is the
2 top of the cartridge that contains that information about
3 the caliber and typically the manufacturer. I group them by
4 that and then I'll fill out a worksheet based on that. And
5 then I will look if they have identifying marks. And most
6 of that is done on that comparison microscope.

7 And then I'll move to the firearm that was submitted.
8 And I do the ammunition first because, if I have the correct
9 caliber, I want to shoot similar ammunition to what I
10 received in the case in the firearm. I call it, you know,
11 taking the steps to my microscope. So, first, I determine
12 their caliber. If something is not the same caliber then I
13 can stop right there. Then if they are the same caliber or
14 could potentially be the same caliber, then I can take a
15 step up. Do they have the same type of rifle? Like I said
16 before, there's two types of rifling: there's conventional
17 and polygonal. Conventional is more cut into the barrel at
18 right angles; polygonal is more smooth, more scalloped.
19 And, in this case, we had polygonal rifling for everything
20 that I've received.

21 And then if they're the same type of rifling then I can
22 go to the number of lands and grooves. Like the 45 in this
23 case was eight lands and grooves, meaning I had eight raised
24 and depressed areas. The 357 Sig projectile that are
25 nominal 38 projectiles that I received had six lands and

1 grooves. So there I didn't have to put them on the scope
2 with each other. And then I moved to the dimensions of
3 those lands and grooves or the direction of twist. Is that
4 direction of twist going to the left or going to the right?
5 If at any time any of those don't agree, I can stop and I
6 don't have to go to my scope because I know they weren't
7 fired by the same gun. So that's what I'm looking for with
8 the ammunition. And that's what I look for with a firearm.

9 Q. Okay. So you talked about packaging. Can you describe
10 the packaging that you received the items in? How were they
11 packaged?

12 A. May I check my notes?

13 Q. Certainly. Yes, ma'am.

14 A. The cartridge cases were in container A which was Kraft
15 envelope or manila envelope.

16 Q. When I ask about packaging, I'm sorry, let me get a
17 little more succinct. Were they in a sealed condition?

18 A. Yes, they were all sealed.

19 Q. All right.

20 A. If I receive evidence that looks like it's not been
21 sealed, I will stop. I will notify the submitters. But if
22 I have all of my evidence there, I will just make a note of
23 it and I will continue. So I did not need to make any notes
24 in this case.

25 Q. Okay. All right. Lieutenant Cromer, I'm going to hand

1 you in a moment what have been entered into evidence as
2 State's Exhibit Numbers 272, 273, and what has been
3 identified -- well, it's the packaging, State's Exhibit
4 Number 275 for identification and State's Exhibit Number
5 274A, which is actually inside the packaging. And they did
6 not actually not get entered. And I'm also going to submit
7 to you right now I think this is Defense Number 1 and 1.B.
8 I want you to take a moment and tell me if you recognize
9 these items?

10 SOL. LEGETTE: May I approach?

11 THE COURT: You may.

12 A. Okay. State's Exhibit 272 is my container A which
13 contained my items 1 through 8 which was the fired cartridge
14 cases that I talked about. And as you can see, they're
15 still sealed with my initials and seal date. And each
16 cartridge case is in here with the original envelope that
17 they were received in with my initials and seal date as
18 well.

19 State's Exhibit 273 was my container B. Again, still
20 sealed with my initials and seal date. And these are the
21 fired bullets, fired bullet fragments, that I received in
22 this case. Again, with the original packaging placed in a
23 plastic envelope and sealed with my initials and seal date.

24 What I'm looking for is every firearm that we examine,
25 we scribe on it our lab number, our item number, and our

1 initials in multiple locations. So, yes, this was my item
2 22, the Glock model 27, serial number FDY[REDACTED]. And, again,
3 it's scribed with my initials and seal date on the barrel
4 slot and in the mag well. This is the magazine that I
5 received with this firearm. And, again, it's scribed with
6 my initials, my lab number, and my item number. These are
7 the cartridge cases that were received in the magazine with
8 item 22. Again, still sealed in a container with my
9 initials and seal date. And this is two other cartridges
10 that I received, unfired cartridges, with the original
11 container still sealed with my initial and seal date.

12 These are my items 26 and 27. You can see my initials
13 and evidence tape with my initials and seal date. And when
14 I received this, this was not crawling down like that. Did
15 you want me to open these?

16 Q. Yes, please, if you don't mind opening. State's 275A
17 and 275B that are within those containers.

18 A. Okay. This is State's 274, was my item 26. This is
19 one of the projectiles that I received from autopsy. And,
20 again, it is in a sealed container with my initials and seal
21 date. State's Exhibit 275 was my SLED item 27. Again, it's
22 a projectile from autopsy and it is still in a sealed
23 container with my initials and seal date.

24 Q. Lieutenant Cromer, State's Exhibit Numbers 275 and 274,
25 they're substantially in the same condition today as when

Direct Examination of Lt. Cromer by Sol. Legette

279

1 you actually packaged them and put State's 275A and 275B
2 within those containers?

3 A. Yes.

4 Q. Have they been changed or altered in any appreciable
5 way?

6 A. Since my examination, no.

7 SOL. LEGETTE: At this time, Your Honor, I would offer
8 only State's Exhibit Number 275, the packaging, and State's
9 Exhibit 274, the packaging, for admission into evidence.

10 MR. WALKER: No objection.

11 THE COURT: 274 and 275, without objection.

12 (State's Exhibit Nos. 274 and 275 were received into
13 evidence.)

14 Q. Now, Lieutenant Cromer, did you make any comparison
15 with regards to the items of evidence that we just
16 discussed?

17 A. Yes, I did.

18 Q. Can you tell us about your findings?

19 A. I found that all four of the 350 Sig caliber cartridge
20 cases were fired by one firearm, and all four of the 45-auto
21 caliber cartridge cases were fired by a second firearm.

22 Q. Now, let me ask you this question: What does that
23 mean?

24 A. That means there were at least two firearms that fired
25 at the scene.

1 Q. All right. Two firearms at the scene. Okay. Thank
2 you. Please proceed.

3 A. With the bullets, it was a little bit more complicated.
4 Oh, and neither of those were fired by this 40-caliber
5 firearm.

6 Q. Okay. So that 40-caliber that you got, that 22, would
7 be -- that 22 we just talked about, I think is Defense's 1,
8 that 22 did not fire any of those shell cases?

9 A. No, it did not.

10 Q. Okay.

11 A. The bullets, like I said, I have two 45-auto caliber
12 projectiles. They were consistent with eight right
13 polygonal rifling, like we talked about earlier. But I
14 couldn't say whether or not they were fired by the same
15 firearm because there wasn't enough of what we call the
16 matching individual identifying characteristics. When I
17 compared them through my scope, I could see some stuff, but
18 there just wasn't enough for me to rule them out as being
19 fired by two different firearms or say that they were fired
20 by two different firearms. So I was inconclusive.

21 We render one of four conclusions: Positive, yes, it
22 was fired by the same gun. Negative, no, it wasn't fired by
23 the same gun. Unsuitable, meaning it's too damaged; it
24 doesn't have any information on it for us to work with; we
25 just can't do anything with it. Or inconclusive: There's

1 just not enough information for us to make a call either
2 way. So I was inconclusive as to whether those 2 45-auto
3 bullets were fired by the same gun. As well as the four
4 nominal 38 that I talked about, they were also inclusive
5 with each other. They also had polygonal rifling. They
6 were consistent with same caliber. But when I got to my
7 scope, there just wasn't enough information for me to
8 determine whether or not they were fired by the same gun.

9 Q. Okay. So if I understood you correctly, that bullets
10 you got that were the 45-caliber auto, could not tell if
11 they were fired by the same gun or not?

12 A. That's correct.

13 Q. And if I'm hearing you correctly and stating it
14 correctly, the other bullets that you found -- I guess
15 four -- those four, were not able to tell if they were fired
16 by the same gun or not?

17 A. Right. But I can tell you that the 38s, or the 38
18 nominal caliber bullets, were not fired by the same firearm
19 that fired the 45. And I can also tell you that they were
20 not fired by this firearm.

21 Q. So what does that mean?

22 A. That means there were two different firearms that fired
23 the projectiles.

24 Q. Okay. So two different guns. Same as the shell cases.
25 So there's two different guns at the crime scene?

1 A. Correct.

2 Q. But that gun that you have in front of you, that
3 40-cal, did not fire any of the bullets or any of the shell
4 cases?

5 A. Not in my opinion.

6 Q. Your expert opinion?

7 A. Yes.

8 Q. All right. Now, did you have any other involvement in
9 this case?

10 A. Yes, I did.

11 Q. All right. Let's talk about the other involvement.
12 You mentioned I think something called NIVIS (ph) earlier?

13 A. NIBIN, yes.

14 Q. NIBIN. Okay, I'm sorry. What is NIBIN?

15 A. NIBIN is the National Integrated Ballistics Information
16 Network. Very similar to, like, the fingerprint database or
17 CODIS is the DNA database, NIBIN is the firearms database.
18 What it does is we put in cartridge cases, whether they're
19 evidence from crime scenes or test fires from a gun, and the
20 machine actually takes a 3-D topographical map of the head
21 of that cartridge case. So it's looking at the breech face,
22 the firing pin impression, and injector marks. So what it
23 does is then it converts that topographical map to a
24 mathematical equation, and then it gives us back potential
25 other evidence or test fires in a region that could be

1 related. I've seen it on NCIS before where it flashes match
2 with the big red thing. It's not like that. We actually
3 have to sit down and go through those results to see if
4 these images could've been fired by the same gun. And so I
5 entered this evidence into the NIBIN database.

6 Q. Okay. And so after you entered all of that evidence
7 into the NIBIN database, what happened?

8 A. I received several leads on this case.

9 Q. And what do you do with the lead?

10 A. What we do with the lead is we send out what we call a
11 lead notification to all agencies involved. Because, like I
12 said, we not only correlate against every agency in
13 South Carolina but we also do North, South --
14 North Carolina, South Carolina, Georgia, and Virginia. So
15 we type up a lead notification form that is kind of like
16 this is the case number. It has leads -- this piece of
17 evidence has leads to potentially be fired by the same
18 firearm as your case. So then we send that out to all
19 agencies involved. And, in this case, it was sent out to
20 Colleton, Walterboro, Beaufort PD.

21 Q. Okay. And so, specifically, did you receive I think a
22 45-caliber auto from Beaufort PD?

23 A. Yes, I did.

24 Q. And were you able to make any leads or any
25 determinations regarding that firearm?

1 A. Yes. I received a NIBIN lead to a firearm from the
2 45-caliber cartridge cases here. Beaufort PD brought me
3 that firearm. I tested it. I did that microscopic
4 comparisons and determined that that 45-caliber firearm
5 fired these cartridge cases.

6 Q. Okay. Were you able to test it against the bullets?

7 A. I did.

8 Q. Go ahead.

9 A. And it was inconclusive with the bullets. Just as I
10 was inconclusive with the bullets to each other, I was
11 inconclusive as to whether that gun fired those bullets. I
12 just didn't have enough information.

13 Q. All right. Did you make any -- I mean, as it relates
14 to the evidence in front of you, did you make any other
15 tests or comparisons with that evidence?

16 A. I had another case that I also did the 357 Sigs
17 against.

18 Q. Okay. But did you have a firearm on that case?

19 A. No, I did not.

20 Q. All right. So if I understood you correctly, your
21 testimony, basically I think you said that you got eight
22 different shell casings from the crime scene that was
23 submitted to you?

24 A. Yes.

25 Q. In a sealed condition. And then out of those eight,

1 four were 45-caliber auto. Is that correct?

2 A. That's correct.

3 Q. And four were 38 9-millimeter?

4 A. 357 Sig with the cartridge cases.

5 Q. Cartridges. Okay, gotcha. And did those two -- those
6 eight, those four 45s were fired by the 45 you got out of
7 Beaufort?

8 A. That's correct.

9 Q. And those four shell casings that were the 357 were
10 fired by a separate firearm that you didn't have?

11 A. That's correct.

12 Q. All right. As it relates to the bullets, if I'm
13 correct, the two bullets that you got from autopsy were
14 fired by a 38 9-millimeter gun?

15 A. That's correct.

16 Q. All right. But you didn't have that gun?

17 A. No. I did not have a gun.

18 Q. All right. And then the other four bullets you got
19 from the crime scene, the 45-caliber auto bullets, they were
20 fired by a separate gun. But that gun that you got, you
21 were not able to make certain or conclude that it was fired
22 by that 45-caliber auto that you received?

23 A. It was two 45-caliber auto bullets.

24 Q. Two. I'm sorry, excuse me. Okay. Did I state that
25 correctly?

1 A. That's good.

2 Q. All right. And then you got some fragments?

3 A. That's right.

4 Q. But the fragments, what were you able to determine
5 about the fragments?

6 A. No, I couldn't determine. Some of them I couldn't even
7 determine the caliber. And some of them didn't have any
8 rifling on them.

9 Q. All right. I think I got it.

10 SOL. LEGETTE: Beg the Court's indulgence.

11 Q. So finally -- so in other words, you had two separate
12 guns at the crime scene?

13 A. Yes. I had -- from this evidence that was represented,
14 I had a minimum of two guns. Because we do not match
15 bullets back to cartridge cases. The only way we can do
16 that is with a potential firearm. So I can't say that these
17 bullets came from those cartridge cases. So at least a
18 minimum of two guns at the scene.

19 Q. All right. And the gun ---

20 A. That fired.

21 Q. I'm sorry.

22 A. I'm sorry. I'm sorry.

23 Q. Now, the gun in front of you, the Defense Exhibit 1A
24 and B, possibly C, that gun did not fire any of the shell
25 cases that were submitted to you and by any of the bullets

1 submitted to you?

2 A. That's correct.

3 Q. Thank you. I have nothing further. Answer any
4 questions from Mr. Walker.

5 - - - - -

6 CROSS-EXAMINATION

7 BY MR. WALKER:

8 Q. Good morning.

9 A. Good morning.

10 Q. Name is Matthew Walker. I represent Jordin Glover.
11 Just very briefly, I want to just make sure we're clear on a
12 couple of things.

13 A. Okay.

14 Q. You examined eight fired cases of ammunition, right?

15 A. Cartridge cases, yes.

16 Q. Cartridge cases. And how many fragments did you
17 examine?

18 A. For bullet fragments, I had eleven bullets and bullet
19 fragments altogether.

20 Q. Is it possible to have more fragments than fired
21 cartridge cases?

22 A. Yes, it is. Because some of those could have been from
23 the same projectile.

24 Q. It could, like, shatter and there would be like three
25 from one bullet or something like that?

1 A. That's correct.

2 Q. And then you said there were two guns at the crime
3 scene. But that's from your cartridge case ammunition, two
4 guns that were fired?

5 A. That is correct.

6 Q. But there would be three including?

7 A. I said there was -- yes, I'm sorry. There were two
8 guns that were fired at the crime scene based on the
9 ammunition components that I have.

10 Q. Thank you. No further questions.

11 THE COURT: Any redirect?

12 SOL. LEGETTE: No, Your Honor.

13 THE COURT: All right. Any reason not to excuse this
14 witness?

15 SOL. LEGETTE: No, Your Honor. We ask that she be
16 excused.

17 MR. WALKER: No objection.

18 THE WITNESS: Thank you.

19 THE COURT: Thank you very much.

20 SOL. LEGETTE: State calls Dr. Daniel Chadwick Butler.

21 (Whereupon, the witness, DANIEL CHADWICK BUTLER, was
22 duly sworn.)

23 THE CLERK: Please have a seat on the stand. State
24 your first and last name, spell your last name for the
25 record, please.

THE WITNESS: My name is Daniel Butler. Last name,
B-U-T-L-E-R.

— — — — —

BY SOL. LEGETTE:

Q. Good morning, Dr. Butler.

A. Good morning.

(Brief pause.)

Q. Dr. Butler, good morning.

A. Good morning.

Q. Dr. Butler, where do you work?

A. The Medical University of South Carolina.

Q. And, Dr. Butler, what do you do at the Medical University of South Carolina?

A. I'm a forensic pathologist.

Q. And how long have you been a forensic pathologist?

A. In practice since 2022.

Q. And, Dr. Butler, what are the duties of a forensic pathologist?

A. A forensic pathologist is a pathologist that performs autopsies to determine cause and manner of death.

Q. And, Dr. Butler, are you a licensed medical doctor in South Carolina?

A. Yes.

Q. And were you a licensed medical doctor in

1 South Carolina in 2023?

2 A. Yes.

3 Q. All right. So now can you, please, tell us about your
4 education and experience as it relates -- and training -- as
5 it relates to being a forensic pathologist?

6 A. Sure. I attended the University of South Carolina
7 where I received my undergraduate degree. I completed
8 four years of medical school at Medical University of
9 South Carolina; completed four-year residency in anatomic
10 and clinical pathology at the Medical University of
11 South Carolina and a one-year fellowship in forensic
12 pathology at the Dallas County Medical Examiner Office. I'm
13 board certified in anatomic, clinical, and forensic
14 pathology.

15 Q. So, Dr. Butler, how many autopsies would you say you
16 performed in your career?

17 A. Throughout training and practice, approximately 800.

18 Q. Okay. So, now, you may have already answered this
19 question, but what is pathology? What does it involve?

20 A. Pathology is a branch of medicine involved in the study
21 and diagnosis of disease.

22 Q. So, now, Dr. Butler, during your years of being a
23 forensic pathologist, have you ever had the occasion to
24 perform an autopsy or autopsies where the cause of death was
25 gunshot wounds?

1 A. Yes.

2 SOL. LEGETTE: At this time, Your Honor, I would offer
3 Dr. Butler as an expert in the field of forensic pathology.

4 MR. WALKER: No objection.

5 THE COURT: All right. So qualified.

6 Q. Now, Dr. Butler, if you don't mind, will you please
7 educate us. How many manners of death are there?

8 A. There are five manners of death. There's natural or
9 the cause of death is due to natural disease, heart disease.
10 There is accidental death where death is due to some
11 external force that doesn't have any intention behind it.
12 So car accidents, for example. Suicide where death at the
13 hands of oneself. So a self-inflicted gunshot wound. Death
14 at the hands of another. So an example would be gunshot
15 wound. And undetermined.

16 Q. All right. So there's five: natural, accidental,
17 suicidal, homicide and?

18 A. Undetermined.

19 Q. Undetermined. Okay. Thank you. Now, Dr. Butler, were
20 you working as a forensic pathologist at MUSC back in
21 February of 2023?

22 A. Yes.

23 Q. And during that month, were you able to perform one or
24 more autopsies during that time?

25 A. Yes.

1 Q. And, specifically, did you perform an autopsy on
2 February 20th of 2023?

3 A. Yes, I did.

4 Q. Dr. Butler, I'm gonna hand you now what's been marked
5 as State's 276 for ID only.

6 A. Okay.

7 Q. Can you take a moment and tell me if you recognize
8 State's Exhibit 276 for ID only?

9 SOL. LEGETTE: May I approach.

10 THE COURT: You may.

11 A. Yes, I do.

12 Q. And what is State's 276 for ID only?

13 A. That's a profile shot, a photograph that I took during
14 the autopsy.

15 Q. And who was that photograph of?

16 A. That is a photograph of LaMontre Green.

17 Q. All right. And is that the person you performed an
18 autopsy on on February 20, 2023?

19 A. Yes.

20 Q. All right. Thank you, Dr. Butler. Now, Dr. Butler,
21 who authorized that autopsy?

22 A. The Colleton County Coroner.

23 Q. And was February 28, 2023, the first time you ever saw
24 him? Is that the first time you saw him?

25 A. Yes.

1 Q. Now, I want to talk about Mr. Green's autopsy. Can you
2 tell us about his autopsy and what your findings were?

3 A. The most significant findings of autopsy were a series
4 of gunshot wounds.

5 Q. Okay. All right. How did you document those gunshot
6 wounds, or were you able to document those gunshot wounds?

7 A. I was. And I documented it in my autopsy report.

8 Q. Okay. Did you also take any photographs of the
9 autopsy?

10 A. I did.

11 Q. All right. And did you also create a diagram of the
12 autopsy?

13 A. I did.

14 Q. I'm gonna hand you in a moment what's been marked . . .

15 All right. Dr. Butler, I'm gonna hand you what's been
16 previously marked for identification as State's Exhibit
17 No. 277. Take a moment and tell me if you recognize
18 State's 277?

19 SOL. LEGETTE: May I approach?

20 THE COURT: You may.

21 A. I do recognize.

22 Q. And what is State's 277?

23 A. That's a body diagram.

24 Q. All right. And is State's 277 a fair and accurate
25 reflection of the diagram that you created on the 20th or

1 after there -- thereafter for LaMontre Green's autopsy?

2 A. Yes.

3 Q. Has it been altered or changed in any way except made
4 bigger?

5 A. No.

6 SOL. LEGETTE: At this time, Your Honor, I would offer
7 State's 277 for admission into evidence.

8 MR. WALKER: No objection.

9 THE COURT: All right. Without objection.

10 SOL. LEGETTE: Permission to publish?

11 THE COURT: You may.

12 (State's Exhibit No. 277 was received into evidence.)

13 Q. All right. Dr. Butler, we're gonna leave that there
14 for a moment.

15 A. Okay.

16 Q. And while I'm still here, I'm going to hand you what's
17 been premarked for identification as State's 278, 279, 280,
18 281, 282, 283, 284, 285, 286, 287, 288, and 289. So that's
19 gonna to be State's 278 through 289. Take a moment and tell
20 me if you recognize State's 278 to 289?

21 SOL. LEGETTE: May I approach?

22 THE COURT: You may.

23 A. Yes, I recognize these.

24 Q. Dr. Butler, what are State's 278 through 289?

25 A. These are photographs I took during autopsy and

1 radiographs that I took during autopsy.

2 Q. And, Dr. Butler, are State's Exhibits 278 through 279
3 [sic] a fair and accurate reflection of those photographs
4 that you took during the autopsy of LaMontre Green?

5 A. Yes.

6 Q. Thank you.

7 SOL. LEGETTE: At it this time, Your Honor, I would
8 offer State's Exhibit Numbers 278 through 289 for admission
9 into evidence.

10 MR. WALKER: No objection.

11 THE COURT: All right. That will be without objection.

12 SOL. LEGETTE: Thank you, Your Honor. Permission to
13 publish?

14 THE COURT: You may.

15 (State's Exhibit Nos. 278 through 289 were received
16 into evidence.)

17 Q. Dr. Butler, if you don't mind, can you tell us about
18 the condition of LaMontre Green's body when you received it?

19 A. The body was received and previously cut, like, boxer
20 shorts; and then had a plastic bag containing other clothing
21 items in the body bag.

22 Q. Okay. All right. So, Dr. Butler, you testified
23 earlier that you actually were able to document Mr. Green's
24 injuries by diagram in 277 as well as photographs and
25 radiographs -- I guess those are X-rays ---

1 A. Uh-huh. Yes.

2 Q. --- during the autopsy. If you don't mind -- I'm gonna
3 get you a microphone. We have the photographs displayed
4 here on this the screen to the jury. If you don't mind, you
5 can bring your report with you. I have a microphone for
6 you.

7 If you don't mind telling the jury about the
8 documentation you made of his injuries. Whichever side you
9 want to stand on is fine with me. And I have a microphone I
10 can hold for you. All right. So this is gonna be
11 State's 278. Can you tell the jury about the documentation
12 you made of Mr. Green's injuries in State's 278?

13 A. So this image is gunshot wound on the left side of the
14 chest and the corresponding gunshot wound number 3 on the
15 body diagram.

16 Q. All right. So it corresponds to number 3 on the body
17 diagram?

18 A. Yes.

19 Q. Is it easier to see the diagram over there or?

20 A. I think I can see it.

21 Q. You can see it. Okay. All right. So that's
22 State's 278. All right. So where is the injury?

23 A. The injury is on the left side of the chest.

24 Q. Okay. Now, this is gonna be State's No. 279. What can
25 you tell us about State's 279?

1 A. This is an entrance gunshot wound on the left forearm
2 that would correspond to gunshot wound number 5.

3 Q. All right. So that corresponds to number 5 that's on
4 his left arm?

5 A. Yes.

6 Q. All right. This is gonna be State's 280.

7 A. This is a gunshot wound of the left arm which
8 corresponds to gunshot number 2 on the body diagram. We
9 have an entrance wound on the left arm and it goes
10 superficially through the soft tissues and musculature of
11 the left arm and then exits. It kinda goes in and out, in
12 and out, until it reenters into the chest cavity.

13 It enters through the chest cavity and then perforates
14 the soft tissues above the clavicles. So the collarbones.
15 And perforates several core structures in the chest
16 including branches of the aorta, the esophagus, trachea. It
17 goes -- perforates through the soft tissues under the right
18 collarbone and then exists through the right armpit. And
19 that is the exit wound.

20 Q. All right. And so, Doctor, can you tell us about what
21 kind of -- you talked about the injuries to that procedure.
22 Where you able -- I'm sorry. Cancel all of that.

23 This is State's No. 282.

24 A. This is an exit gunshot wound of the left forearm which
25 corresponds to the wound you previously saw. It's the

1 counterpart to gunshot wound number 5 on the diagram. So
2 it's the exit wound.

3 Q. It's the exit wound. Okay. All right. This is gonna
4 be State's No. 283.

5 A. This is a gunshot wound of the left thigh, and it
6 corresponds to gunshot wound number 6 on the diagram.

7 Q. This is State's 284.

8 A. And this is another gunshot wound of the left thigh
9 which is the counterpart to gunshot wound number 6.

10 Q. And State's 285.

11 A. This is a gunshot wound of the lateral left side of the
12 back. So it corresponds to gunshot wound number 3. And we
13 saw previously the gunshot wound of the left side of the
14 chest, and this is the counterpoint to that.

15 Q. Okay. So this is actually on his left side of his
16 back?

17 A. Yes.

18 Q. And this is State's Exhibit No. 286.

19 A. This is a gunshot wound of the posterior left shoulder
20 that corresponds to gunshot wound number 1 on the diagram.
21 It's an entrance gunshot wound to the back of the left
22 shoulder.

23 Q. So that, too, is basically in the back of his body,
24 back left shoulder?

25 A. It's in this region.

1 Q. Okay. All right. Now, this is State's Exhibit 287.

2 A. So this is an X-ray of the left thigh. And this large
3 bone here is the femur. You can see that it is fractured.
4 The bullet perforated through the left femur.

5 Q. So what does that mean, perforate through his left
6 femur? Does that mean broken bone?

7 A. It goes through. It broke bones, yes.

8 Q. So he had a broken left leg?

9 A. Yes.

10 Q. This is State's 288.

11 A. And this is an X-ray of the abdomen. So here we have
12 this white area. This is a bullet.

13 Q. Right here?

14 A. Yeah.

15 Q. It's a bullet. Okay. And this is State's 289.

16 A. And this is an X-ray of the chest. And then we have
17 the upper part of the abdomen. Here is this bullet that we
18 just saw. We have an additional bullet in the left -- in
19 the soft tissues of the left shoulder right here.

20 Q. All right. I believe those are all the exhibits.
21 Thank you, Doctor. You can have a seat back on the witness
22 stand. Here is your report.

23 So Doctor -- Dr. Butler, let's talk about -- so we
24 talked about all the injuries that Mr. Green sustained. How
25 many times was Mr. Green shot?

1 A. A total of six times.

2 Q. A total of six times. Okay. And have you
3 made -- formed an opinion as to the cause of Mr. Green's
4 death? You said there were five causes of death. So have
5 you formed an opinion as to what his cause of death was?

6 A. So the cause of death would be gunshot wounds, and the
7 manner of death would be homicide.

8 Q. So that means in the hand of someone else, in other
9 words?

10 A. Yes, ma'am.

11 Q. Okay. So, Doctor, you told us -- and we saw all of the
12 bullet holes in Mr. Green's body -- there's six gunshot
13 wounds. Which of those killed him?

14 A. Well, with these, it's often a combination of all the
15 gunshot wounds. There's gonna be stress associated with him
16 bleeding, associated with him. The one that got the most
17 important structures would be gunshot wound number 2, which
18 we saw the entrance wound on the left arm and it exits here
19 and it reenters into the chest cavity, and it got
20 significant organs including the branches of the aorta,
21 which is the main vessel that supplies blood to the rest of
22 the body, the trachea which is your windpipe, and then
23 esophagus which connects your mouth to your stomach.

24 SOL. LEGETTE: My I approach, Your Honor, and hand him
25 the pointer?

1 THE COURT: You can.

2 SOL. LEGETTE: I'm gonna approach and hand him the
3 pointer.

4 Q. If you don't mind showing us on the diagram here what
5 you're referring to.

6 A. So gunshot wound number 2, which was on the left arm,
7 and it exited through the upper left side the chest and it
8 reenters into the chest and exits through the right armpit.

9 Q. Is at the one that you had probes sticking into his
10 body?

11 A. Yes, ma'am.

12 Q. Okay. All right. You can have a seat. The one on the
13 back, the one to his left back, what is that particular
14 gunshot wound?

15 A. I'm sorry, this one?

16 Q. Sure. Go ahead and talk about that one, yes.

17 A. So this was a wound to the posterior left shoulder,
18 which we saw is above this region, and the bullet entered
19 into the left shoulder. And we recovered a bullet from the
20 soft tissues of the left shoulder of this region.

21 Q. All right. So how about that other gunshot wound to
22 his back?

23 A. This wound -- so this is gunshot wound number 3. We saw
24 the gunshot wound of the left side of the chest and then the
25 gunshot wound to the lateral left side of chest. It wasn't

1 possible to tell which was an entrance or an exit because
2 they had similar characteristics. So we have these two,
3 they correspond to each other, but I couldn't determine
4 which was the entrance or which was exit.

5 Q. Okay. And I think it's gunshot wound number 4 went on
6 his back also?

7 A. So gunshot wound number 4 was on the left side of the
8 back. And it goes through the soft tissues of the left side
9 of the back, of the thoracic spine, and then it entered the
10 right chest cavity. And we recovered a bullet from the
11 right chest cavity.

12 Q. So how many bullets did you recover, total?

13 A. Two.

14 Q. Two bullets. Okay. And I believe that's the one to
15 the arm. I believe that's gunshot wound number 5. Tell us
16 about that particular gunshot wound.

17 A. Gunshot wound number 5, there's an entrance wound on
18 the back of the forearm. And it goes through the soft
19 tissues of the muscles and everything in the forearm and
20 then exits through the front surface of the left forearm
21 here.

22 Q. Okay. And, finally, I think it's gunshot wound
23 number 6 on his femur.

24 A. This is gunshot wound of the left thigh. And similar
25 to gunshot wound number 3, the wounds very similar, so it

1 wasn't possible to determine which was an entrance or an
2 exit. But the bullet -- these two correspond to each other
3 and the bullet goes through the muscles and the femur, which
4 is that long -- thick, long bone on the thigh. And the two
5 correspond to each other. No bullet was recovered.

6 Q. Okay. Thank you, Dr. Butler.

7 A. Sure.

8 Q. You can have a seat on the witness stand. So if I
9 understood you correctly, you recovered two bullets?

10 A. Yes.

11 Q. And what was -- did you recover any other evidence from
12 Mr. Green's body?

13 A. There was a fragment, a white metal, in the superficial
14 skin of the right side of the chest.

15 Q. Okay. All right. And what was done with all the
16 evidence that you actually collected from his body?

17 A. The evidence is photographed and then sealed within
18 envelopes and then retained for submission to authorities.

19 Q. Okay. All right. I'm gonna hand you know what's been
20 previously marked for identification as State's Exhibits
21 Numbers 275A and 274A. I want you to take a moment and tell
22 me if you recognize State's 274A and 275A.

23 SOL. LEGETTE: May I approach?

24 THE COURT: You may.

25 A. Yes, I recognized them.

1 Q. And, Dr. Butler, what are State's 274A and 275A?

2 A. These are envelopes in which the recovered bullets are
3 placed.

4 Q. And those are your bullets that you recovered?

5 A. Yes.

6 Q. And, Dr. Butler, are State's 274A and 275A in
7 substantially the same condition today as when you recovered
8 them from the body of LaMontre Green during the autopsy in
9 February of 2023?

10 A. They appear to be, yes.

11 Q. Thank you.

12 SOL. LEGETTE: At this time, Your Honor, I'd offer
13 State's Exhibits 274A and 275A for admission into evidence.

14 MR. WALKER: No objection.

15 THE COURT: All right. They're admitted without
16 objection.

17 (State's Exhibit Nos. 274A and 275A were received into
18 evidence.)

19 SOL. LEGETTE: Thank you.

20 Q. Dr. Butler, alongside taking -- doing the autopsy of
21 Mr. Green's body, documenting his injuries through
22 photographs, X-rays, and the diagram, and collecting bullets
23 out of his body, did you do any other testing on his body or
24 bodily fluids?

25 A. Yes. We performed toxicology testing on his blood.

1 Q. Okay. And what was the result of the toxicology?

2 A. The result? So there was THC, delta-9 THC, and a
3 metabolite of delta-9 THC. So marijuana.

4 Q. A little bit of marijuana?

5 A. Uh-huh.

6 Q. Now, Dr. Butler, in summation, your opinion as to what
7 killed Mr. Green is what?

8 A. Gunshot wounds.

9 Q. And was it all the gunshot wounds?

10 A. In total, yes. Everything, all of them together.

11 Q. All of them together killed him. Okay. Thank you,
12 Dr. Butler. I have no further questions. Answer any
13 questions from Mr. Walker. And let me move this TV.

14 - - - - -

15 CROSS-EXAMINATION

16 BY MR. WALKER:

17 Q. Good morning.

18 A. Good morning.

19 Q. My name is Matthew Walker. I represent Jordin Glover.
20 Go over a few things with you. Can you first tell me
21 Mr. Green's height and weight?

22 A. His weight is 190 pounds and his height was 5-9.

23 Q. Thank you. We heard some testimony from the police
24 officer that attended the autopsy and collected personal
25 effects and the bullet fragments that you recovered. And he

1 reported that you told him there were five gunshot wounds.

2 Do you have any explanation for that discrepancy?

3 A. No. I would've told him six. So I'm not sure ---

4 Q. We might have just written it down wrong?

5 A. Yeah.

6 Q. Or misremembered. Okay. You've opined that the bullet
7 wounds in toto were the cause of death. No one disputes.
8 And she kinda of went through the worst ones. And those
9 were -- the worst ones you described were the ones that you
10 collected those bullet fragments, correct?

11 A. No.

12 Q. No. Okay. So refresh my memory so I'm not confused.
13 Were either of those from -- the ones you described as the
14 worst ones, the bullets that you recovered.

15 A. One bullet was from this wound, gunshot wound number 1.
16 And the other one was from this wound, which would've been
17 one of the more significant wounds.

18 Q. Is that number 4?

19 A. Number 4. This is the bullet that goes into the right
20 chest cavity and was associated with quite a bit of blood in
21 the right chest cavity.

22 Q. And you have those numbered to correspond with the
23 numbers that you have in your report?

24 A. Yes.

25 Q. Okay. Now, I want to kind of go through these

1 individually as well and make sure we go through them all.
2 Obviously, with the caveat probably any wound could
3 potentially be fatal without treatment if you bleed long
4 enough, right?

5 A. Sure.

6 Q. Okay. So I want to speak more generalities, what would
7 be kind of the expectations of a wound than kind of
8 the -- case. So as we go through number 1, for each one of
9 those rounds, the shoulder, would that be something that by
10 itself generally be -- thought to be a fatal wound?

11 A. By itself, you could likely receive therapy and survive
12 that wound.

13 Q. And I should have asked before I get into -- we're
14 referring to 1, 2, 3, 4. Do you have these numbered in the
15 order they were administered?

16 A. That they were administered.

17 Q. In other words, he was shot multiple times.

18 A. Oh, no.

19 Q. Is number one the first shot?

20 A. No. No. They're just for descriptive purposes,
21 labeled 1 through 6. I don't know the order that they were
22 in. And they're not order based on severity either.

23 Q. So you just chose those numbers yourself as a way to
24 keep track?

25 A. Basically, I'll do them closest to top of the head and

1 just make my way down just for organization purposes.

2 Q. Those numbers are your organizational tool; they don't
3 donate time of infliction?

4 A. No.

5 Q. And you were also informed that at least two people
6 shot Mr. Green?

7 A. No.

8 Q. So in your report there, number 7, by history, the
9 decedent was shot by another person -- persons, at the time
10 you were doing this ---

11 A. I include that because I don't know from autopsy how
12 many people shoot.

13 Q. So you were ---

14 A. Whether it's multiple.

15 Q. You were aware -- are you aware now that he was shot by
16 more than one person?

17 A. No.

18 Q. Okay. Well, he was. And so do you have any way, in
19 these shots as we're going through, to determine which gun
20 caused which injury or which person caused which injury?

21 A. We have two bullets. So if they're different bullets.

22 Q. But as you're doing the autopsy, you can't say, oh,
23 well, this wound is obviously -- you know, if he was shot
24 and stabbed by two different people, you couldn't
25 differentiate the wound?

1 A. Yeah, so a stab wound and a gunshot wound.

2 Q. But it doesn't appear in a case where there's two sets
3 of gunshots, you don't have a way to say this gunshot was
4 caused by person A, this gunshot was caused by person B?

5 A. Just that the bullets are gonna look different.

6 Q. So we went to number 1. You said that would generally
7 be survivable treatment?

8 A. It potentially would, yeah.

9 Q. In number 2, can you indicate number 2 on your . . .

10 A. Number 2 is this one of the left arm. This would be
11 the most significant wound.

12 Q. So that one would be one that would be likely fatal?

13 A. It could potentially ---

14 Q. Especially without immediate attention?

15 A. Without immediate intervention, it would likely be
16 fatal. But it could potentially be treated if it was done
17 quickly enough.

18 Q. Medicine is amazing these days and they can do a lot of
19 things. But that, in your opinion, is the most severe
20 injury?

21 A. That hit the most significant organs in the body, yes.

22 Q. And you said even multiple in -- or insignificant can
23 be fatal if they together -- I guess more places for blood
24 to come out of and you lose more in the same amount of time?

25 A. Right.

1 Q. All right. And you have number 3. It's the gunshot to
2 the torso?

3 A. Yes. Number 3 is this one and this one on the left
4 side there.

5 Q. So that's what we call "through and through"?

6 A. Yes. It went through and through.

7 Q. And that one was also very serious, correct?

8 A. That one did perforate or go through the ribs, or
9 fractured a rib. And there were some bleeding in the left
10 chest cavity and then bruising with the left lung.

11 Q. So bruising of the lung means I guess the bullet didn't
12 hit the lung but maybe the force?

13 A. The force.

14 Q. Going through bruised it. And number 4, what would you
15 rate that as a survivable injury?

16 A. It's potentially survivable ---

17 Q. They're all potentially survivable. They're all
18 potentially fatal. But in general?

19 A. In terms of severity, it would be a step down from this
20 gunshot wound, number 2.

21 Q. A step down from number 2, which you said was by far
22 the worst one?

23 A. Yes, sir.

24 Q. And number 5?

25 A. Number 5 is the gunshot wound of the left forearm.

1 Q. Okay. And it was all -- nothing broken, right?

2 A. It just went through the muscles in the left forearm.
3 Didn't hit any of the tendons.

4 Q. So that's one you think of, generally, would be
5 survivable?

6 A. Yes. That would be probably the least severe of the
7 gunshot wounds.

8 Q. And then number 6?

9 A. Is a gunshot wound of the left thigh. And this one
10 goes through the muscles of the left thigh, but also goes
11 through the left femur.

12 Q. Which is the bone?

13 A. It's the large long bone in your thigh.

14 Q. So that's similar to the number 5 with the addition of
15 a broken large bone?

16 A. Yes.

17 Q. So survivable with treatment?

18 A. Yes.

19 Q. And, again, that numbering system is top to bottom for
20 you to organize your notes?

21 A. Yes, sir.

22 Q. No further questions.

23 THE COURT: Any redirect of this witness?

24 SOL. LEGETTE: None, Your Honor.

25 THE COURT: Any objection to releasing this witness?

1 SOL. LEGETTE: None, Your Honor. Not from the State.

2 MR. WALKER: No, Your Honor.

3 THE COURT: Thank you so much.

4 THE WITNESS: Thank you.

5 THE COURT: Anything else from State?

6 SOL. LEGETTE: Not at this time. The State rests.

7 THE COURT: That you so much. Ladies and gentlemen,
8 this is a good time for a break. So it might be a little
9 longer than some of the breaks. We're gonna take up some
10 issues that we need to take up. So if y'all would take
11 probably at least about a 15-minute break and then we'll let
12 you know where we are after that. Don't discuss the case
13 with each other and don't do any research, et cetera.

14 (The jury exits the courtroom at 10:50 a.m.)

15 THE COURT: All right. Happy to hear any motions from
16 the defense?

17 MR. WALKER: Thank you, Your Honor. At this time, the
18 defense makes a motion for directed verdict as to murder on
19 the basis there's been zero testimony as to premeditation.
20 The fact that universal and undisputed testimony that no one
21 at the Waffle House was expecting Mr. Green to arrive that
22 night. And from the time he walks in the door, he
23 had -- you've seen the video -- he walks in the door,
24 assaults his girlfriend, walks out of the door, then he
25 walks in again. The time he was on the ground is

1 30-something seconds. So we would argue that whatever
2 happened, happened quickly without the opportunity. There's
3 been no testimony at all as to premeditation. We submit
4 that it would be improper to go forward on the indictment
5 for murder. Thank you.

6 THE COURT: Thank you so much. Yes, ma'am. Happy to
7 hear from you.

8 SOL. LEGETTE: Thank you, Your Honor. Your Honor,
9 taking to the light most favorable to State at this stage,
10 Your Honor, the State would submit that the motion of the
11 defense should be denied. Here, in this case, we have
12 evidence that Mr. Green was shot multiple times, six times.
13 There are at least eight shell casings found at the crime
14 scene. We see Ms. Glover and as well as Mr. Breland on the
15 actual screen as well as hearing testimony of witnesses that
16 they both shot him without cause. And we believe it was a
17 reckless disregard for human life and human safety with a
18 wicked depraved heart, which we believe is malice,
19 Your Honor.

20 Also, we -- argue, obviously -- argue about implied
21 malice ourselves. However, we do believe there is evidence
22 here, ample evidence, substantial evidence, to go forward to
23 a jury. And as we stated previously, at this stage, the
24 Court's concern would be the existence of evidence and not
25 necessarily its weight, Your Honor. And taking the evidence

1 in the light most favorable to the State, we believe there
2 is enough here to convict Ms. Glover of murder. We'd ask
3 the Court to deny the motion from the defense.

4 THE COURT: All right. Could you specifically address
5 the premeditation issue?

6 SOL. LEGETTE: Malice aforethought, Your Honor. I
7 believe Ms. Glover, she pulled out the gun and she starts
8 shooting him. The malice aforethought we believe is there.
9 It doesn't have to exist -- I believe the evidence the case
10 law talks about, it doesn't have to exist for any extended
11 period of time. It can be seconds before. And so with
12 regards to what Ms. Glover did, what we saw on the screen
13 just seconds before where she pulled out the gun, Mr. Green
14 is actually walking away. He's turned his back and he's
15 walking away from the table.

16 And I would think -- we showed it shared multiple times
17 with multiple different angles where Mr. Green is walking
18 away and Ms. Glover pulled out -- her hand goes up. Even
19 Ms. Byrams said yesterday that she was stunned when Jordin's
20 hand went up and she just started firing at him as he's
21 walking away. I think witnesses were clear that Mr. Green
22 was walking away from the table. You can see on the video
23 that he's walking away. She shoots him multiple times in
24 the back. And the evidence and autopsy talks about how he's
25 shot multiple times in the back of his body, including there

1 are two shots in his left back: a shot to his left back arm
2 and a shot to his lower back arm.

3 So, Your Honor, we believe that the premeditation,
4 though it existed for a short period of time, it did exist.
5 And there was malice. There was malice, reckless disregard
6 for human life as he's walking away the table. And
7 Ms. Jordin Glover, as the witnesses testified, did not have
8 to do what she did.

9 THE COURT: Thank you so much.

10 SOL. LEGETTE: Thank you, Your Honor.

11 THE COURT: I'm gonna respectively deny the motion.
12 Thank you very much. Do you need a break before I ask the
13 right to testify questions?

14 MR. WALKER: If you don't mind. I know my client needs
15 to use the restroom, anyway. And it would be good for us to
16 talk briefly if we do.

17 THE COURT: All right.

18 MR. WALKER: And I think we have a witness that's
19 arrived. So I just want to check in with them as well.

20 THE COURT: Let's do that and then we'll just take a
21 short break. I guess we can tell the jury maybe there's an
22 extra ten minutes for them or so. All right. We'll be off
23 the record for a few minutes.

24 (Brief recess at 10:54 a.m.)

25 THE COURT: Back on the record. Mr. Walker, have y'all

1 discussed whether or not -- well, I'll tell you what, I just
2 need to ask the questions and then you can discuss it. So,
3 could we get Ms. Glover under oath, please.

4 (Whereupon, the defendant, JORDIN GLOVER, was duly
5 sworn.)

6 THE COURT: All right. Ms. Glover, at this time, I'm
7 gonna explain to you certain of your rights. If you do not
8 understand anything I say, please let me know. If you want
9 me to explain anything in more detail, please let me know.
10 Do you understand?

11 DEFENDANT: Yes.

12 THE COURT: All right. We've reached the stage of the
13 trial where you may present your defense. You have the
14 right to claim the protections given to by the
15 Fifth Amendment of the Constitution of the United States.
16 The amendment states, in part, no person shall be compelled
17 in any criminal case to be a witness against themselves. This
18 means you cannot be required to testify in this case. You
19 have the right to testify on your behalf; however, no one
20 can make you testify. This is a personal right, and no one
21 can waive this right except you.

22 If you decide to testify, you'll be subject to the same
23 rules that govern other witnesses and you may be examined
24 and cross-examined on any relevant issue in the case. In
25 addition, if you have any convictions involving dishonesty

1 or false statements or crimes punishable by imprisonment for
2 more than a year, and this Court determines that the
3 probative value of admitting this evidence outweighs its
4 prejudicial effect to you, the Solicitor will be able to
5 introduce your record to attack your credibility.

6 If you decide to testify, the decision on your part
7 must be freely, voluntarily, and intelligently made with the
8 knowledge of the protections given to you by the
9 Fifth Amendment and the consequences of your decision to
10 testify. If you decide not to testify, I will instruct the
11 jurors that they cannot give the fact that you did not
12 testify any consideration whatsoever, and that there is to
13 be absolutely no prejudice to you because you did not
14 testify. It is left entirely up to you whether or not to
15 testify. You may talk with your attorney, your family or
16 friends, or anyone else, but the final decision will be left
17 entirely up to you. Do you understand what I've explained
18 to you?

19 DEFENDANT: Yes.

20 THE COURT: Okay. Do you any questions about what I've
21 explained to you?

22 DEFENDANT: No, sir.

23 THE COURT: Have you discussed with your lawyer whether
24 or not you should testify?

25 DEFENDANT: Yes.

1 THE COURT: All right. Do you wish to talk to your
2 lawyer any more at this time?

3 DEFENDANT: Yes.

4 THE COURT: Did you say yes?

5 DEFENDANT: Yeah.

6 THE COURT: Okay. Y'all take a minute and talk.

7 (Brief pause.)

8 MR. WALKER: I think we're ready.

9 THE COURT: All right. Yes, ma'am. Do you wish to
10 testify?

11 DEFENDANT: Yes, sir.

12 THE COURT: Okay. Thank you so much. You may be
13 seated.

14 All right. Well, then, do you need a break before we
15 begin or should we bring the jury back in?

16 MR. WALKER: Very briefly. Actually, I'm gonna try and
17 do a little techno stuff. So I would like to practice and
18 make sure that our computer is working.

19 THE COURT: What we were gonna do is we were trying to
20 decide whether to feed the jury or not. Well, it's only
21 11:15. It's a little early to let them go for lunch. But
22 we can order pizza for them and then have their lunch in
23 today, even though they might not be deliberating. That
24 might save us a little bit of time. So does that suit
25 everybody? We'll get the clerk to order some pizzas for

1 them. It won't actually be here until about noon. Will
2 there be a breakpoint, roughly, in that area in your case?
3 Not holding you to it, of course.

4 MR. WALKER: As far as we go, I don't think -- I think
5 we'll be done by noon. I don't know how long the Solicitor
6 is gonna take.

7 THE COURT: Oh, you'll be done by noon?

8 MR. WALKER: Well, I'll be done with my first witness
9 by noon.

10 THE COURT: Oh, first witness. Okay. Let's do that
11 then. Because if we send them out, we need to give them an
12 hour. If we had pizza in here we can give them 30 minutes
13 to eat the pizzas. So, Madam Clerk, does that work?

14 THE CLERK: Yes, sir. I'm texting right now to get
15 that.

16 THE COURT: Okay. Y'all gonna check with them to see
17 if there's any special dietary restrictions or anything? Or
18 anybody loves Hawaiian like I do?

19 THE CLERK: Oh, we're not gonna give them that choice,
20 but just ask if anybody has any dietary restrictions.

21 THE COURT: I was kidding, yeah. Okay. All right.
22 Why don't we then -- if y'all will check on that and order
23 those. And we'll go off the record and let you work on the
24 technological stuff.

25 MR. WALKER: Thank you.

1 THE COURT: And we'll take a few -- or a break.

2 Thanks. We'll be off the record.

3 (Brief recess at 11:15 a.m.)

4 THE COURT: All right. Let's bring the jury back in,
5 please.

6 (The jury enters the courtroom at 11:27 a.m.)

7 THE COURT: Okay. Did everyone follow the
8 instructions?

9 Thank you so much. Mr. Walker.

10 MR. WALKER: Thank you, Your Honor. At this time, the
11 defense calls Jordin Glover to the stand.

12 (Whereupon, the witness, JORDIN GLOVER, was duly
13 sworn.)

14 THE CLERK: Have a seat on the witness stand. Repeat
15 your name and spell your last name for the court reporter,
16 please.

17 THE WITNESS: My name is Jordin Glover, G-L-O-V-E-R.

18 - - - - -

19 DIRECT EXAMINATION

20 BY MR. WALKER:

21 Q. Good morning, Jordin.

22 A. Good morning.

23 Q. Are you nervous?

24 A. Yes, sir.

25 Q. How old are you?

1 A. Twenty-one.

2 Q. How old were you back in 2023?

3 A. Nineteen.

4 Q. Where are you from?

5 A. Walterboro, South Carolina.

6 Q. Still live here?

7 A. Yes, sir.

8 Q. You work?

9 A. Yes, sir.

10 Q. Where do you work?

11 A. Arby's.

12 Q. You've always lived here?

13 A. Yes, sir.

14 Q. So you've been here through this whole trial. I've
15 represented you for a long time. You know what this is all
16 about, right?

17 A. Yes, sir.

18 Q. February 2023, the events that happened that night.

19 Let's go through it. I want to start with where you were
20 when that day started. When you woke up, where were you on
21 that date?

22 A. Home.

23 Q. Okay. Were any of the people that testified or been
24 talked about in this trial at home with you?

25 A. No.

1 Q. How long were you home that day?

2 A. I was home until about 3:00 o'clock.

3 Q. Okay. Did you have any contact with Charles Breland
4 that day while you were home?

5 A. No, sir.

6 Q. Did you have any contact with LaMontre Green that day
7 while you were home?

8 A. No, sir.

9 Q. Did you think about any of this two people?

10 A. No, sir.

11 Q. When you left home, where did you go?

12 A. I went to Belk's and Hibbett's.

13 Q. Okay. So did a little shopping?

14 A. Yes.

15 Q. Did you see any of the people that we've talked about
16 or testified or anything while you were out shopping that
17 day?

18 A. No, sir.

19 Q. Didn't talk to LaMontre Green?

20 A. No, sir.

21 Q. Didn't talk to Charles Breland?

22 A. No, sir.

23 Q. How do you know LaMontre Green?

24 A. School.

25 Q. Okay. So you've known him since you were in school?

- 1 A. Yes, sir.
- 2 Q. And it is he somebody you'd see regularly?
- 3 A. No, sir.
- 4 Q. Okay. When you see him, how do you see him, normally?
- 5 A. School. I probably saw him at a store or something a
- 6 couple of times.
- 7 Q. So you see him just around, but you don't normally
- 8 socialize?
- 9 A. No, sir.
- 10 Q. You wouldn't characterize him as one of your friends?
- 11 A. No, sir.
- 12 Q. You think he feels the same -- felt the same about you?
- 13 A. Yes, sir.
- 14 Q. You think that stems from y'all's relationship with
- 15 Kya?
- 16 A. Yes, sir.
- 17 Q. Now, what about Charles Breland, how do you know him?
- 18 A. Friends of -- friends of mine.
- 19 Q. He's a friend of yours?
- 20 A. Of people that I know.
- 21 Q. Okay. So who do you know that's his friend?
- 22 A. Somebody named Jam (ph).
- 23 Q. So you know him through friends of yours. Would you
- 24 classify him as one of your friends?
- 25 A. An associate.

1 Q. So someone you're around and friendly with but you
2 don't -- you don't call him on the phone?

3 A. No, sir.

4 Q. He didn't call you on the phone?

5 A. No, sir.

6 Q. But when groups of friends are around, he sometimes
7 there, you're sometimes there together?

8 A. Yes, sir.

9 Q. So you said you've gone shopping --

10 (Brief disruption with sirens.)

11 Q. You said you went shopping that day. And where did you
12 go after you finished shopping?

13 A. I went back home.

14 Q. Okay. And with the same people at home that were there
15 when you left?

16 A. Yeah. My mom and sister.

17 Q. Okay. And how long did you stay at home?

18 A. Until 10:00 o'clock that night.

19 Q. Okay. And, again, any contact with Charles Breland?

20 A. No, sir.

21 Q. Any thoughts about LaMontre Green?

22 A. No, sir.

23 Q. So it got to be 10:00 o'clock at night. Let me pause
24 while I'm standing here so I can see you, the judge can see
25 me, and the jury can see me. 10:00 o'clock at night, what

1 happens?

2 A. I went to my cousin's house to get my hair done for a
3 party.

4 Q. Okay. Which cousin?

5 A. Her name is Daryn (ph).

6 Q. Okay. And did anybody that we've heard testimony from
7 or that we've been talking about, were they at your cousin's
8 house?

9 A. No, sir.

10 Q. All right. Any talks or phone calls or texts or
11 messages with LaMontre Green or Charles Breland?

12 A. No, sir.

13 Q. And you get your hair done, you said, to go to the
14 party. And we've seen photos. That's where you got your
15 hair up with the green ---

16 A. Yes, sir.

17 Q. --- like a palm tree.

18 A. Yes, sir.

19 Q. Okay. And did you go from your cousin's house to the
20 party?

21 A. Yes, sir.

22 Q. Who did you go to the party with?

23 A. Tyreece.

24 Q. Tyreece who?

25 A. Greene.

1 Q. All right. Who is Tyreece Greene?

2 A. A friend.

3 Q. Let me back up. How did you get to your cousin's
4 house?

5 A. Tyreece.

6 Q. Okay. So Tyreece came to your house and picked you up
7 and took you to your cousin's house?

8 A. Yes.

9 Q. And then he took you to the party?

10 A. Yes.

11 Q. This is the party at Neyles?

12 A. Yes.

13 Q. So Tyreece is a friend. And how do you know Tyreece?
14 How did he become your friend?

15 A. Through my brothers.

16 Q. Okay. So you know him. Is he your same age?

17 A. Couple of years older.

18 Q. So he knew your brothers and you just started
19 associating and becoming friends with him through your
20 brothers?

21 A. Yes, sir.

22 Q. So did anyone else ride with you and Tyreece to your
23 cousin's or to the party?

24 A. No, sir.

25 Q. And you went to the party at Neyles. And did you see

1 Charles Breland at that party?

2 A. No, sir.

3 Q. Did you see LaMontre Green at the party?

4 A. No, sir.

5 Q. Who did you see at that party?

6 A. Kya and Kasia.

7 Q. Okay. And are they the only ones that you saw at that
8 party that we've seen in the videos or heard testimony from?

9 A. Yes, sir.

10 Q. Okay. And, at some point, you left the party to go
11 where?

12 A. To a bar.

13 Q. What bar?

14 A. Kay's Place.

15 Q. Who went with you to that bar?

16 A. Me and Tyreece.

17 Q. Okay. He drove again?

18 A. Yes, sir.

19 Q. Was there any discussion at the party about people that
20 were there, other than you, going to the bar?

21 A. Kya and Kasia.

22 Q. Okay. You were talking with them at the party about
23 the bar?

24 A. I was texting them.

25 Q. Okay. And so what was the nature of those texts?

1 A. I told them I was going to Kay's Place, and they told
2 me that they would meet me.

3 Q. Okay. Did they tell you how they were gonna get there?

4 A. No, sir.

5 Q. So you left the party with -- and when you were texting
6 about going to Kay's Place with them, did LaMontre come up
7 at all in those texts?

8 A. No, sir.

9 Q. You said Charles wasn't at that party?

10 A. No, sir.

11 Q. And Charles didn't come up in any of those texts?

12 A. No, sir.

13 Q. Now, Tyreece has given you a ride. He's older than
14 you. And is Charles your age?

15 A. I'm a year older than him.

16 Q. Okay. So how do you know Charles?

17 A. A friend of -- friends I met him through.

18 Q. So you met him through ---

19 A. Friends.

20 Q. --- people. And it's just kinda the same as you met
21 Tyreece?

22 A. Uh-huh.

23 Q. So y'all had said we're gonna go to Kay's Place. And
24 did you leave before or after Kya and her sister?

25 A. I left before them because I got to Kay's Place before

1 them.

2 Q. You and Tyreece?

3 A. Yes, sir.

4 Q. And how long after you got there did they arrive?

5 A. Seconds after we went inside.

6 Q. It wasn't very long?

7 A. Huh-uh.

8 Q. And everyone had a good time at Kay's Place?

9 A. Yes, sir.

10 Q. Everybody was in a good mood?

11 A. Yes, sir.

12 Q. Everybody was having fun?

13 A. Yes, sir.

14 Q. No one mentioned LaMontre Green?

15 A. No, sir.

16 Q. Now, was Charles at Kay's Place?

17 A. Yes, sir.

18 Q. So you saw him there?

19 A. Yes, sir.

20 Q. Did you talk to him any?

21 A. No, sir.

22 Q. Did you see him acting angry or belligerent or
23 anything?

24 SOL. LEGETTE: Objection.

25 A. No, sir.

1 SOL. LEGETTE: Leading.

2 THE COURT: Try to avoid the leading.

3 MR. WALKER: All right.

4 Q. Did you have anything in the way of interaction with
5 him at Kay's Place?

6 A. No, sir.

7 Q. Because there was a lot of people there?

8 A. Yes, sir.

9 Q. And who else was there?

10 A. Kya, Kasia.

11 Q. Okay.

12 A. And De'ja.

13 Q. All right. And De'ja is someone that we've seen on
14 this video today, or today and yesterday, right?

15 A. Yes, sir.

16 Q. And who else?

17 A. Tyreece.

18 Q. Okay. Who else?

19 A. Asia.

20 Q. And all these people you're saying was at Kay's Place
21 also ended up at the Waffle House?

22 A. Yes, sir.

23 Q. So at some point, what do you decide to do?

24 A. To leave Kay's Place to get something to eat.

25 Q. Okay. Do you remember whose idea that was?

1 A. Mine.

2 Q. Okay. And who did you discuss that with?

3 A. Kasia, Kya, De'ja.

4 Q. Okay. And everybody agreed that was a good idea?

5 A. Yes, sir.

6 Q. And so how did you get to Waffle House?

7 A. Tyreece.

8 Q. Okay. Was there anybody else in the car with you?

9 A. No, sir.

10 Q. Do you know how the rest of the people got there?

11 A. No, sir.

12 Q. All right. Did y'all arrive at the Waffle House around
13 the same time?

14 A. Only me and Kya and De'ja. They came like minutes
15 after.

16 Q. Okay. And then more people came later?

17 A. Yes, sir.

18 Q. So you get to Waffle House. And before we get into
19 what happened inside the Waffle House, I'm gonna try to get
20 this video going.

21 MR. WALKER: If I could ask Ms. Charles to come get the
22 computer on. I can ask you, Madam Clerk. You're sitting
23 right there. Let me borrow this char.

24 What I want to ask you to do, Jordin, is come sit in
25 this chair so you're not blocking anybody's view. And

1 narrate for us a little bit as we watch the video. Give you
2 this so you can point.

3 I hope to have better luck with this than we've been
4 having so far.

5 BY MR. WALKER:

6 Q. Do you see the picture on the screen? No, you don't.
7 What's happening?

8 (Brief pause.)

9 Q. See the picture on the screen?

10 A. Yes.

11 Q. What is that picture?

12 A. Picture of the parking lot.

13 Q. Parking lot where?

14 A. The Waffle House.

15 (Brief pause.)

16 MR. WALKER: Start playing what I hope is the correct
17 spot here.

18 Q. And we have watched multiple times the video of what
19 happened inside the Waffle House. But I want you to take us
20 through what's happening outside Waffle House at this time.
21 Do you see any cars, anybody you know at this point in the
22 video?

23 A. No.

24 Q. Sorry, you got to speak up.

25 A. No, sir.

1 (Video plays.)

2 Q. Okay. Let's pause it there. Do you see anybody that
3 you know now?

4 A. Yes, sir.

5 (Video plays.)

6 Q. I apologize as I'm trying to make this work. There.
7 Playing at normal speed, what are we seeing?

8 A. You see Tyreece and me pull up. I'm in the backseat.

9 Q. So we're talking about the red car in the center of the
10 screen just pulled up?

11 A. Yes, sir.

12 Q. And who's getting out?

13 A. Tyreece.

14 Q. What's he wearing?

15 A. A red jacket.

16 Q. Let me try and get you to hold that up a little bit
17 just so everybody can hear you.

18 (Video plays.)

19 Q. Are any of these other cars people you know?

20 A. No, sir.

21 Q. You don't know? You gotta hold it up to you.

22 A. I can't really see --

23 Q. Way better. Yeah, perfect.

24 A. But this car I recognize. It's Tyreece's car.

25 Q. Okay. I'm gonna speed it up a little bit. And we see

- 1 some more people coming in. Okay. What do we got there?
- 2 A. That looks like Kasia.
- 3 Q. Kasia who? Who's Kasia?
- 4 A. Sakasia.
- 5 Q. Okay. That's Kya's sister.
- 6 (Video plays.)
- 7 Q. Are you able to tell who that was?
- 8 A. (Nonverbal response.)
- 9 Q. Okay.
- 10 (Video plays.)
- 11 Q. Do you know who those people are?
- 12 A. That's Kya and Asia.
- 13 Q. And who else?
- 14 A. And then you see Tyreece coming out the door. And I'm
- 15 getting out of the backseat.
- 16 Q. And you three are going inside the Waffle House,
- 17 correct?
- 18 A. Yes, sir.
- 19 Q. Do you know whose car Tyreece went over to?
- 20 A. My uncle's.
- 21 Q. Can you say that again?
- 22 A. My uncle's car.
- 23 Q. What's your uncle's name?
- 24 A. Raykim.
- 25 Q. I'm gonna speed up a little bit until I see some more

- 1 cars. What are we seeing here?
- 2 A. We see me and Willie walking to my uncle's car.
- 3 Q. Who is Willie?
- 4 A. Somebody I know from parties.
- 5 Q. Was this the first time you had seen him that night?
- 6 A. I saw him at Kay's Place.
- 7 Q. Did you have any discussions with him about
- 8 LaMontre Green or Charles Breland?
- 9 A. No, sir.
- 10 Q. So he's one of your friends?
- 11 A. Yes, sir.
- 12 Q. Was he already there when you came to the Waffle House?
- 13 A. I can't remember. I think he got there before us.
- 14 Q. Well, we haven't seen him walk in, right, as far as we
- 15 know?
- 16 A. Yeah. I think he been there before us.
- 17 Q. Okay. And they walked -- where did they just walk to?
- 18 A. Willie walked to his car. I'm walking to my uncle's
- 19 car?
- 20 Q. Okay. Are they parked next to each other?
- 21 A. Yes, sir.
- 22 Q. Speed up slightly until I see some more people. What
- 23 are we seeing here?
- 24 A. That's Sakasia walking to my uncle's car.
- 25 Q. And you're already at your uncle's car?

1 A. Yes, sir.

2 Q. Speed up a little bit . . .

3 Do you recognize who those people are?

4 A. That's Willie and Tyreece.

5 Q. Just stop until the sirens go by.

6 (Brief pause.)

7 Q. Okay. Please continue.

8 A. That's Willie and Tyreece. And then the back is me and
9 Kasia.

10 Q. Okay.

11 (Video plays.)

12 Q. Just seen two cars pull up. Do you know who those cars
13 belong to?

14 A. I'm not sure if it is Swerve's car, but his sister
15 driving it.

16 Q. Who's Swerve?

17 A. Burgess (ph).

18 (Video plays.)

19 Q. Okay. Do you know who the person about to go in the
20 door is?

21 A. I think that's Kadeisha (ph).

22 Q. Back it up and let you watch it again. If you can't
23 tell, you can't tell.

24 (Video plays.)

25 Q. What about the person going in now?

1 A. Okay. So the first person is Victoria's sister.

2 That's Kadeisha.

3 Q. Okay.

4 (Video plays.)

5 Q. What about these two people just walking into the
6 frame, do you know who those are?

7 A. That's the Waffle House -- somebody that works at the
8 Waffle House.

9 (Video plays.)

10 Q. Who do we see moving on the screen right now either by
11 the door or over the parking lot?

12 A. I see -- I see Tyreece.

13 Q. And who?

14 A. Tyreece.

15 Q. And who is in the red jacket?

16 A. I don't know that person.

17 Q. You don't know that person?

18 A. No, sir.

19 Q. Who just came out of Waffle House?

20 A. Me.

21 Q. Did anyone else?

22 A. Kadeisha.

23 Q. Okay. What are you looking at right there?

24 A. The car pulling up.

25 Q. Why are you looking at that car?

1 A. Because it looks familiar.

2 Q. Why does it look familiar?

3 A. Because it looks like LaMontre Green's car.

4 Q. Now what about all these other people that see on the
5 screen? There's one there, there.

6 A. I can't tell.

7 Q. Well, let me back it up and we'll take our focus away
8 from the gray car and back to the people.

9 (Video plays.)

10 Q. So who are these two people?

11 A. Kadeisha. And I can't see the other person. It looks
12 like Asia, her other sister.

13 Q. So are you still able -- still unable to identify the
14 person in the red jacket closest to the Waffle House door?

15 A. Yeah. That looks like Asia. That's a girl.

16 Q. That's who?

17 A. Asia.

18 Q. All right. And you know her how?

19 A. She's my brother's baby mama.

20 Q. Okay. Now, someone just got out of that white SUV. Do
21 you know who that is?

22 A. No, sir.

23 Q. And then someone is walking up at the top right of the
24 screen. Are you able to tell who that is at this point?

25 A. Chico.

1 Q. Okay. Does Chico have -- what is Chico's name?

2 A. Shamel.

3 Q. How do you know Chico?

4 A. My cousin.

5 Q. All right. Is he your age?

6 A. Yes.

7 Q. Okay. At this point, said you looked and saw the car
8 and it looked like LaMontre's. And now you're going back
9 into the Waffle House. What are you doing?

10 A. I'm going back in the Waffle House to tell Kya to come
11 out of the door before he comes in.

12 Q. Why?

13 A. Because I knew that he was gonna be mad that she was
14 there with me.

15 Q. Okay. And we just seen two more people moving at the
16 top right of the screen. Are you able to identify them?

17 A. Tyreece. And it's blurry. I can't see.

18 Q. Can't tell that one. Okay. So now there's two more,
19 two new people, at the top right of the screen. Do you know
20 who those people are?

21 A. No, sir.

22 Q. All right. What about here on the sidewalk walking
23 towards the front entrance?

24 A. That's LaMontre Green.

25 Q. All right. Did he just get out of this silver car?

1 A. Yes, sir.

2 Q. And who are these people at the door? Let's back it up
3 again so we see all these people moving. So who's at the
4 door right now?

5 A. Chico.

6 Q. Okay. Who just came out?

7 A. I don't know.

8 Q. Okay. Don't know that person. You know the person
9 getting out of the gray car?

10 A. Yes. LaMontre's friend, Jaheim.

11 Q. And do you see yourself in the frame?

12 A. I'm at the door.

13 Q. Okay. Coming out of the Waffle House?

14 A. Yes, sir.

15 Q. So who's outside right now?

16 A. Me, Jaheim, and Kasia.

17 Q. I'm sorry, finish. Let me back it up again.

18 Sorry.

19 (Video plays.)

20 Q. So who's in this group here?

21 A. Me, Jaheim, Kasia. And I can't tell who this is.

22 Q. Okay. Are they all in front of the windows?

23 A. Yes.

24 Q. Can you see inside?

25 A. Yes, sir.

- 1 Q. Do you know who that is that just walked up?
- 2 A. No, sir.
- 3 Q. Okay. Who just came out?
- 4 A. LaMontre Green.
- 5 Q. Did he just go back again?
- 6 A. Yes, sir.
- 7 Q. Who just went in?
- 8 A. Kasia and Jaheim.
- 9 Q. Who was that that just left?
- 10 A. Willie Green.
- 11 Q. Willie who?
- 12 A. Green.
- 13 Q. Okay. Who just came out there?
- 14 A. Me.
- 15 Q. Can you tell who was behind you?
- 16 A. No, sir.
- 17 Q. Can you tell who that is now?
- 18 A. No, sir.
- 19 Q. Can you tell who these two people up here are?
- 20 A. Kasia and Chico.
- 21 Q. Okay. I'm gonna play this backwards a little bit.
- 22 (Video plays.)
- 23 Q. Do you think that could be Charles Breland?
- 24 A. I don't know.
- 25 Q. And the shooting just happened inside, right?

- 1 A. Yes, sir.
- 2 Q. Were you ever able to determine who the red jacket was?
- 3 A. Asia.
- 4 Q. Okay. Who is this here?
- 5 A. Tyreece.
- 6 Q. We see two cars pulling away, correct?
- 7 A. Yes, sir.
- 8 Q. I'm gonna play that back. Let's watch that again, ask
- 9 you a couple of questions about it.
- 10 (Video plays.)
- 11 Q. And that's you coming out right there, right?
- 12 A. Yes, sir.
- 13 Q. And the person right behind you there. Where is the
- 14 person in gray going?
- 15 A. They're running behind the cars.
- 16 Q. Okay. Where do you go?
- 17 A. To a black truck.
- 18 Q. Keep watching the top right of the screen, please. Do
- 19 you see the person running right to left across the top?
- 20 A. Yes.
- 21 Q. Do you know who that is?
- 22 A. Chico.
- 23 Q. Is this the person in the gray that you saw exit the
- 24 Waffle House behind you?
- 25 A. Yes, sir.

1 Q. Are you leaving in this car at the top of the screen?

2 A. That's what it looks like.

3 Q. Are you with him?

4 A. No, sir.

5 Q. Okay. Now I switched the view to the interior. Can
6 you tell me who was at that table with the gentleman in the
7 black jacket standing?

8 A. Kya, Willie, and De'Ja.

9 Q. Okay. Did you see -- were you able to see what had
10 just happened that we watched on the screen here through the
11 windows?

12 A. Yes, sir.

13 Q. And LaMontre Green has just left the Waffle House,
14 correct?

15 A. Yes, sir.

16 Q. Just ask you to watch this in real time.

17 (Video plays.)

18 Q. Thank you. You can take a seat back on the witness
19 stand.

20 Did you have any plans to shoot LaMontre Green on the
21 night of February of 2023?

22 A. No, sir.

23 Q. Did you have any ill will or animus or revenge plans
24 towards him?

25 A. No, sir.

1 Q. Had you even thought about it that day?

2 A. No, sir.

3 Q. Were you expecting him to be at the Waffle House that
4 night?

5 A. No, sir.

6 Q. Had you talked to Charles Breland about him at all?

7 A. No, sir.

8 Q. We just saw you shoot LaMontre Green. That's something
9 you wanted to do?

10 A. No, sir.

11 Q. Why did you shoot him?

12 A. Because I felt like he was gonna hurt me or Chico.

13 Q. Okay. We saw him reenter the Waffle House after
14 pulling Kya out of the chair. What was he doing and/or
15 saying when he came back in?

16 A. When he walked back through the door, he wanted me to
17 get out of the booth from by Kya.

18 Q. Okay. And did you reply to him?

19 A. I said I'm not moving.

20 Q. Okay. Then what did he do?

21 A. Then Chico said something to him.

22 Q. Okay. What did he say?

23 A. Chico said he's not putting his hand on no more
24 females.

25 Q. What was LaMontre's reaction to that?

1 A. He was like maybe I'm not the only one with guns. I'm
2 not scared of you. I'll shoot this bitch up.

3 Q. Okay. And where was he when he said that?

4 A. He was -- he started facing Chico.

5 Q. Okay. So he turns to you and was talking to Chico?

6 A. Yes.

7 Q. All right. Now, did you see that LaMontre was carrying
8 a gun?

9 A. Yes. When he was facing me, when he was standing on me
10 telling me to get out of the booth.

11 Q. So when he was at the table right in front of your
12 face?

13 A. Yes.

14 Q. And you were seated literally right -- the closest
15 person to him?

16 A. Yes, sir.

17 Q. And did you see -- when you just told us what he said
18 to Chico, in addition to the words he said, did he do any
19 actions?

20 A. He moved his right hand to the front of his pants and
21 him and Chico was still facing, arguing.

22 Q. Okay. And what did you do?

23 A. I shot from the table.

24 Q. Okay. And then what did you do?

25 A. I ran. But I looked at him because I was in shock,

1 like, that he fall for real, like.

2 Q. Okay. So you heard the threat. You certainly heard
3 LaMontre make threats and you saw him reach for his gun?

4 A. Yes, sir.

5 Q. Were you afraid at that point?

6 A. Yes, sir.

7 Q. What were you afraid of?

8 A. Him hurting me and Chico.

9 Q. Okay. Was he between you and the door? Was LaMontre
10 between you and the door?

11 A. When I walked out and ran out?

12 Q. No. When all this was going on, was LaMontre between
13 you and the only door to exit the room?

14 A. Yes, sir.

15 Q. So we just saw you after the shooting leave the
16 building and you said you went to the right; Chico, the man
17 in the gray hood, went to the left and left together. Where
18 did you go?

19 A. I went behind the Subway that's across from the
20 Waffle House.

21 Q. Okay. Why did you even have a gun that night?

22 A. Because my friend was killed and I just carry one.

23 Q. For personal protection?

24 A. Yes, sir.

25 Q. All right. What kind of gun was it?

1 A. 45.

2 Q. And you left the Waffle House. You said you ended up
3 at the Subway. What did you do next?

4 A. I was behind the Subway. I went in the woods and made
5 a call to somebody to come and get me.

6 Q. Okay. Still had the gun on you at that point?

7 A. I threw it in the path.

8 Q. Okay. And then someone came and got you. And then
9 where did you go?

10 A. I got on the interstate.

11 Q. And went where?

12 A. Charleston.

13 Q. Okay. And then what did you do?

14 A. I started making calls to prepare to turn myself in.

15 Q. Okay. And did you, in fact, turn yourself in?

16 A. Yes, sir.

17 Q. And when you turned yourself in, what happened?

18 A. I got my uncle to text a family member that's an
19 officer so that we could meet up at the
20 Sheriff's Department.

21 Q. Okay. You went to the Sheriff's Department and turned
22 yourself in?

23 A. Yes, sir.

24 Q. Did you make any statements to the police when you were
25 there?

1 A. No, sir.

2 Q. What did you do? Did they ask you to make statements?

3 A. No, sir. They just read me my rights.

4 Q. Okay. Like the Miranda rights we all see on TV?

5 A. Yes, sir.

6 Q. At the end of them reading your rights, what did you
7 do?

8 A. I asked for an attorney.

9 Q. All right. And here I am. You had no idea
10 LaMontre Green was gonna be there that night?

11 A. No, sir.

12 Q. You were afraid for both yourself and Chico?

13 A. Yes, sir.

14 Q. Did you have time to do anything else?

15 A. No, sir.

16 Q. Did you wish LaMontre Green dead?

17 A. No, sir.

18 Q. You heard him making threats towards Chico about
19 shooting -- well, you said gonna shoot this "B up"?

20 A. Yes, sir.

21 Q. What does shoot this "B up" mean?

22 A. I guess the whole Waffle House.

23 Q. But what does B stand for?

24 A. Bitch. Shoot this bitch up.

25 Q. And after he said that, you saw him reach for his gun,

Cross-Examination of Ms. Glover by Sol. Legette

349

1 that's when you made the decision to shoot him?

2 A. Yes, sir.

3 Q. No further questions.

4 THE COURT: Yes, ma'am.

5 - - - - -

6 CROSS-EXAMINATION

7 BY SOL. LEGETTE:

8 Q. Good afternoon, Ms. Glover.

9 A. Good afternoon.

10 Q. Ms. Glover, you're 21?

11 A. Yes, ma'am.

12 Q. And you were 19 when this happened?

13 A. Yes, ma'am.

14 Q. And your friend died when?

15 A. 2020.

16 Q. 2020. How old were you then?

17 A. Sixteen.

18 Q. All right. So you've been carrying a gun since you
19 were 16?

20 A. Yes, ma'am.

21 Q. You were carrying a gun on school property when you
22 were 16?

23 A. No, ma'am.

24 Q. Okay. You weren't carrying a gun on school property
25 when you were 16?

1 A. No, ma'am.

2 Q. All right. You didn't shoot yourself?

3 A. Yes, ma'am.

4 Q. How did you shoot yourself? With a gun?

5 A. With a gun.

6 Q. Okay. And your friend died before or after that
7 happened?

8 A. She died after that.

9 Q. So before she died, you were already carrying a gun at
10 16?

11 A. I was not carrying a gun. It was not my gun.

12 Q. You got a 45 too?

13 A. No, ma'am.

14 Q. What kind of gun was that?

15 A. It was a revolver.

16 Q. It was a revolver. 357?

17 A. No, ma'am.

18 Q. 38?

19 A. It was a 38.

20 Q. Okay. All right. Let me ask you a question,

21 Ms. Glover. If I did this, what does that mean?

22 A. You shot.

23 Q. With my hand, I'm just saying, like this, what does
24 that mean? I shot something or I'm going shoot something?
25 I'm asking you what does it mean. If you see a person do

1 this, what does that mean?

2 A. They shot a gun.

3 Q. Okay. Even if they had no gun in their hand, that's
4 what it means? Or they're going to shoot something?

5 A. No.

6 Q. Okay. All right. That's okay. Now, Ms. Glover, I
7 didn't quite catch your uncle's name. You said that he went
8 out when you were at the Waffle House. You were talking
9 with your uncle. What's your uncle's name?

10 A. Raykim.

11 Q. Raykim?

12 A. Uh-huh.

13 Q. What's his last name?

14 A. Nesbitt.

15 Q. Raykim Nesbitt. All right. Now, you talked about you
16 knew LaMontre since you were in school?

17 A. Yes, ma'am.

18 Q. Okay. Did y'all live around the same area?

19 A. Yes, ma'am.

20 Q. Y'all ride the same school bus?

21 A. Yes, ma'am.

22 Q. Okay. Isn't it true you got off the school bus one day
23 to try to fight him?

24 A. No, ma'am.

25 Q. That's not true?

1 A. No, ma'am.

2 Q. But he didn't want to fight you because you were a
3 girl. Isn't that true?

4 A. I never got off at his bus stop.

5 Q. Now, you talked about all the people that were there
6 that night. Let's get through it again. Tyreece Greene?

7 A. Yes, ma'am.

8 Q. Tyreece Greene is your cousin, right?

9 A. No, ma'am.

10 Q. He's not a relative of yours?

11 A. No, ma'am.

12 Q. Okay. He said he was, and he's not?

13 A. No. He's not kin.

14 Q. Okay. He's your friend?

15 A. Yes.

16 Q. Okay. And y'all rode to the Waffle House together?

17 A. Yes.

18 Q. And he picked you up from your house and took you to
19 your hairdresser's house to get your hair done?

20 A. Yes, ma'am.

21 Q. All right. And then Asia and Swerve and Victoria, are
22 they your cousins?

23 A. No.

24 Q. Are they friends?

25 A. Asia is my brother's baby mama.

1 Q. All right. So Asia is your brother's baby mama. Which
2 brother?

3 A. Tyrone.

4 Q. Tyrone. Now, Chico is your cousin?

5 A. Yes.

6 Q. All right. How close in kin are y'all?

7 A. My granddaddy and his grandmother is siblings.

8 Q. Okay. But y'all are close as far as ---

9 A. Yes. Yes, ma'am.

10 Q. Okay. All right. So Chico -- how tall are you,
11 Ms. Glover?

12 A. 4-11.

13 Q. 4-11? Okay.

14 A. 4-11.

15 Q. All right. 4-11. All right. Now, Chico is your
16 cousin. About how tall would you say Chico is?

17 A. About 5-8.

18 Q. 5-8. You saw that video? It kinda blocks out the
19 screen when you see it.

20 A. Yes, ma'am.

21 Q. But he's much bigger than you?

22 A. Yes, ma'am.

23 Q. Did you see that picture in that video where Chico does
24 this? Did you notice that?

25 A. No, ma'am.

1 Q. This is when LaMontre has gone out the first time.

2 This is what Chico does. You didn't see him when he did
3 that?

4 A. No, ma'am.

5 Q. It was in the video. Now, you said that Willie -- is
6 Willie a friend or a cousin?

7 A. He's somebody that I see at parties.

8 Q. At parties. Okay. All right. So he's just an
9 associate. All right. Charles Breland, not a friend. Are
10 y'all friends, you and Charles?

11 A. I know people that are close to him that I'm friends
12 with.

13 Q. All right. So I want to make sure I got -- okay. So
14 you and Kasia, Sakasia?

15 A. Uh-huh.

16 Q. All right. Do y'all call yourselves friends?

17 A. Yes.

18 Q. All right. And you and Kya?

19 A. Yes.

20 Q. All right. So your relationship with Kya is what?

21 A. Friends.

22 Q. Friends. But y'all were girlfriends?

23 A. Yes.

24 Q. In a relationship?

25 A. Yes.

1 Q. Was this during the time -- this was during the time
2 that she was also seeing LaMontre at some point?

3 A. No.

4 Q. Okay. So you and LaMontre got along fine?

5 A. We didn't speak or say nothing to each other.

6 Q. Y'all didn't have any words at all?

7 A. Not when we see each other.

8 Q. Not when you saw each other. Okay. So y'all never had
9 any bad blood between you?

10 A. Not that I know ---

11 Q. As far as you knew. As far as you knew?

12 A. Yeah, as far as I knew.

13 Q. Even though you told me that at the bus stop that you
14 tried to fight him?

15 A. I never did that.

16 Q. Now, let's talk about that night. You go to the party
17 and all these people were there. Who, Kya and Kasia?

18 A. Yes.

19 Q. And you see Charles at some point, and y'all aren't
20 together. Willie is there at some point. There's De'ja,
21 Asia, and possibly Swerve too?

22 A. Yes.

23 Q. Okay. All right. Now, you rode to Waffle House with
24 Tyreece?

25 A. Yes.

1 Q. But you didn't leave with Tyreece?

2 A. No.

3 Q. Now, you weren't at Waffle House with Kya. You were
4 there just with Tyreece?

5 A. We were all together. We met there together.

6 Q. Y'all met there together. Okay. So when you left
7 Waffle House, was your uncle's car still there? Was your
8 uncle in the car? Let me ask you that question because I
9 keep hearing you talk about your uncle's car, your ---

10 A. Yes.

11 Q. So your uncle was in the car?

12 A. Yes.

13 Q. All right. Sitting outside the Waffle House?

14 A. Yes.

15 Q. All right. So you got your uncle sitting outside the
16 Waffle House in his car. You got Chico, your cousin, inside
17 the Waffle House with you. You got Tyreece who was your
18 ride or die, almost BFF, that's there with you also. Am I
19 getting that -- am I saying that correctly, pretty much?

20 A. They was all there.

21 Q. They were all there. Okay. All right. And so when
22 you left the Waffle House, your uncle's car -- your uncle
23 was still there?

24 A. My uncle pulled out.

25 Q. I didn't see any car pull out when I was watching the

1 video you just saw. And we watched it kind of ad nauseam.

2 I didn't see any car pull out.

3 A. We'll have to rewatch it. I can show you it pulling
4 out.

5 Q. It pulled out?

6 A. Yes.

7 Q. Which car pulled out? So which car was your uncle
8 driving? Was it the one that Chico and Charles got into?

9 A. He was backed up.

10 Q. Was it the one that Chico and Charles got into?

11 A. I didn't see what car Chico and Charles got into.

12 Q. Well, you said that you saw the car that Chico and
13 Charles went to?

14 A. I said I see the way that they ran.

15 Q. Okay. All right. So it was the black truck that your
16 uncle was in?

17 A. No. I got in the black truck.

18 Q. Well, I thought got -- I thought you ran behind Subway?

19 A. I said I got dropped off behind Subway.

20 Q. Okay. I'm sorry. I missed it. I'm sorry. So you got
21 dropped off when you left in the black truck to Subway?

22 A. Yes.

23 Q. Who was driving the black truck?

24 A. Somebody name Peace (ph)?

25 Q. Somebody named Peace?

1 A. Or Pete or Peace.

2 Q. LaPeace? You caught a ride from somebody you didn't
3 know?

4 A. I just seen him around. I went to school with him.

5 Q. All right. So you caught a ride from somebody you
6 didn't know rather than wait on your ride or die, Tyreece,
7 to take you wherever you wanted to go?

8 A. Yes.

9 Q. Okay. Now, you said that you weren't expecting
10 LaMontre. Nobody was expecting LaMontre?

11 A. No.

12 Q. Okay. And you never knew anything about LaMontre,
13 pretty much?

14 A. No, ma'am.

15 Q. All right. And you never knew LaMontre to act like you
16 said he acted that night. You said every time you saw
17 LaMontre y'all never had no trouble?

18 A. No.

19 Q. Every time you saw him?

20 A. No, ma'am.

21 Q. Okay. So let me ask you this: When you say you saw
22 LaMontre, you say that you went back inside Waffle House.
23 We saw that on the videos.

24 A. Yes, ma'am.

25 Q. Went back in the Waffle House and you told Kya what?

1 A. Get up and go outside.

2 Q. Get up and go outside. Okay. Get up and go outside,

3 Kya. All right. And tell us again why you said "get up and
4 go outside, Kya"?

5 A. Because I know he was gonna be mad because she was with
6 me.

7 Q. Okay. But let me ask you this, Ms. Glover. So if you
8 felt like LaMontre was gonna be mad if she was with him, and
9 you told her to go outside to avoid him getting angry
10 because he might think you were with her, tell me this: Why
11 did you go inside and sit down beside Kya?

12 A. Because, at this point, he started being aggressive.

13 Q. And what was you gonna do at 4-11?

14 A. She didn't want to go ---

15 Q. You were gonna shoot him, right?

16 A. No.

17 Q. Because you told that man you carried a gun since you
18 was 16, right? Is that what you were planning on doing?

19 A. No.

20 Q. Okay. So you tell her to go outside, she don't go.

21 And then he comes inside and then he goes back out, and you
22 come and sit down beside Kya?

23 A. Yes. Because I thought he was leaving.

24 Q. Okay. So you sit beside her after you told her to go
25 outside?

1 A. Uh-huh.

2 Q. Because you just sat down beside her because you wanted
3 him to think y'all were together?

4 A. Actually, watch the video ---

5 Q. I watched the video. I don't have to watch it again.

6 A. After I told her that he was outside, to go outside, I
7 went and stand back outside and let them have a
8 conversation.

9 Q. Yes, ma'am. I did see you go outside. I also saw you
10 come back inside and sit down beside her after you told her
11 to go out because you thought it was ---

12 A. Because he was leaving.

13 Q. All right.

14 (Brief pause.)

15 THE COURT: Do you have a question, Ms. Legette?

16 SOL. LEGETTE: Oh, I'm sorry, Your Honor. I was
17 waiting for her to finish her answer.

18 Q. Oh, I see you must have been finished. Okay. All
19 right. So now, Ms. Glover, you go inside and tell her her
20 baby daddy is outside?

21 A. Yes, ma'am.

22 Q. Now, said that while you're sitting there, Mr. LaMontre
23 makes -- Mr. Green makes these threats?

24 A. Yes, ma'am.

25 Q. You said that you were afraid?

1 A. Yes, ma'am.

2 Q. Said that you were afraid that he's gonna shoot you and
3 he's gonna shoot Chico?

4 A. Yes, ma'am.

5 Q. And you've been carrying a gun since you were 16. And
6 Chico had just made a motion like he was gonna shoot up
7 something. Now, you said you didn't know Charles, or you
8 kind of, sort of, half way did know Charles. So let me ask
9 this question: When he turns and walks away, are you still
10 afraid at this point?

11 A. Yes.

12 Q. You're still afraid of a man who has turned his back
13 and walked away?

14 A. He was turned towards Chico.

15 Q. I saw on the video that he turned away and was walking
16 out. And so when he's walking out, you started shooting.
17 Now, Ms. Glover, let me ask this: So you were afraid before
18 you shot him the first time. But now, when you fired the
19 second time, were you still afraid of him when he's on the
20 floor? I'm sorry, I didn't hear you.

21 A. I don't recall how many times I shot him.

22 Q. Okay. So were you afraid after the third shot when he
23 was down on the floor? I still didn't hear you. And were
24 you afraid on the fourth shot? And then when I saw you skip
25 out of -- we saw it on the video -- you skip out of the

1 Waffle House, it almost looked like you had a smile on your
2 face. Were you still afraid then?

3 So, Ms. Glover, you said you threw the gun down on the
4 ground?

5 A. Yes, ma'am.

6 Q. But that gun ended up somehow in Beaufort?

7 A. Yes, ma'am.

8 Q. Okay. All right. But now, in the past, you've had a
9 38 revolver; but this time, you didn't have a 38 revolver,
10 you had a 45 caliber.

11 A. The 38 revolver was never mine.

12 Q. Was never yours. Okay. Was this 45 yours?

13 A. Yes.

14 Q. It was yours. And you were 16 -- I'm sorry -- you were
15 19 and you were able to buy a gun?

16 A. I bought it from somebody.

17 Q. Someone. Okay. All right. Now, let me ask you this
18 question: So you said you told Kya to leave because the
19 baby daddy was outside?

20 A. Yes, ma'am.

21 Q. And then you said that he asked you to move?

22 A. Yes, ma'am.

23 Q. Okay. So why didn't you just move?

24 A. Because at that point, he was being aggressive. He
25 already snatched her and she was steady saying no, she

1 didn't want to go.

2 Q. Okay. So you basically, in your mind, was becoming
3 Kya's protector even though Kya didn't need you to protect
4 her or want you to protect her is what you're saying?

5 A. That's not what Kya said.

6 Q. That's not what Kya said yesterday.

7 A. Of course.

8 Q. Yeah, of course. Let's talk about of course. Of
9 course. Of course. I'm glad you said of course. Isn't it
10 true you didn't see a gun that night on LaMontre; but that
11 when you reviewed the discovery you realized he had a gun.
12 So it's convenient now to say you saw him with a gun, of
13 course?

14 A. That's not true.

15 Q. That's not true. Okay. Yes, ma'am. That's not true.
16 Now, yesterday Mr. Walker asked Kya about you sending an
17 apology through your daddy to her daddy. Why did you
18 apologize?

19 A. Because I felt bad.

20 Q. You felt bad. Because you were wrong?

21 A. No. Because at the end of the day, they had a family.

22 Q. Okay.

23 SOL. LEGETTE: Beg the Court's indulgence.

24 Q. Ms. Glover, what was your intention when you opened
25 fired on LaMontre Green?

1 A. To make it home.

2 Q. To make it home?

3 A. Yes, ma'am.

4 Q. By any means necessary?

5 A. Yes, ma'am.

6 SOL. LEGETTE: Nothing further.

7 THE COURT: Thank you. Mr. Walker?

8 - - - - -

9 REDIRECT EXAMINATION

10 BY MR. WALKER:

11 Q. Did you see Chico make any hand gestures, any hand
12 gestures at all?

13 A. No, sir.

14 Q. You said that you got a ride from a guy named P or
15 Peace?

16 A. Yes, sir.

17 Q. This is somebody that you knew?

18 A. I saw before at school.

19 Q. So somebody -- he wasn't a stranger, I guess?

20 A. And he was best friends with Kya.

21 Q. What I'm getting at is this was not somebody that was a
22 stranger to you?

23 A. No. No, sir.

24 Q. But you only know his street name to be P or Peace?

25 A. Yes, sir.

1 Q. And I think the Solicitor is trying to make it sound
2 like you and Tyreece were trying to move in together. How
3 would you characterize your relationship with
4 Tyreece Greene?

5 A. I met Tyreece through my brothers.

6 Q. Okay. Is he your best friend?

7 A. No, sir.

8 Q. Is he someone that's in your social group?

9 A. Yes, sir.

10 Q. And he was giving you a ride that night?

11 A. Yes, sir.

12 Q. And he didn't give you ride away from the scene?

13 A. No, sir.

14 Q. I believe you answered the State when she asked about
15 not spending a lot of time with LaMontre, you tried to stay
16 away from him, you said yes?

17 A. Yes, sir.

18 Q. But you had just seen LaMontre snatch Kya out of the
19 booth there at the Waffle House?

20 A. Yes, sir.

21 Q. And Kya had told you that LaMontre had hit her just
22 days before?

23 A. A day before. Yes, sir.

24 Q. And Kya had told you about past instances of violence
25 by LaMontre against her?

1 A. Yes, sir.

2 Q. You just told the Solicitor you don't remember how many
3 shots you fired?

4 A. Yes, sir.

5 Q. Did you shoot until you no longer felt threatened?

6 A. Yes, sir.

7 Q. No further questions.

8 THE COURT: Recross?

9 - - - - -

10 RE-CROSS-EXAMINATION

11 BY SOL. LEGETTE:

12 Q. Ms. Glover?

13 A. Yes, ma'am.

14 Q. You got suspended for beating up Kya, too?

15 MR. WALKER: Objection. Beyond the scope.

16 THE COURT: That is beyond the scope. Sustained.

17 Q. Now, you said you shot Mr. Green until you no longer
18 felt threatened?

19 A. Yes, ma'am.

20 Q. He was down on the floor and you were still shooting
21 him, you still felt threatened?

22 A. I was not still shooting.

23 Q. And Chico is much bigger than you are?

24 A. Yes, ma'am.

25 Q. Does Chico carry guns, too, as far as you know?

1 A. Not that I know of.

2 Q. Not that you know. But he does make hand gestures like
3 he does have a gun?

4 A. I never saw him with a hand gesture before.

5 Q. Okay. You watched the video because we just saw it.
6 And you were watching the video, so you said you didn't see
7 it on video?

8 A. No, ma'am.

9 Q. But you didn't see anything else outside that you
10 actually were able to see and be able to pick out people in
11 the parking lot because you weren't out there, but you were
12 able to tell us what you saw in the video. Now you say you
13 didn't see it on video.

14 Okay. I'll withdraw it. Okay. Thank you. Nothing
15 further.

16 THE COURT: Nothing from . . .

17 MR. WALKER: Nothing, Your Honor.

18 THE COURT: You may step down and go back to the table.

19 All right. I believe we have discussed a break at this
20 point for everyone. So you are probably aware of this, they
21 got some pizza back there for you. And we're gonna try to
22 take about a 30-minute break, maybe a little longer, so we
23 can take up some things outside of your presence. And don't
24 discuss the case yet, don't deliberate. And we'll see you
25 in 30 or 40 minutes, something like that.

1 (The jury exits the courtroom at 12:46 p.m.)

2 THE COURT: How many witnesses do you think you have
3 left?

4 MR. WALKER: One more. It will be fairly short.

5 THE COURT: Okay. I was just trying to figure out when
6 to do a charge conference.

7 MR. WALKER: I would be good if we can go ahead and do
8 it.

9 THE COURT: Okay. I know Rita sent y'all some things,
10 although I haven't seen exactly what was sent. But I think
11 it was sort of the kitchen sink approach, you put in
12 everything. Have y'all had an opportunity to look at
13 whatever was sent?

14 SOL. LEGETTE: I did, Your Honor. Yes, sir, I did.

15 THE COURT: Do y'all have it printed out? We'll just
16 print maybe just one and we use that as a working draft.
17 And we'll just maybe go back in chambers, if that suits
18 y'all, and we'll take look at it.

19 Do y'all need a break, ten minutes or so, and then
20 we'll all go back?

21 SOL. LEGETTE: Yes, sir. That would be good.

22 THE COURT: Matt, does that work for you?

23 MR. WALKER: (Nonverbal response.)

24 (Lunch recess at 12:48 p.m.)

25 (The trial proceedings resumed at 2:16 p.m.)

1 THE COURT: All right. Anything for the record before
2 we bring in the jury?

3 SOL. LEGETTE: Not from the State.

4 THE COURT: Please bring them in. Mr. Walker, I guess
5 nothing from defense?

6 MR. WALKER: No, Your Honor.

7 (The jury enters the courtroom at 2:18 p.m.)

8 THE COURT: Well, I told you when you got here when we
9 first started talking there would times when you'd be back
10 there and thinking what on earth are they doing; they said
11 it would be 30 minutes, 45 minutes. It was a little longer
12 than that. But I assure you we've all been working to make
13 this as efficient as possible for all of you and your time.
14 No one started deliberating, I assume. Is that correct?
15 Did you get some pizza?

16 (Jury affirms.)

17 THE COURT: Okay, good. All right. Well, let's start
18 again then. Yes, sir?

19 MR. WALKER: May it please the Court? The defense
20 calls Tyreece Greene to the stand.

21 (Whereupon, the witness, TYREECE GREEN, was duly
22 sworn.)

23 THE CLERK: Please have a seat. State your first and
24 last name, spell your last name for the record.

25 THE WITNESS: Tyreece Green, G-R-E-E-N.

1

- - - - -

2

DIRECT EXAMINATION

3

BY MR. WALKER:

4

Q. Good afternoon, Mr. Green.

5

A. Good afternoon.

6

Q. How about old are you?

7

A. Twenty-five.

8

Q. Where are you from?

9

A. South Carolina.

10

Q. Where do you live?

11

A. [REDACTED] Harbour Court, Lakeshore.

12

Q. And where's that?

13

A. Walterboro, South Carolina.

14

Q. Okay. How far did you go in school?

15

A. Graduated.

16

Q. From here in town?

17

A. Yes, sir.

18

Q. And do you work?

19

A. Yes, sir.

20

Q. Where do you work at?

21

A. Zaxby's.

22

Q. I gotcha. You working a lot of shifts?

23

A. Yes, sir.

24

Q. Are you married?

25

A. No, sir.

- 1 Q. Do you have any children?
- 2 A. Yes, sir.
- 3 Q. How many children?
- 4 A. One.
- 5 Q. How old?
- 6 A. Seven months.
- 7 Q. Boy or girl?
- 8 A. Boy.
- 9 Q. Live with you?
- 10 A. Huh?
- 11 Q. Does your son live with you?
- 12 A. Yes, sir.
- 13 Q. Thank you for being here today. You remember the
- 14 events of February 2023?
- 15 A. Yes, sir.
- 16 Q. Do you remember -- well, let's start with this: How do
- 17 you know -- you know Jordin Glover?
- 18 A. Yes, sir.
- 19 Q. How do you know Jordin Glover?
- 20 A. Friends.
- 21 Q. How did you become friends?
- 22 A. I want to say, like, back when I heard her like -- hold
- 23 on a second. Like, growing up together, like that.
- 24 Q. I'm sorry, try to speak a little and clearer.
- 25 A. We grew up together.

1 Q. Grew up together.

2 A. Yes, sir.

3 Q. Okay. Thank you. And so you've known her a long time?

4 A. Yes, sir.

5 Q. And do y'all socialize in the same groups?

6 A. What do you mean by that?

7 Q. When you're out with friends, is that part of the same
8 friend group?

9 A. No, sir.

10 Q. You don't socialize with Jordin that often?

11 A. No, sir. Because I be sometimes working.

12 Q. All right. But it wouldn't be -- it's not unusual if
13 you're out with your friends to see her?

14 A. Yes, sir.

15 Q. Now, did you talk to the Solicitor's office about the
16 events that transpired back in 2023?

17 A. Yes, sir.

18 Q. And you talked to Ms. Legette and Investigator Pinckney
19 sitting here behind you?

20 A. Yes, sir.

21 Q. Okay. And I believe you told them that you blacked out
22 and didn't actually see the shooting?

23 A. Yes, sir.

24 Q. So you did not see anybody actually shoot?

25 A. No, sir.

1 Q. But do you remember the events leading up to the
2 shooting?

3 A. Before, yes, sir.

4 Q. Do you remember the events after the shooting had
5 transpired, after it had taken place?

6 A. Yes, sir.

7 Q. So do you recall what you were wearing that night of
8 that shooting?

9 A. A red sweatshirt. Had a red jacket on.

10 Q. Were the sleeves a different color?

11 A. Yes, sir.

12 Q. Now, are you related to Jordin?

13 A. No, sir.

14 Q. Not even distantly?

15 A. No, sir. Just friends.

16 Q. Okay. How about the Byrams, are you related to them?

17 A. The who?

18 Q. Kya and Sakasia Byrams?

19 A. No, sir.

20 Q. Do you see them when you're out?

21 A. No, sir.

22 Q. Do you ever do anything with them?

23 A. No, sir.

24 Q. How about LaMontre Green?

25 A. No, sir.

- 1 Q. So you don't see him out?
- 2 A. No, sir.
- 3 Q. And you're not one of his friends?
- 4 A. No, sir.
- 5 Q. Are you the same age as Kya?
- 6 A. No, sir.
- 7 Q. How old are you?
- 8 A. I'm 25.
- 9 Q. So you're older than her?
- 10 A. Yes, sir.
- 11 Q. And what about Sakasia?
- 12 A. Older than her, too.
- 13 Q. What about LaMontre?
- 14 A. No, sir.
- 15 Q. You're older, younger, the same ---
- 16 A. Older.
- 17 Q. Older than him?
- 18 A. Yes, sir.
- 19 Q. Okay. And you're older than Jordin?
- 20 A. Yes, sir.
- 21 Q. Are you closer in age to other members of her family?
- 22 A. I'm gonna say her sisters. Yes, sir.
- 23 Q. In addition to what I just asked you about, you know,
- 24 talking to the Solicitor' office about blackout ---
- 25 A. Yes, sir.

1 Q. --- did you guys -- what else did y'all talk about?

2 A. She asked me if Jordin -- and I told her no. I didn't
3 see Jordin do anything. She was just sitting down at the
4 booth. And LaMontre Green came in, aggressive, trying to
5 snatch them out of the booth. And me and Shamel told him he
6 ain't putting his hands on no females. And that's when he
7 said y'all ain't got no guns. And that shook me up.

8 Q. You told that to the Solicitor's office?

9 A. Yes, I told them that.

10 Q. Okay. What was their response to that?

11 A. They told me they didn't need me again because I
12 was working -- that I was taking Jordin's side.

13 Q. So did you feel that they had their mind made up?

14 A. Yes, sir.

15 Q. And they haven't contacted you again since you met with
16 them?

17 A. No, sir.

18 Q. Now, let's talk about what you saw at the Waffle House.
19 How did you get to the Waffle House?

20 A. I drove there.

21 Q. Was anybody with you?

22 A. Just me and Jordin.

23 Q. All right. Why were you giving her a ride that night?

24 A. Because we had just left from a party.

25 Q. Okay. Did y'all ride to the party together?

- 1 A. Yes, sir.
- 2 Q. All right. So why did she ride with you to the party?
- 3 A. Because we always ride like that, just to go.
- 4 Q. Just to give her rides regularly if she needs one?
- 5 A. Yes, sir.
- 6 Q. I'm going to show you what has been entered as State's
- 7 Exhibit 201. Do you recognize that?
- 8 A. Yes, sir. It's my vehicle.
- 9 Q. Okay. And is that the car that you drove to the
- 10 Waffle House?
- 11 A. Yes, sir.
- 12 Q. So when you got to the Waffle House -- I guess when
- 13 LaMontre got to the Waffle House, were you inside or
- 14 outside?
- 15 A. I was inside.
- 16 Q. So you were there when he first came in?
- 17 A. Yes, sir.
- 18 Q. All right. And what did you see when he first came in?
- 19 A. Extended back, like it was a clear magazine.
- 20 Q. Slow down. Let's try again. What did you see when he
- 21 first came in? And just slow down.
- 22 A. What did I see on him?
- 23 Q. Just what did you see -- when you first saw him come
- 24 in, what did you see happen?
- 25 A. He came in aggressive.

1 Q. How was he being aggressive?

2 A. Like, coming there trying to snatch the girl out of the
3 booth.

4 Q. Okay. And you were inside and saw it happen?

5 A. Yes, sir. I was standing by Shamel.

6 Q. Okay. And then what happened after that?

7 A. Then he turned his back. He whispered something to his
8 friend and he walked outside and came back in. And that's
9 when I seen the clear magazine.

10 Q. What do you mean by clear magazine?

11 A. It was like a 30 clip.

12 Q. Well, for a gun?

13 A. Yes, sir.

14 Q. Okay. And 30 clip means a gun magazine that holds 30
15 bullets?

16 A. Yes, sir.

17 Q. And where did you see that?

18 A. On and his waist side, like in the middle part.

19 Q. Okay. Where was he when you saw that?

20 A. He was inside the Waffle House.

21 Q. Was he by the door? Was he by the table? Was he
22 walking between the two?

23 A. Like, walking between the two and he was like -- kept
24 going back and forth.

25 Q. Okay. So you saw that magazine. He came back in. You

1 saw the magazine in his waistband. And then what happened?

2 A. Then after that, I heard shooting. That's when I
3 blacked out.

4 Q. Do you remember any argument taking place?

5 A. Before?

6 Q. Before the shooting.

7 A. Yes, sir. He was arguing with Kya trying to get her
8 out of the booth.

9 Q. And he was facing the booth ---

10 A. Yes, sir.

11 Q. --- when that was happening? All right. And what was
12 he saying to Kya?

13 A. He just told her to get her ass out of the booth and
14 bring her ass home.

15 Q. What was she saying?

16 A. She said she wasn't going.

17 Q. Okay. And did you hear anything other arguments?

18 A. No, sir.

19 Q. So the next thing you remember after that argument was
20 the shooting, but don't have any memories?

21 A. Yes, sir.

22 Q. So after the argument that you saw with Kya, between
23 Kya and LaMontre, you don't remember anything else until
24 after the shooting?

25 A. No, sir.

1 Q. What do you remember -- what's the first thing you
2 remember after the shooting?

3 A. He was trying to tell Jordin when she said she wasn't
4 moving.

5 Q. Okay. Well, I'm confused. You're saying he had a
6 conversation with Jordin after the shooting?

7 A. You said after the shooting or before the shooting?

8 Q. Well, you just told me that he and Kya had words.

9 A. I meant to say -- I meant to say before the shooting.

10 Q. Okay. So what is the last conversation or words you
11 remember before the shooting happened?

12 A. I don't remember nothing else.

13 Q. Well, you were just saying that you heard him say
14 something to Jordin or Jordin say something to him. So
15 that's what I'm trying to get.

16 A. I'm thinking you're talking about after the shooting.

17 Q. No. Let me back up to before. He comes back in to the
18 Waffle House?

19 A. Yes, sir.

20 Q. All right. You said you saw he had a magazine ---

21 A. Yes, sir.

22 Q. --- in his waistband. And he approached the table and
23 had words with Kya?

24 A. Yes, sir.

25 Q. Telling her to get out and she said no?

1 A. Yes, sir.

2 Q. So after he and Kya spoke, do you remember him speaking
3 to anybody else?

4 A. Yeah. He tried to tell Jordin get out of the booth,
5 but she said wasn't going nowhere.

6 Q. Okay. And did he speak to anyone other than Kya and
7 Jordin that you remember?

8 A. Jaheim Bellamy, his friend.

9 Q. Okay. And do you recall what he said to his friend?

10 A. No, sir. He whispered something to his ear. I don't
11 recall.

12 Q. And then do you remember anything else before the
13 shooting?

14 A. No, sir.

15 Q. Okay. So those are all the conversations and before
16 actions that you remember before shots were fired?

17 A. Yes, sir.

18 Q. And so then after the shots were fired, what is the
19 next thing you remember?

20 A. The shots were fired. The last thing I remember, me
21 staying there.

22 Q. Where were you when you -- what's the first memory you
23 have of where you were after the shooting happened?

24 A. I think I was in the parking lot because I was waiting
25 for the police.

1 Q. All right. And you waited there for the police to
2 come?

3 A. Yes, sir.

4 Q. All right. And they kept your car for a while that
5 day, right?

6 A. Yes, sir.

7 Q. Did you talk to the police at the scene?

8 A. They just asked me for my name.

9 Q. And how long did they keep your car?

10 A. Until like 4:00, 5:00 o'clock in the morning.

11 Q. So you got it back the following morning?

12 A. Yes, sir.

13 Q. All right. No further questions.

14 - - - - -

15 CROSS-EXAMINATION

16 BY SOL. LEGETTE:

17 Q. Mr. Green.

18 A. Yes, ma'am.

19 Q. Good afternoon, Mr. Green.

20 A. Good afternoon.

21 Q. Mr. Green, do you remember meeting with me and
22 Ms. Pinckney?

23 A. Yes, ma'am.

24 Q. Do you remember telling us that Jordin was your cousin,
25 a distant relative?

1 A. I told you -- I told y'all she was my friend.

2 Q. You told us that she was your distant relative.

3 A. Yes, ma'am.

4 Q. You did tell us that, right?

5 A. Yes, ma'am.

6 Q. Well, then why did you lie to us if she ain't?

7 A. Because she's just a friend. I call everybody my
8 cousin friends.

9 Q. Okay. But you didn't tell us that you call everybody
10 your cousin friends. So you lied to me?

11 A. I didn't lie. If you would've asked me, I would've
12 told you.

13 Q. No. I asked you, and you told me that she was your
14 cousin. But today you're telling us that she ain't your
15 cousin. So you done lied?

16 A. No, ma'am.

17 Q. Okay. Now, the other part that you said that you told
18 us about is you seeing this gun. You didn't tell us you saw
19 no gun on LaMontre Green.

20 A. Because y'all didn't ask me no further questions after
21 y'all ---

22 Q. I asked you all kinds of questions. You never told me
23 you saw no gun on LaMontre Green. You told me you blacked
24 out and didn't see nothing. You don't remember that?

25 A. That was after the shooting.

1 Q. That was during the shooting. You never told us that
2 you saw a gun on LaMontre Green. Now you're telling the
3 Court that you saw LaMontre Green and Jaheim whispering
4 outside. You got a lot to tell today, Mr. Green, that you
5 didn't tell us when you saw us. Why didn't you tell us,
6 Mr. Green?

7 A. Because you're going against us.

8 Q. When was I against her? Did I ever tell you I was
9 against her?

10 A. Yes. Because you said I'm working with -- I'm taking
11 up for Jordin. So y'all gave me a call and say y'all didn't
12 need me no more.

13 Q. No. Did we call you and tell you that you were
14 released from your subpoena?

15 A. Yes.

16 Q. Is that what you were told?

17 A. And y'all say you didn't need me anymore. I heard
18 that.

19 Q. We didn't need you as a witness because you were
20 released from your subpoena. Now, Mr. Green, this part
21 about you said that LaMontre Green said he wasn't putting
22 his hands on no more females. Mr. Green, you didn't tell us
23 that. All the stuff that you're telling this Court here
24 today, Mr. Walker, you didn't tell us any of that,
25 Mr. Green. And you lied and said that Jordin was your

1 cousin and now you're telling us that she ain't your cousin.

2 You got something you want to say? Or that's the end of it?

3 A. No.

4 Q. That's just the end of it. Okay, Mr. Green. All
5 right. Mr. Green, how tall are you?

6 A. 5-7.

7 Q. 5-7. How tall would you say Chico is?

8 A. I don't know.

9 Q. You don't know. He's taller than you?

10 A. Yes, ma'am.

11 Q. Much taller than you?

12 A. Yes, ma'am.

13 Q. Several inches taller than you?

14 A. Yes, ma'am.

15 Q. How much do you weigh?

16 A. I don't know.

17 Q. You don't know. About 135?

18 A. I'd say 175.

19 Q. 175. But Chico is about the same size -- I'm
20 sorry -- bigger than you. You're about the same size now
21 that you were back in 2023?

22 A. Yes, ma'am.

23 SOL. LEGETTE: Beg the Court's indulgence.

24 Q. Thank you. I have nothing further from you now.

25 THE COURT: Anything else?

- - - - -
REDIRECT EXAMINATION

1
2
3 BY MR. WALKER:

4 Q. You sometimes refer to people as your cousins even if
5 they're not biologically your cousin?

6 A. Yes, sir.

7 Q. Now, what did you see in LaMontre Green's waistband
8 when he came in to the Waffle House that night?

9 A. It was a clear mag.

10 Q. So the ---

11 A. The clear clip.

12 Q. The part that holds the bullets?

13 A. Yes, sir.

14 Q. Did you later have a chance to see all of the gun
15 removed from LaMontre's body and out in open when you were
16 at the Waffle House?

17 A. Yes, sir. Because the police pulled it off of him on
18 the outside.

19 Q. And you were able to see then the actual gun part later
20 after the shooting?

21 A. Yes, sir.

22 Q. No further questions.

23 SOL. LEGETTE: Nothing further, Your Honor.

24 THE COURT: Thank you so much. Thank you, sir. You
25 can step down. Anything else from the defense?

1 MR. WALKER: Your Honor, the defense rests.

2 THE COURT: Thank you so much.

3 Ladies and gentlemen, defense has rested. There is a
4 rule, which I think is an unwritten rule, but it's a rule,
5 nonetheless, that we don't let a case go to the jury. We're
6 still planning on the same schedule we talked about.

7 MR. WALKER: Your Honor, the State may have an issue.

8 THE COURT: Okay.

9 SOL. LEGETTE: I think we have a reply witness, Your
10 Honor.

11 THE COURT: Oh, I didn't know that. All right. My
12 mistake. Please go ahead.

13 SOL. LEGETTE: Thank you, Your Honor. The State calls
14 Kya Byrams.

15 (Brief pause.)

16 SOL. LEGETTE: I'm sure if she's still under oath, Your
17 Honor, or not.

18 THE COURT: Yeah, let's re-swear her in case.

19 (Whereupon, the witness, KYA BYRAMS, was duly sworn.)

20 THE CLERK: Please have a seat. State your first and
21 last name, spell your last name for the record.

22 THE WITNESS: Kya Byrams. And the last name is
23 B-Y-R-A-M-S.

24 - - - - -

25 DIRECT EXAMINATION

1 BY SOL. LEGETTE:

2 Q. Hey, Ms. Byrams.

3 A. Hi.

4 Q. Ms. Byrams, thank you for being here today. I just
5 have a few more questions. I wanted to follow up on some
6 things with you. Okay?

7 A. Okay.

8 Q. All right. So now, Ms. Byrams, we were talking
9 yesterday about LaMontre Green and what happened to
10 LaMontre. You remember?

11 A. Yes.

12 Q. Now, specifically, it came out through testimony that
13 LaMontre was alleged to have threatened to shoot up the
14 Waffle House.

15 A. I didn't hear that.

16 Q. You say you didn't hear that?

17 A. No.

18 Q. Okay.

19 MR. WALKER: Your Honor, I object. We've plowed this
20 ground pretty thoroughly yesterday. This is not new
21 material.

22 (A bench conference was held off the record and out of
23 the hearing of the jury panel.)

24 BY SOL. LEGETTE:

25 Q. All right. Ms. Byrams, going back to what I just asked

1 you. While you were at Waffle House, LaMontre came into the
2 Waffle House and stood beside the table where you were?

3 A. Yes.

4 Q. All right. Did you ever see him reach to his waistband
5 for anything?

6 A. No.

7 Q. Thank you. I have nothing further.

8 MR. WALKER: No, Your Honor.

9 THE COURT: Thank you, ma'am. You may step down.
10 Anything else from the State?

11 SOL. LEGETTE: Not from the State, Your Honor.

12 THE COURT: No rebuttal -- or rebuttals in the case?

13 MR. WALKER: No, Your Honor.

14 THE COURT: That you so much. As I started to say a
15 minute ago, there's an unwritten rule called 4:00 o'clock
16 Rule that's basically you don't send the case to the jury at
17 4:00 o'clock or after. And what we have left in this case
18 is optional -- they're not required to -- but optional
19 summations by the parties, their counsel, and then the
20 charge, which is a fairly lengthy instruction that I will
21 give you on what the law is. When that's concluded then you
22 will get the evidence and you have to consider it. But that
23 cannot possibly be done before 4:00 o'clock. It's fairly
24 lengthy thing to do.

25 So what we're gonna do is wrap it up for today. Again,

1 the instructions, as always, no discussion of the case, no
2 research, don't talk amongst yourselves about the case,
3 don't consider anything, avoid any news, news about this.
4 And does 9:30 work for everyone to be back in the morning?

5 So we'll start at 9:30 with the things I just
6 described. Anything from either party?

7 SOL. LEGETTE: No, Your Honor.

8 MR. WALKER: No, Your Honor.

9 THE COURT: Thank you. All right then. We'll see you
10 at 9:30.

11 (The jury is excused for the day and exits the
12 courtroom at 2:47 p.m.)

13 THE COURT: All right. Anything for the record before
14 we wrap it up for the day?

15 SOL. LEGETTE: No, sir. Not from the State.

16 MR. WALKER: Just renew my motion for a directed
17 verdict?

18 THE COURT: All right. Thank you. And I'll deny it,
19 respectfully. Thank you.

20 And y'all have the charge that I think we've all agreed
21 to. If there are -- something changed during the night, we
22 can fix that tomorrow. Hopefully, everyone is happy with
23 it. Verdict form, it's gonna be standard issued, but take a
24 look at it.

25 (Brief pause.)

1 THE COURT: That will conclude today's record. Thank
2 you.

3 SOL. LEGETTE: Thank you, Your Honor.

4 (Trial proceedings concluded for the day at 2:49 p.m.)

5 - - - - -

6 (Trial proceedings resumed April 24, 2025, at
7 9:55 a.m.)

8 THE COURT: Anything before we bring in the jury?

9 SOL. LEGETTE: Your Honor, I'm gonna open on the law
10 and then I think Mr. Walker will be -- we give our argument
11 and then I'll have the final argument.

12 THE COURT: Okay.

13 MR. WALKER: Just on that, just -- a full.

14 SOL. LEGETTE: I am. I will.

15 MR. WALKER: Thank you.

16 THE COURT: Please bring the jury in.

17 (The jury enters the courtroom at 10:10 a.m.)

18 THE COURT: Good morning. Did everyone follow the
19 instructions on no communications or research about the
20 case?

21 Thank you. Sorry we had you sitting back there a
22 little longer than we had hoped. There's always last-minute
23 changes and that sort of thing, and that's no exception.
24 But we've reached the point in the case where the parties
25 have presented their evidence. It's time for the attorneys

1 to make their closing arguments. Remember I've instructed
2 you before that their arguments are not evidence in the
3 case; they're opinions of what the evidence shows. The
4 arguments and evidence are meant to help you understand the
5 evidence and apply the law to the evidence. You should
6 disregard any remark, statement, or argument which is not
7 supported by the evidence presented during the trial or the
8 law that I will explain to after the arguments.

9 All right. Yes, ma'am.

10 SOL. LEGETTE: Thank you, Your Honor. May it please
11 the Court?

12 THE COURT: Yes, ma'am.

13 SOL. LEGETTE: Thank you, Your Honor. Mr. Walker.

14 CLOSING STATEMENTS

15 SOL. LEGETTE: Ladies and gentlemen, good morning. A
16 silent killer. A silent killer, Jordin Glover. When I met
17 you on -- I think it was Monday or Tuesday we talked. I
18 talked to you about a silent killer. And what I meant by a
19 silent killer is a killer that you never see coming. And
20 that's what happened to LaMontre Green, early morning hours
21 of February 18, 2023. LaMontre Green never saw it coming
22 because LaMontre Green was walking away. And that's why
23 we're here, ladies and gentlemen. It's been a long week. I
24 know you're probably tired, want me to get to the point, and
25 I am.

1 But let's talk about the case we have before you.
2 Jordin Glover sits at counsel table clothed in a robe of
3 righteousness. And it's your job as jurors to be able to
4 decide between the State and the defendant. And our burden,
5 the State's burden, is a heavy burden. Our burden is beyond
6 a reasonable doubt. That judge himself will tell you what
7 beyond a reasonable doubt is. It means the kind of doubt
8 that will cause a reasonable person to hesitate to act or
9 the kind of doubt that leaves you firmly convinced. Or, I'm
10 sorry, the kind of evidence that leaves you firmly
11 convinced. For instance, you came in here this morning, you
12 sat down in those chairs, and you were firmly convinced that
13 they would hold you up. But had you been having some
14 hesitation about the chair holding you up because something
15 about it was wrong, you would have hesitated to act. And
16 that's what our burden is. It's a burden we are gladly
17 accepting today. And at the end of the case, we believe you
18 will find Ms. Glover guilty.

19 So let's talk about what we have. Waffle House,
20 February 18, 2023, around 1:30 a.m. LaMontre Green goes to
21 Waffle House looking for Kya Byrams, his girlfriend. Now,
22 ladies and gentlemen, focus. Don't get distracted. Please
23 focus. I know you've been focused all week. This is about
24 what Jordin Glover did to LaMontre Green. As I told you
25 before, Charles Breland is not here. He will be here or be

1 somewhere at a later time. But today, this week, has been
2 about Jordin Glover. What did she do to LaMontre Green?

3 Now, ladies and gentlemen, I have to be honest,
4 LaMontre Green, as you heard from accounts from the witness
5 stand, was not a perfect man. We acknowledge that. Who can
6 find a perfect man? LaMontre Green was not perfect. What
7 he was, was a father to 3-month-old Zhurri at the time, who
8 is now 2. He was, evidently, loved and cared for by Kya
9 because she ran to him in that video, as you saw, and
10 hovered over him trying to help him after he had been shot.
11 And, also, he apparently loved Kya because he came looking
12 for her around 1:30 a.m. at the Waffle House. But, yes, he
13 did have his flaws. We acknowledge those flaws. He did.
14 He and Kya had gotten into it in the past. That came out on
15 the witness stand. And, yes, Kya had also gotten into it
16 with Jordin. That also came out on the witness stand. You
17 heard it. LaMontre had been suspended for beating her up
18 and so had Jordin. That's what Kya said.

19 Now, that night, yes, you saw it on video. You saw it
20 again and again. Yes, he pulled her out of that booth
21 trying to get her to come home. He pulled her out, and she
22 didn't want to leave. And, yes, he did carry a gun. He did
23 have a gun in his waistband. It was found by the officer,
24 the only person that saw it. But also, Jordin Glover has
25 been carrying a gun since she was 16. And she too had a

1 gun. So nobody is perfect.

2 Now, the fact that LaMontre Green was not a perfect
3 man, does that justify his killing? Just ask ourselves that
4 question. Did he need killing? I used to work for a man,
5 my first job, when I got here to the Lowcountry. I'm not
6 from here. I'm from the Pee Dee area. And I got this job.
7 And the thing around the office used to be, "Did the person
8 need killing?" We have to ask ourself: Did LaMontre Green
9 do something that caused him to need killing? Did pulling
10 Kya out of that booth justify him needing to be killed?
11 Mr. Walker asked Kya, well, you know, him pulling you out of
12 the booth equates to being assault and battery. Kya didn't
13 say a whole lot after that. But here's the thing about
14 assault and battery, even if he'd been charged with that, he
15 would not get the death penalty for assault and battery.
16 But what Jordin Glover did that night was the equivalent to
17 the death penalty. And yet he had a gun, but he never
18 pulled it out.

19 The judge is going to tell you about credibility of
20 witnesses. The evidence that you saw this week came from
21 the witness stand: the witnesses, the evidence itself, all
22 the evidence we brought before you. It's a lot of evidence
23 here. We ask you to take time and go through it. It's
24 about 300 pieces of evidence -- not quite, give or take a
25 few. But it's a lot of evidence, and you had a lot of

1 people to listen to this week. So let's talk about the
2 credibility of those witnesses. You are the sole judges of
3 the facts. That means you are free to believe whatever you
4 want to believe. You are free to believe part of the
5 witnesses' testimony; you are free to believe all of the
6 witnesses' testimony; and you are also free to believe none
7 of the witnesses' testimony. It's up to you.

8 Tyreece Green -- let's talk about the witnesses.

9 Tyreece Green. Now, I'll be honest, Tyreece Green may be a
10 little bit agitated because Tyreece Green lied. He lied.
11 And he sat on the witness stand and he admitted that he lied
12 for no good reason. I asked him, "Why did you lie to us?"
13 He had no reason to lie to us about a small thing, a small
14 thing like Jordin Glover is my cousin. And then he tried to
15 roll it back: Oh, I call all kinds of people my cousin.
16 I'm not your cousin. But he lied about that. My thing is
17 if you lie about the small things, what else would you lie
18 about?

19 Now, look at this picture, ladies and gentlemen, look
20 at this. Tyreece Green -- I bring this up because Tyreece
21 Green also told Ms. Pinckney, Investigator Pinckney and I,
22 that he blacked out and didn't see the shooting. But if you
23 look right here, this is a still shot from the video,
24 Waffle House, that we watched over and over and over. This
25 is Tyreece Green. He had on that red jacket. He's standing

1 right there during the shooting. But he claims he blacked
2 out and saw nothing. Okay. That's what he told us
3 originally. But can you believe that he saw nothing? He's
4 standing right there. Tyreece Green is not credible.

5 When Mr. Walker began questioning him, he started off
6 talking about the gun. No question was even asked yet. But
7 he began talking about this gun. Now, when I pressed him
8 about the gun that he didn't tell us that he saw, then it
9 was like, oh, you didn't ask me. But you sat on the witness
10 stand and told the jury that you told us. Why are you
11 lying, Tyreece Green? My mama used to say -- she's passed
12 on now, God rest her soul -- but she used to say she
13 despised a liar. And that's what Tyreece Green is. But
14 now, of course, you have the ability to judge that. Because
15 you judge the credibility of the witnesses. He also said he
16 told LaMontre Green that he wouldn't be putting his hands on
17 anymore females. But now he's standing there saying he saw
18 nothing, but he said he told us that. But then he said I
19 didn't ask him about it. So he didn't tell us. Ladies and
20 gentlemen, Tyreece Green is not credible. He cannot be
21 believed.

22 Let's talk about Sakasia Byrams. Sakasia Byrams is the
23 sister of Kya Byrams. You heard from Sakasia. What does
24 she say? She saw Jordin shoot LaMontre, Charles shoot
25 LaMontre. And she was adamant, she never wavered. She said

1 she never heard a threat; she never saw gun on LaMontre.
2 Here is one thing, we watched that video, the outside of
3 that video, at the Waffle House outside. You saw Sakasia
4 run outside. She had on a black dress. She runs outside.
5 She's jumping up and down. She sees Jordin run in the
6 direction -- similar direction as Charles and Chico. She
7 sees that. She thinks they get into a truck together.
8 She's out there but then she leaves and goes back inside.
9 She may have been mistaken about who went where. But they
10 all went in the same general direction. She also said she
11 never saw LaMontre pull a gun. She also said LaMontre was
12 leaving. You can use corroboration to see what she is
13 saying. What she is saying is LaMontre was leaving. She
14 never saw him pull a gun. That can be corroborated based on
15 what you saw in the Waffle House video. She is credible.
16 She is believable. But, ultimately, you get to decide.

17 Let's talk about Kya Byrams. What did Kya Byrams say?
18 Kya said she considered Jordin a friend. Jordin was of a
19 friend of hers. She had dated Jordin before. She came in
20 here open and told you all kinds of things, transparent
21 about herself. She had been Jordin's friend. She had been
22 her girlfriend. They had dated. But she had also been
23 LaMontre's girlfriend. They have a baby together. She's
24 the mother of his child. And she had an issue with both of
25 them in the past. She was open about that. She knew Jordin

1 to carry a weapon. She knew LaMontre to carry a weapon.
2 But on this night, she never heard LaMontre threaten anyone.
3 She didn't feel threatened. She never heard him threaten
4 Jordin. She never heard him threaten to shoot up the
5 Waffle House. She never heard any of that. She had a
6 ringside seat. He was talking directly to her. She never
7 saw him offer to pull a gun. Jordin says he did. That's
8 what Jordin saw. But Kya is sitting right there. Same
9 headspace, sitting right there, never saw it. She was
10 steadfast. She did not waive. She did not feel threatened.
11 And she called balls and strikes on both sides.

12 LaMontre was talking to Kya. That's who he was talking
13 to. There was an argument -- Chico got involved in their
14 business. And then what did she say happen? What does the
15 video say? You can take what Kya says, you can take what
16 Sakasia says, and you can put it against the video, and it's
17 corroborated. LaMontre Green was walking away. And that's
18 when Jordin started shooting. He's walking away, she starts
19 shooting. And she kept shooting and shooting. In her eyes,
20 Kya's eyes, were always fixed Jordin and on LaMontre.
21 Kya Byrams is credible.

22 Now, let's discuss Jordin Glover. That's why we're
23 here, ladies and gentlemen. Let's talk about what
24 Ms. Glover said. Ms. Glover, you see Ms. Glover right here
25 in this video. This is Ms. Glover. I think they said her

1 hair was green up here. This is Chico. Chico looks like a
2 giant in this picture to me. This is Charles. And this is
3 Sakasia. And here is Kya. Now, Ms. Glover wants us to
4 believe, she wants us to believe that she was afraid, that
5 she feared for the safety of both her and of Chico. But now
6 I want you to ask yourselves: Is this reasonable? Chico,
7 Chico is almost a giant-sized man. I've asked over and over
8 again to get a read on how big Chico was. Oh, I wish Chico
9 was here. I wish Chico had come so we could see how big
10 Chico is. But she said she needed to protect Chico. Now,
11 if you look at this picture right here, Chico is the only
12 person -- look at all the people running. You got Tyreece
13 right here, he's running. This lady right here, she's
14 running. The lady right here is running. Sakasia right
15 here, she is running. But the only people in this
16 particular photograph that's not running is Jordin, Chico,
17 and Charles. He's standing watching it all.

18 And there's more about Chico I want you to hear. Chico
19 is so large -- look at this picture, y'all -- Chico is so
20 large. I printed out a bunch of still shots. You'll have
21 them in your jury room to go through. But you can see,
22 Chico is so big. Right here LaMontre is turning and he is
23 walking away. You can see his feet right here, the feet
24 posture. He's walking away. His feet are pointed towards
25 the door. He is trying to leave. But Chico is so large

1 that Chico is blocking him out. Chico is way bigger than
2 LaMontre. He's bigger than Charles. And he's much bigger
3 than Jordin. Jordin says she's 4-11. She's shorter than I
4 am. She's 4-11. And this man right here is way bigger than
5 any of us. But she needed to protect him.

6 I asked y'all just now: Where was Chico? Where is
7 Chico to tell us how he needed protecting? Because Jordin
8 said she needed to protect his body. LaMontre was weighing
9 in at 195, around 5-9. But Chico in that photograph where
10 he blocks out LaMontre -- you can't even see
11 LaMontre -- he's gotta be at least 6 feet tall and over
12 probably around 300. He is a large man. Jordin didn't need
13 to protect him, but that's what she said.

14 Also, if you look at the video closely, it looks
15 like -- as LaMontre is walking away -- I am LaMontre -- he's
16 walking this way towards the door. As he's walking this way
17 towards the door, Chico is coming alongside him as if he is
18 trying to create a confrontation, continue a confrontation
19 that LaMontre is trying to walk away from. Jordin Glover
20 didn't need to defend Chico. She didn't need to defend
21 Chico, her much larger cousin. We talked about this.
22 There's a foot in size difference between Jordin and Chico.
23 She didn't need to defend him.

24 Now, I want to show you something. We talked about
25 this. I want to show you this. You'll have this in your

1 jury room. But I want to show you something. Watch this.
2 You see how big Chico is right here? This is Chico. This
3 hand right here that goes up is Jordin. These are the still
4 shots. You'll have these. Watch this. See how LaMontre is
5 walking away. He's walking away. If you notice -- I'm
6 gonna go back a little bit -- there's a woman right here,
7 this woman right here in front of the liar Tyreece. Watch
8 this. LaMontre is walking away. And this woman right here
9 comes up and she pulls Chico's arm while LaMontre is still
10 walking away. And while LaMontre is walking away, Chico,
11 who Jordin says she needs to defend, is going alongside
12 LaMontre like he's trying to stop LaMontre from leaving.
13 And this woman right here, watch her pull his arm. Watch
14 her pull Chico's arm. See right there? This woman right
15 here pulls Chico's arm.

16 So why are you pulling Chico's arm? Are you trying to
17 stop Chico from hurting this man? What it looks like,
18 ladies and gentlemen, is an assault. LaMontre has figured
19 out it's time to go. He is leaving. He is on his way out.
20 He is out of dodge. He is almost running trying to get
21 away. As you can see, he's going, going, going, and he is
22 being pursued by Chico right here. Here's the liar,
23 Tyreece. And over here in the cut, you see the arm go up?
24 Jordin. The arm goes up right here. Right there is her
25 arm. Sitting beside her is Kya watching the whole thing go

1 down. Jordin starts spiraling. Chico is going alongside.
2 LaMontre, he's almost at the door. If they could have just
3 let him walk out, he was leaving. He was on his way out.
4 He was trying his best to get away. If they had just let
5 that man walk away.

6 And then you see he falls down. Here comes Chico,
7 still coming. And then there's Jordin again. You can
8 recognize her by her little ponytail right there. You've
9 seen it before. Chico is standing right there. Everybody
10 else is running away. But not Chico, who needed defending
11 according to Jordin. There's Jordin coming up on him and
12 then there's Charles. Everybody else is running, y'all.
13 Everybody else is running, but not Chico, not Charles. Look
14 at these arms go out. No Charles and not Jordin. That's
15 what was happening. I can show you again in a little bit
16 faster motion. But you can see it for yourself. Watch
17 this, how it moves. He's turning to leave, he's turning to
18 leave, he's trying to go, he's trying to go. Lady catches
19 Chico's arm, won't let him go, won't let him go. This man
20 is leaving. This man is leaving.

21 Now, Jordin Glover, what else did she say? That they
22 had no prior difficulty. But Kya said they didn't get
23 along. You could just tell. You could just tell. They
24 didn't get along. I asked her if they rode the same bus.
25 Yes. Live in the same neighborhood. Yes. But she did say

1 that she did not try to stop to get out and fight him. But
2 according to Kya, they didn't get along. Now, Jordin Glover
3 says she's been carrying guns since she was 16. Originally
4 when Mr. Walker talked to her, he asked her: Well, you
5 know, when did you begin carrying a gun? She said it was
6 after her friend died and she felt like she needed
7 protection. But then when I asked her more on
8 cross-examination about when she started carrying guns, then
9 she had to walk back and say well, no, that wasn't right;
10 that wasn't true; I actually was carrying guns before my
11 friend got shot. Because she had no choice but to admit
12 that she had, at some point in the past, shot herself. So
13 she had to admit that. So she had to walk all that back.
14 So that was not right. That was not true. Ask yourself if
15 she's creditable.

16 It's very interesting to me that then she was carrying
17 a 38, a revolver. And now, conveniently enough, she tells
18 us yesterday that it was a 45 that she was carrying. We
19 don't know what gun she was carrying. We don't know what
20 gun Charles was carrying. All we do know is that
21 LaMontre Green was shot six times, and there are four shell
22 casings from a 45-caliber and there are four shell casings
23 from a 357 Sig or a 38 9-millimeter gun.

24 Now, ask yourself these questions. She said that she
25 saw the gun in the victim's waistband. But if you look at

1 the photographs of him, he's got a long jacket on. It's a
2 long jacket. He's got on I think two jackets. You saw some
3 photographs of his jacket. That one that the SLED agent
4 showed us where all the little marks were, where the defects
5 of the gun -- I guess gunshots were. He had on about two
6 jackets. How could she see it? Now, I told you before, Kya
7 was sitting right there. She said she didn't see it. Now,
8 Kya knows he carries a gun, but she said she never saw a
9 gun. Glover says LaMontre threatened her and Chico. Kya
10 said she never heard a threat, neither did Sakasia hear a
11 threat. She said she came inside -- I'm sorry, not she.
12 Jordin said she came inside originally because she saw
13 through the window that LaMontre was being aggressive with
14 Kya. That's what she said. So she came back in to protect
15 Kya. It was Kya she came in to protect. But notice on the
16 witness stand when she testified yesterday, she never
17 mentions that she was going to protect Kya. It wasn't Kya's
18 small body she needed to protect; it was 6-foot tall -- I'm
19 not sure how large -- Chico that she came to protect, saying
20 that she needed to protect and defend Chico.

21 Ladies and gentlemen, make it make sense. This
22 statement right here, this statement: She says she goes in,
23 she tells Kya go outside because you baby's daddy is out
24 there and he's not gonna want to see you with me. Now, Kya
25 says they weren't together. They just happened to be at the

1 same places together. But Jordin comes in, tells her she
2 don't want trouble, go on outside. So when -- and she turns
3 and baby's daddy comes in, Jordin comes back in. But now
4 despite the fact that she just told us she really didn't
5 want no trouble, she told her to go outside. She comes in
6 and does what? Oh, she comes in and, "Hey, Kya." And sits
7 right down beside Kya. She didn't want trouble, but she's
8 stirring up trouble. She knows or she thinks LaMontre is
9 gonna be angry if she sits down beside Kya.

10 The question, ladies and gentlemen, is creditability of
11 witnesses, who and what to believe. You believe some or all
12 or none. Jordin and Tyreece, threats with gun; Chico, the
13 giant, needs defending from LaMontre; he puts his hand on
14 the gun. But they never acknowledge -- notice what Jordin
15 and Tyreece never, ever acknowledge -- they never
16 acknowledge that he was walking away. How convenient.
17 Wonder why they never acknowledged that the man had his back
18 turned and walking towards the door and Chico was in the way
19 and a lady had to pull Chico's arm to try to stop Chico from
20 probably assaulting LaMontre. And ask yourself this: Who
21 and what to believe? Kya, Sakasia in the video, what do
22 they say? No threats, no gun from the victim, the victim
23 was walking away. And the victim, LaMontre Green, was shot
24 in the back as he walked away.

25 You don't want to have them about him being shot in the

1 back, you have this. You have this. You have this from the
2 pathologist where he is shot the back. Look at this.
3 Mr. Green's injuries, it's to the back of his body. To the
4 back of his body, to the back of his shoulder, back of his
5 back right here, back of his arm right here. Right here,
6 probably a back shot also. All to the back of his body.
7 The back and the left side of his body is where he's shot
8 because he is walking away. And not only is he walking
9 away, but then when he is down and dying. It wasn't enough.
10 They were still shooting.

11 Jordin Glover is not credible. She is not credible.
12 But what can you believe? Believe your eyes. You came in
13 here with your common sense. Believe what you saw. Believe
14 it. That Waffle House video, LaMontre Green is walking
15 away. And there is no credible evidence that Chico,
16 Ms. Glover, or Kya were afraid in order to defend themselves
17 to him. Again, we went over this just now. I showed you
18 those still shots over and over again. He's walking away.
19 He's walking away. He's walking away. He's walking away.
20 Chico is much bigger and much taller. He's still walking
21 away. Still walking away. His back is turned. His back is
22 turned. His back is turned. You're gonna hear in this case
23 about the law of self-defense. We're going to talk about
24 that also. But you need to hear some of these things first
25 to be able to understand where we're going with

1 self-defense.

2 Notice Chico, he's not allowing him to leave. He's
3 going down, down, down, and they're still shooting. And
4 they shot him in the back. There was a time -- I watch a
5 lot of westerns with my parents, a lot of westerns. And one
6 thing about a western is you didn't shoot people in the
7 back. Shot him when he was down and dying. Ladies and
8 gentlemen, this is murder. This is not self-defense.
9 You're all going to hear about something called voluntary
10 manslaughter. We're gonna talk about that also. Because it
11 might be that if you believe that perhaps Mr. Green was not
12 murdered, that perhaps what Ms. Glover did to him is called
13 voluntary manslaughter. We'll go over that in a little bit
14 also. The hand of one is the hand of all. The judge is
15 gonna tell you about that.

16 Here you see Jordin shooting. Here you see Charles
17 shooting. Here you see Chico standing right there in the
18 middle while they're around LaMontre Green. Consider what
19 she did. He's walking away. She shot him in the back and
20 then shot him while he was down. That is not self-defense.
21 He is shot six times. We talk about how he was shot over
22 and over again. This bullet right here is from the left
23 side of his body, the backside of his arm. It cuts across
24 the left side of his -- I'm sorry -- the left side of his
25 body and comes out here underneath his armpit. The doctor

1 told you that all the shots killed him, all of them. He's
2 shot in the back here. He's shot in the back here. And
3 this is that same back shot to the shoulder. This man is
4 shot six times. He never saw it coming. His back was
5 turned. He was going out the door. He could've gotten
6 there if they would have just let him leave and let him
7 live. All these shots to the back of his arm right here,
8 comes out here.

9 Now, ladies and gentlemen, we also have the crime scene
10 people come in from SLED, told you about the shell casings
11 that were found at the crime scene. You saw all those gory
12 pictures. We tried our best not to make them any more gory
13 than necessary. And this is the crime scene exhibits. This
14 is where LaMontre Green was lying right here by the door.
15 You've seen it over and over again. All these shell casings
16 right around the door and one outside. The bullets inside.
17 There were four 357 Sig shell casings fired by a
18 38 nominal -- forgive me, I'm not the best person with all
19 these guns and stuff. But basically the four 357 Sig
20 cartridge cases were fired by one gun. The four 45-caliber
21 cartridge casings were fired by a separate gun, a gun that
22 Jordin Glover says now that it was hers. We don't know if
23 it was hers or it was Charles'. We don't know. Because she
24 threw it in the path she says. But we don't know. All we
25 know is that gun does match. Which one she had, it does not

1 matter because all the shots killed him.

2 Now, ladies and gentlemen, we're gonna talk about
3 self-defense. But he was shot six times. There were eight
4 shell casings. They got at least eight times. This is
5 eight shots -- I'm sorry, this is seven shots beyond
6 self-defense. Seven shots beyond that. Quell the threat.
7 You'll hear about quelling the threat. A person can shoot
8 until they've quelled the threat. Well, here's the thing,
9 when you quell the threat -- when there's a threat to you,
10 somebody is coming towards you, someone is up, maybe they
11 had their hand on a gun you're saying -- but when the treat
12 is over, why are you still shooting? This man is dying.
13 Look at the photographs. Look at the still shots.
14 LaMontre Green is down and dying in this corner right here.
15 He is down and dying in this corner right here. He was so
16 dead that when I believe Officer Riley got to him, and he
17 said he thought someone said he was alive and moving, he did
18 a stern rub. Because if there was anything there, he
19 would've been able to catch some movement. That's when he
20 saw the gun. Until then, he hadn't seen a gun. That's when
21 he saw the gun. He was already dead and dying before they
22 did all that shooting. We had six recovered bullets. You
23 heard about this yesterday. Two from the autopsy and four
24 from the crime scene and five that she couldn't tell what
25 they were because they were so badly damaged. You know who

1 that is. That's Jordin. And, ladies and gentlemen, this is
2 murder.

3 Now, you'll hear about voluntary manslaughter. But
4 right now, let's talk about this. What is murder? As I
5 told you earlier, Jordin Glover sits before you clothed in a
6 robe of righteousness. It is the State's responsibility to
7 see that that robe is removed. But it can only be removed
8 by you, the jurors, if you find that she is guilty of either
9 murder, voluntary manslaughter. Now, what does murder
10 require? It is the killing of another person with malice
11 aforethought, either express or implied or inferred, either
12 through actions or use of a deadly weapon. Now, ladies and
13 gentlemen, what do have? The unlawful killing. We heard
14 from the pathologist. He told us that, yes, LaMontre Green
15 was killed. It was homicide. His cause of death was
16 homicide. He gave us the definition of what homicide is.
17 Homicide is death at the hands of another person. That is
18 an unlawful killing. LaMontre Green's body was autopsied.
19 He was killed by another person with malice aforethought.

20 What is malice? The judge will tell you what malice
21 is. Malice is considered to be evil, wicked, depraved. A
22 wicked heart. A wicked heart. Evil and depraved. A
23 reckless disregard for human safety. Malice. Malice.
24 Where did the malice come in? Because Jordin Glover claims
25 that it was -- she's gonna say -- she said it was

1 self-defense. We talked about it. But where is the malice
2 here? Where's the malice? She didn't see a gun. No one
3 else saw a gun. LaMontre Green, according to Kya and
4 Sakasia, did not touch a gun. There was no malice. He was
5 walking away. So here's the thing. He was standing to the
6 table, she didn't shoot him. He was walking away. He's in
7 the process of leaving, he has turned his back to you. And
8 Chico who she claims needs defending, Chico who is 6 feet
9 tall, 300 pounds, needs defending, but Chico is trying to
10 stop him from going. And you saw in the video. You can see
11 for yourselves. Chico didn't need defending. Chico
12 appeared to be getting ready to assault LaMontre Green.
13 Jordin Glover, as the man turns and walks away, pulled out
14 her gun and shoots him in the back as evidenced by this. In
15 the back. In the back. And then she doesn't just stop
16 shooting one time. When he is down, she shoots again and
17 again and again. She says that she was sorry. But when are
18 you sorry? After which shot were you sorry? Were you sorry
19 when he was down? Were you sorry when you shot the second
20 time? Were you sorry when you shot the third time?

21 Ladies and gentlemen, malice. Now aforethought,
22 aforethought meaning premeditation. But premeditation
23 doesn't have to be you planning it; it can happen just like
24 that in seconds. She had already been outside. She came
25 inside -- stirring up trouble. Sits down beside Kya. Oh,

1 baby daddy is not gonna like me sitting here, I'm gonna sit
2 here anyway. Seems to be stirring trouble of some sort. So
3 premeditation or aforethought can happen or exist in a short
4 period of time, a short window just like that.

5 Ladies and gentlemen, malice aforethought, it can be
6 express or implied. Express meaning words like "I am going
7 to kill you." We didn't hear any of that in this case. But
8 what we do have is implied malice through actions, the
9 actions of Jordin Glover. Her actions speak to what the
10 malice was. Her actions, what she did. He is walking away.
11 He is leaving. That is the malice in this case, ladies and
12 gentlemen. That is the implied malice. And also the use of
13 a deadly weapon. Here's the thing, in the law of
14 self-defense, they're going to tell you the duty to retreat.
15 The duty to retreat. Basically that means if you have a
16 way, a method of getting away without causing more harm to
17 yourself than necessary, then you have the duty to retreat.
18 Her duty to retreat would've been just keep her gun in her
19 pocket and let the man walk out. There is a 6-foot tall,
20 300-pound cousin who is there with her. There is the liar,
21 Tyreece Green, who is there with her. There is
22 Charles Breland who is there with her. Jordin Glover did
23 not have to shoot and kill LaMontre Green.

24 You have to ask yourself if what she is saying is
25 reasonable. You have to ask yourself if what she is saying

1 is credible. Evil had already set in on Jordin Glover that
2 night. Evil. Her heart was bent on doing wrong. It was
3 malice, and someone had to die. I asked her a question,
4 "What was your intent to make it home," I said, "by any
5 means necessary?" By any means necessary. And that's where
6 her heart is at. Her heart is by any means necessary
7 because LaMontre Green had turned to walk away. Killer
8 Ms. Jordin, she wasn't reacting to an assault. The assault
9 had happened way prior to when she came in. Prior to when
10 she stopped at the window, she saw it.

11 But now, it's possible, that if he think what she did
12 was not necessarily murder, but not necessarily
13 self-defense, somewhere in the middle, there's something
14 called voluntary manslaughter that the judge will charge you
15 about. Let's talk about that. We believe, the State
16 believes, we have proof for you for the offense of murder.
17 But just in case, just in case, you got some -- let's
18 discuss the voluntary manslaughter. The judge will
19 ultimately tell you exactly what voluntary manslaughter is.
20 But if I misstate something, you listen to the judge, okay.

21 Voluntary manslaughter is the killing of another person
22 without malice upon sufficient legal provocation in the
23 sudden heat of passion without a sufficient cooling off
24 period. So let's talk about that. What is that? The
25 killing. LaMontre is dead. We talked about the

1 pathologist. The person is LaMontre. What about malice
2 meaning, well, maybe she didn't form it in her heart
3 beforehand. Maybe she didn't have a wicked, evil heart.
4 Maybe she didn't have the evil intent when she walked back
5 in there and sat down to provoke anyone. So maybe she had
6 sufficient legal provocation. Ask yourself, did she? Well,
7 according to her, at least, she saw him touch his hand to
8 his side. She says that she saw a gun. If you believe what
9 Jordin Glover says, then you could potentially get to the
10 point where, okay, she's sufficiently provoked because he's
11 done something now to assault someone. Or maybe the assault
12 was on Kya. You know, maybe the assault was on her
13 ex-girlfriend, who she may have loved. We didn't talk about
14 that. But maybe the assault caused some issue with her. So
15 then maybe did she was legally provoked by what
16 LaMontre Green -- not the perfect man. We discussed that.
17 He's not perfect. Neither is she. But maybe she was
18 provoked. It could potentially happen.

19 In the sudden heat of passion. That means your
20 emotions are overcome. You're overcome with emotion. You
21 can't help it. You just can't help it. Ask yourselves:
22 Could Jordin help what she did? She's sitting there.
23 LaMontre is having an argument with Chico, a large man who
24 didn't need protecting. But maybe she's just so overcome
25 with emotion. He just pulled Kya out of the booth, and

1 she's overcome with emotion. And it happens in seconds. So
2 maybe she didn't have time to come up. Is it possible? Is
3 it reasonable? We submit that it's not. But you're the
4 judges of the facts.

5 Now, ladies and gentlemen, we gotta talk about
6 something else called self-defense. Her actions testify
7 against her. She didn't like LaMontre. They didn't get
8 along, according to Kya. But now, LaMontre didn't bother
9 Jordin despite them not getting along. We discussed
10 reasonable doubt. Reasonable doubt, the kind of doubt that
11 would cause a reasonable person, you're always gonna be,
12 hesitate to act, or the kind of evidence that leaves you
13 firmly convinced.

14 The Waffle House video and still shots, now, I've gone
15 over these. I don't want to belabor you. You can go over
16 it again. But there's a point in that video -- I have it
17 here to play -- but there's a point in that video, you can
18 watch it for yourselves, where Chico is standing there. As
19 the first time when LaMontre goes out, LaMontre has gone
20 out, Chico does the following thing. Just like that. Just
21 like that, pointing towards the door. And I asked Jordin
22 what does that mean? She's says it means to shoot or
23 shooting. And I wanted to make sure I made it clear, this
24 right here maneuver is a shooting, to shoot something. And
25 that's what Chico does. In your jury -- chambers, you can

1 watch that. We don't have to talk about -- I don't want to
2 go over it right now. But you can watch that. He does
3 that.

4 The expert witnesses, we talked about expert witnesses
5 ad nauseam. All the bullets killed him. He was shot six
6 times. We went over voluntary manslaughter. Let's talk
7 about self-defense. The judge is also going to tell you
8 about the defense of others where Jordin said she had to
9 defend herself or she had to defend Chico. Self-defense and
10 the defense of others are somewhat similar. You'll hear all
11 the law from the trial judge. But I just want to give you a
12 brief roadmap so you know where we're going.

13 Self-defense is a legal phrase. It's a legal phrase.
14 And it has four different requirements. Now, I'm just gonna
15 give you a little bite-size piece for what I have summed it
16 down to me. Self-defense means it's either them or me.
17 Number one, I didn't start it. Number two, I thought I
18 might be killed or someone else might be killed. Number
19 three, my thoughts are reasonable. And, number four, I had
20 no way to avoid it except to do what I did. And that's what
21 self-defense requires. I'm gonna show you, just so we know.

22 This is not self-defense, ladies and gentlemen.
23 Jordin Glover is guilty of murder. You might decide it's
24 voluntary manslaughter, but it is not self-defense. And I'm
25 gonna tell you why. Just bear with me. We talked about

1 this. The judge is going to tell you that self-defense
2 means four things, and all four, all four, must be
3 established in order to have self-defense. Without bringing
4 on the difficulty, the defendant must be in imminent danger
5 of death or bodily injury or believe she was in such danger,
6 a reasonable person would have entertained the same believe,
7 no other means of avoiding difficulty. So let's go through
8 it.

9 When all four of those exist, and self-defense is
10 established, and we have to disprove it. But all we have to
11 disprove is one, one of those elements. I didn't start it.
12 I might be killed or someone else. My thoughts are
13 reasonable. I had noway to avoid it except to do what I
14 did. Now, ask yourself was Jordin Glover without fault in
15 bringing on the difficulty? The answer is no. She was not
16 without fault. Because guess what we went over ad nauseam
17 over and over and over and over and over and over again?
18 LaMontre Green was walking away. He's walking away. If he
19 could've gotten a little bit closer the door, he would have
20 been out of the Waffle House. He was walking away. What
21 more can a person do to disengage from an argument but to
22 walk away? He didn't pull a gun out. Because you know how
23 he didn't pull a gun? Because the officer found it in his
24 waistband. He didn't pull a gun out. He's trying to leave,
25 but they won't let him. Jordin Glover started it because

1 she started firing. According to the witnesses,
2 Tyreece Green who is standing right there -- she's his
3 cousin, she's his play cousin, she's not his cousin. I
4 don't know which -- but he's standing right there saying he
5 blacked out, saw nothing. But the other people said
6 Jordin started shooting. You can see Jordin start shooting.
7 She starts it. He's walking away. Shot him in the back and
8 then she continued to shoot, continued to shoot, continued
9 to shoot. A silent killer. He never saw it coming.

10 Remember what happened? LaMontre is having a
11 conversation with Kya and then one with Chico and then he's
12 walking away. He's never saying anything to Jordin. She's
13 not even involved. She's not involved. She sitting there.
14 She said she didn't want no trouble. But in the meanwhile,
15 she starts the trouble. LaMontre Green walked away.
16 Jordin Glover brought on the difficulty. So by the way,
17 ladies and gentlemen, you can put an X. I told you before,
18 all four of these have to be -- to get -- you gotta get a
19 checkmark in each box. We've have an X, X right here. She
20 brought on the difficulty. She gets no checkmark.

21 Let's talk about this. The defendant must have
22 believed being in imminent danger of death or bodily injury
23 or believed she was in such danger. All right. It's either
24 be killed or he will kill someone else. Is that reasonable?
25 Ask yourself the question: Is that reasonable? She didn't

1 think that. This man was walking away. He was walking
2 away. How could she have believed that? She was not in
3 imminent danger of death or injury because he never pulled a
4 gun. He never put a hand on a gun, according to Kya. He
5 was walking away. There was no reasonable reason for her to
6 have believed that she needed to protect Chico from
7 anything. Chico wasn't trying to get protected. Did y'all
8 see Chico in the video, in the still shots? Chico is
9 walking right alongside this man. Walking along -- if
10 anything, Jordin Glover's intention was to ensure that
11 LaMontre Green was dealt with by Chico or by her or
12 whomever.

13 Kya Byrams says Jordin Glover wasn't in no imminent
14 danger. Jordin Glover was surrounded by men. Ask yourself
15 the question if it was reasonable? She's surrounded by men.
16 Chico is much bigger than Green and twice the size of
17 Jordin. Is that reasonable? We already went over this over
18 and over again. He blocks out LaMontre. She shot him for
19 no reason, y'all. LaMontre Green, though he is not a
20 perfect man, I keep saying that, but he did not pull a gun.
21 He was walking away towards the door. No gun was ever
22 pulled. You know how you know that? Because the officer
23 said I pulled it out of his waistband, tucked in his
24 waistband, tucked in his waistband. You can see on the
25 video, it was underneath his clothes. They could not see.

1 Oh, and one more thing, y'all. We had the gun. The expert
2 said I tested that gun too. I tested all the shell casings
3 and all the bullets I got. And all the bullets and shell
4 cases I got from the crime scene, none of them matched that
5 gun from LaMontre Green, that gun that was in his waistband
6 that he never pulled that he never fired.

7 Fear of harm, that's number two. She was not in fear
8 of any harm. She was not in fear of her life. If she had
9 been in fear of her life, she would've stayed outside. She
10 wasn't afraid. She didn't get along with Kya -- sorry, with
11 LaMontre because of Kya. So right away, ladies and
12 gentlemen, we've got two. Neither element has been
13 established. We are on number two now. But with none --
14 none -- I'm gonna get a red mark -- none have been
15 established. X. All right. All we need is one. All the
16 State has to disprove is one of these.

17 Now, a reasonably prudent person would have believed
18 she's in imminent danger. Ask yourself the question: Was
19 it reasonable for Jordin to believe that she was in imminent
20 danger? She's sitting there at this table. And I'm sitting
21 here -- I'm here -- I'm sitting here at this table. This
22 man is talking to somebody else. He turns, he's walking
23 away. He's walking towards the door. And now I shoot him
24 in the back. Is that reasonable? Do I reasonably believe
25 this man is getting ready to kill me? He's walking away.

1 Never pulls a weapon. No one ever saw a weapon except for
2 Jordin. I'm not sure, Tyreece Green, he's an X mark to me.
3 He's an X mark. He can't even be believed. The gun was in
4 his waistband, cannot be seen on video. The reason why we
5 know is because the officer told us where the gun was. We
6 turned all that over. Everybody knew he had a gun at that
7 point. When we turned everything over, everybody knew,
8 including Jordin. She was surrounded by men. Was it
9 reasonable for her to believe she had to shoot a man who's
10 walking away in the back? Ask yourself that question.
11 Where is the reasonable belief? Where is it? I tell you
12 what, it's not there.

13 The defense wants you to believe that LaMontre was
14 violent. We don't see anything to show he was violent. He
15 and Kya had their issues, yes. But he walked away from
16 Jordin. He walked by Jordin. He didn't have any beef with
17 Jordin. He said nothing to Jordin. We're not condoning
18 anything that happened between Kya and LaMontre. But on
19 this night, LaMontre Green was walking away. And like I
20 said before, the penalty for assault and battery is not
21 death.

22 Now, if you consider what's actually happening while
23 we're watching this video, it was LaMontre Green who was the
24 one in imminent danger of great bodily injury or death. He
25 was the one in danger. Look at him. He was leaving. And

1 not only that, but Chico is pursuing him. We went over
2 those videos. I'm sorry, those still shots. And in one of
3 the pictures, he appears to pull Chico's arm. He made a
4 shooting gesture with his arm. It's not reasonable, ladies
5 and gentlemen. Self-defense is not reasonable.

6 Jordin Glover, a reasonably prudent person, would not have
7 believed they were in imminent danger from LaMontre Green
8 when he's walking away. It's an X. It is not self-defense.

9 And finally, no other means of avoiding the danger. No
10 other means -- that means basically you have the duty to
11 retreat if you can without being harmed severely or killed.
12 Duty to retreat. All Jordin Glover had to do -- he was
13 walking away -- all she had to do was keep the gun that she
14 carries since 16 years old, or a gun, in her 19-year-old
15 pocket and let that man walk away. That's all she had to
16 do. That's it. Let him leave. He was leaving. You see
17 it. He never pulled a gun. He didn't threaten her or
18 anyone else. He was arguing with someone else, and she was
19 not even involved. She had other means. She had other
20 means. She could've stayed outside, left the gun in her
21 pocket. She had other means, ladies and gentlemen. She
22 could've got up and walked away. She could have got
23 up -- think about it.

24 Willie, Willie, they identified him as Willie in the
25 black. Did y'all notice something? Willie got up and --

1 Willie walked away. Willie walked away. Because guess
2 what? People who don't want trouble, walk away. They walk
3 away. They have a means of avoiding the danger. And Willie
4 Green walked away. Yeah, Little Willie walked away. But
5 what did Jordin do? She stayed. She could've got up and
6 left. They're gonna tell you about obstructing the door.
7 But obstructing the door, LaMontre Green was focused on
8 someone else. She could've got up and walked away just like
9 Willie Green walked away. But she didn't. LaMontre Green
10 was walking away because he was trying to avoid that. He
11 was trying to avoid the confrontation. And you can see it
12 on the video. She could have walked away.

13 So, ladies and gentlemen, my daddy loves math. I went
14 to law school because I wasn't good at math, I really
15 wasn't, and still aren't -- still am not. But this is
16 a math problem. Subtract, without fault in bringing on the
17 difficulty, the answer is no. She started it. Imminent
18 danger or believed she was, the answer is no. She didn't
19 believe that. A reasonable person would believe the same.
20 The answer is no. A reasonable person would not have
21 believed that you were in danger from a person who is
22 walking away from it with their back turned. The answer is
23 no. No other reasonable means of avoiding the danger to do
24 what she did. The answer is no.

25 So what does that mean, ladies and gentlemen? This

1 means it's not self-defense. It's not self-defense. What
2 this is, is murder. And that's why we're here. It's
3 murder. Shot in the back these times, shot through the arm
4 here, going across his body killing him. Ladies and
5 gentlemen, finally, February 18, 2023, Jordin Glover became
6 a silent killer. A silent killer because LaMontre Green
7 never saw it coming. And that's what happens with silent
8 killers, you never see it coming. As he turned and
9 walked -- walked away, he lost his life at the Waffle House
10 that night, the early morning. And now, ladies and
11 gentlemen, I'm asking you -- put my final mark here on this
12 self-defense because it's not established -- I'm asking you,
13 as I told you I would, Jordin Glover is guilty of murder.
14 And we ask you to find her guilty of the murder of
15 LaMontre Green February 18, 2023. Thank you.

16 (Brief pause.)

17 MR. WALKER: May it please the Court?

18 THE COURT: Yes, sir.

19 MR. WALKER: Actually, I said that too soon. Sorry.

20 (Brief pause.)

21 MR. WALKER: May it please the Court?

22 THE COURT: Yes, sir. Please proceed.

23 MR. WALKER: I think y'all have picked up throughout
24 the trial, and smart enough to pick up on what you've heard
25 so far, that the State is consistently misrepresenting the

1 evidence to you and what you've heard. You've heard what
2 they said and you heard us -- Jordin wasn't at fault.
3 Jordin instigated -- brought on the difficulty. And how
4 does she define bringing on the difficulty? At shooting
5 LaMontre Green. But, of course, we can all obviously see
6 that that did not instigate the difficulty. The difficult
7 was instigated when LaMontre Green came into the
8 Waffle House when no one expecting him and snatched his
9 girlfriend out of the booth. Or maybe that's not -- and he
10 leaves. So maybe that -- maybe the difficulty is over. But
11 then he comes back in. He gets in front of everybody's face
12 and starts arguing and yelling and threatening people.
13 That's instigating or bringing on the difficulty. That is
14 the difficulty we're dealing with is LaMontre Green's
15 threatening and aggressive behavior.

16 Is it reasonable to believe that LaMontre could be a
17 danger to anyone? What did we just see him do before he
18 gets shot? Oh, but Chico is so much bigger than LaMontre.
19 He didn't have any reason to be afraid of LaMontre. You've
20 probably the story of David and Goliath, right? Goliath
21 didn't have any reason to be afraid of David. He was so
22 big. He was 9 feet tall. He's got a spear bigger than
23 that. Look how big Goliath was. But you know what David
24 had, David had a projectile weapon that made him just as
25 big. And Jordin, herself, certainly isn't bigger than

1 LaMontre Green. And if LaMontre Green pulls that out of his
2 pants and starts shooting it at people, extensively aiming
3 at either Jordin or Chico, who knows hitting who else, I
4 think it's reasonable to believe that some bad things could
5 happen. And Jordin sitting down in a booth, LaMontre
6 between her and the door. You don't have to put yourself in
7 more danger. You don't have to turn your back on somebody
8 that's a -- to you to avoid the situation. If you can
9 reasonably do so without safety or without affecting your
10 safety, sure. You should get out of there and not start
11 anything. It's such a stretch to make those arguments.

12 She talked about -- briefly there was some testimony
13 about Jordin having guns. Jordin has grown up and lives a
14 very different life probably than -- definitely than me. I
15 don't know about y'all, but probably y'all too. Her best
16 friend was killed at 16. She told you, she told the
17 Solicitor, after that, she started carrying a gun herself
18 for personal protection. Which, other than age, is
19 something we all have the right to do in this country. It's
20 not a bad thing, trying to make it seem somehow. Again,
21 it's a right we enshrined in the Constitution to have a gun
22 for personal protection. Other than age, there's
23 no -- should not be an issue with it. And they say, oh, she
24 lied about the carrying guns. And she specifically said I
25 had somebody else's 38 two years before. So when I was 14,

1 somebody else had a gun. I was playing with it and I
2 whatever, but I ended up shooting myself with that gun. It
3 wasn't my gun. I wasn't carrying guns at that age. I was
4 handling somebody else's gun and shot myself at 16. But
5 again, that's what she said, not what you just heard.

6 I've known Ms. Legette a long time. We're friends. We
7 went to law school together. Sometimes, I've tried a lot of
8 cases against her. Sometimes I wanted to object to the
9 judge on the basis that she's preaching. But I haven't yet
10 figured out how to do that legally and get it sustained.
11 But I appreciate her passion and her commitment to her job.
12 But I urge you not to get caught up in her passion and focus
13 more on the facts. This is a sad business. And I think we
14 can speak for everybody. The only person we can't speak for
15 is Charles Breland because we haven't heard him. We don't
16 know why he shot LaMontre Green. You know, he may be glad
17 it happened. I don't know what his deal with LaMontre Green
18 was. But, of course, his family is devastated. The mother
19 of his child is devastated. Jordin did not want to have to
20 shoot anybody that night. She's not glad she had to shoot
21 anybody that night. She's not glad he's dead. She was
22 placed in a position where she felt she had to act to
23 preserve the safety of herself and others. The sound of
24 silence has been broken. You've heard from a lot of
25 witnesses. You've heard what happened. You had some

1 context added to the video that we can see.

2 One point I'll make here is that the video we see gives
3 us a great view of a lot of things. But, of course, it is a
4 view from up here. And there's just the physics of what we
5 can see and what we can't see. It's not the same as what
6 people can see or not see from sitting at a table or
7 standing with their backs turned a different way. So we
8 have a lot of knowledge from what we have from the video,
9 but it's not a God's eye view. And, of course, we weren't
10 able to hear what was being said.

11 But you've heard from -- what I like to call it, two
12 different types of witnesses here. You've seen a lot of
13 evidence. A lot before you. But there's two types of
14 witnesses. Generally, there is what I call a process
15 witness, which is, oh, I arrived, I took photos of the crime
16 scene, I collected this and put it in the bag and sent it to
17 this person. That person gets it. Well, I got this bag, I
18 tested it, and this is what I found. They weren't there.
19 They can't tell you what happened. But they're telling you
20 the process that they went through to either preserve a
21 piece of evidence or find a -- piece of evidence. And it's
22 important. It's good work. It's all part of the job the
23 State has to do. But sometimes you can wind up, as we have
24 here with this big pile of evidence, that looks, oh, they
25 got a lot of evidence there. But that doesn't -- all that

1 evidence don't really address the matters that need to be
2 proven.

3 So we had a lot of process witnesses, and we've had
4 four fact witnesses. The other kind of witness is a fact
5 witness. You heard from Kya and Sakasia. We've heard from
6 Tyreece and Jordin. Now, the State wants to go Tyreece
7 lied. So what. But he lied. He lied about her being his
8 cousin or not being his cousin. So, again, as she said, the
9 judge will instruct you on the law about the credibility of
10 witnesses, and you can believe some or not believe some.
11 What's important, you heard from Tyreece, that it's
12 corroborated by the facts. Whether he lied about other
13 things or not seeing something, what he did tell you can be
14 corroborated. Well, I saw a magazine in his waistband when
15 he came in. That seems reasonable. And there was a
16 magazine found. So that kinda corroborates the State. It's
17 not like anybody saying oh, no, LaMontre didn't have a gun.
18 He said I saw the magazine when he came in. So, so what.
19 So what if they disagree about what they disagree. The
20 things that she's taking issue with don't -- I saw a
21 magazine. Oh, I heard an argument. Well, you've heard
22 testimony from other people they heard an argument. Well,
23 that sounds like it's corroborated with what Tyreece said.
24 All right. If you don't want to believe Chico's cousin
25 or -- you know, it's just his testimony about the important

1 facts is consistent with other testimony and other pieces of
2 evidence. That's all.

3 The State has presented only two fact witnesses,
4 Sakasia and Kya. You know what, you just heard Ms. Legette:
5 Oh, I wish Chico was here. I wish I could -- well, then we
6 could do it. We could see it. Well, you know what? All
7 the State has to do is get a little piece of paper printed
8 out that says subpoena at the top, write his name on it,
9 give it to the Sheriff's Office, and he's gotta be here.
10 They didn't do that. So she wasn't wishing that hard that
11 Chico was here. The Court would compel him to appear if she
12 asked it. But she did not. We heard from Sakasia and Kya.
13 And I said -- it's a sad fact, that this event happened.
14 Nobody's glad that LaMontre is dead. But we have to look
15 at -- I think we all have to be cognizant of the fact when
16 we say or talking -- you know, she said he's not perfect.
17 And, again, when we're talking about things about LaMontre,
18 it's not to say, oh, he's a bad guy and, yeah, we shot the
19 guy and he's dead. But it's important to recognize that the
20 reason that LaMontre is dead is LaMontre. LaMontre rolled
21 into Waffle House that night and started these events in
22 motion. And he had opportunities to stop and just walk away
23 and he didn't.

24 We heard from Sakasia and Kya. They didn't feel they
25 that they were in danger. And we've heard Kya say, well, he

1 assaults me all the time and I'm fine. I think it will be
2 all right. And, you know, whether that's reasonable or not,
3 that's the situation that they had going on. But Jordin
4 didn't say I was trying to protect Kya. I mean, she was
5 trying to support Kya when she came and sat back down when
6 LaMontre ended up going outside. And if LaMontre gone
7 outside and got in his car, again, we wouldn't be here. But
8 she said I'm worried he was gonna shoot me or Chico.
9 Because the argument at the time the shooting happened was
10 going on between Chico and LaMontre. And you heard
11 testimony that she heard him say, "I'm gonna shoot this
12 bitch up," and reached for his waist. Sakasia and Kya
13 didn't feel they were in danger. And LaMontre wasn't gonna
14 hurt anybody. And so I submit to you that they -- again,
15 you can believe part or none or all -- but, you know, that
16 they are not reliable witnesses in which to base a decision.
17 And they're unreliable because they're clearly biased as to
18 the outcome that wish for you to achieve or you to reach.
19 They want you to find my client guilty. And they're gonna
20 continue their testimony to achieve that end.

21 I also submit to you that they were quite both drunk
22 that night. And so their recollection of events were
23 spotty. I don't remember what else was said. I was drunk.
24 They both said that. Mainly when what was said -- but,
25 again, their memories are spotty. And, again, it's a

1 traumatic event. You get focused in, you get tunnel vision.
2 Kya is -- you know, neither one at the time is saying that
3 they saw anybody but Jordin shoot and never saw
4 Charles Breland shoot. But, you know, now later on they're
5 saying that once they've been told it happened. But at the
6 time, they had no idea that Charles had shot. So their
7 memories are not as useful to you in deciding what was
8 really said during those events we're talking about today.
9 We can compare their testimony to what we actually see
10 happening in video and note the discrepancies.

11 I'll talk briefly about the law several times here.
12 The judge has an extensive direct version of the law he's
13 gonna address you with. He's gonna send you his written
14 comments in law back to your jury room so you can refresh.
15 So I will generally try to use simplified language. But, of
16 course, if you detect a discrepancy in what I say from that
17 the judge says, his is the correct version.

18 But we -- when someone is charged with a crime, they
19 are presumed innocent until proven guilty beyond a
20 reasonable doubt, right. We've all heard that. And
21 Ms. Legette used language, they're clothed -- they're
22 assumed to be clothed in a robe of righteousness, which
23 means that you're innocent when you're charged with a crime
24 until the State meet its burden. So we go through all of
25 this rigmarole in picking a jury like we talked about.

1 Nobody has a dog in the fight. Nobody knows anything about
2 the fight. And then be fair to both parties, you hear the
3 evidence and all that stuff. And then we sit you down and
4 you take your oath. And then the law says, boom, now you're
5 biased. Now you have a side, and your side is Jordin. You
6 are to consider Jordin, if you have any doubt about an issue
7 or a fact, it goes to Jordin. Any assumptions you have to
8 make, goes to Jordin. And the State has to overcome that
9 assumption and that bias and move you by proving with
10 evidence beyond a reasonable doubt each and every element of
11 the crimes they allege. And each of those elements
12 individually has to be proven beyond a reasonable doubt,
13 which is the highest legal standard that we have.

14 If you've ever been in a car wreck or something like or
15 had a lawsuit that the standard in civil court is a little
16 bit more than 50/50. You know, whoever's -- you know,
17 whoever is more likely to have been right, they win in
18 civil. But here, as you've heard, we have beyond a
19 reasonable doubt which is a doubt to cause a reasonable
20 person to hesitate to act. And the rest of that is when
21 making the important life decision, and this is certainly
22 one of the most important life decisions in Jordin's life
23 and I think for most jurors as well.

24 You gotta be firmly convinced that Jordin committed the
25 crime that they charged and that they proved each of those

1 elements beyond a reasonable doubt. Now, what the State is
2 trying to do is to provide you with -- they know. Again,
3 there are things that they can definitely prove with the
4 evidence and point, yes, this happened. And that's how it
5 should be. The evidence should all be pretty clear.
6 Something you have eliminated all doubts and all
7 possibilities other than what's alleged by the State. But
8 if once you see all the evidence, that still leaves room for
9 multiple scenarios to be true, that's not guilty. They need
10 to eliminate all the other reasonable possibilities and get
11 to the one that they're claiming they can prove. And they
12 have some evidence like that. But, in general, they're
13 trying to provide you with the illusion of proof, right.

14 You've all seen magicians. Just have a coin or a ball
15 something and put it in their hand. They're giving you the
16 illusion that they have that in their hand. But when you
17 look at it, there's nothing there. And the way that they're
18 trying to do that, among others, today are dealing with
19 Charles Breland, which I'll talk about in a minute; trying
20 to do that in the way the evidence is being presented to
21 you. For instance, remember I said how they try to pile it
22 up so it looks like they've got a lot of evidence and, oh,
23 they've really done a good job to prove their case beyond a
24 reasonable doubt. Look at all the evidence against Jordin.
25 You got the video from Waffle House. Once every second of

1 that video from the Waffle House, they printed out these
2 pictures. That's a lot of evidence. Also, notice where
3 they decided to start printing. They don't start when he
4 comes in and snatches Kya out of the thing. Kya is back in
5 her seat. We're not seeing him do anything bad on here
6 other than arguing with people. They didn't print that part
7 out. Look, we've got one every second. We've got all this
8 evidence. You can look at it. Oh, no, no. Four times a
9 second. Look at all these pictures. These pictures are in
10 these pictures. Now I've got more pictures. It's the same
11 thing. Which is all the same as this. But, you know, let's
12 go through it that way.

13 They're also trying to give the illusion, play a little
14 sleight of hand, with what we would call malice
15 aforethought. I'll talk about that more in one minute. And
16 another -- and it's not necessarily bad. This is a trial.
17 I'd do it if I was them. But, of course, the defense does
18 not have to make any statements at any point, don't have to
19 put up any evidence. A lot of cases, defendants don't. And
20 it's just the State presents their witnesses and that's the
21 case and then you argue to the jury. So what's the last
22 thing you saw in the State's case? A pathologist with a lot
23 of pictures of a dead body. And if we hadn't put up a case
24 then we would've gone right into closing arguments. And
25 then what's the last thing you saw in her closing argument?

1 A picture of a dead body. Again, that's just trying to
2 kinda get your juices flowing and kind of -- you know, kind
3 of a shock value. And that's the thing you want to see.
4 I'd do the same thing, right? That's why I put that gun
5 right there. I want you to see that gun.

6 But we're both trying to manipulate you. So don't be
7 manipulated. Just be fair and look at the evidence. Now,
8 the State chose to charge Jordin for murder. They said
9 they'd gladly accept the burden of proof to do that, and
10 that they would prove each element of murder beyond a doubt.
11 But I'm not gonna use Ms. Legette's. But they have to prove
12 jurisdiction. Which means, hey, it happened in
13 Colleton County, right. Or write that in green because,
14 yes, they have proven it. They have to prove the identity
15 of the person that did it. All right. And they've done
16 that with Ms. Jordin Glover. Jordin shot him. I'm gonna
17 change colors because now I don't agree. You have to prove
18 a killing. And not just a killing, but that Jordin killed
19 him. He's dead. They have to prove that Jordin killed him.
20 And they can't do that. And that is why they need you to
21 kinda -- Charles Breland, who definitely shot him, right.
22 In Ms. Legette's opening, you'll remember to point out that
23 she used the language that Charles Breland joined in the
24 shooting. And I said, whoa, whoa, whoa. Not joined in with
25 anything; he did his own shooting. And that is what's

1 happened.

2 There is no evidence that the two of them came to a
3 meeting of the minds or acted in concert at any point that
4 day, that evening. They left separate. Arrived separate.
5 Zero evidence that Charles Breland and Jordin Glover were
6 acting together. Why is that important? It's because of a
7 legal document called accomplice liability. And kinda the
8 layperson phrasing of that is the hand of one is the hand of
9 all. And kinda the standard explanation of that is
10 cocounsel and I go to rob a gas station and she's my getaway
11 driver. She drives me to the gas station and I go
12 inside -- we've agreed to go rob this gas station. She's on
13 board with the gas station robbing. But I go in there, when
14 I'm robbing the gas station, I shoot and kill the clerk and
15 murder the clerk. Well, then she, as my co-conspirator
16 participating in the crime, can also be charged with murder
17 even though she never intended to murder anyone, didn't want
18 to murder anyone, never had a gun, never shot anybody. She
19 also could be charged with murdered because the hand of one
20 is the hand of all when the criminal defendants are acting
21 together. And that is how they want you to think about
22 Charles Breland and Jordin Glover. Because that's the only
23 way that they can prove Jordin killed LaMontre.

24 Again, I don't know if you picked up on it. I probably
25 should have made it -- I noticed at the time Officer Shipp

1 was testifying about Charles and said -- started to say the
2 second -- and stopped and said codefendant instead. It's a
3 conscious effort to get past the inability to prove this.
4 Because they can prove it, I submit, to Charles. And if
5 acting together, they don't need to prove it as to Jordin.
6 The State wants to say the doctor said that all of the
7 gunshots killed LaMontre, and that is true. But what if
8 there hadn't been that many wounds? Eight shots were fired
9 and there were six gunshot wounds, and not all the wounds
10 were lethal. And, again, Dr. Butler said I can't tell you
11 which wound happened first, I can't tell you which person
12 inflicted which wound, that's just my ordering system. But
13 we have six lethal and nonlethal wounds, which taken
14 together, resulted in death. But they can't prove and don't
15 know who fired what, and they don't know if the shots that
16 Jordin fired would have been lethal or if LaMontre would be
17 dead. We might be here on an attempted murder charge
18 instead of a murder charge if Charles Breland had not
19 decided, for whatever reason he decided, to shoot
20 LaMontre Green when he was already down on the floor and no
21 longer a threat.

22 Now, we have eight shots fired, four from each gun, six
23 wounds. So two of the eight shots were -- and this is
24 complicated, and I'm sorry. I'll trust that you'll be able
25 to stick with me. So two shots did not connect. Now, what

1 is more likely: Jordin is shooting and moving from a seated
2 position towards the exit, continuing to fire, shoots four
3 rounds. Which is not -- again, the officer testified to
4 you. These guns are operated. Every time a bullet is
5 fired, the bullet goes out the front, the slide retracts,
6 the spent shell is ejected, a new bullet comes up through
7 the magazine into the chamber, it's put into battery and you
8 can fire again. Instant: bam, bam, bam. That's all it
9 takes.

10 So what's more likely? She starts from a seated
11 position, is moving and firing. Fires four shots very
12 quickly and heads out the door. Charles Breland, when he's
13 already down pulls out a gun, bam, bam, bam. Who is more
14 likely to have missed their shots? Ms. Legette seems fired
15 up about like it's nefarious to claim the 45, which is the
16 gun that she had. You know, one of the reasons that we can
17 independently verify what Jordin saying about that? Jordin
18 is right there. You see her sitting and firing her first
19 shots seated. Charles Breland is in here, starts firing
20 when he's already down. This gun, and most guns, if you
21 don't know, the round, when fired, ejects to the right. The
22 port is on the right side of the gun. You'd find the
23 45-caliber shell casing over here where it would fly if it
24 was being ejected this way. 357 casings, down that way.
25 And, I mean, there's a 45 casing down there as well. But

1 they do get a 45 casing from over this side where you would
2 expect it to go if you were firing from a seated position of
3 the table. So Dr. Butler said that all of the wounds killed
4 LaMontre. But what if Jordin fired her four and hit two and
5 that would've been it? What if LaMontre had been struck
6 twice and four more hadn't been dumped in? They haven't
7 proven that Jordin's shots killed LaMontre. What if there
8 had only been two shots? The State is asking you not to
9 care about that or even ask that question. And they're
10 hoping you will guess at what the answer to that question is
11 and you'll guess in a way that's favorable to them and not
12 Jordin.

13 In order to prove the killing, they must prove that the
14 killing was unlawful, which means it wasn't allowed by law,
15 which means that she was not acting in self-defense either
16 defending herself or defending someone else, who also had
17 the right to act in self-defense. And as you heard, there
18 are elements to that just as there are to crimes. But the
19 first course is that they are without fault in bringing on
20 the difficulty. And they were without fault in bringing on
21 the difficulty, her and Chico and everybody else. Because
22 nobody else in that Waffle House had any clue
23 that LaMontre Green was getting ready to come in there.
24 Even his girlfriend and her sister had no clue he was coming
25 in there. They were gonna go meet him somewhere else later,

1 but he rolled in and started it. They were without fault in
2 bringing on the difficulty. They were somewhere they had a
3 right to be. They were just trying to get some food that
4 night. They had been having a fun night. They were just
5 trying to get some food.

6 To believe you're in imminent danger, I submit, it is
7 always reasonable to believe you're in imminent danger if
8 someone is rolling in with this thing, grabbing it, and
9 hollering and saying they were gonna shoot you, or even just
10 being threatening and grabbing it without saying they're
11 gonna shoot you. You have the right to act on appearances.
12 You don't have any duty at all to turn your back on somebody
13 that has a gun that you think my shoot you. It's always
14 reasonable to fear someone making threats and reaching for a
15 gun.

16 Also, they're trying to say, well, you know, in
17 addition to making it reasonable to believe something might
18 be going down, let's look back on what you can see on the
19 video with Sakasia. What's she trying to do? Sakasia has
20 come in there and going, "Kya, come on. Let's get out of
21 here." Why do we need to get out here? Because LaMontre is
22 about to go crazy and we don't want to be around, just like
23 Willie. Come on, he's gonna start something. We don't want
24 to be around for whatever LaMontre does happens. Even they
25 recognize that he's starting something -- and dangerous.

1 Again, Jordin wasn't really in fear. They weren't in fear.
2 It's unreasonable to be in fear. Which is, again, somewhat
3 ridiculous.

4 The court reporter has threatened me with life and limb
5 if I get all these out of order. But State's exhibits 151,
6 152, and, you know, back and forth on those from either
7 side, are, again, the photos from the Waffle House. You
8 know, you don't have to believe Jordin. You can believe
9 De'ja Lingard. She looks pretty scared. She is not happy
10 about what's happening and what LaMontre is doing right
11 there. She is in fear of something about to go down. If
12 you're looking at these in the jury room, you want a better
13 view, a better picture, we can pick them up on the screen.
14 Just send a note out to the judge to look at a particular
15 picture or whatever. We can do it that way. And, of
16 course, you have them here. And I just put those numbers
17 down. But there's -- you know, there's the frames leading
18 up to it, frames leading back that kinda show her -- and it
19 kinda comes up again when he starts to engage with Chico.
20 But he came in hot and she was not having it.

21 Now, the State wants you to believe that Jordin
22 couldn't have seen that gun and so wouldn't have any reason
23 to be in fear. You've seen the gun. Where was Jordin
24 sitting and where was he standing? She was sitting right in
25 front of him at his waist. He is 5-foot-9 inches tall. I'm

1 5-11 for reference. Now, again, I think we can all assume
2 the gun was down in his pants. But this thing, even if you
3 got a jacket on, it's not just gonna be unnoticeable. You
4 know, it's not a 380, 22 pistol. That's a good size gun.
5 Which, by the way, same caliber, 40 caliber, we heard as the
6 officer testified. They think they can get the job done
7 with a magazine that actually fits in the hand. But
8 LaMontre Green came loaded prepared.

9 Tyreece Green also told you he saw the magazine
10 sticking out of his pants. The State says, oh, but the gun
11 was down his pants. Jordin couldn't have seen it. LaMontre
12 couldn't have been drawing it. It was down his pants.
13 Yeah. Yeah, it was down his pants. That's where it ended
14 up after he turned, moved, fell down on the ground. His
15 body is manipulated by bystanders and law enforcement
16 and -- well, law enforcement because EMS wasn't there when
17 the gun was removed from his body. Once all that is
18 happening and his hand is off of it, then the weight can
19 take it down into his pants. And, also, if you're handling
20 this, want to feel it, remember this thing had a bunch of
21 bullets in it too, which makes it even heavier. And we're
22 not gonna send the bullets back with this when y'all are
23 looking at it. But remember, this was even heavier when
24 LaMontre had it than it is when you're looking at it.

25 So when it was retrieved after the manipulation and

1 movement, it was down his pants. But nobody carries a gun
2 down in their pants where they can't get it out. The State
3 goes back and forth between turning away and now they're
4 kind of saying, oh, he was trying to leave; he was gone; his
5 back was turning. You know, I don't agree that his back was
6 turned. I think he was probably facing Chico's or his side
7 was to Jordin when it started. He ends up on the ground and
8 he gets shot in the back by Charles. But you watch the
9 video, you make your own decision. I don't think it
10 matters, frankly. But they want to say, oh, he
11 shouldn't have been in fear. He was turned around. He
12 wasn't facing her. But someone could turn their back around
13 just as fast once they get their gun out of their pants.
14 And if he's saying I'm gonna shoot you and he's reaching for
15 his gun, it doesn't matter which way he's facing you. You
16 don't have to wait for them to get the drop on you. There's
17 no other way to avoid the danger, the duty to retreat.
18 Yeah, LaMontre is between her and the door. It's happening
19 fast. There's no time to call the police. They just know
20 their exit to that room she's in. The only other way out of
21 the Waffle House is to go back all the way around the other
22 side, behind the counter, through a room, and out of a back
23 door, which she wouldn't know. There was no line of retreat
24 that didn't go right past the ongoing altercation. And
25 Jordin was defending herself and her cousin, intentionally.

1 And then, you know, providentially, everybody else in that
2 room was someone that could potentially spray who knows how
3 many bullets in a fit of anger in a very short period of
4 time.

5 LaMontre appeared, was in the act of or at least
6 appeared to be preparing, to pull his pistol out and assault
7 either Chico or Jordin. And she has the right to act on
8 those appearances. A person defending themselves has the
9 right to act on appearances. They have the right. They do
10 not have to let their assailant get the drop on them. You
11 know, Ms. Legette said, oh, she loved westerns. You don't
12 shoot anybody in the back. I like westerns too. One of my
13 favorite westerns is El Dorado with John Wayne and a very
14 young James Caan. It's a great movie. One of the recurring
15 themes is that the bad guys leave the restaurant ahead of
16 the good guys. And John was like hold on, don't go out yet.
17 And they're laying in wait outside the door to shoot the
18 good guys as they're coming out. I also like other kinds of
19 movies. I like Star Wars. You don't have to let Greedo
20 shoot first.

21 Now, she talked about malice aforethought and malice.
22 Here's another one where I think it's easy to get confused
23 or easy to be misled, however you wish to say it. But what
24 malice is not is a prior dislike or prior problem with
25 somebody. You can defend yourself and other people against

1 someone that you don't like or that you've had problems
2 with. Let's think about how silly it would be to say, "I'm
3 in fear of being attacked. This guy is gonna pull a gun on
4 me. I know you, though, and I don't like you, so I can't
5 defend myself." Because they might think we have malice.
6 If that were the case, the right to self-defense would only
7 apply to strangers. That can't be true. What malice is, is
8 intense bad feelings or hatred plus the premeditation or
9 prior planning, the intention, "Oh, I hate you so much I
10 want to kill you." And the reason that you kill is because
11 you wanted them dead, not because you're protecting
12 yourself. That's what malice aforethought is. There's
13 planning involved. The legal words there are premeditation
14 or aforethought, which kind of the old King James language.
15 It's a desire to kill someone coupled with planning and
16 preparation to do. And that's, obviously, not present here
17 because how can you prepare to shoot and plan to shoot
18 somebody nobody is expecting to see? And if this hatred or
19 malice was present in Jordin's heart or it was some prior
20 beef or dislike, things been going on for years, is the
21 Waffle House the place she's gonna choose to do her
22 premeditated murder? Is that gonna be the venue to exercise
23 a vendetta? No. There's no prior malice or malice
24 aforethought. There's no malice at all. She did not
25 wish -- she's not happy to have done what she had to do.

1 And those are the elements -- see, I got to talking and
2 quit writing. So unlawful killing. Malice aforethought.
3 You don't have to prove any of those things. You have to do
4 their work for them in order to get to any of those results.
5 And that's the analysis you'll go through. The jury foreman
6 will say, "We find the defendant, Jordin Glover, guilty of
7 murder, not guilty of murder." If you put not guilty of
8 murder, then they'll be a second question, "Guilty or not
9 guilty of secondary manslaughter." But not guilty of murder
10 then that would be . . .

11 So the one question on the jury form, you got murder
12 and you go through that. Then there's one for voluntary
13 manslaughter. I'm not gonna spend a lot of time on that.
14 Again, self-defense is a defense to both murder and to
15 manslaughter. All that kind of analysis that we just went
16 through about it being an unlawful killing, and
17 self-defense would apply to manslaughter. I'm not gonna
18 spend a lot of time -- and really, again, there are legal
19 definitions. But really what manslaughter is, is murder
20 without the malice aforethought. So kind of in the classic
21 phrasing is in the heat of passion or a sudden
22 uncontrollable fit, right. The classic example of voluntary
23 manslaughter is you walk in on your significant other
24 somebody in bed with somebody and you shoot them. Just saw
25 red and bam, okay. And to kinda differentiate that, that

1 would be like you walk in and seem them, bam; or somebody
2 tells you, oh, I had an affair with so-and-so, and then you
3 stew about it for a couple weeks then you bake them some
4 casseroles with rat poison in it and deliver it. That would
5 be murder. It's premeditated. It had prior malice in it.
6 It wasn't in the heat of passion. That's just a very simple
7 way of thinking about it. But, again, self-defense applies
8 to both of those crimes.

9 I said in the beginning that all Jordin wants is to be
10 treated fairly. But it's not fair to try and assign the
11 actions and motives of Charles Breland to her. Charles'
12 legal situation is different in this case. LaMontre Green
13 was already on the ground. He was no longer a threat when
14 Charles started shooting him. Charles might be guilty of
15 murder or voluntary manslaughter, but that's not your
16 responsibility to decide. Another jury will do that another
17 day, as Ms. Legette said. It is your responsibility to
18 realize that they are legally distinct from each other, and
19 the acts of Charles should not and do not have any bearing
20 on how the evidence relates to Jordin. You've heard zero
21 testimony from anyone that they acted or colluded or
22 conspired or had any communication at all that day. They
23 didn't arrive together at the Waffle House. You can see
24 from the video the speed that things happened. There's no
25 time for them to form a plan or a collusion or agree on

1 attacking LaMontre. How can they make a plan to conspire or
2 collude when they don't even know he's going to be there?
3 The State needs you to be unfair in this way in order to
4 escape their burden of proof that Jordin committed the crime
5 and is the one that killed LaMontre using of the doctrine of
6 accomplice liability.

7 They can get you to consider them together. They can
8 argue that one of them did it and they're acting together,
9 so that's enough. Or that their actions together did it and
10 we can't really differentiate, but it ended up the same
11 because they can both be treated as one entity, and they
12 can't and you shouldn't. Again, they acted differently
13 afterwards. Jordin turned herself in the very next day.
14 She had to go and find and arrest Charles Breland. You know
15 what else isn't fair? It's not fair to treat Jordin and
16 LaMontre differently. The State wants you to assume the
17 best of LaMontre. He wasn't really gonna pull that gun out.
18 He was trying to leave. He wasn't gonna shoot anybody. He
19 was just venting. Everything would've been fine. But then
20 they want you to assume the worst of Jordin. Oh, she took
21 this opportunity to exercise an old grudge and show who is
22 boss. Poor LaMontre, not unsuspecting, not at all dangerous
23 LaMontre. No. Let's apply the same standard. If we're
24 gonna give LaMontre the benefit of the doubt, let's do the
25 same to Jordin. In fact, you have a legal obligation to

1 give Jordin the benefit of the doubt.

2 Based on what she's seeing and hearing, she felt she
3 was in imminent danger, that LaMontre was an immediate
4 danger to herself and others. And as she told you, she was
5 just trying to make it home. It also isn't fair to treat
6 Jordin differently than the State treats itself. Do you
7 have any doubt in your mind for one minute if that guy had
8 been sitting in that back booth was an off-duty police
9 officer and shot LaMontre Green that this would've been
10 anything more than an article in the paper the next day?
11 Certainly wouldn't be here. You heard training. They're
12 trained specifically as to the threat with a knife or a gun,
13 that is when you pull and use your firearm. LaMontre was
14 much closer to Jordin than Chico in that restaurant than the
15 distance a police officer will claim is being able to be
16 feeling threatened in. I don't even think that whole
17 restaurant from the booth to the wall is 21-feet wide.

18 Policeman was gonna see him walk in the door with a gun
19 clutching it, and probably would have been justified in
20 pulling it and firing it. They're also told, hey, you have
21 to pull that gun out and fire it and defend yourself. Keep
22 shooting until the threat is neutralized. You're gonna go,
23 one, has my mental motivation stopped between the first shot
24 and the second shot? Do I now have malice in my heart as I
25 fire -- boom, boom, boom? No. You feel a threat and you

1 shoot until the threat is no longer there. And you can
2 analyze your feelings later. At least you're allowed to do
3 that. It's good. What do we hear about in the last few
4 years? Every time there's some police shooting, all you
5 really had was a cell phone or it was BB gun or he didn't
6 have anything in his pocket really. You can't criticize the
7 police about that. It's a split-second decision. They have
8 dangerous jobs. It's a very stressful situation. They saw
9 something in their hand, it is perfectly okay for them to
10 act on those appearances. Nothing to see here. Let's
11 move -- then again, I'm not trying to diss the police. The
12 police shoot a lot of people that need to be shot. I'm just
13 saying be fair. Use the same standard. What's good for the
14 police should be good for civilians. And in this case, it
15 should be good for Jordin. Fair is fair.

16 Finally, it is fair to to -- thirty-four seconds,
17 that's how long from the time LaMontre walked into the
18 Waffle House the second time and approached the table and
19 started yelling to the time he was down on the floor in
20 front of that front door. Thirty-four seconds. Again, this
21 is others trying to slight hand you. What did she tell you
22 in closing? Hey, look at those pictures, look at those
23 still images, you can see him. Well, you know what, Jordin
24 wasn't seeing a still image. Jordin didn't have two days to
25 look at a picture and see how far was the foot turned this

1 way. Look, look, he's leaving. Click, click, click.

2 Well, if you're getting four shots per second, that's a
3 second and a half that he's leaving. And Jordin is supposed
4 to clock all of that from where she's seated and with what
5 sight line she has. You need to evaluate this in
6 34 seconds, not frame by frame by frame, because that's not
7 how it happened. Now, if you want to start a little
8 earlier, maybe a minute and a half, two minutes. But, of
9 course, he came in and started something and walked out. He
10 could've kept walking, but didn't. Came in and started
11 arguing with everyone. Thirty-four seconds later he was
12 dead. The State has the luxury of hindsight. We have spent
13 hours going through every frame in this event, frame by
14 frame. Jordin didn't have hours. She was confronted with an
15 angry, threatening man carrying a large firearm with a
16 magazine that can shoot a lot of times at her and Chico and
17 anybody else in that building. He was saying he was gonna
18 do it. According to her, we got no reason to believe
19 anything he said unless you want to say Sakasia and Kya,
20 they didn't hear it. But they didn't hear a lot of things.
21 Jordin was in the moment. She had not made the decision she
22 did, that might've been the end, and hindsight wouldn't
23 matter to her at all. Jordin was just trying to make it
24 home.

25 Review the evidence fairly and return a verdict of not

1 guilty. Thank you.

2 SOL. LEGETTE: Good afternoon. It's been a long day.
3 I've been accused of being a preacher. I'm not gonna
4 apologize for who I am, ladies and gentlemen. This is not
5 about me. This is not about me. It's not about Mr. Walker.
6 It's about you and what you believe the facts are. It's
7 about Jordin Glover and what she did. LaMontre Green is
8 dead because of what Jordin Glover did. LaMontre Green is
9 not dead because of his own actions. Because LaMontre
10 Green, as I've told you before, was walking away. And I
11 stand by that. I stand on that. And I continue to stand on
12 that because he was walking away. And if Jordin Glover had
13 kept that gun, the 45, in her pocket then Mr. Green would
14 not be dead.

15 Now, Mr. Walker talked about David and Goliath. Well,
16 let me tell you about what David also said. David told
17 somebody I can be even more undignified than this. I can
18 preach, but I won't. He played "what if" a little while
19 ago. Mr. Walker played what if. What if Jordan's bullet
20 did something? I'm not real sure what he said. But I know
21 this, there were two 357 Sigs found in his body. She saying
22 that wasn't her gun. Okay. All right. So we're playing
23 what if now. What if -- remember the shot the pathologist
24 told y'all about that cut cross -- that went through his arm
25 and cut across here that was the most damaging, that

1 Mr. Walker asked him, "Well, you found a bullet there,
2 didn't you?" No, I didn't find no bullet there. What if
3 that was her bullet? What if that was her bullet? We're
4 playing what if now. Oh, ladies and gentlemen, this ain't
5 no what if. We have a dead man. LaMontre Green, he's dead.
6 It's not what if.

7 Now, I'm gonna be brief. Clearly biased? No. I'm not
8 clearly biased. Mr. Walker is biased by his side. The
9 State is. Well, we've got the facts. We've got the facts.
10 We have a burden, and our burden is beyond a reasonable
11 doubt. A burden we gladly accept. We've already gone
12 through all this. It's an unlawful killing of another
13 person with malice aforethought. And Jordin had malice in
14 her heart. She's used a deadly weapon to get there.

15 Now, De'ja Lingard, I'm not sure about De'ja Lingard.
16 She wasn't here to talk. And I don't recall seeing her and
17 how much fear she had in these photographs, but she wasn't
18 here to talk about it. Mr. Walker talked about these
19 photographs and how much evidence it is. Yes, yes, it's all
20 on this video, uh-huh. But you know what, this video is
21 hard to see, so we broke it down for you to be able to see
22 it, making your job just a little easier. I'm not asking
23 you to do my job. You've got your job, I have my job, he
24 has his job, and the judge has his job. But I'll tell you
25 this right here, that thing about, well, we didn't print

1 them all out, well, you know what, ladies and gentlemen,
2 y'all can watch the video. And he could have printed them
3 out. The same way he told me I could have -- I could have
4 brought Chico. I wish Chico would've come. Same way I
5 could have brought Chico, he could have printed those out.
6 No. It's only a little bit more.

7 Like I said, this ain't about me. Not about me.
8 Pictures of a dead body, ladies and gentlemen, all the
9 evidence in this case is incendiary. It's all damaging.
10 This gun he left up here for y'all to look at. Gonna put
11 this gun back. And everybody can see it. All this stuff is
12 incendiary. It's all damaging. Yes, indeed it is. But
13 here's the thing: Evidence is what the evidence is. And
14 the evidence in this case is that Jordin Glover murdered
15 LaMontre Green. He's dead. He is not coming back. She did
16 it as a murder. If you don't believe it was a murder, then
17 it was a voluntary manslaughter. But I can tell you what
18 wasn't, it was not self-defense. It is not reasonable. She
19 brought on the difficulty from a man who was walking away.
20 That's what this comes down to, ladies and gentlemen. The
21 rubber hits the road and a man who is walking away. A man
22 walking away.

23 One final thing, there was another western. There's
24 another western. Now, some of y'all are probably too young.
25 It was a man named Jesse James and he had his back turned.

1 And it was the outlaw, Jesse James, was killed by the
2 coward Robert Ford. And he shot Jesse James in the back and
3 he killed Jesse James. LaMontre Green was walking away and
4 was shot in the back by Jordin Glover. Charles Breland will
5 have his day in court. That will be for another time and
6 another place. Here today in this courthouse, in this
7 courtroom, on this day, April 23rd, Jordin Glover is guilty
8 of murder, and we ask you to find her such. Thank you.

9 THE COURT: Thank you very much. Why don't we let
10 y'all have about a ten-minute break before we move to the
11 next section of this, which will be the charge. So, again,
12 don't discuss anything about the case. We'll see you back
13 in ten minutes or so.

14 (The jury exits the courtroom at 12:08 p.m.)

15 THE COURT: Anything for the record before we take a
16 quick break?

17 SOL. LEGETTE: Not from the State.

18 MR. WALKER: No, Your Honor.

19 THE COURT: All right.

20 (Brief recess at 12:09 p.m.)

21 THE COURT: Anything for the record before we bring
22 them back in?

23 SOL. LEGETTE: Not for the State.

24 MR. WALKER: No, your Honor.

25 THE COURT: All right. If we can get the jury back in

1 then, please.

2 (The jury enters the courtroom at 12:22 p.m.)

3 THE COURT: It's pretty cruel to show someone their
4 lunch and then take them away from lunch at lunchtime. So
5 we'll try to get through this as quickly as possible and get
6 you back in there. It is important. I'm gonna do some more
7 reading, though. It's kind of boring, but please pay
8 attention. This is the jury charge. This is the assembled
9 law of South Carolina associated with this case. So I'm
10 gonna not only read it, but I'll send it back with you in
11 case you wanted to reference any of my comments. But I
12 would ask for you to please give me your full attention, and
13 I'll try to get through this as clearly and quickly as I
14 can.

15 JURY CHARGE

16 Ladies and gentlemen, it is now my duty as the trial
17 judge under the constitution of this state to charge and
18 instruct you on the law applicable to this case. It is your
19 duty as jurors to accept and apply the law as I will now
20 state it to you. Furthermore, it is your exclusive duty to
21 decide all the issues of fact in this case, and to determine
22 the effect, value, and weight of the evidence. Both the
23 State and the defendant have a right to expect that you will
24 carefully consider and evaluate the evidence and apply the
25 law of this case to it. So in the end, both the State of

1 South Carolina and the defendant will receive a fair and
2 impartial trial. I want you to understand that when I use
3 the word defendant, I refer to Ms. Jordin Glover.
4 Furthermore, it is important to understand that the State of
5 South Carolina charges the defendant with the offense known
6 as murder.

7 To this charge, the defendant has entered a plea of not
8 guilty. The plea of not guilty places the burden of proof
9 on the State to prove the guilt of the defendant to you, the
10 jury, beyond a reasonable doubt. I'll remind you the fact
11 that the defendant was arrested, charged, and indicted in
12 this case is not evidence in this case and cannot be
13 considered by you as evidence of guilt in this case. Nor
14 does it create any presumption or inference of guilt. The
15 indictment is simply the formal written instrument which
16 contains the charge made against the defendant. It is the
17 formal document by which the case is brought into this
18 court.

19 During the trial, you and I have had separate duties to
20 perform. As the trial judge, it is my responsibility to
21 preside over the trial. I also have the duty to rule on the
22 admissibility of evidence offered during the process of the
23 trial. In that regard, you are to consider only the
24 competent evidence before you, and you are to disregard from
25 your mind any testimony ordered stricken from the record of

1 this case during the progress of the trial, if there was
2 any. You are to consider only the testimony which has been
3 presented from this witness stand, together with any
4 exhibits admitted into the record of this case, and any
5 stipulations of counsel made into the record, if there were
6 any.

7 Furthermore, I have the additional duty to charge you
8 on the applicable law of this case. And in that regard, I
9 am the sole judge of the law in this case. It is your duty
10 to accept and apply the law as I state it to you. If you
11 have any preconceived ideas as to what the law is, or what
12 the law ought to be, and it does not agree with what I tell
13 you the law is, you are obligated under your oath to abandon
14 these preconceptions because you are sworn to accept the law
15 precisely as I state it to you.

16 Ladies and gentlemen, in this trial you are the sole
17 and exclusive judge of the facts, and I am the judge of the
18 law. Do not infer that I have any opinion about the facts
19 in this case from anything I have said during the course of
20 this trial in ruling upon the admissibility of evidence or
21 otherwise, or from anything that I say during the course of
22 this charge to you. In this regard, the law simply does not
23 permit me to have an opinion about the facts. As jurors, it
24 is your duty alone to determine the effect, value, and
25 weight of the evidence presented during the course of this

1 trial.

2 It is vital to understand that the defendant is
3 presumed under the law to be innocent of these charges. The
4 defendant has no obligation to prove her innocence. It is a
5 fundamental rule of our law that a defendant, irrespective
6 of the seriousness of the charges against her, is always
7 presumed innocent of the crime for which she is charged,
8 unless and until her guilt has been proven by evidence that
9 satisfies you, the jury, beyond a reasonable doubt. The
10 presumption of innocence is not a mere legal theory or a
11 legal phrase. The presumption of innocence is very
12 important, and you need to understand that this presumption
13 accompanies the defendant from the time of her arrest and
14 appearance in this court and continues with the defendant
15 even after you retire to the jury room to deliberate. In
16 other words, the defendant receives the benefit of the
17 presumption of innocence until the very end of this trial,
18 when you, the jury, will deliberate upon the evidence and
19 decide whether the State has proven her guilt beyond a
20 reasonable doubt.

21 What is a reasonable doubt in the law? A reasonable
22 doubt is the kind of doubt that would cause a reasonable
23 person to hesitate to act. Proof beyond a reasonable doubt
24 is proof that leaves you firmly convinced of the defendant's
25 guilt. There are very few things in this world that we know

1 with absolute certainty. So even in criminal cases, the law
2 does not require proof that overcomes every possible doubt.
3 However, if, based on your consideration of the evidence,
4 you are firmly convinced that the defendant is guilty of the
5 crimes charged, you must find her guilty. If, on the other
6 hand, you think there is a real possibility that she is not
7 guilty, you must give her the benefit of the doubt and find
8 her not guilty. Please understand that reasonable doubt may
9 arise from evidence which has been presented in the case or
10 from the lack of evidence in the case. It is your
11 responsibility to determine whether or not reasonable doubt
12 exists as to the guilt of this defendant.

13 I charge you that the defendant is entitled to every
14 reasonable doubt arising in the whole case. If, upon any
15 issues of fact essential to conviction and a verdict of
16 guilty, you have a reasonable doubt as to how that issue
17 should be resolved, it would be your duty to resolve that
18 reasonable doubt in favor of the defendant. Thus, in
19 summary, it is important to understand the defendant is not
20 required to prove her innocence. Instead, the State is
21 required by law to prove every essential element of the
22 offense charged against the defendant by evidence which
23 satisfies you of her guilt beyond a reasonable doubt. Only
24 then can you convict the defendant and find her guilty.

25 There are two types of evidence which are generally

1 presented during a trial, direct evidence and circumstantial
2 evidence. Direct evidence directly proves the existence of a
3 fact and does not require deduction. Circumstantial
4 evidence is proof of a chain of facts and circumstances
5 indicating the existence of a fact. It is evidence which
6 immediately establishes collateral facts from which the main
7 fact may be inferred. Circumstantial evidence is based on
8 inference and not on personal knowledge or observation.
9 Crimes may be proven by circumstantial evidence. The law
10 makes no distinction between the weight or value to be given
11 to either direct or circumstantial evidence. however, to
12 the extent the State relies on circumstantial evidence, all
13 of the circumstances must be consistent with each other, and
14 when taken together, point conclusively to the guilt of the
15 accused beyond a reasonable doubt. If the circumstances
16 merely portray the defendant's behavior as suspicious, the
17 proof has failed. The State has the burden of proving the
18 defendant guilty beyond a reasonable doubt. This burden
19 rests with the state regardless of whether the state relies
20 on direct evidence, circumstantial evidence, or some
21 combination of the two.

22 In determining what the facts in this case are, you
23 must judge the credibility, which simply means the
24 believability, of the witnesses and the value or weight to
25 be given to their testimony. You alone must decide the

1 force and effect of the testimony. In making this decision
2 there are many things you may, and should, take into
3 consideration, such as: the appearance and manner of the
4 witness on the stand, a characteristic often referred to as
5 the demeanor of the witness; was the witness forthright or
6 hesitant; was the witness' testimony consistent or did it
7 contain discrepancies; what was the ability of the witness
8 to know the facts about which he or she testified; did the
9 witness have a cause or reason to be biased and prejudiced
10 in favor of the testimony he or she gave; was the testimony
11 of the witness corroborated or made stronger by other
12 testimony and evidence, or was it made weaker or impeached
13 by such other testimony and evidence.

14 As jurors, please understand, you have the right to
15 believe a small portion of a witness' testimony and discard
16 the larger portion or vice versa. You may believe all of a
17 witness' testimony or none. You may believe the testimony
18 of a single witness against that of many witnesses or the
19 other way around. In exercising your mental processes and
20 attempting to decide the verdict, the law simply requires
21 that you exercise your good judgment, your common sense,
22 your sense of logic and reason, and your experiences in
23 life. You then apply these attributes to the evidence and
24 apply the law as I state it to you and, thus, arrive at a
25 verdict.

1 The rules of evidence ordinarily do not permit
2 witnesses to testify as to opinions or conclusions. An
3 exception to this rule exists for witnesses we call expert
4 witnesses. A witness who by education and experience, has
5 become expert in some art, science, profession, or calling
6 may state an opinion as to relevant and material matter in
7 which the witness claims to be an expert, and may also state
8 the reasons for the opinion. You should consider any expert
9 opinion received in evidence in this case and, like any
10 other evidence, give it the weight you think it deserves.
11 If you decide the opinion of an expert witness is not based
12 on sufficient education and experience, or if you conclude
13 the reasons given in support of the opinion are not sound,
14 or that the opinion is outweighed by other evidence, you may
15 disregard the opinion entirely. An expert witness'
16 testimony is to be given no greater weight than that of
17 other witnesses simply because the witness is an expert.
18 Further, you are not required to accept an expert's opinion,
19 even though it is not contradicted.

20 Mere presence at the scene is not sufficient to prove
21 someone guilty of a crime. A defendant's presence where a
22 crime is being committed or mere association with a person
23 who commits a crime does not make a defendant an accomplice
24 or an aider or abettor of the person committing the crime.
25 The burden is on the State to prove every element of the

1 crime charged. If you find, after reviewing all the
2 evidence, that the State has proved that the defendant was
3 only present at the scene of a crime, and that they have not
4 proved beyond a reasonable doubt any other participation in
5 the crime, then you must find the defendant not guilty. The
6 law is that proof of at the scene of the crime is not
7 sufficient to find someone guilty.

8 There has been evidence presented that witnesses have
9 made prior statements which are not consistent with the
10 witnesses' present testimony. You may use this evidence to
11 decide whether to believe the witness. You may also use
12 evidence of the earlier contradictory statements to
13 determine the truth of those statements. It is up to you to
14 decide whether to believe the earlier statements or the
15 testimony given at trial. If a witness is shown to have
16 knowingly testified untruthfully concerning any material
17 matter, you may consider this in determining whether to
18 trust the witness' testimony as to other matters. You may
19 reject all testimony of that witness or give all or part of
20 the testimony the weight you think it deserves.

21 The defendant is charged with murder. The State must
22 prove beyond a reasonable doubt that the defendant killed
23 another person with malice aforethought. Malice is hatred,
24 ill-will, or hostility towards another person. It is the
25 intentional doing of a wrongful act without cause or excuse

1 and with an intent to inflict an injury. It is an evil
2 intent. Malice is wrongful intent to injure another person.
3 It indicates a wicked or depraved spirit intent on doing
4 wrong. Malice is a legal term implying wickedness and
5 excluding a just cause or excuse. The term malice indicates
6 a formed purpose and design to do a wrongful act under the
7 circumstances that exclude any legal right to do it.
8 Malice aforethought does not require that malice exists for
9 any particular time before the act is committed, but malice
10 must exist in the mind of the defendant just before and at
11 the time the act is committed. Therefore, there must be a
12 combination of the previous evil intent and the act.

13 Malice aforethought may be express or inferred. These
14 terms express and inferred do not mean different kinds of
15 malice but merely the manner in which the malice may be
16 shown to exist either by direct evidence or by
17 circumstantial evidence from the facts and circumstances
18 which are proved. Express malice is shown when a person
19 speaks words which express hatred or ill will for another or
20 when the person prepared beforehand to do the act which was
21 later accomplished. For example, lying in wait for a person
22 or any other acts of preparation going to show that the deed
23 was within the defendant's mind would be express malice.
24 Malice may be inferred from conduct showing a total
25 disregard for human life.

1 If you find that the State has failed to prove beyond a
2 reasonable doubt that the defendant committed murder, you
3 may consider whether the State has proven beyond a
4 reasonable doubt that the defendant committed voluntary
5 manslaughter. To prove voluntary manslaughter, the State
6 must prove beyond a reasonable doubt that the defendant took
7 the life of another in a sudden heat of passion based on
8 sufficient legal provocation. Both heat of passion and
9 sufficient legal provocation must be present at the time of
10 the killing to constitute voluntary manslaughter. Sudden
11 heat of passion may, for a time, affect a person's
12 self-control and temporarily disturb a person's reason. The
13 sudden heat of passion must be the type that would make an
14 ordinary person unable to coolly reflect on her actions and
15 would produce an uncontrollable impulse to do violence.

16 Sufficient legal provocation must be the type that
17 would make a person of ordinary reason and caution become
18 enraged and to lose control temporarily. The provocation
19 needed for voluntary manslaughter must come from some act
20 of, or related to, the victim. Words alone, however vulgar
21 or insulting, are not enough to be legal provocation. Where
22 death is caused by the use of a deadly weapon, the words
23 must be accompanied by some overt, threatening act which
24 could have produced the heat of passion. The exercise of a
25 legal right, no matter how offensive it is to another, is

1 never sufficient legal provocation for voluntary
2 manslaughter. If the heat of passion had cooled, or if
3 there was enough time between the provocation, if any, and
4 the killing for the passion -- or the passion of a
5 reasonable person to cool, the killing would not be
6 voluntary manslaughter. In deciding whether a reasonable
7 person would have had enough time to cool off, you should
8 consider all the circumstances surrounding the killing. You
9 may consider the nature of the provocation, if any; the
10 defendant's mental and physical state; and the circumstances
11 and relationships between the parties.

12 If the crime is committed by two or more people who are
13 acting together in committing a crime, the act of one is the
14 act of all. A person who joins with another to commit an
15 unlawful act is criminally responsible for everything done
16 by the other person which happens as a probable or natural
17 consequence of the acts done in carrying out the common plan
18 and purpose. For example, two people can be guilty of
19 killing another person when only one of the two had a gun,
20 there was only one bullet, and only one of the two fired the
21 shot that caused the death. If two or more people are
22 together, acting together, assisting each other in
23 committing the offense, the act of one is the act of all or,
24 as it is sometimes said, "the hand of one is the hand of
25 all".

1 Prior knowledge that a crime is going to be committed,
2 without more, is not sufficient to make a person guilty of
3 that crime. Mere knowledge that another person is going to
4 commit a crime, even if the defendant is present when the
5 crime is committed, is not sufficient to convict the
6 defendant as a principal. Guilt as a principal is shown by
7 actual or constructive presence at the scene as a result of
8 prior arrangement. Therefore, a finding of a prior arranged
9 plan or common scheme is necessary for a finding of guilt as
10 a principal. The State must prove beyond a reasonable doubt
11 by competent evidence the theory of the hand of one is the
12 hand of all.

13 A principal in a crime is one who either actually
14 commits the crime or who is present aiding, abetting, or
15 assisting in committing the crime. When a person does not
16 an act in the presence of and with the assistance of
17 another, the act is done by both. I'm sorry, I misread
18 that. When a person does an act in the presence of and with
19 the assistance of another, the act is done by both. When
20 two or more, acting with a common plan or intent, are
21 present at the commission of a crime, it does not matter who
22 actually commits the crime. All are guilty. The hand of
23 one is the hand of all. Present at the commission of a
24 crime means to be sufficiently near to aid and abet and
25 assist in the commission of the crime. However, mere

1 presence at the scene of a crime is not sufficient to
2 convict one as a principal on the theory of aiding and
3 abetting.

4 Intent is also a necessary element where there must
5 have been a common design or intent to commit the crime and
6 the crime must have been committed pursuant thereto with the
7 person aiding and abetting by some overt act. Intent means
8 intending the result which actually occurs; not accidentally
9 or involuntary. Intent may be shown by acts and conduct of
10 the defendant and other circumstances from which you may
11 naturally and reasonably infer intent. The State must prove
12 these elements beyond a reasonable doubt.

13 In order to establish criminal liability, criminal
14 intent is required. For example, the mental state required
15 to be proven by the State for a particular crime might be
16 purpose, intent, knowledge, recklessness, or criminal
17 negligence. Criminal intent must be proven by the State
18 beyond a reasonable doubt. Criminal intent is always a
19 matter that must be determined by the jury from the
20 circumstances surrounding the situation. There is no way to
21 prove intent to a mathematical certainty. There is no way
22 medical science can dissect a person's brain and determine
23 what the person had in mind. So the law says that criminal
24 intent may be shown from the circumstances shown to have
25 existed. This is how you make a determination of whether or

1 not the element requiring intent was present. It is not
2 necessary to establish intent by direct and positive
3 evidence, but intent may be established in the same way as
4 any other fact by taking into consideration the acts of the
5 parties and all the facts and circumstances of the case.

6 Criminal intent is a mental state, a conscious
7 wrongdoing. It is up to you to determine what the defendant
8 intended to do based on the circumstances shown to have
9 existed. Criminal intent can arise from action or a failure
10 to act. It may arise from negligence, recklessness, or an
11 indifference to duty or to consequences that is considered
12 by the law to be the equivalent of criminal intent.

13 The defendant has raised the defense of self-defense.
14 Self-defense is a complete defense and, if it is
15 established, you must find the defendant not guilty. The
16 State has the burden of disproving self-defense by proof
17 beyond a reasonable doubt. If you have a reasonable doubt
18 of the defendant's guilt after considering all the evidence,
19 including the evidence of self-defense, then you must find
20 the defendant not guilty. On the other hand, if you have no
21 reasonable doubt of the defendant's guilt after considering
22 all the evidence, including the evidence of self-defense,
23 then you must find the defendant guilty.

24 The following elements are required to establish
25 self-defense. First, the defendant must be without fault in

1 bringing on the difficulty. If the defendant's conduct was
2 the type which was reasonably calculated to, and did provoke
3 a deadly assault, the defendant would be at fault in
4 bringing on the difficulty and would not be entitled to an
5 acquittal based on self-defense.

6 The second element of self-defense is that the
7 defendant was actually in imminent danger of death or
8 serious bodily injury or that the defendant actually
9 believed she was in imminent danger of death or serious
10 bodily injury. If the defendant was actually in imminent
11 danger, it must be shown that the circumstances would have
12 warranted a person of ordinary firmness and courage to
13 strike the fatal blow to prevent death or serious bodily
14 injury. If the defendant believed she was in imminent
15 danger of death or serious bodily injury, it must be shown
16 that a reasonably prudent person of ordinary firmness and
17 courage would have had the same belief. In deciding whether
18 the defendant actually was, or believed she was in imminent
19 danger of death or serious bodily injury, you should
20 consider all the facts and circumstances surrounding the
21 crime, including the physical condition and characteristics
22 of the defendant and the victim.

23 The defendant does not have to show that she was
24 actually in danger. It is enough if the defendant believed
25 she was in imminent danger and a reasonably prudent person

1 of ordinary firmness and courage would have had the same
2 belief. The defendant has the right to act on appearances
3 even though the defendant's beliefs may have been mistaken.
4 It is for you to decide whether the defendant's fear of
5 immediate danger of death or serious bodily injury was
6 reasonable and would have been felt by an ordinary person in
7 the same situation. Words accompanied by hostile acts may,
8 depending on the circumstances, establish self-defense.
9 Evidence of prior difficulties between the defendant and the
10 victim may be considered in deciding whether a threat
11 existed, whether the defendant had a reason to believe a
12 threat existed, and how serious that threat was. Prior
13 instances of violence by the victim may be considered in
14 deciding whether the defendant actually believed she was in
15 imminent danger of death or serious bodily injury or was
16 actually in imminent danger. Threats made by the victim may
17 be considered in determining whether the defendant actually
18 was, or believed she was, in imminent danger.

19 In a case where self-defense has been raised, you may
20 consider the victim's reputation for turbulence and violence
21 in the community as it bears on self-defense. In considering
22 the actions of the defendant, you are warranted in
23 considering the bad character and reputation for turbulence
24 and acts of violence of the victim. If the defendant knew
25 the victim was of such character and reputation, then she

1 would be warranted in construing his actions more harshly
2 and acting upon hostile appearances more readily than she
3 would have been entitled to do to a man of good character
4 and reputation. If the victim was a man of violent and
5 dangerous character, more prompt and decisive measures of
6 defense are justifiable than if she was of a peaceable
7 disposition. Further, you may consider the victim's temper
8 at the time of the fatal encounter.

9 The final element of self-defense is that the defendant
10 had no other probable way to avoid the danger of death or
11 serious bodily injury than to act as the defendant did in
12 this particular instance. The defendant had no duty to
13 retreat if, by doing so, the danger of being killed or
14 suffering serious bodily injury would increase. A person
15 cannot be required to make an exact calculation as to the
16 degree or amount of force which may be needed to avoid death
17 or serious bodily harm. Therefore, in self-defense, the
18 defendant has the right to use the force needed to avoid
19 death or serious bodily harm. The force used in
20 self-defense does not have to be limited to the degree or
21 amount of force used by the victim. The defendant has the
22 right to use so much force as appeared to be necessary for
23 complete self-protection, and which a person of ordinary
24 reason and firmness would have believed to be needed to
25 prevent death or serious bodily harm.

1 If the defendant is justified in defending herself or
2 others and in firing the first shot, then the defendant is
3 also justified in continuing to shoot until it is apparent
4 that the danger of death or serious bodily injury has
5 completely ended. Under the law of self-defense, the
6 defendant may take another's life in the defense of others.
7 The right to intervene to protect another person is subject
8 to the same rights and limitations as the right of
9 self-defense. The defendant may take the life of person who
10 assaults a friend, relative, or bystander if that friend,
11 relative, or bystander would have had the right of
12 self-defense. To show that the person being defended had
13 the right of self-defense, it must first be shown that the
14 person begin defended and the defendant were both without
15 fault in bringing on the difficulty. If the conduct of the
16 person defended or the defendant was the type which was
17 reasonably calculated to, and did provoke a deadly assault,
18 the person would be at fault in bringing on the difficulty
19 and would not have the right of self-defense. Therefore,
20 the defendant would not have the right to use deadly force
21 in defending that person.

22 The defense of another person is excusable if the
23 defendant had reasonable grounds to believe, and in good
24 faith did believe, that the person being defended was in
25 imminent danger of death or serious bodily harm from the

1 victim. In deciding whether the person defended actually
2 was, or that the defendant actually believed the person was
3 in imminent danger of death or serious bodily injury, you
4 should consider all the facts and circumstances surrounding
5 the crime, including the physical condition and
6 characteristics of the parties.

7 The defendant does not have to show that the person the
8 defendant defended was actually in danger. It is enough if
9 the defendant believed the person was in imminent danger.
10 The defendant has the right to act on appearances even
11 though the defendant's beliefs may have been mistaken. The
12 defendant must show that, under the circumstances as they
13 appeared to the defendant, the defendant believed the person
14 defended was in danger and that a reasonably prudent person
15 of ordinary firmness and courage would have had the same
16 belief under the same circumstances. It is for you, the
17 jury, to decide whether the defendant's fear of imminent
18 danger -- I'm sorry -- immediate danger of death or serious
19 bodily injury to the person defended was reasonable and
20 would have been felt by an ordinary person in the same
21 situation. The defendant does not have to wait until the
22 victim gets the drop on the person defended; the defendant
23 has the right to act under the law of self-preservation to
24 prevent the victim from getting the drop on the person
25 defended. Words accompanied by hostile acts may, depending

1 on the circumstances, establish self-defense.

2 Evidence of prior difficulties between the person
3 defended and the victim may be considered in deciding
4 whether a threat existed, whether the defendant had a reason
5 to believe a threat existed, and how serious that threat
6 was. The relative sizes, ages, and weights of the parties
7 may be considered in deciding the apparent or actual need
8 for force in self-defense and the amount of force needed.

9 In a case where self-defense has been raised, you may
10 consider the victim's reputation for turbulence and violence
11 in the community as it bears on self-defense. In considering
12 the actions of the defendant, you are warranted in
13 considering the bad character and reputation for turbulence
14 and acts of violence of the victim. If the defendant knew
15 the victim was of such character and reputation, then he
16 would be warranted -- then she would be warranted in
17 construing his actions more harshly and acting upon hostile
18 appearances more readily than she would be entitled to do to
19 a man of good character and reputation. If the victim was a
20 man of violent and dangerous character, more prompt and
21 decisive measures of defense are justifiable than if he was
22 of a peaceable disposition. Further, you may consider the
23 victim's temper at the time of the fatal encounter.

24 Prior instances of violence by the victim may be
25 considered in deciding whether the defendant actually

1 believed the person defended was in imminent danger of death
2 or serious bodily injury or was actually in imminent danger.
3 Threats made by the victim may be considered in determining
4 whether the defendant actually believed the person defended
5 was in imminent danger of death or serious bodily injury or
6 was actually in imminent danger.

7 In order to be entitled to defend another, the person
8 defended must have had no other probable way to avoid the
9 danger of death or serious bodily injury than to act as the
10 defendant did in this particular instance. Where the person
11 being defended had no duty to retreat, the defendant
12 likewise would have no duty to retreat.

13 Now, you have been chosen and sworn to give the
14 defendant a fair and impartial trial. When you have done
15 so, you will have complied with your oath. Passion,
16 prejudice, or improper sympathy for or against anyone should
17 not sway you. Remember, you have no friends to reward or
18 enemies to punish and all parties are entitled to a fair and
19 impartial trial. It is your duty as jurors to consult with
20 one another and to deliberate in an effort to reach an
21 agreement. Each of you must decide this case for yourself
22 but only after impartial consideration of all the evidence
23 with your fellow jurors.

24 In the course of your deliberations, do not hesitate to
25 re-examine your own views and change your opinion if you

1 become convinced it is erroneous. However, do not surrender
2 your honest conviction as to the weight or effect of the
3 evidence solely because of the opinion of your fellow jurors
4 or for the mere purpose of returning a verdict. As I stated
5 earlier, you are judges of the facts. Your verdict must
6 represent the considered judgment of each juror. In other
7 words, your verdict must be unanimous. .

8 You may have noticed that I have read these
9 instructions. I do so to give you the law as accurately as
10 possible. I will give you a copy of these instructions to
11 have in the jury room. You may refer to these instructions,
12 but you must refer to them as a whole. You may not follow
13 some instructions and ignore others.

14 Mr. Foreman, it will be your duty to preside over the
15 deliberations of the jury. If, during your deliberations,
16 you should desire to communicate with the Court, please
17 reduce your message or question to writing signed by you and
18 you alone, and pass the note to the bailiff who will bring
19 it to my attention. I will then respond as promptly as
20 possible, either in writing or by having you return to the
21 courtroom. I caution you, however, with regard to any
22 message or question you may send, that you should never
23 state or specify your numerical division at the time.

24 Now, you have heard the evidence and you have heard the
25 law. Whatever the verdicts is, Mr. Foreman, you will

1 indicate the verdict on the verdict form and date your
2 verdict. Remember that although the foreman is the only
3 juror who writes the verdict, it is not his alone. The
4 verdict has to be unanimous. Mr. Foreman, you are not
5 authorized to write the verdict until all of you have agreed
6 on the verdict.

7 Ladies and gentlemen, I will send you to your jury room
8 in a moment, but do not begin discussing the case until you
9 receive a copy of the jury charge and the exhibits. Once
10 you receive these things, that will be your signal to begin
11 the deliberations. Once you begin deliberations, you will
12 deliberate until you have reached a verdict, at which time
13 you will knock on the door, advise the bailiff, and we will
14 bring you out so that the Court can receive your verdict.

15 The verdict form that you will go back with will be
16 with the evidence. It's fairly simple. It has the case
17 name, the case number, the verdict form. It has a number
18 one, "As to the charge of murder, we find the defendant,"
19 the defendant's name, the choice is either guilty or not
20 guilty. If it is guilty, you would stop right there. If it
21 is not guilty, you would move to question two. Question two
22 is, "As to the charge of voluntary manslaughter, we find the
23 defendant," the defendant's name, either not guilty or
24 guilty. It would then be signed and the date placed on the
25 form.

1 So it's fairly self-explanatory. It will go back with
2 you along with a copy of this. So at this time, what I'll
3 do is ask you to go back and we'll take up any issues with
4 regard to my reading of this that may require you to come
5 back in. But if not, you will receive the exhibits and you
6 may, at that point, begin to deliberate.

7 Mr. Bailiff, could you separate, at this time, the
8 alternates from the rest of the jury and then take everybody
9 out. Thank you so much.

10 (The jury exits the courtroom at 12:55 p.m.)

11 THE COURT: All right. Anything from either party with
12 regard to the charge?

13 SOL. LEGETTE: Not from the State.

14 MR. WALKER: No, your Honor.

15 THE COURT: All right. Then let's ask the alternates
16 to grab themselves some lunch to go. And I guess they can
17 bring it back in here. I'm not sure what else to do.

18 (Brief pause.)

19 THE COURT: Any objection to releasing the alternates
20 at this time?

21 SOL. LEGETTE: No, Your Honor.

22 MR. WALKER: No, Your Honor.

23 (Brief pause.)

24 (Alternate jurors enter the courtroom at 1:01 p.m.)

25 THE COURT: Gentlemen, you've been incredibly patient

1 to sit through this as alternates. And I thank you, and I
2 guarantee you -- let this go by (sirens) -- that if you
3 hadn't been here, we would've lost someone to COVID or the
4 flu or something, or someone would've been late and the
5 whole jury would've fallen apart. So your presence
6 prevented that from happening, but it acted as a safety just
7 in case it did happen. So I really appreciate it. Your
8 service, of course, counts for -- what is
9 it? -- three years. So you won't have to do this again;
10 although, you certainly can if you would like, if it comes
11 up again.

12 I would ask you please do not discuss the case with
13 anyone until you hear what the verdict is. And I would
14 assume that would be today at some point. You're welcome,
15 of course, to stay if you would like. I would just ask you
16 to kind of sit back in the gallery somewhere. Or you're
17 absolutely free to go, whatever you would like. I
18 understand you've gotten some lunch, right, that you can
19 take with you if you would like. If you have any questions
20 about this trial, how it comes out or anything other than
21 that, certainly, you can call the clerk here or you can get
22 in touch with me at my office in Beaufort. Or if you have
23 some comments you want to give the lawyers, I'm sure they'd
24 be happy to hear from you. Any questions at all?

25 All right. Thank y'all so much.

1 (Alternate jurors released at 1:03 p.m.)

2 THE COURT: There are a couple of pronoun things -- he,
3 she -- that are wrong. But I read them correctly, I think.
4 But do y'all have any issues with any of that?

5 SOL. LEGETTE: No issues from the State, Your Honor.

6 THE COURT: Okay.

7 MR. WALKER: English as in life, the male embraces the
8 female.

9 THE COURT: Okay. So is that -- y'all are happy with
10 the pronoun either way?

11 MR. WALKER: He is close enough with everyone, we're
12 fine with this.

13 THE COURT: Got it. Okay. All right. Well, then I'm
14 going to hand down the verdict form and the corrected jury
15 charge. We have added the word "presence" on page 15.
16 Those will go to the jury.

17 Now, how is the lock coming? We now have what appears
18 to be a doubly secured firearm. And you doubled check and
19 made sure there's nothing in the magazine?

20 THE CLERK: Magazine clear. Chamber is clear.

21 (Brief pause.)

22 THE COURT: When you take down the evidence, would you
23 please tell them, it goes without saying, don't load the
24 gun.

25 THE CLERK: We are not sending the bullets.

1 THE COURT: We are not sending the bullets. Okay.
2 Unless they got one in their pocket, it shouldn't be a
3 problem.

4 (Brief pause to assemble exhibits.)

5 (Deliberations begin at 1:09 p.m.)

6 VERDICT

7 THE COURT: Ladies and gentlemen, I've been informed
8 that we have a verdict. I've just seen it written on a
9 piece of paper here. So this is your opportunity -- if you
10 do not believe that you can remain calm when the verdict is
11 read, this is your opportunity to leave the courtroom now.
12 By staying, you're telling me that you won't -- there won't
13 be any exclamations, there will be noise or disturbance or
14 anything like that once the verdict is read. If you feel
15 like there's gonna be any problem at all -- and, certainly,
16 it's often understandable in a case with high
17 emotions -- that it's important that you leave now. Because
18 if you do, you're gonna be in contempt of court and it could
19 be a problem for you. And I don't want that and you don't
20 want that. So if you're going to stay, make sure you feel
21 like you can keep your emotions in check. Is everyone --
22 anyone in the room want to leave? This, again, is your
23 opportunity.

24 All right. Let's bring in the jury, please.

25 (The jury enters the courtroom at 2:03 p.m.)

1 THE COURT: Mr. Foreman, I'm told you have a verdict.

2 FOREMAN: Yes, sir.

3 THE COURT: Please hand the verdict form to the
4 bailiff. Would you please publish the verdict?

5 THE CLERK: Yes, sir. In the case of State of
6 South Carolina versus Jordin Glover, as to the charge of
7 murder, we, the jury, find the defendant Jordin Glover,
8 guilty. Signed by the foreperson on today's date.

9 THE COURT: Thank you. Could you please poll the jury?

10 THE CLERK: Yes, sir. Juror number 88. Is this your
11 verdict?

12 JUROR: Yes, sir.

13 THE CLERK: Is it still your verdict?

14 JUROR: Yes, sir.

15 THE CLERK: Thank you. Juror number 106. Is this your
16 verdict?

17 JUROR: Yes.

18 THE CLERK: Is it still your verdict?

19 JUROR: Yes, sir.

20 THE CLERK: Juror number 171. Is this your verdict?

21 JUROR: Yes, sir.

22 THE CLERK: Is this still your verdict?

23 JUROR: Yes, sir.

24 THE CLERK: Juror number 56. Is this your verdict?

25 JUROR: Yes.

1 THE CLERK: Is this still your verdict?

2 JUROR: Yes.

3 THE CLERK: Thank you. Juror number 132. Is this your
4 verdict?

5 JUROR: Yes.

6 THE CLERK: Is this still your verdict?

7 JUROR: Yes.

8 THE CLERK: Thank you. Juror number 216. Is this your
9 verdict?

10 JUROR: Yes.

11 THE CLERK: Is it still your verdict?

12 JUROR: Yes, sir.

13 THE CLERK: Thank you. Juror number 27. Is this your
14 verdict?

15 JUROR: Yes.

16 THE CLERK: Is it still your verdict?

17 JUROR: Yes.

18 THE CLERK: Juror number 219. Is this your verdict?

19 JUROR: Yes.

20 THE CLERK: Is it still your verdict?

21 JUROR: Yes.

22 THE CLERK: Thank you. Juror number 183. Is this your
23 verdict?

24 JUROR: Yes.

25 THE CLERK: Is it still your verdict?

1 JUROR: Yes.

2 THE COURT: Thank you. Juror number 109. Is this your
3 verdict?

4 JUROR: Yes, sir.

5 THE CLERK: Is it still your verdict?

6 JUROR: Yes, sir.

7 THE CLERK: Thank you. Juror number 136. Is this your
8 verdict?

9 JUROR: Yes, sir.

10 THE CLERK: Is it still your verdict?

11 JUROR: Yes.

12 THE CLERK: Thank you. And juror number 14. Is this
13 your verdict?

14 JUROR: Yes, sir.

15 THE CLERK: Is it still your verdict?

16 JUROR: Yes, sir.

17 THE CLERK: Thank you. Jury has been polled, sir.

18 THE COURT: Thank you. Ladies and gentlemen, this has
19 been a difficult case. I appreciate your service. The
20 judicial system, I'm sure you know, could not work without
21 you, couldn't function without people willing to come in and
22 do their duty, their civic duty, as jurors. You've seen a
23 little bit about how it works today. I know this has been a
24 long and trying week, and I appreciate your attention to the
25 evidence and to the law and for your efforts today.

1 You are now released as jurors. You may come back in,
2 if you would like, as just members of the public for the
3 balance of this. But for now, you're welcome to go back to
4 the jury room and gather your things and you are released.
5 I understand maybe you need to check in with the clerk's
6 office.

7 THE CLERK: If you need a work excuse for anything,
8 check in downstairs at the General Sessions office and
9 they'll take care of you. But other than that . . .

10 THE COURT: Thank you all. If you have any questions
11 about this trial or about anything else, certainly you can
12 reach the clerk at the clerk's office, me at my office. Or
13 I'm sure, if you have any questions for the attorneys and
14 you want to get with them, they'd be happy, when they have a
15 chance, to get back with you about any questions that you
16 might have. Thank you all very much.

17 (The jury is released at 2:07 p.m.)

18 SOL. LEGETTE: Your Honor, we'll get the sentencing
19 sheets now.

20 THE COURT: Yes, ma'am.

21 SOL. LEGETTE: We'll get the sentencing sheets now.

22 (Brief pause.)

23 THE COURT: Mr. Walker, do you have any motions now or
24 you want to reserve an post-trial motions?

25 MR. WALKER: No motions at this time other than

1 renewing my previously directed verdict motion.

2 THE COURT: Thank you. Okay. I'm happy to hear from
3 counsel on sentencing.

4 SOL. LEGETTE: Your Honor, at this time, you heard from
5 me quite a bit. But I'd like for you to hear from the
6 mother of Mr. Green. Please come forward at this time.

7 MS. PINCKNEY: Ashlee Pinckney. I don't know what to
8 say. I'm sorry we had to go through this. I would rather
9 my child. I would rather her be free. But at the end of
10 the day, she made that choice. So at the end the day, she
11 got to be held accountable for what she did. That's my
12 personal belief. And I'm pretty sure he didn't want that.
13 Just like she wanted to make it back home -- and she said
14 that on the stand, she would do anything necessary to get
15 back home -- I'm pretty sure he wanted to make it back home
16 too.

17 But, you know, we went through this whole, this whole,
18 situation. I stand on God. I trust in God. I just don't
19 know. Because if you have that much hate in your heart to
20 take my child, my child from me, you got to be held
21 accountable for what you did. Because at the end of the
22 day, I trust God. I ain't got no hate in my heart. But
23 I -- and God forgave her. And today, I still going to
24 forgive her. And I'm asking the judge if it's okay, if she
25 is okay, can I just give her a hug? Can I just give her a

1 hug? That's all.

2 Because at the end of the day, I trust God. And he did
3 just what I asked. I didn't want no kind of revenge. I
4 asked God the day I buried my child -- everybody say how can
5 you get up there and praise God like that? I had to. I
6 gave it to him. From the first day, I gave it to God.
7 Through everything I see, the laughing, the Facebook posts,
8 everything. But when you have no remorse in your heart for
9 what you did, you have to pay for what you did. And at the
10 end of the day, today is judgment day, and I got my victory
11 because God is my father. I trusted him and I believe in
12 him just like -- what did he do? He trusted God. He had
13 faith in God. Just like -- he lost everything. What did he
14 do? He trusted God. He believed in God.

15 So, at the end of the day, I'm standing in this
16 courthouse today, and I trusted God and I believed God, and
17 I got what I want. Justice is served. That's all I wanted.
18 That's all I wanted. But I don't want to go home tomorrow.
19 I have no problem with her family. I don't have a problem
20 with nobody. I never did. I never did. But at the end of
21 the day, I got what I wanted. But if she's not willing, if
22 I can't give her a hug, I still want her to know just trust
23 God. Get to know God. Get to know God. Get the hate out
24 of your heart. Because you can't make it like that. That's
25 all I have to say.

1 THE COURT: Thank you.

2 MS. BYRAMS: Kya Byrams. I'm speaking on behalf of my
3 daughter -- my daughter, LaMontre's daughter. And I'm just
4 here to say that she was only three months old when it
5 happened. So she'll never get to see her father again. She
6 don't know his voice unless we show her -- unless we show
7 her on video. The only way she can see him is when she
8 visits his grave. And she still doesn't know what's going
9 on because she's only two years old. He never got to see
10 her her first steps. He never got to see her first words.
11 He'll never be able to go to a father-daughter dance. He'll
12 never be able to take her and walk her down the aisle on her
13 marriage day. He'll never get to do anything for her again.
14 And she'll never get to experience that father-daughter
15 love.

16 And I just want Jordin to know that I'll never forgive
17 her. I know Ashlee said she can forgive her, but I never
18 can. Because she was my friend. She was supposed to be my
19 friend. She knew that I had a daughter by him. And I would
20 never ask her to do anything like that to him. And that's
21 all I have to say.

22 THE COURT: Thank you.

23 SOL. LEGETTE: Thank you, Your Honor. Your Honor, as
24 you know -- you may not know -- Ms. Glover has no prior
25 record. And given the charges, murder carries 30 to life.

1 We're willing to pretty much accept 30, Your Honor.
2 However, I was informed by my victim advocate that the
3 family has asked me to ask you to give her life. We'll
4 leave it in the Court's sound discretion. You know the
5 facts of the case, so we'll leave it in the sound
6 discretion.

7 THE COURT: Thank you very much. Mr. Walker, happy to
8 hear from you, sir.

9 MR. WALKER: Thank you, Your Honor. First, confess
10 myself to be shocked by the results of the case. It's not
11 one that I expected, ever expected, but it's where we are.
12 Your Honor you sat through the trial. You saw the evidence.
13 Jordin was sitting in the Waffle House with her friends
14 joining her. And this gentleman came in. Now, for the
15 second time, he came in. Thirty-four seconds elapsed, which
16 ended in his death. And the jury has called that a murder.
17 But none of the initia of your common murder are present in
18 this case, trials you've presided over before and have seen.
19 Jordin had no idea he was even going to be there. He was
20 only there two minutes before he was dead. And she tried to
21 avoid the difficulty. She went out and he went in. He went
22 out, she came back in.

23 And now Your Honor has no choice but to give her at
24 least 30 years in prison. She spent some time in jail after
25 she turned herself in. She used that time to better

1 herself. She took a lot of courses. I have some
2 certificates from those if you'd like for me to hand them
3 up. She also took some school. She's one test away from
4 achieving her GED. She's been working at Arby's. She's
5 from a socioeconomically disadvantaged family. I've
6 represented family members of hers. You know, her life is
7 not my life, Your Honor's life. Her house has been shot up
8 twice since this incident. She has every reasonable
9 expectation and need to perhaps have a gun on her for
10 self-defense. She was 19 at the time of this incident,
11 currently 21 years of age. We'd ask Your Honor to impose
12 the 30-year sentence. Thank you.

13 THE COURT: Thank you. Did anyone want to speak?

14 MR. WALKER: She does has some family here. I don't
15 know if they wish to address the Court. This is her mother.

16 MS. GLOVER: I'm Jordin's grandmother.

17 MR. WALKER: Grandmother. Please say your name.

18 MS. GLOVER: My name is Karen Glover. I'm Jordin's
19 grandmother. I believe in God. I do. And I believe -- and
20 I always wanted the -- and we wish we could turn this
21 around. I wish it could something else. Because, you know,
22 I love people. I love everybody. So this the -- of what
23 happened. I know that. I just want y'all to take care of
24 my granddaughter.

25 THE COURT: Thank you. Madam Solicitor, can you

1 confirm it's an A-class felony. And essentially whatever
2 she is sentenced to, she'll do more or less day for day?

3 SOL. LEGETTE: That's correct, Your Honor.

4 THE COURT: This isn't one of the sentences people hear
5 about where someone is sentenced and then they end up doing
6 half of it or something like that.

7 SOL. LEGETTE: Yes, sir.

8 THE COURT: That's the law in South Carolina in this
9 particular case.

10 SOL. LEGETTE: Yes, sir, Your Honor.

11 THE COURT: Thank you. I've listened to the evidence.
12 And, I mean, what a tragic situation that everyone felt a
13 need to have a gun there that night. I mean, there's so
14 many guns in society now and people carrying them to
15 Waffle House at night. You know, I don't know what we as a
16 society do about that. And the defendant felt compelled to
17 carry one from age 16. That in itself is a tragedy. I
18 mean, that's a horrible thing that we all need to work on as
19 a society, I think. But we end up with situations like
20 this. I believe it was a fair trial. The jury came back
21 more quickly than I would've anticipated. But they were
22 polled and unanimously agreed that this was in fact murder,
23 not voluntary manslaughter or not an acquittal. So I'm left
24 with, as both of you have pointed out, a minimum of
25 30 years, a maximum of life.

1 I lean heavily in the sentence on her age at the time
2 this happened. She was 19 years old. So if she receives
3 30 years, by the time she gets out, she will have spent more
4 than half of her life -- a good bit more than half her
5 life -- in prison. That's the minimum. But it's a
6 significant number for a 19-year-old. If you can imagine
7 that much more time than what you've actually lived, what
8 you've actually experienced, that's a long time.

9 Ms. Glover, it sounds like you've been trying to do
10 some things since this happened. You've tried to get your
11 GED or you're working on your GED, you're working on some
12 things. I hope that you continue your studies and take
13 advantage of every course, opportunity, everything you can
14 learn where they send you. I think you will come out with
15 certainly a good bit of life left, and maybe you'll be able
16 to do something positive with what you've learned in there.

17 SENTENCE OF THE COURT

18 I think this is -- based on the day-for-day issue that
19 we were discussing a moment ago, based on the fact that it
20 won't be any sooner than 30 years, I find that a 30-sentence
21 is appropriate here. And that will be the sentence of the
22 Court. It will be confinement to the South Carolina
23 Department of Corrections for a period of 30 years. And I
24 wish you all the luck. I'm sorry this tragedy ever
25 happened. Good luck to you, Ms. Glover.

1 I would ask that the defendant's family file out first,
2 if you would, and then wait a few moments and then the
3 victim's family afterwards. If we can do that, I'd
4 appreciate it.

5 THE COURT: Anything from the parties?

6 SOL. LEGETTE: Not from the State, Your Honor.

7 (Brief pause.)

8 THE COURT: What was the time served number?

9 MR. WALKER: I don't have the number, Your Honor. It
10 was a year, I think. Does that sound right? A year, year
11 and a half.

12 SOL. LEGETTE: I don't know.

13 MR. WALKER: Just check the box for credit.

14 THE COURT: Yeah. We'll just put -- they'll figure it
15 out.

16 MR. WALKER: I guess I should probably ask. She's been
17 on an ankle monitor since she was bonded out. I'd ask the
18 Court grant her credit for the time on house arrest with the
19 ankle monitor.

20 SOL. LEGETTE: And I would object. I had to revoke her
21 bond because she wouldn't meet in front of Your Honor.

22 THE COURT: Yeah. She, obviously, does get credit
23 for -- statutorily -- for the time served. So give her
24 that.

25 MR. WALKER: Just make sure I was asking.

1 THE COURT: And you're gonna reserve motions? Any
2 post-trial motions you want to reserve?

3 MR. WALKER: No, Your Honor. We'll just file the
4 appeal paperwork.

5 THE COURT: Okay. Thanks. Anything else from anyone?

6 SOL. LEGETTE: Not from the State, Your Honor.

7 - - - - -

8 (Trial proceedings concluded on Thursday, April 24,
9 2025, at 2:24 p.m.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

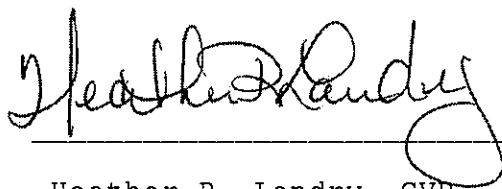
25

1 STATE OF SOUTH CAROLINA)
2 COUNTY OF COLLETON) CERTIFICATE OF REPORTER
3

4 I, HEATHER R. LANDRY, Official Court Reporter for the
5 Judicial Department of the State of South Carolina, do
6 hereby certify that the foregoing is a true, accurate and
7 complete Transcript of Record of the proceedings had in the
8 trial of the captioned case, in the Court of
9 General Sessions for Colleton County, South Carolina, on the
10 21st through the 24th day(s) of April 2025.

11 I do further certify that I am neither of kin, counsel,
12 nor interest to any party hereto.

13
14 August 4, 2025

15
16 
17
18 Heather R. Landry, CVR
19 Official Court Reporter
20
21
22
23
24
25

STATE OF SOUTH CAROLINA

COUNTY OF COLLETON

)
)
)

INDICTMENT

2023GS1500112

At a Court of General Sessions, convened on August 17, 2023, the Grand Jurors of Colleton County present upon their oath:

Murder

That in Colleton County, South Carolina, on or about February 18, 2023, the Defendant, Jordin Quoleaha Glover, did, with malice aforethought, kill Lamontre Green, and Lamontre Green did die as a proximate result of Jordin Quoleaha Glover's actions, to wit: the Defendant did shoot the victim with a firearm, all in violation of Section 16-3-10, 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.

Solicitor

470

WITNESSES

Walterboro Police Department

Henn Howard

[Signature]

ARREST WARRANT NUMBER

2023A1520300050

Arrest Date: February 20, 2023

ACTION OF GRAND JURY

True Bill

Megyn Long
Foreperson of Grand Jury

Date: *8/17/23*

VERDICT

Guilty

[Signature] *Amari Grosskopf*
Foreperson of Petit Jury

Date: *4/24/25*
INDICT

APR 24 2025 PM3:54
COLLETON CO GS, GARY HALE

AUG 17 2023 PM12:25
COLLETON CO GS, REBECCA HILL

DOCKET NO. 2023GS1500112

The State of South Carolina

County of Colleton

COURT OF GENERAL SESSIONS

August Term 2023

THE STATE

vs.

Jordin Quoleaha Glover

Indictment For

Murder

SC Code: 16-3-10

CDR Code: 0116

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.

County of Colleton

State

VS.

Jordin Quoleaha Glover

AKA: SS#: XXX-XX-XXXX

RACE: Black SEX: Female

DOB: 11/2003

) INDICTMENT/CASE#: 23GS1500112

) AW#: 2023A1520300050

) Date of Offense: 02/18/2023

) S.C. Code §: 16-3-10

) CDR Code #: 0116

) Range of Offense: 30 years - Life

In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADS
TO: Murder Range of Offense Pled: 30 years - Life

In violation of § 16-3-10 of the S.C. Code of Laws, bearing CDR Code # 0116

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☒ § 17-25-45
(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.

The plea is: ☐ w/o Rec/Negotiations ☐ Negotiated ☐ Recommendation

Solicitor Tameaka Legette

SC Bar # 70550

Attorney for Defendant Matthew Lee Walker

SC Bar # 75235

The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Program

for a determinate term of 30 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: ____

☒ 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, Proviso 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

Clerk of Court/Deputy Clerk

Court Reporter

Judge Code

Sentence Date

Presiding Judge

Fine/Costs and Assessments are to be paid to the
Clerk of Court within ____ days/months

\$	
\$100	\$ 100.00
\$100	\$
\$12	\$
\$25	\$
\$25	\$ 25.00
\$150	\$
\$41	\$
\$50	\$
\$40/ea	\$
TBD	\$ 3.75
\$500	\$
TBD	\$
TOTAL	\$ 128.75

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."

RECEIVED

Jul 24 2026

SC Court of Appeals

Respectfully Submitted,



W. Chandler Norville
Appellate Defender

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

ATTORNEY FOR APPELLANT

This 24th day of July, 2026.