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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

Honorable Walton J. McLeod, IV, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ALLON TRIANTE ADAMS,

APPELLANT

APPELLATE CASE NO. 2025-002363

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**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:
STATE’S EXHIBITS NOS. 152-158 (CDs), STATE’S EXHIBIT NO. 168 (MISSING
PERSON INFORMATION), STATE’S EXHIBIT NO. 169 (CD), AND STATE’S
EXHIBIT NO. 170 (PHOTOGRAPH).**

STATE OF SOUTH CAROLINA	) COURT OF GENERAL SESSIONS
COUNTY OF LEXINGTON	) 2025-GS-32-04727; 04729;
	) 04730; 04732
	)
	)
STATE OF SOUTH CAROLINA	)
	) PLAINTIFF)
vs.	) TRANSCRIPT OF RECORD
	)
ALLON T. ADAMS	)
	) DEFENDANT)

November 17, 2025
Lexington, South Carolina

B E F O R E:

THE HONORABLE WALTON J. MCLEOD, IV, Judge; and a
jury.

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

RICK HUBBARD, ESQ.
SUZANNE MAYES, ESQ.
Attorneys for The State

STEPHEN STORY, ESQ.
JAMIE HOLIDAY, ESQ.
Attorneys for The Defendant

APRIL HERRON
Official Court Reporter

1 There were no witnesses.

2

3

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6

7

COURT EXHIBITS

8 NO DESCRIPTION ID EV

9 1 CD 46

10 2 CD 69

11 3 Note from the jury 97

12 4 Photograph 97

13 5 Photograph 97

14 6 Autopsy diagram 97

15

16 All exhibits were retained by the

17

18

19

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1 November 17, 2025

2 JURY QUALIFICATION

3 THE COURT: All right, ladies and gentlemen,
4 we're going to select the jury for the first trial.

5 The State ready to proceed?

6 MR. HUBBARD: Yes, Your Honor.

7 THE COURT: You may call the case.

8 MR. HUBBARD: Thank you, Your Honor.

9 The State calls for trial, Indictment
10 2025-GS-32-4729, The State vs. Allon Adams, an
11 indictment for murder. Indictment 2025-GS-32-4730,
12 The State vs. Allon Adams, indictment for armed
13 robbery. 2025-GS-32-4732, The State vs. Allon Adams,
14 an indictment for criminal conspiracy. And
15 2025-GS-32-4727, The State vs. Allon Adams,
16 indictment for possession of a weapon during the
17 commission of a violent crime.

18 Your Honor, all of these have been true billed,
19 The State's ready for trial.

20 THE COURT: Thank you.

21 All right, ladies and gentlemen, The State has
22 called this case for trial. The indictments
23 provide -- and, Your Honor, I've got a witness list,
24 I apologize. You'll need that, too.

25 MR. STORY: You have mine, Your Honor?

1 THE COURT: Yes, sir.

2 Indictment provides in -- The State vs. Allon
3 Adams is an indictment for murder, provides that --
4 alleges that on or between December 29th and
5 December 30th, 2023, The Defendant, Allon Triante
6 Adams, did willfully, unlawfully and with malice
7 aforethought, acting along or in concert with
8 another, kill one Tony Etheredge, Jr, who died as a
9 result of a gunshot wound, in violation of South
10 Carolina law. Also, indictment for armed robbery
11 provides that between December 29th and
12 December 30th, 2023, The Defendant, Allon Adams,
13 acted along or in concert with another, unlawfully
14 committed the offense of robbery on Tony Etheredge,
15 while armed with a firearm, in violation of South
16 Carolina law. Alleges that Mr. Adams did present a
17 firearm and rob Mr. Etheredge of his vehicle, a 2014
18 Toyota Tacoma, in violation of South Carolina law.

19 As to the indictment for criminal conspiracy,
20 The State alleges that between December 29th and
21 December 30th, 2023, The Defendant, Mr. Allon Adams,
22 did willfully and unlawfully combine, conspire,
23 [indiscernible] agree or have a understanding with a
24 coconspirator, Cady Elise Keener, for the purpose of
25 accomplishing the unlawful object or unlawful object

1 by unlawful means. Commission of criminal offense
2 against Mr. Etheredge, including but not limited to
3 robbery and/or murder, of Mr. Etheredge in violation
4 of South Carolina law.

5 And finally, The State alleges on the charge of
6 possession of a weapon during the commission of a
7 violent crime, that between December 29th and 30th of
8 2023, Mr. Adams did willfully -- excuse me. Did
9 whether acting along or in concert with another,
10 possess a firearm when lawfully visibly displayed
11 what appeared to be a firearm during the aforesaid
12 commission of a violent crime in violation of South
13 Carolina law.

14 Now, the indictments charge The Defendant with
15 murder, armed robbery, criminal conspiracy and
16 possession of a weapon during a violent crime. I
17 remind you that the fact that The Defendant was
18 arrested, charged and indicted in this case is not
19 evidence in this case and cannot be considered by you
20 as evidence of guilt in this case. Nor, does it
21 create any presumption or inference of guilt. These
22 documents are simply the formal written instruments
23 which contain the charges made against The Defendant.
24 It is the formal document by which these cases are
25 brought into this courtroom.

1 Now, The Defendant has pled not guilty to these
2 indictments and that plea puts the burden on The
3 State to the prove The Defendant guilty. A person
4 charged with committing a criminal offense in South
5 Carolina is never required to prove himself innocent.
6 No matter what the seriousness of the charge may be,
7 The Defendant will always be presumed to be innocent
8 of the crimes for which the indictment was issued,
9 unless guilt has been proven by evidence satisfying
10 you of that guilt beyond a reasonable doubt.

11 All right, ladies and gentlemen of the jury,
12 I've got several questions I need to go over with
13 you. But before I do that, I'd like to allow the
14 attorneys and their legal team to stand up and
15 introduce themselves to you, at this time.

16 Mr. Hubbard.

17 MR. HUBBARD: Thank you, Your Honor.

18 My name is Rick Hubbard, I'm the solicitor for
19 this circuit, which includes Lexington, Edgefield,
20 McCormick and Saluda counties. With me prosecuting
21 this case is Suzanne Mayes. We also have with us,
22 she's the deputy solicitor, she's been prosecuting
23 for 30 plus years. Also with us we have Lauren
24 Biggerstaff, our paralegal. We have Justin Ashley,
25 our investigator. And they're, perhaps, somewhere

1 around here, our victims advocate. Then John Reed,
2 investigator from the sheriff's department is with us
3 as well.

4 MR. STORY: May it please The court.

5 Good morning, my name is Stephen Story. It is
6 my honor and privilege to represent Mr. Allon Adams.

7 If you don't mind standing up.

8 With me is my cocounsel, Jamie Holiday.

9 Our paralegal, Abbey Marsh.

10 Our investigator, Spencer -- Michael Spencer
11 Watson.

12 And not with me right now but is soon to be
13 cocounsel, Gonzalo A. Giler, who will be an attorney
14 very soon. Thank you.

15 THE COURT: All right, ladies and gentlemen,
16 I've got a list of questions that we're going to go
17 through. They'll be questions pertaining to various
18 matters involving this case. There's no wrong
19 answers here. If there's a question that applies to
20 you, simply stand up, tell me your juror number, and
21 then we'll discuss further. If there's something
22 that you need to speak with me privately about,
23 that's okay too, I can arrange that.

24 So my first question, Is anyone on this jury
25 panel related by blood or marriage or has a close,

1 personal or business relationship with either The
2 Defendant, Mr. Allon Triante Adams, who just stood
3 up. Or the victim in this case, the alleged victim,
4 which would be Tony Etheredge, Jr.? If so, please
5 stand.

6 MS. MAYES: Your Honor, may we approach?

7 THE COURT: Sure.

8 (WHEREUPON, an off-the-record bench conference
9 was held in the presence of the jury venire but
10 out of the hearing of the jury venire.)

11 THE COURT: All right, anyone on that first
12 question I asked?

13 (There was no response.)

14 All right. The following is a list of possible
15 witnesses in this case. So I'm going to read
16 you this list and if you hear a name that you
17 know or you think you may know, you need to let
18 me know at the end of the question, okay. So
19 this is a possible list of witnesses in this
20 case.

21 Detective John Reed of the Lexington County
22 Sheriff's Department; Sergeant Brandon Miller of the
23 sheriff's department; Lieutenant Marlo McCann of the
24 sheriff's department; Captain Jesse Laintz of the
25 sheriff's department; Detective Pablo Carvajal of the

1 sheriff's department; Detective Scott Zylstra of the
2 sheriff's department; Deputy Harold Wolske of the
3 sheriff's department; Detective Matt Kyzer of the
4 sheriff's department; Detective James Westbury of the
5 sheriff's department; Detective Bryan Senn of the
6 sheriff's department; Detective Brannon Marthers of
7 the sheriff's department; Detective John Donnelly of
8 the sheriff's department; Detective Thom Smith of the
9 sheriff's department; Detective Hannah Joslin of the
10 sheriff's department; Sandy Black of the sheriff's
11 department; Margaret Holliman of the sheriff's
12 department; Candy Kyzer of the sheriff's department;
13 Deputy Bryan Sharpe of the sheriff's department;
14 Brandon Kinder of the sheriff's department; Brian
15 Zwolak of the sheriff's department; Klaudia Varadi of
16 the sheriff's department; Hampton Taylor of the
17 sheriff's department; Deandre Hugue of the Irmo
18 Police Department; Schylus Wells of the Irmo Police
19 Department; Andrea Grimstead of the Irmo police;
20 Kelly Mountzouros of the Irmo police; Sean Kilcoyne
21 of the Richland County Sheriff's Department;
22 Catherine Leisy of the South Carolina Law Enforcement
23 Division; Rachel Nguyen of the South Carolina Law
24 Enforcement Division; Candace Ava S. [REDACTED] of Lexington;
25 Cady Keener of Lexington; Keyosha Chandler of Mr. B's

1 Exxon of Lexington; Katie Kirk of Carolina Wings of
2 Lexington; Tony Etheredge, Sr. of Lexington; Pam
3 Etheredge of Lexington; Maki Grey of Columbia --

4 (WHEREUPON, a cellphone was ringing.)

5 THE COURT: If everyone would please ensure
6 their cellphone is put in the off position.

7 PROSPECTIVE JUROR: Your Honor, I apologize. I
8 put it on do not disturb, I did not realize the call
9 could come through.

10 THE COURT: Thank you, it will be all right,
11 let's keep on moving.

12 All right. Kesa McMillin of Columbia; Joseph
13 Campbell, custodia of records for Lexington County
14 Communications; Sandra Addison of Lexington; Randy
15 Hall of Lexington; Angelina Phillips of the Medical
16 University of South Carolina; Ashley Lyes of the
17 South Carolina Law Enforcement Division; custodians
18 of records for Facebook and T-Mobile; Sergeant Paula
19 Hare of the Lexington County Detention Center records
20 custodian; Crystal Jenkins Merritt of the Lexington
21 County Detention Center; Allon Adams, Michael Watson;
22 Chris Watkins of Certified Computer Forensics;
23 Detective John Reed of the sheriff's department;
24 Justin Ashley, 11th Circuit Solicitor's Office.

25 Now, has anyone ever been related by blood or

1 marriage or have a close personal, social or business
2 relationship with any of the people I've just listed
3 who can be potential witnesses in this case? If so,
4 please stand.

5 Okay. All right, let's see. Let's start with
6 you. What is your juror number?

7 PROSPECTIVE JUROR: Twelve.

8 THE COURT: Twelve?

9 PROSPECTIVE JUROR: Twelve.

10 THE COURT: Okay. And who do you know on that
11 list?

12 PROSPECTIVE JUROR: Candy Kyzer.

13 THE COURT: Ms. Kyzer. The fact that you know
14 Ms. Kyzer, would that affect your ability to be a
15 fair and impartial juror?

16 PROSPECTIVE JUROR: No, sir.

17 THE COURT: And how do you know Ms. Kyzer?

18 PROSPECTIVE JUROR: She is a parent.

19 THE COURT: Okay. Would that affect your
20 ability to be fair and impartial?

21 PROSPECTIVE JUROR: No, sir.

22 THE COURT: All right, thank you.

23 Your number, sir?

24 PROSPECTIVE JUROR: Twenty-three.

25 THE COURT: Twenty-three. And who do you know

1 on the list?

2 PROSPECTIVE JUROR: Several of the deputies.

3 I'm a retired fireman for 27 years.

4 THE COURT: You're a retired fireman of 27
5 years?

6 PROSPECTIVE JUROR: Yes, sir, Lexington County.

7 THE COURT: The fact that you know some of those
8 witnesses who was disclosed on this list in your time
9 as a fireman, would that affect your ability to be a
10 be fair and impartial juror in this case?

11 PROSPECTIVE JUROR: No.

12 THE COURT: Very well, have a seat.

13 Yes, sir, juror number?

14 PROSPECTIVE JUROR: 152.

15 THE COURT: And who did you know on the list?

16 PROSPECTIVE JUROR: Chris Watkins with Certified
17 Computer Forensics. He's a client. Although, it's
18 been a few years but we did a lot of business
19 together.

20 THE COURT: Okay, the fact that you know
21 Mr. Watkins from a previous business, would that
22 affect your ability to be a fair and impartial juror
23 here in this case?

24 PROSPECTIVE JUROR: No, sir.

25 THE COURT: Very well, have a seat.

1 Yes, ma'am, your number?

2 PROSPECTIVE JUROR: 154.

3 THE COURT: 150?

4 PROSPECTIVE JUROR: Four.

5 THE COURT: 154. And who did know on the list?

6 PROSPECTIVE JUROR: Can you repeat? A Brandon
7 Marthers.

8 THE COURT: Marthers? That would be Brandon
9 Marthers. You might know him?

10 PROSPECTIVE JUROR: Yeah, I think it's my
11 sister's husband nephew so he [indiscernible] but. .
12 .

13 THE COURT: Well, the fact that you might know
14 him, would that affect your ability to be a fair and
15 impartial juror?

16 PROSPECTIVE JUROR: No.

17 THE COURT: Okay.

18 Anyone else?

19 PROSPECTIVE JUROR: Juror 156, Your Honor. I
20 worked at the Lexington Solicitor's Office for
21 several years so I know a number of the sheriff's
22 deputies that were listed on the witness list.

23 THE COURT: Thank you, you may be seated.

24 Anyone else?

25 (There was no response.)

1 All right. Is there any member of this jury
2 panel or immediate family member ever been
3 investigated for, charged with an offense involving a
4 violent crime such as murder, aggravated assault,
5 robbery or any similar type offense? If so, please
6 stand.

7 Your juror number please?

8 PROSPECTIVE JUROR: Forty-one.

9 THE COURT: And who do you?

10 PROSPECTIVE JUROR: My brother.

11 THE COURT: Your brother?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: Was he investigated or charged?

14 PROSPECTIVE JUROR: He was actually charged.

15 THE COURT: Okay. And tell me -- you're 41?

16 PROSPECTIVE JUROR: Forty-one.

17 MS. MAYES: Your Honor, for these questions may
18 we approach?

19 THE COURT: Privately? Sure.

20 I tell you what, 41 --

21 And what's your number?

22 PROSPECTIVE JUROR: Thirty-one.

23 THE COURT: Thirty-one and 256.

24 Anyone else responsive to that question? You're
25 welcome to come speak with me.

1 THE BAILIFF: Juror No. 41, Your Honor.

2 THE COURT: All right, come on up. We're going
3 to need a little more information. Tell me your
4 name.

5 PROSPECTIVE JUROR: My name is Ashley Ceacal.

6 THE COURT: You have a family member?

7 PROSPECTIVE JUROR: Family, brother.

8 THE COURT: Who is he?

9 PROSPECTIVE JUROR: Michael Wolf.

10 THE COURT: That's his name?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: Where was he charged?

13 PROSPECTIVE JUROR: Lexington County.

14 THE COURT: Do you know when that was?

15 PROSPECTIVE JUROR: That was like almost 15
16 years ago.

17 THE COURT: What was the charge?

18 PROSPECTIVE JUROR: It was a bunch. It was --
19 it was pretty much the during a violent crime,
20 kidnapping. It was a couple of other charges.

21 THE COURT: Was he convicted of those?

22 PROSPECTIVE JUROR: Yes, he spent thirteen years
23 in prison.

24 THE COURT: Okay. Any other response to that
25 question?

1 PROSPECTIVE JUROR: Not to that question.

2 THE COURT: The fact that your brother was
3 convicted, would that affect your ability to be fair
4 and impartial?

5 PROSPECTIVE JUROR: I'm not going to lie,
6 probably, yeah.

7 THE COURT: All right.

8 PROSPECTIVE JUROR: Because I have other family
9 members, not nothing to do with this kind of crime
10 but yeah.

11 THE COURT: Okay. Why don't you go ahead and
12 have a seat.

13 THE BAILIFF: 256, Your Honor.

14 THE COURT: Yes, sir.

15 PROSPECTIVE JUROR: My brother was convicted of
16 manslaughter.

17 THE COURT: Here?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: What's your brother's name?

20 PROSPECTIVE JUROR: Tim Sturkie. Timothy O'Neal
21 Sturkie.

22 THE COURT: He's your brother?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: That was fairly recently, wasn't it?

25 PROSPECTIVE JUROR: No, he's been out for a

1 while. I mean, that was in high school when he was
2 serving his time. I was younger when he was charged
3 with the offense.

4 THE COURT: He is still in prison?

5 PROSPECTIVE JUROR: No, no.

6 THE COURT: All right. That fact that your
7 brother was convicted of manslaughter here in
8 Lexington County, would that affect your ability to
9 be fair and impartial?

10 PROSPECTIVE JUROR: No.

11 THE COURT: All right, you can have a seat.

12 THE BAILIFF: Thirty-one, Your Honor.

13 THE COURT: Yes, ma'am.

14 PROSPECTIVE JUROR: I had a bad brother. He
15 almost killed my daughter but he didn't. He did come
16 to court. It was drugs and alcohol, there was no
17 excuse, but he went to jail but. . .

18 THE COURT: When was this?

19 PROSPECTIVE JUROR: Gosh, it was when my
20 daughter was eight years old, she's 33 now.

21 THE COURT: So 20 plus years ago?

22 PROSPECTIVE JUROR: Uh-huh.

23 THE COURT: What's his name?

24 PROSPECTIVE JUROR: Scott Coby. But we think
25 he's dead because we haven't heard from him in many

1 years.

2 THE COURT: Okay. The fact your brother was
3 convicted of that conduct -- here in Lexington?

4 PROSPECTIVE JUROR: Uh-huh.

5 THE COURT: Okay. Would that affect your
6 ability to be a fair and impartial juror here in this
7 case?

8 PROSPECTIVE JUROR: No.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR: I believe in justice but
11 believe in being truthful.

12 THE COURT: Okay, thank you.

13 All right, see you in a little bit.

14 Is any member of this jury panel ever been
15 represented now or in the past by any of the
16 attorneys involved in this case who introduced
17 themselves earlier? If so, please stand.

18 (There was no response.)

19 Is any member of this jury panel have any
20 religious or moral beliefs that would prevent them
21 from passing judgment on another person, as a member
22 of this jury? If so, please stand.

23 (There was no response.)

24 As to the jury panel, are any of you, your
25 relatives or close friends employed with some sort of

1 law enforcement agency now or in the past?

2 Okay, your number, ma'am?

3 PROSPECTIVE JUROR: 259.

4 THE COURT: Where were you formally?

5 PROSPECTIVE JUROR: I -- myself or relatives?

6 THE COURT: Or relatives, sorry.

7 PROSPECTIVE JUROR: Yes, my brother he works
8 for -- he's a star [indiscernible] in Georgia.

9 THE COURT: Where?

10 PROSPECTIVE JUROR: In Georgia?

11 THE COURT: Okay. The fact your brother does
12 that work in Georgia, would that affect your ability
13 to be a fair and impartial juror here?

14 PROSPECTIVE JUROR: No.

15 THE COURT: Okay.

16 Yes, sir.

17 PROSPECTIVE JUROR: 243, Your Honor. I have
18 three cousins who are in law enforcement, three first
19 cousins.

20 THE COURT: Okay. The fact that you have three
21 first cousins -- currently in law enforcement or
22 formally?

23 PROSPECTIVE JUROR: Two formally, one currently.
24 The one currently is in North Carolina.

25 THE COURT: Okay. Would that affect your

1 ability to be a fair and impartial juror here?

2 PROSPECTIVE JUROR: No, sir.

3 THE COURT: Very well. Have a seat.

4 Yes, ma'am.

5 PROSPECTIVE JUROR: 238. Me and my husband were
6 employed by the Department of Corrections on Broad
7 River previously in the past.

8 THE COURT: Would that affect your ability to be
9 fair and impartial juror?

10 PROSPECTIVE JUROR: No, sir.

11 THE COURT: All right.

12 Yes, sir, your number?

13 PROSPECTIVE JUROR: Juror No. 152.

14 THE COURT: 152?

15 PROSPECTIVE JUROR: Yes, sir.

16 THE COURT: All right, go ahead.

17 PROSPECTIVE JUROR: My father-in-law is a former
18 South Carolina Highway Patrolman.

19 THE COURT: Would that affect your ability to be
20 a fair and impartial juror?

21 PROSPECTIVE JUROR: I don't believe so, sir.

22 THE COURT: You can have a seat.

23 Yes, sir, in the rear.

24 PROSPECTIVE JUROR: Yes, sir, 146. My wife
25 works at Alvin S. Glenn in accounting.

1 THE COURT: Okay. Would that affect your
2 ability to be a fair and impartial juror?

3 PROSPECTIVE JUROR: No, sir.

4 THE COURT: All right.

5 Yes, ma'am.

6 PROSPECTIVE JUROR: Number 12. My mom and her
7 step brother both work in law enforcement.

8 THE COURT: Locally?

9 PROSPECTIVE JUROR: Yeah. Well, my mom doesn't
10 work there anymore but my uncle does.

11 THE COURT: What -- where did they work?

12 PROSPECTIVE JUROR: My mom worked for Lexington
13 County and then went to Cayce. And then my uncle
14 worked for Cayce.

15 THE COURT: All right. The fact that they
16 formally or currently work in Lexington County, would
17 that affect your ability to be a fair and impartial
18 juror?

19 PROSPECTIVE JUROR: No, sir.

20 THE COURT: Thank you, have a seat.

21 Yes, sir, your number?

22 PROSPECTIVE JUROR: Fifty.

23 THE COURT: All right.

24 PROSPECTIVE JUROR: I have several friends in
25 law enforcement and I have a brother-in-law who is a

1 Saluda County sheriff's deputy.

2 THE COURT: Okay. Would that affect your
3 ability to be a fair and impartial juror?

4 PROSPECTIVE JUROR: No, sir.

5 THE COURT: All right.

6 Y'all look about the same row.

7 I'll start with you.

8 PROSPECTIVE JUROR: 214.

9 THE COURT: Yes, ma'am.

10 PROSPECTIVE JUROR: I had cousin who formally
11 worked for Batesburg-Leesville Police Department.

12 THE COURT: Formally?

13 PROSPECTIVE JUROR: Yes, sir.

14 THE COURT: Okay. The fact that you use to have
15 a cousin who worked over there, would that affect
16 your ability to be fair and impartial?

17 PROSPECTIVE JUROR: No, sir.

18 THE COURT: Thank you.

19 Yes, sir.

20 PROSPECTIVE JUROR: Sixty. Judge, I have
21 probably more than a dozen parishioners in my church
22 that work for various law enforcement.

23 THE COURT: Would that affect your ability to be
24 fair and impartial?

25 PROSPECTIVE JUROR: No, sir.

1 THE COURT: Fair enough, have a seat.

2 Yes, ma'am.

3 PROSPECTIVE JUROR: 292.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR: My daughter is a police
6 officer in the town of Lexington.

7 THE COURT: Formally or currently?

8 PROSPECTIVE JUROR: Currently.

9 THE COURT: I'm sorry, did you say formally or
10 currently?

11 PROSPECTIVE JUROR: Currently.

12 THE COURT: Okay. The fact that your daughter
13 currently works for the town, would that affect your
14 ability to be fair and impartial?

15 PROSPECTIVE JUROR: No.

16 THE COURT: All right, you can have a seat.
17 Thank you.

18 Yes, ma'am.

19 PROSPECTIVE JUROR: Number 234. A close friend
20 of mine is an investigator with Richland County.

21 THE COURT: Okay. Would that affect your
22 ability to be to fair and impartial?

23 PROSPECTIVE JUROR: No.

24 THE COURT: Very well.

25 Yes, sir.

1 PROSPECTIVE JUROR: My father was a retired cop.

2 THE COURT: What's your juror number?

3 PROSPECTIVE JUROR: 277. He's a retired police
4 officer. And my daughter currently works for SLED.

5 THE COURT: Okay. Would that affect your
6 ability to be fair and impartial?

7 PROSPECTIVE JUROR: (The juror shook his head.)

8 THE COURT: I know you said -- you head nodded
9 there but I have to hear it.

10 PROSPECTIVE JUROR: No, sir.

11 THE COURT: Okay.

12 PROSPECTIVE JUROR: 143.

13 THE COURT: 143, all right.

14 PROSPECTIVE JUROR: My son-in-law is a county
15 sheriff in Virginia.

16 THE COURT: Virginia, okay. Would that affect
17 your ability to be fair and impartial?

18 PROSPECTIVE JUROR: No, sir.

19 MS. MAYES: What was the relation, Your Honor?

20 THE COURT: I'm sorry, what was the family
21 connection to the person in Virginia?

22 PROSPECTIVE JUROR: Son-in-law.

23 THE COURT: Son-in-law, thank you.

24 Yes, ma'am.

25 PROSPECTIVE JUROR: 112. I work for the

1 department of mental health, a sworn law enforcement
2 agency public safety and various other agencies
3 working with me.

4 THE COURT: Oaky. Would that affect your
5 ability to be fair and impartial?

6 PROSPECTIVE JUROR: No, Your Honor.

7 THE COURT: Very well.

8 Any member of this jury panel ever been a
9 witness in a criminal case before?

10 Your juror number, please?

11 PROSPECTIVE JUROR: 260.

12 THE COURT: 260?

13 PROSPECTIVE JUROR: Uh-huh.

14 THE COURT: Okay. You were a witness in a case?

15 PROSPECTIVE JUROR: I had to testify in a case.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR: I work for a dispatch for
18 EMS and it was a murder trial.

19 THE COURT: Okay. The fact that you've been
20 previously served as a witness in case, would that
21 affect your ability to be a fair and impartial juror?

22 PROSPECTIVE JUROR: No.

23 MS. MAYES: That number, Your Honor?

24 THE COURT: 260.

25 Have any of you ever had any formal or informal

1 legal training? This would include but not be
2 limited to law school, college business law course,
3 paralegal training, law enforcement training or
4 training in the course of employment? If so, please
5 stand.

6 Okay, I'll start on this side.

7 Yes, ma'am.

8 PROSPECTIVE JUROR: 156. I'm an attorney in
9 South Carolina, Your Honor.

10 THE COURT: Very well. Would that affect your
11 ability to be a fair and impartial juror?

12 PROSPECTIVE JUROR: No, it would not.

13 THE COURT: Okay.

14 Yes, ma'am, your number?

15 PROSPECTIVE JUROR: 218.

16 THE COURT: Okay.

17 PROSPECTIVE JUROR: I was a claims manager for a
18 insurance company and I dealt with a lot of legal
19 claims.

20 THE COURT: And would that affect your ability
21 to be fair and impartial?

22 PROSPECTIVE JUROR: No.

23 THE COURT: Thank you.

24 Yes.

25 PROSPECTIVE JUROR: Number 51. I use to be a

1 plaintiff's injury paralegal.

2 THE COURT: Would that affect your ability to be
3 a fair and impartial juror?

4 PROSPECTIVE JUROR: No.

5 THE COURT: All right.

6 Yes.

7 PROSPECTIVE JUROR: 39. I work for the
8 department of social services and foster care and I'm
9 in and out of the courtroom.

10 THE COURT: Okay. Would that affect your
11 ability to be fair and impartial?

12 PROSPECTIVE JUROR: No, sir.

13 THE COURT: Very well.

14 Your number?

15 PROSPECTIVE JUROR: 112. I'm an attorney in
16 South Carolina.

17 THE COURT: Okay. And would that affect your
18 ability to be a fair and impartial juror?

19 PROSPECTIVE JUROR: No, Your Honor.

20 THE COURT: Okay.

21 Yes, sir.

22 PROSPECTIVE JUROR: 136. I'm an attorney in
23 South Carolina.

24 THE COURT: And would the affect -- the fact
25 that you're an attorney, would that affect your

1 ability to be a fair and impartial juror?

2 PROSPECTIVE JUROR: No, sir.

3 THE COURT: Okay.

4 Yes, ma'am.

5 PROSPECTIVE JUROR: 259. I had previous
6 training. I work for the department of social
7 services and we had legal training.

8 THE COURT: The fact that you had that previous
9 training, would that affect your ability to be fair
10 and impartial?

11 PROSPECTIVE JUROR: No.

12 THE COURT: Thank you.

13 Yes, ma'am.

14 PROSPECTIVE JUROR: 197. I have an Associates
15 Degree from Columbia College and paralegal studies
16 from [indiscernible]. But I worked mainly as a real
17 estate paralegal.

18 THE COURT: Okay. Would that affect your
19 ability to be a fair and impartial juror?

20 PROSPECTIVE JUROR: No.

21 THE COURT: Thank you.

22 Yes, sir.

23 PROSPECTIVE JUROR: 243, Your Honor. I am an
24 attorney.

25 THE COURT: The fact that you're an attorney,

1 would that affect your ability to be fair and
2 impartial?

3 PROSPECTIVE JUROR: No, sir, Your Honor.

4 THE COURT: All right.

5 Yes, sir.

6 PROSPECTIVE JUROR: Number 152.

7 THE COURT: Okay.

8 PROSPECTIVE JUROR: I have a minor in business
9 administration from Clemson and I took a couple of
10 business law courses.

11 THE COURT: The fact that you have that
12 background training and education, would that affect
13 your ability to be a fair and impartial juror?

14 PROSPECTIVE JUROR: No, sir.

15 THE COURT: Thank you.

16 Yes.

17 PROSPECTIVE JUROR: Number 73. I have a MBA and
18 I have extensive real estate training.

19 THE COURT: Okay. Would that affect your
20 ability to be fair and impartial?

21 PROSPECTIVE JUROR: No, sir.

22 THE CLERK: That number, Your Honor?

23 THE COURT: Ma'am, you're 73?

24 PROSPECTIVE JUROR: Seventy-three.

25 THE CLERK: Thank you.

1 THE COURT: Yes, ma'am.

2 PROSPECTIVE JUROR: 260. And I have an
3 Associate's Degree in Criminology.

4 THE COURT: In what?

5 PROSPECTIVE JUROR: Criminology.

6 THE COURT: Okay. Would that affect your
7 ability to be a fair and impartial juror?

8 PROSPECTIVE JUROR: No.

9 THE COURT: Thank you.

10 THE CLERK: That number, Your Honor?

11 THE COURT: 260.

12 THE CLERK: Thank you.

13 THE COURT: Are any of you a member of, donate
14 money to or receive assistance from any community,
15 law enforcement or victim's advocacy groups? These
16 groups would include but not limited to Mother's
17 Against Drunk Driving, South Carolina Law Enforcement
18 Association, South Carolina Coalition Against
19 Domestic Violence and Sexual Assault and The State
20 Office of Victim Assistance, South Carolina Victim
21 Assistance Network and any Neighborhood Watch Group
22 or other similar organization, as well as The
23 Innocence Project or Defendant's Rights
24 Organizations? If so, please stand.

25 (There was no response.)

1 Is there anything in your life experiences that
2 would affect your ability to be a fair and impartial
3 juror in a case involving a violent crime? If so,
4 please stand.

5 All right, I'll speak with you privately but
6 what's your name? Or excuse me, what's your juror
7 number?

8 PROSPECTIVE JUROR: Eighty-eight.

9 THE COURT: Eighty-eight, I'll speak with you
10 privately.

11 PROSPECTIVE JUROR: Okay.

12 THE COURT: Anyone else on that question?
13 Your number, sir?

14 PROSPECTIVE JUROR: 285.

15 THE COURT: All right.

16 Anyone else on that question?

17 Okay, let me have 88 and 285 come up and speak
18 with us, please.

19 (WHEREUPON, the following inquiries were held in
20 the presence of the jury venire but out of the
21 hearing of the jury venire.)

22 THE BAILIFF: Eighty-eight, Your Honor.

23 PROSPECTIVE JUROR: My best buddy got murdered
24 when I was 20.

25 THE COURT: Okay. Would that affect your

1 ability to be a fair and impartial juror?

2 PROSPECTIVE JUROR: I think so.

3 THE COURT: Okay. You're Juror No. 88?

4 PROSPECTIVE JUROR: Yeah.

5 THE COURT: All right, thank you, you may have a
6 seat.

7 THE BAILIFF: 285, Your Honor.

8 PROSPECTIVE JUROR: When I was in high school a
9 couple of people broke into my house and put guns to
10 mine and my mom's head. It was very traumatic.

11 THE COURT: Would that affect your ability to be
12 a fair and impartial juror?

13 PROSPECTIVE JUROR: It might.

14 THE COURT: Okay. Thank you, you may have a
15 seat.

16 I've got three more questions up here and maybe
17 a catchall from my list.

18 You just handed me one sheet, right?

19 MR. HUBBARD: Of voir dire, yes.

20 THE COURT: Making sure. Making sure.

21 Okay. Then once I'm done with these questions,
22 we can do five minutes but can we keep everybody in
23 here and just keep them quiet. I don't want to lose
24 any. Okay, I've got a few more, then we'll be done.

25 (WHEREUPON, qualification of the jury venire

1 continued.)

2 THE COURT: Any juror believe that just because
3 The Defendant was charged with a crime, he must be
4 guilty? If so, please stand.

5 (There was no response.)

6 Do any of you, by virtue of past dealings with
7 The State of South Carolina or for any reason, have
8 any bias for or against The State in a criminal case?

9 (There was no response.)

10 Does any member of this jury panel know any
11 reason whatsoever why he or she should not serve as a
12 juror in this case with particular emphasis being
13 placed on your ability to be fair and impartial to
14 both The State and The Defendant? If so, please
15 stand.

16 (There was no response.)

17 THE COURT: Counsel, if y'all could approach
18 real quick.

19 (WHEREUPON, an off-the-record bench conference
20 was held in the presence of the jury venire but
21 out of the hearing of the jury venire.)

22 THE COURT: Any voir dire from counsel?

23 MR. HUBBARD: Not from The State, Your Honor.

24 MR. STORY: Not from The Defense.

25 THE COURT: Very well.

1 All right, ladies and gentlemen, we're going to
2 put together a list of potential jurors here. Take a
3 few minutes. But if you can just remain seated. We
4 should get started with actually selecting jurors
5 within about five minutes. And I appreciate -- let's
6 not have any chatter, let's try to keep this as quiet
7 as possible.

8 (WHEREUPON, there was a short pause in the
9 record.)

10 THE COURT: State ready to proceed?

11 MR. HUBBARD: Yes, Your Honor.

12 THE COURT: Defendant ready to proceed?

13 MR. STORY: Yes, Your Honor.

14 THE COURT: Strikes will be ten and five. And
15 three alternates to follow.

16 Proceed.

17 JURY SELECTION

18 THE CLERK: Thank you.

19 Ladies and gentlemen, I'm going to be calling
20 you by your juror number. If you could please bring
21 all your belongings, come up to the front and stand
22 in front of the podium. And The State and The
23 Defense will make their decision whether or not you
24 will be seated on this jury. Thank you.

25 Juror No. 259.

1 (Deana Sulton, a black female, came forward.)

2 THE CLERK: What say you for The State?

3 MR. HUBBARD: Please present the juror.

4 THE CLERK: And The Defense?

5 MR. STORY: Please seat the juror.

6 THE CLERK: Please take a seat in the jury box.

7 Juror No. 184.

8 (Sherri Ott, a white female, came forward.)

9 THE CLERK: What say you for The State?

10 MR. HUBBARD: Please present the juror.

11 THE CLERK: And Defense?

12 MR. STORY: Please seat the juror.

13 THE CLERK: Please take a seat in the jury box.

14 Juror No. 99.

15 (Samantha Henderson, a white female, came
16 forward.)

17 THE CLERK: What say you for The State?

18 MR. HUBBARD: Please present the juror.

19 THE CLERK: And Defense?

20 MR. STORY: Please present the juror.

21 THE CLERK: Please take a seat in the jury box.

22 Juror No. 167.

23 (Angelo Montero, a Hispanic male, came forward.)

24 THE CLERK: What say you for The State?

25 MR. HUBBARD: Please present the juror.

1 THE CLERK: And Defense?

2 MR. STORY: Please seat the juror.

3 THE CLERK: Please take a seat in the jury box.

4 Juror No. 26.

5 MR. HUBBARD: Twenty-six?

6 THE CLERK: Twenty-six.

7 (Kenneth Brogdon, a white male, came forward.)

8 THE CLERK: What say you for The State?

9 MR. HUBBARD: Please present the juror.

10 THE CLERK: And Defense?

11 MR. STORY: Please seat the juror.

12 THE CLERK: Please take a seat in the jury box.

13 Juror No. 13.

14 (Katelyn Barrett, a white female, came forward.)

15 THE CLERK: What say you for The State?

16 MR. HUBBARD: Please seat the juror.

17 THE CLERK: And Defense?

18 MR. STORY: Please excuse the juror from the

19 trial of this case.

20 THE CLERK: Please return to your seat.

21 Juror No. 194.

22 (Alyson Phillips, a white female, came forward.)

23 THE CLERK: What say you for The State?

24 MR. HUBBARD: Please present the juror.

25 THE CLERK: And Defense?

1 MR. STORY: Brief indulgence. Please seat the
2 juror.

3 THE CLERK: Please take a seat in the jury box.
4 Juror No. 280.

5 (Terri Ward, a black female, came forward.)

6 THE CLERK: What say you for The State?

7 MR. HUBBARD: Please present the juror.

8 THE CLERK: And Defense?

9 MR. STORY: Please seat the juror.

10 THE CLERK: Please take a seat in the jury box.
11 Juror No. 135.

12 (Demian Kovac, a white male, came forward.)

13 THE CLERK: What say you for The State?

14 MR. HUBBARD: Please present the juror.

15 THE CLERK: And Defense?

16 MR. STORY: Brief indulgence. Please excuse the
17 juror from the trial of this case.

18 THE COURT: Please return to your seat.

19 Juror No. 210.

20 (Darrien Reid, a black male, came forward.)

21 THE CLERK: What say you for The State?

22 MR. HUBBARD: Beg The Court's indulgence.

23 Please excuse the juror from the trial of this
24 case.

25 THE CLERK: Please return to your seat.

1 Juror No. 278.

2 (Preston Wages, a white male, came forward.)

3 MS. MAYES: That number again, Madam Clerk?

4 THE CLERK: 278.

5 What say you for The State?

6 MR. HUBBARD: Court's indulgence.

7 Please present the juror.

8 THE CLERK: And Defense?

9 MR. STORY: Please seat the juror.

10 THE CLERK: Please take a seat in the jury box.

11 Juror No. 75.

12 (Edward Gage, a white male, came forward.)

13 THE CLERK: What says The State?

14 MR. HUBBARD: Present the juror.

15 THE CLERK: And Defense?

16 MR. STORY: Please excuse the juror from the
17 trial of this case.

18 THE CLERK: Please return to your seat.

19 Juror No. 12.

20 (Allie Barnett, a white female, came forward.)

21 THE CLERK: What say you for The State?

22 MR. HUBBARD: Please present the juror.

23 THE CLERK: And Defense?

24 MR. STORY: Please excuse the juror.

25 THE CLERK: Please return to your seat.

1 Juror No. 291.

2 (Kakeena Williams, a black female, came
3 forward.)

4 THE CLERK: What say you for The State?

5 MR. HUBBARD: Please present the juror.

6 THE CLERK: And The Defense?

7 MR. STORY: Please seat the juror.

8 THE CLERK: Please take a seat in the jury box.

9 Juror No. 244.

10 (Valery Smith, a white female, came forward.)

11 THE CLERK: What say you for The State?

12 MR. HUBBARD: Please seat the juror.

13 THE CLERK: And Defense?

14 MR. STORY: Please seat the juror.

15 THE CLERK: Please take a seat in the jury box.

16 Juror No. 39.

17 (Stacey Cassidy, a white female, came forward.)

18 THE CLERK: What say you for The State?

19 MR. HUBBARD: Beg the Court's indulgence.

20 Please present the juror.

21 THE CLERK: And Defense?

22 MR. STORY: Please excuse the juror.

23 THE CLERK: Please return to your seat.

24 Juror No. 89.

25 (Pyper Grillot, a white female, came forward.)

1 THE CLERK: What say you for The State?

2 MR. HUBBARD: Please excuse the juror from the
3 trial of this case.

4 THE CLERK: Please return to your seat.

5 Juror No. 59.

6 (Kelsey Crouch, a white female, came forward.)

7 THE CLERK: What say you for The state?

8 MR. HUBBARD: Please present the juror.

9 THE CLERK: And Defense?

10 MR. STORY: Please excuse the juror.

11 THE CLERK: Please return to your seat.

12 Juror No. 172.

13 (Joshua Mosteller, a white male, came forward.)

14 THE CLERK: What say you for The State?

15 MR. HUBBARD: Please present the juror.

16 THE CLERK: And Defense?

17 MR. STORY: Please seat the juror.

18 THE CLERK: Please take a seat in the jury box.

19 Juror No. 94.

20 (Charles Hallman, a white male, came forward.)

21 THE CLERK: What says The State?

22 MR. HUBBARD: Please present the juror.

23 THE CLERK: And Defense?

24 MR. STORY: Please seat the juror.

25 THE CLERK: Please take a seat in the jury box.

1 Now, on to our alternates.

2 Juror No. 32.

3 (Julian Caldwell, a white male, came forward.)

4 THE CLERK: What say you for The State?

5 MR. HUBBARD: Please excuse the juror from the
6 trial of this case.

7 THE CLERK: Please return to your seat.

8 Juror No. 7.

9 (Pamela Argoe, a white female, came forward.)

10 THE CLERK: What say you for The State?

11 MR. HUBBARD: Please present the juror.

12 THE CLERK: And Defense?

13 MR. STORY: Please excuse the juror from the
14 trial of this case.

15 THE CLERK: Please return to your seat.

16 Juror No. 61.

17 (Thomas Cunninghams, a white male, came
18 forward.)

19 THE CLERK: What say you for The State?

20 MR. HUBBARD: Please present the juror.

21 THE CLERK: And Defense?

22 MR. STORY: Please seat the juror.

23 THE CLERK: Please take a seat in the jury box.

24 Juror No. 101.

25 (Michael Hester, a white male, came forward.)

1 THE CLERK: What say you for The State?

2 MR. HUBBARD: Please present the juror.

3 THE CLERK: And Defense?

4 MR. STORY: Please seat the juror.

5 THE CLERK: Please take a seat in the jury box.

6 THE COURT: One more.

7 THE CLERK: Juror No. 233. Juror 233 -- I'm
8 sorry, 223.

9 THE COURT: 223.

10 THE CLERK: 223.

11 (Virginia Scheele, a white female, came
12 forward.)

13 THE CLERK: What say you for The State?

14 MR. HUBBARD: Please present the juror.

15 THE CLERK: And Defense?

16 MR. STORY: Please excuse the juror.

17 THE CLERK: Please return to your seat.

18 Juror 143.

19 (Tina Long, a white female, came forward.)

20 THE CLERK: What say you for The State?

21 MR. HUBBARD: Please present the juror.

22 THE CLERK: And Defense?

23 MR. STORY: Please excuse the juror.

24 THE CLERK: Please return to your seat.

25 Juror No. 81.

1 (Daniel Gleaves, a white male, came forward.)

2 MR. STORY: Eighty-one?

3 THE CLERK: Yes.

4 What say you for The State?

5 MR. HUBBARD: Please present the juror.

6 THE CLERK: And Defense?

7 MR. STORY: Please seat the juror.

8 THE CLERK: Please take a seat in the jury box.

9 THE COURT: Any issues with jury selection?

10 MR. HUBBARD: Nothing from The State, Your
11 Honor.

12 MR. STORY: Nothing from The Defense.

13 THE COURT: Very well.

14 Ladies and gentlemen, you've been chosen for our
15 first trial this week. The first thing we'll have
16 you do is head on back to the jury room, refresh
17 yourselves, sit down and choose a person to serve as
18 the foreman or forelady for the jury this week. Once
19 you've done that, give a note to the bailiffs and
20 I'll get further instructions to you. Please don't
21 discuss the case, please don't discuss anything about
22 the case. You haven't heard anything about the case,
23 you haven't heard any evidence. But you can talk
24 about the weather. I would tell you you could talk
25 about Gamecock football but I don't know about that,

1 that's not a very good subject. Talk about
2 basketball. Just don't discuss the case or anyone
3 involved in it. I'll get you back out here shortly,
4 thank you.

5 (WHEREUPON, the jury left open court at
6 approximately 12:14 p.m.)

7 THE COURT: Counsel, come up real quick.

8 (WHEREUPON, an off-the-record bench conference
9 was held.)

10 THE COURT: So we're at the point now where it's
11 time to choose our second jury for our second trial.
12 However, we had a change of circumstances and there's
13 not going to be a second trial. The civil case got
14 continued. So those of you who have been sitting in
15 your pews, wondering what will happen on the second
16 trial, nothing for you. So you've been -- appreciate
17 your patience as we went through the selection on the
18 first jury. I will say this before anybody moves.
19 I'm going to ask you to call back after six o'clock
20 tonight, just to see if anything else happens. And
21 if we don't -- you can probably expect tomorrow that
22 you will hear that you're done for the week. But I'm
23 not releasing you yet. Check the clerk's phone
24 number after 6:00 p.m. tonight for first instruction.
25 Otherwise, you're free to go for the day, have a nice

1 day.

2 (WHEREUPON, the jury venire was excused and left
3 open court at approximately 12:17 p.m.)

4 (WHEREUPON, Court's Exhibit No. 1 was marked for
5 identification only.)

6 (WHEREUPON, a lunch break was taken.)

7 THE COURT: Good afternoon, please be seated.

8 Good afternoon. So what are we going to start
9 with this afternoon? Maybe we should start with me
10 listening to what all we need to get into.

11 Oh--

12 MR. HUBBARD: She just stepped out, right when
13 you were coming in. I think they're getting her
14 right now.

15 THE COURT: Okay. I poked my head in and
16 everybody was here, so.

17 MR. HUBBARD: We were and I turned around and
18 didn't realize she had just stepped out. Sorry about
19 that, Your Honor.

20 THE COURT: That's all right.

21 MR. HUBBARD: One of the things we were trying
22 to do, there's no computer in here so if there's
23 anything that we need to play. So they're trying to
24 find that. If we get to that point.

25 THE COURT: Is that the clerk's computer?

1 MR. HUBBARD: I think we have one --

2 THE COURT: Okay.

3 MR. HUBBARD: That we can play like video on.

4 THE COURT: Okay.

5 MR. HUBBARD: Stuff like that.

6 THE COURT: Okay.

7 Just as far as the business we need to get to
8 this afternoon, I know The Defense had some pre-trial
9 suppression matters regarding photographs, a variety
10 of things. Statements made in the jail. Issues on a
11 traffic stop, social media.

12 Ms. Mayes, I know you sent a response out via
13 email last week, I don't have it in front of me, at
14 the moment, but I can pull it up. Not sure if y'all
15 had a chance to talk about anything or not but. . .

16 Mr. Story.

17 MR. STORY: Yes, Your Honor. So the first thing
18 I move to do was to suppress any gruesome or
19 prejudicial pictures or video of the recovery of the
20 body and the autopsy, Your Honor. And I, you know,
21 made my motion in writing, Your Honor, with a Court's
22 Exhibit I cited State v. Heyward, which cited State
23 v. Middleton, State v. Nelson. And, of course, 403,
24 The Defendant's rights guaranteed by the Fifth and
25 14th Amendments of the Constitution, United States

1 Constitution, Article I, Section 3 of the South
2 Carolina Constitution. The State's amendment of the
3 U.S. Constitution, Article I, Section 14 of the South
4 Carolina Constitution.

5 So there was a number of videos taken, Your
6 Honor, that are prejudicial--

7 THE COURT: Video or photos?

8 MR. STORY: Both.

9 THE COURT: Okay.

10 MR. STORY: So, Your Honor, there was drone
11 video of the body recovery. There may have been some
12 body cam video. But there were numerous photos of
13 the body as it was being recovered and post-recovery.

14 Your Honor, The State, in their email, said they
15 are not offering any photos of the recovery, they do
16 want to offer an x-ray. I have no problem with the
17 x-ray. We've gotten that. But it's not probative to
18 The State's case. Your Honor, the body was in a
19 state of great decomposition. It had been in the
20 water for weeks.

21 THE COURT: Let me just -- I don't really know
22 anything about the factual background of the case.
23 So the body was recovered in the water?

24 MR. STORY: Yes, that's correct.

25 THE COURT: Okay.

1 The State's not offering any photographs?

2 MR. HUBBARD: No, sir. Just to be helpful here,
3 as far as photos from the recovery, we're not getting
4 into that. We'll have probably just testimony about
5 the recovery. Maybe the location where our victim
6 was recovered. As far as the autopsy, we're not
7 planning on putting in photographs from the autopsy,
8 we're going to have a diagram. And we're also
9 possibly getting into the x-rays, just showing --
10 it's a head wound.

11 THE COURT: Okay.

12 MR. HUBBARD: And just want to be able to show
13 where that wound was.

14 THE COURT: Okay.

15 MR. HUBBARD: In lieu of photographs. So I
16 think that's all we're planning to do as far as that
17 motion's concerned.

18 THE COURT: Okay.

19 MR. STORY: So just as long as that is on the
20 record.

21 So the other motion, Your Honor, I have a motion
22 to suppress other crimes, bad acts or wrongdoing
23 under 404(b) and State v. Lyle. I move to keep out a
24 number of different types of evidence under these
25 grounds. So the first, Your Honor, my client's also

1 charged and I believe indicted for murder, armed
2 robbery, conspiracy and possession of a weapon of the
3 alleged murder of Devon Tricoche. The State has said
4 that they only want to proceed on the warrants that
5 they called, which is the charge against Tony
6 Etheredge. We contend that any testimony about or
7 any evidence relating to the alleged crimes against
8 Devon Tricoche, would be prejudicial under -- and
9 improper character evidence under 404(b), other
10 crimes of violence, bad acts. It also, the
11 prejudicial effect would be greatly outweighed by the
12 probative value, Your Honor.

13 THE COURT: Okay.

14 MS. MAYES: Your Honor, regarding the 404(b),
15 potential 404(b) evidence, want to make the record
16 clear that in this case, The State elected not to
17 seek a joinder of these cases. Now, under 404(b), it
18 is certainly our position that the first murder,
19 being the murder of Devon Tricoche, certainly could
20 be admissible and relevant under 404(b) because it
21 goes to identity, it goes to motive and it goes to
22 common scheme or plan. With that said and
23 recognizing the case law, which allows for the
24 admission of such evidence as common scheme or plan,
25 The State in this case elected to sever the charges

1 and to proceed only with evidence regarding the
2 murder of the second victim, which is Tony Etheredge,
3 Jr.

4 And the time differential, Your Honor, they're
5 very close. One is going to be late November, the
6 other is going to be late December. So we're only
7 talking about a 30 day differential there. In both
8 cases they are similar because it involved victims
9 who were shot inside their vehicles, the vehicles
10 were then stolen. Both of these victims sustained
11 multiple gunshot wounds. And both of the victims
12 were placed into water after the bodies were disposed
13 of.

14 And then, in addition to that, Your Honor, both
15 the victim in the first case who had a KIA Soul and
16 the victim in the second case, who had a Tacoma,
17 Toyota Tacoma truck, both of those vehicles had
18 evidence of cleaning and were recovered in proximity
19 to The Defendant's residence in the Leesville area of
20 Lexington County.

21 So I say all of that so the record is clear that
22 there is a common scheme or plan. And, potentially,
23 could go to identity or motive. But, in this case,
24 we've elected to go forward just on the second
25 victim's case. And as I noted in my response to

1 the email, until or unless such evidence is deemed
2 necessary or probative, depending on where The
3 Defense goes. And that's the part that we can't
4 predict right now. We can't predict, are they going
5 to challenge certain things that then would
6 potentially make it admissible?

7 So the reason I'm mentioning this, Your Honor,
8 is because there's another motion that we haven't
9 gotten to yet. And that's the motion for admission
10 of certain video and audio evidence that The State
11 has in this case. Where The Defendant, Allon Adams,
12 is saying on audio, the first victim and describes.
13 And then the second victim and describes it. And he
14 is describing the murder of Devon Tricoche. And then
15 the murder of Tony Etheredge. And that's a video
16 recording from his phone. And so that's how we know,
17 specifically, he is talking about the murder of Tony
18 Etheredge when he says, The second and describes
19 that.

20 So that is all part of what we're going to
21 present to The Court at a later time this afternoon
22 or whenever Your Honor is ready, where you're going
23 to see the unredacted version of that exhibit. But
24 how we know he's describing these crimes is because
25 he says, first and second. So that's going to be

1 part of what The Court is going to hear and make a
2 ruling on this afternoon. But I wanted that to be
3 clear that we can't just pretend that there was no
4 first murder, there was. And it's going to relate to
5 evidence that you're going to have to rule on the
6 admissibility this afternoon.

7 Now, what we're actually presenting in front of
8 the jury right now would not involve the murder of
9 Devon Tricoche. But we just don't know where they
10 may go in the course of their defense.

11 THE COURT: Okay.

12 MR. STORY: So, Your Honor, I'm not talking
13 about if we were to open the door or we were to
14 challenge a certain piece of evidence or anything
15 like that. We don't plan to do that. We don't plan
16 to get into the murder or the evidence that may lead
17 to the murder of Devon Tricoche. The video that The
18 State sent me as part of their Court Exhibits, is the
19 redacted version of that video where, allegedly, The
20 Defendant is only talking about the second incident.
21 So I understand that that is cut down. And I have a
22 different challenge, Your Honor, under 404(b) to that
23 entire post coming in or part of the post coming in.

24 So I'm not sure -- I don't know what part that
25 The State believes that would be necessary as far as

1 the evidence of the murder of Devon Tricoche, that
2 they would be trying to introduce. So, Your Honor,
3 I'm asking you to keep it all out.

4 THE COURT: Okay.

5 Well, just so I'm clear, though, Ms. Mayes, make
6 sure I understand kind of what you were telling me.
7 The plan is for The State to put before the jury
8 admissible evidence about the second, I'll call it
9 the second, Mr. Etheredge's case. And in a in-camera
10 setting I'll hear a lot more, but the goal is not for
11 you to get evidence from the first trial admitted,
12 but frankly, to have it be out in the open amongst us
13 so that if a door is opened, we're not starting from
14 scratch, essentially?

15 MS. MAYES: That's correct, Your Honor. And
16 also, part of the evidence being challenged is that
17 video confession. And The State's position is that
18 it is, in fact, a confession. But in that video
19 confession, the reason we know that Allon Adams is
20 talking about these crimes is because he says, First.
21 And he's referencing the first victim. Then he says,
22 The second. And he's going to be referencing the
23 second victim. And then there's going to be specific
24 details that relate to each. And so that is part of
25 what The Court has to hear this afternoon in making

1 that determination that he is, in fact, talking about
2 this crime.

3 THE COURT: And that is a video with just
4 another layperson or a video with law enforcement?

5 MS. MAYES: Your Honor, that's a video that was
6 recovered from his phone.

7 THE COURT: Okay. So just something that was
8 created or found on his phone?

9 MS. MAYES: Correct, Your Honor.

10 THE COURT: Okay. Okay.

11 What other matters are we going to get to?

12 MR. STORY: So, Your Honor, again, I object to
13 social media posts or posts that were created for
14 social media, Your Honor.

15 THE COURT: This is Facebook we're talking
16 about?

17 MR. STORY: Facebook, Snapchat, the video they
18 were talking about, Your Honor.

19 Again, under 404(b), actually, under 403, in
20 this case, or both, I want to point The Court's
21 attention to State vs. Cheeseboro. In that case, you
22 know, they said general references glorifying
23 violence is not enough to bring in -- is tantamount
24 to a confession.

25 Your Honor, I would argue that social media

1 posts are, you know, similar to that case. People
2 posts things on social media often glorifying
3 violence or things of that nature to get attention,
4 Your Honor. So I would move to keep it out under
5 404(b) Lyle and 403, Your Honor.

6 THE COURT: Okay. I guess I would need to see
7 it before I could --

8 But The State would disagree?

9 MS. MAYES: We would, Your Honor. And we're
10 prepared to make this argument now. Does Your Honor
11 have a copy of Cheeseboro that was cited by The
12 Defense?

13 THE COURT: No, ma'am, I do not have a copy of
14 that. Over the years I know I've bumped into it from
15 time to time but I don't have a copy in front of me,
16 so thank you.

17 MS. MAYES: So, Your Honor, in Cheeseboro The
18 Court addressed two different types of admissions by
19 The Defendant in that case. And in The Defense's
20 memo, they referenced rap lyrics and that is -- I'm
21 going to refer Your Honor to Page 10 of 13 of the
22 Cheeseboro decision.

23 THE COURT: Okay.

24 MS. MAYES: The cite on this, Your Honor, is
25 going to be 552 S.E.2d 300 and 346 S.C. 526,

1 Cheeseboro being a 2000 -- 2001 Supreme Court case.

2 THE COURT: Just to be clear, you're on page?

3 MS. MAYES: Ten of 13, Your Honor.

4 THE COURT: Ten of 13, okay.

5 MS. MAYES: Ten of 13, Your Honor, was a
6 specific ruling by The Court about the admission of
7 some rap lyrics that were found in his jail cell. So
8 you already have some distance there between the
9 crime itself and the circumstances under which the
10 rap lyrics were found. They're going to be found
11 later in his cell. And again, these were rap lyrics.
12 And the rap song had a name, which was The Ruckus.
13 So in that situation, The State was offering or
14 attempting to offer these rap lyrics, which was
15 somewhat tenuous in nature.

16 But I'm going to refer The Court to what is more
17 on point and directly analogous to what we have in
18 this case, and that is Page 9 of 1. And that is
19 where The Court is addressing the admissibility of
20 letters to an individual known as Virgil Howard. In
21 Cheeseboro he had written specific letters to this
22 individual and those letters were found, were
23 recovered and were admitted as evidence in the
24 Cheeseboro trial. And the letters refers,
25 specifically, to the appellant's robbery of a place

1 that had a safe. And a detail -- that was a detail
2 that fit the barbershop crime and makes more probable
3 his identity as the perpetrator.

4 So in Cheeseboro, Your Honor, the allegations
5 are that about a month before the murders at the
6 barbershop, the defendant had shot and killed a cab
7 driver. Ultimately, in Cheeseboro that was
8 admissible as well because it went to identity. Sort
9 of as if The State here were offering evidence of the
10 Devon Tricoche murder as proof of identity for the
11 later murder of Tony Etheredge. We're not doing
12 that. I just want to note that even in Cheeseboro,
13 they went so far as to find that not to be error to
14 admit, as far as identity, that he had killed another
15 person. The barbershop crimes, Your Honor, were
16 certainly a high profile case out of the City of
17 Columbia. And it dealt with multiple individuals who
18 were shot and killed inside Kelly's Barbershop in
19 downtown Columbia.

20 In that second letter to Virgil Howard, The
21 Defendant is going to make reference to a place with
22 a safe. And The Court found that because they're
23 talking about a safe, that that's a detail that fit
24 the barbershop crime and made it admissible as proof
25 of identity. The Court goes on to find, That we find

1 these letters relevant to establish appellant's
2 motive and identity as the barbershop killer.
3 Further, despite their violent and boastful tone, the
4 probative value of these letters outweighs any unfair
5 prejudice.

6 Well, that is exactly what we're dealing with,
7 Your Honor. And we're going to go ahead and make a
8 Court's Exhibit, the unredacted version of the video
9 statement that is dated January 14, 2024.

10 So the date in which The State alleges Tony
11 Etheredge, Jr. was shot and killed, is December 30th,
12 2023. So this video statement is going to be
13 approximately two weeks after the murder of Tony
14 Etheredge. It was a month before Tony Etheredge's
15 murder, that Devon Tricoche was killed. So that
16 would have been November of 2023.

17 And, Your Honor, this is again, going to be the
18 unredacted version of this video. But the reason you
19 need to view it in unredacted form, is because he is
20 going to make specific reference to first and second.
21 First being Devon Tricoche. And second being Tony
22 Etheredge.

23 Beg the Court's indulgence.

24 Your Honor, the reason that we know he's
25 referencing Tony Etheredge in the first -- I'm sorry,

1 in the second reference, is because he's going to say
2 that he blew his brains out. Tony Etheredge does
3 have a gunshot wound to the head, Your Honor, that
4 was a fatal gunshot wound. But I also need to advise
5 The Court that you'll be hearing testimony that this
6 was an extremely gruesome homicide, in which there
7 was blood present throughout that vehicle. He was
8 shot while sitting in the driver's seat. And we're
9 going to present evidence that that's confirmed, not
10 only by the co-defendant who's going to be
11 testifying, Cady Keener, who was there and witnesses
12 it; but also by the bullet defect that is found in
13 the driver's seat. There is blood present in the
14 driver's seat that matches our victim, Tony
15 Etheredge.

16 And then all over the dashboard, the steering
17 wheel and the entertainment console, Your Honor, is
18 cleaning residue. And there will be testimony that
19 he obtained cleaning supplies from a third party, a
20 juvenile, Ava S. [REDACTED]. And that he and Cady Keener
21 together went to great efforts to clean that vehicle,
22 including all over the dashboard. That is going to
23 tie into, Your Honor, the second statement, which is
24 an audio statement, also, recovered from his phone.

25 The date on that first statement, Your Honor,

1 was January 14th. So that's going to be roughly two
2 weeks after the murder of Tony Etheredge. And then
3 the second is going to be an audio statement that The
4 State alleges, once again, is a confession. And that
5 is going to be January 11th, 2024. In this--

6 THE COURT: Also retrieved from the phone?

7 MS. MAYES: Also retrieved from a phone that had
8 been in his possession. All of these phones, Your
9 Honor, contain multiple links to him. Rather through
10 social media accounts and subscriber information or
11 from actual selfies that are recovered from the
12 phone.

13 In the audio statement, he is, again, boasting
14 about the crime. He says, They never seen no brain
15 on the dash.

16 And again, the reference to a gunshot wound to
17 the head, in which brains were emitted -- or brain
18 matter was emitted and ended up on the dash or
19 dashboard. Your Honor, we're going to have evidence
20 that that dashboard was extensively cleaned. I think
21 the solicitor has some photos to go ahead and pass up
22 to The Court in that regard.

23 MR. HUBBARD: Your Honor, what I've got in hand
24 has been marked as State's 36 and 39. Obviously, we
25 had premarked them, along with a bunch of other

1 photographs that we would intend to during the course
2 of the trial offer. But wanted to go ahead and
3 identify those so that the record's clear on what
4 you're looking at. One, obviously, is a closeup of
5 the dash and the steering wheel. The other one is, I
6 think, taken from the driver's side, looking at the
7 dash. You'll see white powder residue everywhere,
8 and that will be explained as we go through that that
9 was the cleaning substance used to try to clean the
10 dashboard and console off and the steering wheel.

11 THE COURT: Okay.

12 MS. MAYES: And again, Your Honor, this
13 vehicle's going to be found approximately a half mile
14 from The Defendant's residence. It's recovered on
15 Truex Road and he lives very close by on Rish Road.

16 So in the audio statement, Your Honor, They
17 never seen no brain on the dash. Reference to the
18 brain matter on the dashboard.

19 They ain't never took a sole. Reference to a
20 homicide.

21 They ain't never seen blood gushing out like a
22 faucet. Again, there's going to be forensic
23 evidence, Your Honor, that there is blood that
24 matches Tony Etheredge in this vehicle. And,
25 specifically, in that driver seat area.

1 They ain't never seen none of that. You better
2 tell them boys in the Burg and South Lee that I ain't
3 the one. Because I know you know them boys. And my
4 cousin, too, but them boys don't. Give them a heads
5 up -- a head up. I'm about to chop shit up. I'm a
6 crip, I'm the biggest crip.

7 Your Honor, we're redacting that.

8 I swear to God I'm the biggest crip, standing on
9 business. So you better tell them I ain't the one to
10 play with. I ain't laying to you, this shit about to
11 get wicked.

12 Your Honor, the reason we know, again, he's
13 making a specific reference to his own actions and
14 behavior is he says, I'm a crip, I'm the biggest
15 crip. And that's for Your Honor's consideration here
16 in-camera and the jury won't hear that. But that
17 goes to the validity of this statement. And the
18 weight of this statement.

19 Your Honor, he also, in being -- referencing
20 himself as being the biggest crip, I'll note for the
21 record that he is validated to be a 76 East Coast
22 Crip. So that again, goes to identity. Not offered
23 before the jury but for Your Honor to consider how we
24 know he is talking about himself. This is the -- by
25 referral in nature.

1 He says, Them, my cousin, too. Them, my cousin
2 too. Then again, he's referencing other people in
3 the South Lee and Burg area.

4 Burg, Your Honor, is a reference to Batesburg.
5 South Lee is a prominent area of Leesville that is
6 known to have gang activity. And again, Allon Adams,
7 a native of Leesville, resides in Leesville, known to
8 be a East Coast 76 Crip validated from Leesville.

9 And so there are specific references, Your
10 Honor, to the Burg and South Lee. That small area
11 right there in Leesville and a reference to his own
12 gang, of which he is validated to be a member of.

13 And again, what tells us that he's talking about
14 the Tony Etheredge case, is when he makes a specific
15 reference to brain on the dash.

16 MR. HUBBARD: Your Honor, I've got another, from
17 the pathologist, it's the diagrams. And I've marked
18 as State's 130. It's two pages. It's the physical
19 diagram that you've seen before.

20 THE COURT: Yes, sir.

21 MR. HUBBARD: That second page will show a head
22 wound to the left side of the head. The victim was
23 seen or believed to be in the driver seat, at that
24 time. There's a exit wound out the right side. And
25 so we believe there was blood in that seat. It was a

1 bloody seat they had attempted to clean up.

2 THE COURT: The victim was the driver?

3 MR. HUBBARD: Yes, sir, yes, sir. The victim
4 was the driver.

5 THE COURT: Okay.

6 MR. HUBBARD: And when he was shot, the vehicle
7 was stopped. We're going to allege The Defendant was
8 outside of the car, at that time, came up to the car,
9 either the window down, door open, one of the two,
10 fired, hit the victim in the left side of the head
11 and it exits out the right side.

12 THE COURT: Okay, understood.

13 MS. MAYES: And, Your Honor, the date on that
14 second statement that I referenced to the audio
15 statement, where he's making references to being a
16 crip and tell everybody in the Burg and South Lee
17 that I ain't the one to play with. That is January
18 11, 2024. So we're roughly 11 to 12 days after the
19 murder of Tony Etheredge.

20 THE COURT: Okay.

21 MS. MAYES: And so going back, Your Honor, to
22 this video statement From January 14th that we're
23 going to be marking and publishing in a moment,
24 that -- also present on that video is going to be the
25 co-defendant, Cady Keener. And so that video, she

1 can identify as a video in which she is present, and
2 we'll see her in the background. Allon Adams is the
3 one speaking to the camera and giving specific
4 details, but Cady Keener is also aware and will
5 testify that the portions of the video statement that
6 we have not redacted, he is making specific reference
7 to the murder of Tony Etheredge, Jr. And she knows
8 that because she is there and present when he is
9 making the statement. She also was there and present
10 when Tony Etheredge, Jr. was murdered.

11 So one more time, Your Honor, in this particular
12 case, he is going to make a reference to, I blew his
13 brains out. He's going to say, My favorite food is
14 spaghetti and I don't even eat spaghetti no more.
15 That makes me not even eat spaghetti no more.

16 And this is going to be the unredacted version
17 that we're offering at this time.

18 THE COURT: Very well.

19 Ready to play?

20 MS. MAYES: Court's one, Your Honor. Permission
21 to publish?

22 THE COURT: Very well.

23 (WHEREUPON, Court's Exhibit No. 1 was
24 published.)

25 MS. MAYES: Cady Keener, Your Honor.

1 (WHEREUPON, Court's Exhibit No. 1 was continued
2 to be published.)

3 MS. MAYES: All right. So, Your Honor, the
4 reference to -- all references to the first victim
5 will be redacted. And it will focus primarily on the
6 second victim. And the description that, I blew his
7 F'n brains out or blew his F'n brains out. Is
8 actually what he says. The references to spaghetti
9 and that he doesn't eat spaghetti no more. He's also
10 got a statement, F12, this shit will never stop.
11 That's a reference to F the police. This shit will
12 never stop, he says. He also says at the end of the
13 description of the murder of both the first victim
14 and the second victim, Looking for a third. And he
15 uses a racial slur. We're redacting that as well,
16 Your Honor.

17 THE COURT: You said S12?

18 MS. MAYES: F.

19 THE COURT: F12.

20 MS. MAYES: F12 reference to--

21 THE COURT: But you redacted that part?

22 MS. MAYES: Your Honor, that's staying in.

23 THE COURT: All right.

24 MS. MAYES: That would be a reference to F word,
25 the police. This shit will never stop, he says.

1 THE COURT: I only heard it once, it's a little
2 tough to understand the first time you hear it.

3 MS. MAYES: Understood.

4 THE COURT: But, obviously, redacting the stuff
5 out about the first victim.

6 MS. MAYES: About the first victim. And then he
7 also makes the statement, Looking for a third, slang
8 word.

9 THE COURT: Right.

10 MS. MAYES: We will be redacting that.

11 THE COURT: And the co-defendant stays in the
12 video as well?

13 MS. MAYES: Yes, Your Honor.

14 THE COURT: And that co-defendant can. . .

15 MS. MAYES: Put it into context, yes, Your
16 Honor.

17 THE COURT: Okay.

18 MS. MAYES: But this would also be coming in
19 through the cell phone extraction expert John
20 Donnelly, who actually recovered this video from his
21 phone, and can assign the date on it of January 14th,
22 2024, so two weeks after the murder of Tony
23 Etheredge.

24 THE COURT: I know we're getting a little bit
25 down the road here, but was this just a -- just a

1 video sitting on their phone or was it --

2 MS. MAYES: Yes --

3 THE COURT: -- through a certain app?

4 MS. MAYES: It's using an app on the phone to
5 create the video, but there has been no evidence
6 whatsoever that it was ever posted on social media,
7 it simply is present on the phone when the phone is
8 recovered.

9 THE COURT: Okay.

10 MS. MAYES: And then we can publish the
11 second -- this is on audio recording, when Your
12 Honor's ready.

13 THE COURT: When you say audio recording, this
14 is like no video, just. . .

15 MR. HUBBARD: Video's with that one, Your Honor.
16 But the second one that we're going to play is
17 strictly an audio.

18 THE COURT: Okay.

19 (WHEREUPON, Court's Exhibit No. 2 was marked for
20 identification only.)

21 MS. MAYES: Court's 2, Your Honor.

22 THE COURT: All right.

23 (WHEREUPON, Court's Exhibit No. 2 was
24 published.)

25 MS. MAYES: Your Honor, and again, this would be

1 redacted before the jury but Your Honor has heard
2 evidence that is relevant to establish that it is
3 autobiographical in nature.

4 And that he says, I'm a crip, I'm the biggest
5 crip. I swear to God I'm the biggest crip. I'm
6 standing on business bro so you better tell them I
7 ain't the one to play with.

8 So we will be redacting the references to gang
9 affiliations. But the, So you better tell them I
10 ain't the one to play with. Would be, The State
11 maintains, admissible because that goes specifically
12 to the incident here. He is referencing this crime
13 and telling others, I ain't one to play with. Look
14 what I've done, so to speak.

15 How we know he's referencing Tony Etheredge,
16 Your Honor, is reference to brain on the dash. And
17 Your Honor already has the photographs where the
18 dashboard was extensively clean following the murder
19 of Tony Etheredge, who was sitting in the driver's
20 seat when he was shot and killed.

21 Then he references taking -- They ain't never
22 took a sole. Again, a reference to a homicide.

23 They ain't never seen blood gushing out like a
24 faucet. Again, we've got blood throughout that
25 vehicle.

1 They ain't never seen none of that. You better
2 tell them boys in Burg and South Lee that I ain't one
3 to play with. That is his hometown, Your Honor.
4 South Lee and the Burg would be a direct reference to
5 the Leesville area and the gang activity there.

6 THE COURT: All right.

7 Mr. Story.

8 MR. STORY: May it please the Court.

9 THE COURT: Certainly.

10 MR. STORY: I'm moving to keep out all gang
11 activity as well, Your Honor. But, Your Honor, there
12 was a number of parts of the car that was clean. I
13 would, again, allege, this is a post that was
14 likely -- the intent was to post it on social media.
15 I would argue it's too vague to meet the standards
16 for admissibility. And it's extremely prejudicial
17 for a crime of violence, Your Honor, and it outweighs
18 the probative value.

19 THE COURT: Okay.

20 Any response, Ms. Mayes?

21 MS. MAYES: Your Honor, just that the evidence
22 is self-evident in nature, Your Honor. Although,
23 it's violence, it's violence by his own volition. He
24 wants it out there. He wants to make it known. He's
25 the one not to play with because look what he's done.

1 So he wants the notoriety associated with the murder
2 of Tony Etheredge. We don't know that it was ever
3 posted anywhere. There is absolutely no evidence
4 that it was. But it's certainly something he
5 recorded on his phone both by video and audio. One
6 of which was recorded in the presence of Cady Keener.

7 But under 430 analysis, Your Honor, it is far,
8 far more probative than unfairly prejudicial.
9 Anytime someone's admitting their involvement in a
10 murder, it's somewhat prejudicial in nature but it's
11 also incriminating, it's also probative. And here,
12 it's direct evidence of malice. Malice being an
13 element that The State must prove. And because of
14 that, Your Honor, this is overwhelmingly probative in
15 The State's case. This is his direct reference to
16 the murder of Tony Etheredge, not once but twice.
17 And the fact that he is giving specific details of
18 this crime. The details that he's giving here are
19 far more details than we saw in Cheeseboro, where
20 there was a reference to the statement.

21 THE COURT: Yes, sir.

22 MR. STORY: I just also want to add, there was a
23 number of rap lyrics and rapping and things like
24 that, that generally glorify violence, on the phone.
25 Your Honor, I would argue that this is an extension

1 of that, Your Honor. Again, we move to keep it out.

2 THE COURT: Okay.

3 It certainly appears to not just be general --
4 general statements going on. They appear to have
5 some direct connection to the crimes alleged in the
6 indictment. Have we already put together the
7 redacted video and audio?

8 MS. MAYES: We have, Your Honor. At least, one
9 of them there might be a slight change to one of
10 them. But we do have them here in the format for
11 Your Honor to review.

12 THE COURT: Maybe when we rap up for the day. I
13 think I just would like to hear it once.

14 MS. MAYES: Okay.

15 THE COURT: But -- because I'm trying to imagine
16 it without what you told me is being redacted. So
17 subject to those redactions, I mean, believe from
18 what you've told me here today and, obviously, they
19 would come in through witness testimony tomorrow.
20 And that would, certainly, make things a little more
21 clearer. But I think it is highly probative. And
22 admissible based upon the case law. I certainly
23 think the language could be argued as prejudicial but
24 it is -- it is a mountain of probative evidence at
25 the same time. So I think, assuming the redacted

1 form is as expected to be, passes 403 analysis and
2 the jury is not going to hear everything that I just
3 heard in this courtroom. But with that said, I would
4 like to, at least, hear it before we break for the
5 day.

6 MS. MAYES: Your Honor, I think we have those
7 ready now. The first will be the audio statement
8 where we have readacted, I am a crip, I'm the biggest
9 crip, I swear to God I'm the biggest crip.

10 THE COURT: Just to be very clear, I denied the
11 motion to suppress the information but I would like
12 to hear the redacted part.

13 (WHEREUPON, an audio statement was published.)

14 MS. MAYES: And next, Your Honor, would be the
15 redacted version of the video statement dated
16 January 14th, 2024, wherein all references to Devon
17 Tricoche have been redacted. The reference to Tony
18 Etheredge as the second, the word second has been
19 removed. And then we've also removed his reference
20 to, I'm looking for a third, slang word.

21 THE COURT: Okay.

22 (WHEREUPON, a video statement was published.)

23 MS. MAYES: And then there is going to be a
24 second portion that we're still working on, Your
25 Honor. But again, it would remove the reference to

1 first and second. And it would just be -- he's going
2 to go on and describe certain details. And then say,
3 F12 this shit will never stop.

4 THE COURT: Okay. All right. Well, subject to
5 one more modification, but the motion to suppress is
6 denied.

7 MR. STORY: Your Honor, the next piece of
8 evidence I would like to I move to suppress all
9 testimony about drug activity or drug possession. A
10 couple of different parts where drug activity might
11 come in, one, The State alleges The Defendant was a
12 passenger in a traffic stop in the Irmo area. Where
13 they say he ran from law enforcement. They found --
14 law enforcement found in that traffic stop,
15 marijuana, Alprazolam and some methamphetamine, Your
16 Honor.

17 And then, also, Your Honor, The Defendant after
18 he was arrested, the law enforcement searched the
19 area he lived in. State says that he lived in a
20 camper. That there was also a house and another
21 camper, I believe, in the area. Law enforcement
22 found -- well, they think it was cocaine base and
23 some materials used to manufacture cocaine base.
24 Your Honor, I would move to keep all that out. It's
25 irrelevant to anything to prove the murder, armed

1 robbery of Tony Etheredge. Under 404(b) and Lyle,
2 Your Honor, it's other crimes, wrongs or bad acts,
3 Your Honor. It's in no way probative of the murder.
4 And, Your Honor, it's also -- the prejudicial effect
5 is greatly outweighed by the probative value. So I
6 would move to keep out any testimony about drug
7 activity.

8 THE COURT: Yes, ma'am.

9 MS. MAYES: We're not offering any of the drugs
10 that were found both in the camper of The Defendant,
11 Allon Adams, or his girlfriend inside her residence,
12 Cady Keener.

13 Is The Defense offering testimony regarding
14 drugs found elsewhere?

15 MR. STORY: No, Your Honor, we're not offering
16 any testimony about drugs.

17 MS. MAYES: All right. So we can't foresee,
18 Your Honor, how that would be relevant in anyway. So
19 we're not offering anything regarding the drugs found
20 in the possession or in constructive possession of
21 Allon Adams or Cady Keener.

22 Now, there is a traffic stop on January 20th of
23 2024 in which Allon Adams is a passenger in a vehicle
24 driven by a third party. That vehicle is driving
25 without lights on. So the Irmo place conduct a

1 traffic stop, it's nighttime, the car has no lights.
2 Once the vehicle stops, as the officer approaches the
3 car, he sees the passenger, who is Allon Adams, drop
4 what he termed a blunt, but a marijuana cigarette on
5 the ground. He also can detect the odor of
6 marijuana. As a result, he is asking him to step out
7 of the vehicle.

8 When he steps out of the vehicle, he places on
9 top of the hood of the car, a Crown Royal bag. And
10 that Crown Royal bag contains three phones of
11 interest in this case. They are a blue Motorola, a
12 Samsung Galaxy and a red Vortex phone. All three of
13 those phones, Your Honor, ended up having
14 incriminating evidence. Including that audio
15 confession or statement that you heard just moments
16 ago, Tell everybody on South Lee I ain't the one.
17 That is actually a audio recording from that blue
18 Motorola.

19 So, Your Honor, the fact that those phones were
20 seized and the condition under which they were seized
21 are certainly going to be relevant. We're going to
22 be calling the Irmo police officer who actually
23 seized those phones. And so if the stop is not being
24 challenged, if the identity of Mr. Adams as the
25 passenger who leaves those phones behind is not being

1 challenged, maybe we can reach a compromise. But it
2 certainly is going to explain to the jury the
3 circumstances under which the officer said, Step out
4 of the car. And then he's going to place those
5 phones on top of the hood.

6 In other words, the occupants of that car are
7 not being harassed by law enforcement. Law
8 enforcement's not just asking them unlawfully to step
9 out of the car and then evidence is found. There is
10 certainly a lawful nature behind that.

11 THE COURT: The traffic stop?

12 MS. MAYES: Yes, Your Honor.

13 THE COURT: We started off this discussion about
14 publishing evidence about drug use or drugs found. I
15 think that both sides agree that The State wasn't
16 going to be offering -- it's pretty broad, I wouldn't
17 be too broad, evidence of drugs. Is the idea to not
18 have testimony about the blood dropped or?

19 MR. HUBBARD: Well, Your Honor, what we had
20 intended to do, they're other drugs in the car that
21 we weren't going to get into. But the officer, the
22 reason why he asks Mr. Adams to step out, he smells
23 marijuana when he gets up to the window and he sees
24 him drop a blunt. So, he identifies him. And by the
25 way, we get a different name from Mr. Adams. He

1 identifies himself as Trey Nelson. He gets him out
2 of the vehicle. And then Mr. Adams places that Crown
3 Royal bag -- at the time the officer didn't know what
4 was in it. Puts it on top of the vehicle. And when
5 the officer starts to do a pat down, Mr. Adams runs
6 off.

7 It's from that officer, though, he says he looks
8 at one of the phones and it is still opened.
9 Apparently, Mr. Adams had been -- I think it's a zip
10 recruiter, something he had been in exchange with, so
11 it had -- Allon Adams had that name. So that
12 officer, that's how he ends up identifying Allon
13 Adams. Because the phone was still opened when he
14 had it.

15 But the reason why we get there is just the
16 smell of marijuana and a blunt. That's as far as we
17 were going to go with the drugs. We weren't going to
18 get into there's some other marijuana in the car. We
19 were going to try to redact that out of the video.
20 We can show you the unredacted and then show you the
21 redacted where we redact the sound and redacted out
22 little jar of marijuana.

23 THE COURT: Okay.

24 Mr. Story.

25 MR. STORY: Well, I mean, if The State's

1 amenable to it, we can agree it was a lawful traffic
2 stop. And the officer had reason to ask the
3 passenger out of the vehicle. We can keep out the
4 smell of marijuana, something like that.

5 THE COURT: Well, how many people were in the
6 car?

7 MR. STORY: Two.

8 THE COURT: Okay. So--

9 MR. HUBBARD: Two. There was a female that was
10 identified who has nothing to do with this case. In
11 fact, if we were going to try to have to go after the
12 identity of Allon Adams, she knew him by his nickname
13 Kilo. That's what we would be able to establish that
14 was one of his nicknames, as well. So if they're
15 agreeing that the identity of the person getting out
16 of that car is, in fact, Allon Adams, I think we can
17 probably sit down and come to a compromise on what
18 we're offering. And we can talk about it and then
19 let Your Honor know what we're doing.

20 THE COURT: Okay.

21 MR. HUBBARD: And that -- I guess the final
22 thing is that Allon Adams was in possession of those
23 phones. Because he's the one that puts them --

24 MR. STORY: Well.

25 MR. HUBBARD: -- on top of the car.

1 MR. STORY: I think -- I think the officer's
2 testimony is that he's going to ask out the person he
3 identifies as Allon Adams, puts the phones -- that
4 that person puts the phones on top of the car and he
5 reads the screen. I'm not objecting to that, Your
6 Honor.

7 MR. HUBBARD: I think, at that time, he had not
8 identified him, at that time. He knew him as--

9 THE COURT: Right. But he just puts stuff up on
10 the roof?

11 MR. HUBBARD: Right. He's getting out of the
12 car and I think the officer says, here put that up
13 there. Because the officer didn't know what was in
14 the bag, initially.

15 THE COURT: Fair enough.

16 MR. HUBBARD: And so put that up on the top of
17 the car. He says, all right, turn around, pat you
18 down and that's when Mr. Adams takes off. All this
19 is on body cam, the officer's body cam. And the
20 officer makes a futile attempt to chase down
21 Mr. Adams. When you see the officer, you can
22 understand why. He looks like a line guardsman
23 playing in the NFL, he's a big ole fella. So he
24 comes back, he lets other people track him down. He
25 secures the bag and realizes what's in it are three

1 phones. One phone is activated. He sees the name
2 Allon Adams. So he knows that phone's just been in
3 use.

4 THE COURT: Okay.

5 MR. HUBBARD: And so that's how we would go at
6 that. So if we can get the identity of Mr. Adams and
7 that those phones were in his possession, you know,
8 that's really what this whole stop is about is
9 getting the phones and the content of those phones.
10 I know he's got an objection to that, that's
11 separate. But that he's -- it is Mr. Allon Adams
12 that we're talking about and the phones were in his
13 possession.

14 THE COURT: Okay.

15 Sounds like y'all are pretty close on agreeing
16 here. So I don't want to -- why don't we move on to
17 the next contested matter and circle back to this.

18 MR. HUBBARD: Yes, sir.

19 MR. STORY: The next, I think, contested matter
20 is the flight from that stop, Your Honor. Move to
21 keep the flight out. The flight, you know, at the
22 time, Mr. Adams had not been served warrants or
23 investigated in any way for a murder and armed
24 robbery. Our contention he was fleeing, he was
25 fleeing from the traffic stop, Your Honor. So we

1 would ask to keep evidence of the flight out.

2 THE COURT: Okay.

3 MR. HUBBARD: Quickly, if there's an agreement
4 as to who we're talking about getting out of that
5 vehicle, that is Allon Adams, I think we can work
6 this one out as well. Because the whole purpose
7 of -- you know, that officer did not lay hands on
8 Mr. Adams because he ran off. And he literally got
9 away that night. So officers did not catch him when
10 he ran off. So it became a purpose of trying to
11 identify who that individual was, that it was, in
12 fact, Allon Adams. So if we can come to an accord on
13 that, really the whole flight issue is not as
14 important to us.

15 Obviously, if we don't, our argument is that
16 it's less about flight, it's more about the res
17 gestae of the case. And how we got the phones and
18 really why he'd be running is not marijuana. He just
19 put evidence of a murder or two murders on top of the
20 hood of --

21 THE COURT: The traffic stop was on what date?

22 MR. HUBBARD: It was on the 20th. So the
23 murders occurred -- or murder of Tony Etheredge, Jr.
24 was -- yes, it was December 30th, early morning
25 hours. And so you're just talking about not even a

1 month.

2 THE COURT: Okay. And where was the traffic
3 stop?

4 MR. HUBBARD: What's that?

5 THE COURT: Where in the Irmo area was the
6 traffic stop?

7 MR. HUBBARD: It was right on Broad River Road,
8 right near the Interstate. I've got the block. I
9 think it was like the 700 block of Broad River Road.
10 But it's right near I-20.

11 THE COURT: I-20.

12 MR. HUBBARD: Where the intersect--

13 THE COURT: Oh, okay.

14 MR. HUBBARD: Just right on the outskirts of
15 Irmo area, right in their jurisdiction.

16 THE COURT: So near malfunction junction, near
17 I-20, Broad River Road. Okay, I think I understand.

18 Okay. All right. What would be next?

19 MR. STORY: Your Honor, I would also move to
20 keep out gang reports, evidence that The Defendant's
21 a validated gang member, any evidence of gang
22 activity. Under the same grounds as I stated
23 earlier. I would think since they redacted the crip
24 part of the statement, they would probably likely
25 agree with that.

1 THE COURT: Right.

2 You disagree with that?

3 MR. HUBBARD: We don't have any disagreement
4 with that. Again, all of it, really, would be
5 subject to, you know, if something else opens up the
6 door. So we have to explain the context of
7 something.

8 THE COURT: Subject to the evidence at trial --

9 MR. HUBBARD: Right --

10 THE COURT: -- testimony. It's--

11 MR. HUBBARD: But we, going into this trial, our
12 plan was to redact all of that out and just keep this
13 as clean as we can.

14 THE COURT: Okay. I'm going to chop that up as
15 stipulation, subject to how the evidence plays out at
16 trial, if there's some change.

17 Is that fair enough, Mr. Story?

18 MR. STORY: Yes, Your Honor.

19 THE COURT: Okay, thank you.

20 MR. STORY: And then finally under the 404(b)
21 Lyle grounds, Your Honor, I would move to keep out --
22 The State has turned over a incident report, as well
23 as multiple videos from the jail. These videos were
24 taken after Mr. Adams was arrested the day before.
25 So it would -- I believe these were taken

1 February 7th, Mr. Adams was arrested February 6th of
2 2024.

3 In that video he gets into an altercation with a
4 correctional officer. He notes that, basically,
5 yells, says, Don't mess with me, I got bodies up in
6 this, expletive.

7 So, Your Honor, my contention is that's, first
8 off, it's bodies plural. So he's referencing another
9 incident for which he is not on trial. That's barred
10 by 404(b). Second all, Your Honor, he was under
11 investigation for murder. I believe he had already
12 spoken with law enforcement who were investigating
13 and asking him about the murder the day before. He
14 is in an open pod, there are other inmates within
15 earshot. So, Your Honor, we would argue that's
16 evidence of other crimes, wrongs, bad acts,
17 inadmissible character evidence. It's also the
18 probative value -- excuse me, the prejudicial effect
19 is greatly outweighed by the probative value.

20 THE COURT: Yes, ma'am.

21 MS. MAYES: Your Honor, I believe this one we
22 would need to hold in abeyance until The State --
23 until the close of The State's case to allow us to
24 evaluate when and if the statement may be needed.
25 Again, it's hard for us right now on a Monday

1 afternoon to predict what evidence in its entirety we
2 would need. But I will tell The Court that the
3 witness in the case would be Crystal Jenkins Merritt.
4 She is a correctional officer here at the Lexington
5 County Detention Center.

6 The video surveillance that was recovered, Your
7 Honor, showed The Defendant becoming extremely
8 agitated and irate and going, really, engaging in a
9 verbal tirade directed at this female correctional
10 officer. And during the course of this tirade, it's
11 about -- she has asked him to change clothes. And he
12 becomes enraged and ends up yelling something to the
13 effect of, Don't mess with me, I got bodies in this
14 bitch. And that's on video. But aside from the
15 video, there are certain ways that The State could,
16 potentially, offer this evidence. He's saying to
17 her, Don't mess with me, I killed someone.

18 And so, potentially, Your Honor, although the
19 video says I got bodies in this bitch, a reference to
20 the two murders, certainly, this officer could still
21 testify that he became enraged and agitated and
22 yelled at her, Don't F with me, I've got a body in
23 this bitch. So that could be redacted or changed.
24 But what he's saying to her is that he's killed
25 someone.

1 THE COURT: Sitting here today, you're not sure
2 you're going to even call that witness?

3 MS. MAYES: That's correct, Your Honor.

4 THE COURT: So at a minimum, we would need to,
5 potentially, have another in-camera hearing before
6 that witness is called.

7 MS. MAYES: Certainly, Your Honor. I just think
8 it's too early for us to determine to what extent
9 some of this evidence may be necessary. But he has
10 made multiple statements as this video confirms, he's
11 made multiple statements to different people about
12 this.

13 THE COURT: Okay.

14 MS. MAYES: We know that Cady Keener will also
15 be testifying in this case, I wanted to address that.
16 There will be statements offered through Ms. Keener.
17 And again, these are going to be direct
18 communications to Ms. Keener. So certainly, as long
19 as she could authenticate them and she would, they
20 would certainly be relevant and admissible.

21 You Honor, he's going to say to her, he's going
22 to reference that they caught a body. And because of
23 that, they're stuck together. And again, this is a
24 former girlfriend of his. But she was present for
25 the murder of Tony Etheredge. And he's going to say,

1 If I go down, you're going down with me. And then he
2 also makes a reference to he is going to go -- he's
3 going to tell everyone that she is the quote, Set up
4 bitch.

5 And the facts of this case, Your Honor, are that
6 Cady Keener did, in fact, set up the murder of Tony
7 Etheredge. She, actually, communicated with
8 Mr. Etheredge to pick her up at a certain location,
9 it was an abandoned house on Rish Road, just down the
10 road from The Defendant's camper. And he goes and
11 picks her up there. And then once he picks her up,
12 she says to him, I need you to give a ride to Allon,
13 he's just up street. And so then they pick him up.

14 Then ultimately, Mr. Etheredge is shot and
15 killed in his driver's seat. His body is disposed of
16 first along the side of the road, in the nighttime,
17 on Paris Road in Leesville. And then they steal his
18 vehicle and Cady Keener and Allon Adams continue to
19 use that vehicle for the next week. And not only
20 cleaned it up, but they ride around in it. We've got
21 video evidence to support that. They're eventually
22 going to come back and get the body from the side of
23 the road where it's hidden amongst some trees on the
24 embankment. And then they're going to use that same
25 truck, the stolen truck that belonged to the victim,

1 they're going to transport the victim's body in the
2 back of that truck to an area near Pelion known as
3 Black Creek River and they're going to dispose of the
4 body over the bridge and into the river.

5 THE COURT: Okay.

6 Yes, sir.

7 MR. STORY: Your Honor, just going back, I'm
8 moving to keep out the surveillance video from the
9 jail and any testimony about this incident. It is
10 vague, it references other crimes for which he is not
11 on trial, not being used to prove that he committed
12 this offense. It's barred under all other grounds I
13 previously mentioned.

14 THE COURT: Okay. Well, I'm going to hold your
15 ruling in abeyance. Let's just see if the witness is
16 necessary. I may have some other questions for y'all
17 about the statement as well when we're done.

18 Okay, what's the next matter.

19 MS. MAYES: Your Honor, I did want the record to
20 be replete that there will be numerous communications
21 with Ms. Keener that are directly referencing this
22 crime.

23 THE COURT: Excuse me. And I was kind of going
24 back to the original of how we started with the jail
25 video. So I don't mean to take away anything from

1 what you told me about the other statements that
2 you're referencing.

3 MR. STORY: So I think they're talking about the
4 recordings that were sent.

5 MS. MAYES: That's correct, Your Honor.

6 THE COURT: Correct.

7 MS. MAYES: You heard a small portion of some of
8 the evidence that was recovered from the phones. And
9 there are four critical phones in this case. There's
10 also going to be an Apple iPhone, in addition to the
11 three phones that I've already --

12 THE COURT: Okay.

13 MS. MAYES: -- made part of the record. But
14 there are numerous correspondences with other people.
15 Some of them are texts sent from the phone from Allon
16 Adams to other individuals. We are offering those
17 texts. Some of those are direct communications with
18 Cady Keener, the co-defendant in this case. So I
19 wanted to be clear that there are going to be
20 numerous communications that reference this crime,
21 that are going to be offered.

22 You've heard the two primary recordings that
23 were at issue in this case. The first two that we
24 dealt with, one video, one audio. But I did want the
25 record to be clear that there are numerous other

1 communications that are going to reference this
2 crime, that are being offered by The State.

3 THE COURT: Okay. I understand.

4 What else?

5 MR. STORY: So, Your Honor, I just want to
6 briefly put on the record a couple of things. There
7 was an individual named Roosevelt Garway, who was
8 arrested, I think a week and a half, two weeks ago,
9 in connection with this incident. I have previously
10 represented Roosevelt Garway. And I just want The
11 Court to know. I understand in communicating with
12 the solicitor's office that, as of right now, they do
13 not expect him to be called as a witness. But just
14 out of ethical concerns and out of an abundance of
15 caution, I want everybody to know that I represented
16 him.

17 THE COURT: On a separate matter.

18 MR. STORY: On a separate matter, yes, not on
19 this matter.

20 THE COURT: Okay.

21 MR. STORY: Finally, Your Honor, I would move to
22 sequester all the witnesses in this case. The
23 witnesses -- the people on my potential witness list,
24 of course, The Defendant has a right to be here in
25 his own trial. Our investigator, Spencer Watson. I

1 would have no objection to, I believe John Reed is
2 the lead investigator, him staying in the courtroom.
3 I understand the victim's family are potential
4 witnesses in this case. As victims, I think they
5 also have the right to be in the courtroom. Justin
6 Ashley is a potential witness in this case, however,
7 I understand he's the solicitor's investigator and
8 they may need him to get witnesses and things like
9 that. So keep the trial going, I have no objection
10 to him staying. But I would move to sequester all
11 the other witnesses, there are a number of witnesses.
12 Very serious matter. I would be very concerned about
13 them concluding in some way or listening to the
14 testimony. So I move to sequester all the other
15 witnesses in this case.

16 THE COURT: Without objection?

17 MS. MAYES: Your Honor, we would just ask that
18 it be mutual. Again, our chief investigating officer
19 is John Reed. We would ask that he be exempt. We're
20 also going to have present in the courtroom someone
21 from the sheriff's department with evidence each day.
22 Today it is Margaret Hallaman. Tomorrow it may be
23 Sandy Black, but--

24 THE COURT: Their testimony would only be about
25 the location of evidence and have no fact base

1 purpose.

2 MS. MAYES: That's correct, Your Honor. And as
3 previously noted, Your Honor, Pam and Tony Etheredge,
4 Sr. Pam Etheredge and Tony Etheredge, Sr. are the
5 parents of Tony Etheredge, are exempt from
6 sequestration pursuant to the Victims/Witness Bill of
7 Rights.

8 THE COURT: Right.

9 And I would just ask this. I would ask the
10 attorneys to help me with turning around because I'm
11 confident I won't know the witnesses. So if there's
12 one here I need y'all to let me know sooner rather
13 than later during the course of the trial.

14 So I think that covers you on that, Mr. Story.

15 MR. STORY: Yes, Your Honor, thank you.

16 THE COURT: Anything else from The Defense
17 standpoint, at this point?

18 MR. STORY: That's all from The Defense, Your
19 Honor.

20 THE COURT: All right. So just from our
21 standpoint, the jail video we're holding in abeyance
22 until we get to a point where that witness may be
23 called. And we discussed -- and we can actually
24 discuss off the record too, as far as the traffic
25 stop issues. I think there were two matters that

1 sort of directly connected to that.

2 Any motions from The State?

3 MS. MAYES: Your Honor, we -- this was the rare
4 case where we didn't really have any motions. We
5 have, as noted, kept open the possibility that
6 depending on how things go, we may have to take up a
7 in-camera hearing if more evidence were to be needed.
8 But as it is, we're prepared to go forward just on
9 the murder of Tony Etheredge, Jr.

10 THE COURT: All right.

11 MR. HUBBARD: Judge, one other thing I just
12 thought of, the two photos I passed up and then the
13 autopsy chart.

14 THE COURT: Yes, sir.

15 MR. HUBBARD: If you want those as Court's
16 Exhibits, we can do that as opposed to State's
17 Exhibits. Or I can just take them back and, you
18 know, I just didn't know for purposes of ruling if
19 you needed them.

20 THE COURT: Well, I looked at them but I think
21 you mentioned them as Court's Exhibits when you
22 offered them to me --

23 MR. HUBBARD: Okay.

24 THE COURT: They haven't been stamped yet.

25 MR. HUBBARD: That'll be fine. What I might do

1 is --

2 THE COURT: Oh, I'm sorry --

3 MR. HUBBARD: -- put stickers on top of these.

4 These were going to be State's Exhibits.

5 THE COURT: Okay.

6 MR. HUBBARD: And what I can do is put Court's

7 Exhibits stickers on top of them. And that way,

8 they're --

9 THE COURT: Okay.

10 MR. HUBBARD: -- You know, give them new

11 numbers.

12 THE COURT: Okay.

13 MR. HUBBARD: If that's okay with, Your Honor.

14 THE COURT: Suites me.

15 Anything else for the record today?

16 MS. MAYES: Your Honor, one matter.

17 THE COURT: Okay.

18 MS. MAYES: The witness who was noted on the

19 witness list as Candice Ava S. [REDACTED], is currently a

20 juvenile and she was a juvenile when the crime

21 occurred. She does have a juvenile record for

22 something that would not be a crime of impeachment.

23 But we are under current law not allowed to disclose

24 that. Instead, I would submit it to Your Honor and

25 let Your Honor review it and then determine what, if

1 any, disclosure should be made.

2 THE COURT: What is the current age of this
3 witness?

4 MS. MAYES: May we approach?

5 THE COURT: Certainly. Certainly.

6 (WHEREUPON, an off-the-record bench conference
7 was held.)

8 (WHEREUPON, Court's Exhibits Nos. 3-6 were
9 marked for identification only.)

10 THE COURT: All right, anything else?

11 MR. HUBBARD: Yes, sir, if I may put one thing
12 on the record. We've renumbered Court's Exhibits. I
13 had mentioned State's 36 and 39. Those are the
14 photographs of the dash showing the cleaning. Those
15 are now State's 39 would be Court's Exhibit 5. And
16 State's 36 is now Court's Exhibit 4. And then as to
17 the diagram, autopsy diagram, which I referenced as
18 State's 130, it is now Court's Exhibit No. 6. So you
19 now have 4, 5, and 6. Court's exhibits. In addition
20 to the other things that were put in as Court's
21 Exhibits. I think we have Court's 1 and 2 were the
22 disks. And then note from the jury has been marked
23 as Court's Exhibit 3.

24 THE COURT: All right.

25 Anything else for today?

1 MR. HUBBARD: That's it, Your Honor.

2 THE COURT: Mr. Holiday approaches.

3 MR. HUBBARD: Yes, sir.

4 THE COURT: Okay. All right.

5 Anything else before we recess, Mr. Story?

6 MR. STORY: Nothing from The Defense, Your
7 Honor.

8 THE COURT: Mr. Solicitor, Ms. Mayes?

9 MR. HUBBARD: No, sir, Your Honor, nothing else.

10 THE COURT: All right. We will -- I instructed
11 the jury to be in at 9:15. So let's be ready to go
12 at that time. And start off with things tomorrow
13 morning, okay.

14 MR. HUBBARD: Thank you, Your Honor.

15 MS. MAYES: Thank you, Your Honor.

16 MR. STORY: Thank you, Your Honor.

17 THE COURT: Be in recess.

18 (WHEREUPON, the proceedings were concluded for
19 the day to be reconvened on November 18, 2025.
20 I was not the Court Reporter for the remainder
21 of the proceedings.)
22
23
24
25

CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

I, APRIL P. HERRON, Official Court Reporter for
the Thirteenth Judicial Circuit of the State of South
Carolina, do hereby certify that the foregoing is a true,
accurate and complete Transcript of Record of the
proceedings had and evidence introduced in the trial of
the captioned case, relative to appeal, in the Court of
General Sessions for Lexington County, South Carolina, on
the 17th day of November, 2025.

I do further certify that I am neither of kin,
counsel nor interest to any party hereto.

January 21, 2026

APRIL P. HERRON, Court Reporter

State of South Carolina) In the Court of General Sessions
County of Lexington) Eleventh Judicial Circuit

2025-GS-3204729
2025-GS-3204730
2025-GS-3204727
2025-GS-3204732

The State of South Carolina,)
)
 vs.) Transcript of Record
)
 Allon Triante Adams,)
)

November 18, 19, 20, 21, 2025
Lexington, South Carolina

B E F O R E:

The Honorable Walton J. McLeod, IV, Judge, and a Jury

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

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P R O C E E D I N G S

Tuesday, November 18, 2025

(Jury not present.)

(Defendant present.)

THE COURT: Good morning. Jury is all present.
Anything for the record before we get started?

MR. HUBBARD: Quickly, Your Honor, back -- a while back, we filed a notice of evidence that included the T-Mobile records involved in this case from our victim. And I've got that marked as State's 7. The records themselves are on a disk, marked State 8. And then, what we've done, we've got them broken down into a color-coded board for exhibit purposes, State's 5 and 9 -- but coming from those records, and I'd just like to go ahead and offer these in, since they're through our notice of evidence. We have not heard back, or there's no objection on those records.

MR. STORY: So, Your Honor, we did get that notice of evidence. And I understand the custodian of evidence does not -- or, excuse me. Normally, you know, these are, these are business records, which would have to be brought in through the custodian of records. And they don't necessarily have to bring in through the custodian, but I still believe they have to be brought in by a witness that would lay some foundation for the record, Your Honor.

MR. HUBBARD: Your Honor, actually, we would

1 disagree with that. We've done this for many years.
2 Basically, the custodian of records would be that person. And
3 so, by waving that person off through the notice, the whole
4 purpose of the notice is designed because typically that
5 person would be from, like, California or somewhere out West
6 or somewhere out of the way. And so, routinely, what this
7 does is we just put this up. Otherwise, we're kind of just
8 like putting up a witness to say, yeah, these are records, but
9 they're not a custodian of record.

10 THE COURT: Well, that is the point of the Business
11 Records Act.

12 MR. HUBBARD: Yes, sir. And so what we've got are
13 the actual -- the notice of evidence, which again, looking at
14 number 10 of the things that were included in that, includes
15 these T-Mobile records. And that's State's 7. State's 8
16 would actually be the records themselves, which obviously have
17 been disclosed. And then, from that, what we've done is our
18 exhibits, to make them easier to understand -- and that's 5
19 and 9, which the Defense has as well. Some of it's color-
20 coded so you can see who's who on there, and with time
21 conversions: as Your Honor knows, whenever you have phone
22 records, you got to do time conversions. So all of that
23 together is what State's offering -- is State's 5, 7, 8, and
24 9.

25 THE COURT: Okay. And the notice of evidence is one

1 thing, but those are actual ---

2 MR. HUBBARD: Exhibits.

3 THE COURT: --- (indiscernible) exhibits?

4 MR. HUBBARD: Yes, sir. Based on these records,
5 which, again, the only person that we would be putting these
6 in through would be whatever custodian of record, saying, hey,
7 do these come from these records? Yes, there's nothing that
8 we created, wholesale; we just -- and I'll show Your Honor.
9 Here's the actual documents, being the disk as State's 8.

10 THE COURT: (Indiscernible) something like that
11 (indiscernible).

12 MR. HUBBARD: Yes, sir.

13 THE COURT: Okay. So those are the T-Mobile
14 business records of home (phonetic).

15 MR. HUBBARD: Yes, sir.

16 THE COURT: Okay. Which were provided in advance of
17 the notices?

18 MR. HUBBARD: Right. That's right.

19 THE COURT: And (indiscernible) causes affidavit
20 that comes with it and notice the other side. It can be
21 admitted without objection?

22 MR. HUBBARD: Yes, sir. Yes.

23 MR. STORY: Yes, Your Honor. And I understand it's
24 a hearsay exception. The custodian of records does not have
25 to be present. There still has to be a witness to explain

1 that it is what it purports to be and explain to the jury what
2 it is. Otherwise, they're just getting, you know, a bunch of
3 phone records (crosstalk) ---

4 THE COURT: I understand.

5 These will be used through a witness.

6 MR. HUBBARD: Yes, sir. A witness will -- for
7 instance, like, the victim's father will talk about some of
8 the phone records. We'll have officers talking about these
9 phone records. All of this comes from the -- State's Exhibit
10 8, the actual unredacted -- the raw phone data. What we
11 always do -- as Your Honor knows, you have to make time
12 differentials. Here I think it's minus five hours.

13 And you do all that to make them understandable, so
14 a witness, another witness, can then explain what transpired.
15 So those will come in through other witnesses, but the
16 documents, the data, the only person that I could have verify
17 that would be this T-Mobile person. And so that's why we're
18 putting them in. And then the testimony will be whether they
19 can testify to it or not.

20 THE COURT: And I think, typically, the foundational
21 questions involved I have here in my hand are factors that
22 were omitted, pursuant to South Carolina Business Records Act.

23 MR. HUBBARD: Correct.

24 THE COURT: And then there'll be following
25 testimony. So I think they are technically (phonetic) in for

1 now. But, obviously, I know I'm going to -- I'm assuming I'm
2 going to hear additional testimony of witnesses about, yes, we
3 received these, and here's how we are using them towards our
4 case.

5 MR. HUBBARD: Right. And I would let Your Honor
6 know the first witness testifying about these records will be
7 the father, who's going to identify the phone numbers on
8 there -- so, yeah, this and the timeline of it. So that's
9 right out of the gate, one reason why we're doing this,
10 because, obviously, he can't speak for everything else T-
11 Mobile provided. He can only speak to his share of it.

12 THE COURT: (Indiscernible).

13 UNIDENTIFIED SPEAKER: What I was (indiscernible)
14 was already been admitted, or what's been admitted as
15 (indiscernible).

16 THE COURT: Okay.

17 UNIDENTIFIED SPEAKER: And ---

18 THE COURT: (Indiscernible). That will be State's
19 Exhibit what?

20 MR. HUBBARD: It will be State's 5, 7, 8, and 9.

21 THE COURT: 5, 7, 8, and 9.

22 MR. HUBBARD: Yes sir.

23 THE COURT: Those are admitted, pursuant to the
24 Business Records Act. And we will hear additional testimony
25 and some (indiscernible).

1 (State's Exhibits 5, 7, 8, and 9 received into evidence.)

2 THE COURT: All right. Anything else before we
3 bring in the jury?

4 MR. HUBBARD: One other thing, Your Honor, I would
5 like to address any issue of character evidence as to the
6 victim. I don't know what the Defense would go into. If
7 they're going to go into the character of our victim, I'd like
8 us to approach and make sure that, before something's out, if
9 we could just have that understanding, if there's something --
10 like, for instance, when I have the father on the stand, if
11 there's something they want to go into about the victim, Tony
12 Edwards Jr., because, really, we have nothing that I know of
13 his behavior that involves this case that would be
14 impeachable.

15 I don't know if there's something we need to talk
16 about now. Maybe we can approach.

17 THE COURT: Yes, sir.

18 MR. STORY: I'm certainly -- you want to approach
19 now?

20 MR. HUBBARD: Yeah, why don't we approach now, and
21 then ---

22 (Bench conference started.)

23 (Bench conference ended.)

24 MR. HUBBARD: Thank you, Your Honor.

25 THE COURT: All right. Anything else before the

1 jury is brought out?

2 MR. HUBBARD: Not from the State, Your Honor.

3 MR. STORY: Nothing from the Defendant.

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

5 (Jury in.)

6 (Pause)

7 THE COURT: Please be seated. All right, ladies and
8 gentlemen, welcome back. Hope you had a nice evening. I've
9 got some remarks I want to give to you. But, before I do
10 that, I'm going to start today by asking the clerk of the
11 court to swear you in.

12 THE CLERK: Raise your right hands, please.

13 UNIDENTIFIED SPEAKER: Stand.

14 THE CLERK: Thank you.

15 You shall well and truly try to true deliverance
16 make between the State and the Defendant at the Bar, whom you
17 shall have in charge, and render a true verdict according to
18 the laws and evidence, so help you God?

19 JURORS: I do.

20 (Jury sworn.)

21 THE CLERK: Thank you.

22 (Preliminary jury instructions.)

23 THE COURT: All right, ladies and gentlemen, we're
24 about to start the trial in the State of South Carolina vs.
25 Allon Adams. Before we begin the actual trial of the case, I

1 thought it might be helpful if I explain to you, basically,
2 how a trial proceeds. First, the State will make an opening
3 statement. An opening statement is not evidence. It is
4 simply an outline to help you understand what that party
5 expects the evidence will show you. The Defendant may, if he
6 wishes, present an opening statement, but does not have to for
7 reasons that I will explain.

8 Following the opening statements, you will hear
9 testimony and evidence in the case. This will consist of
10 testimony from State witnesses, as well as any physical
11 exhibits which will be introduced into evidence. Following
12 the completion of the testimony, the attorneys will then have
13 an opportunity to make what is called a closing argument or
14 summation view. This is an opportunity for the attorneys to
15 summarize the case from their respective points of view.
16 Again, these arguments are not evidence.

17 Following the closing arguments by the attorneys,
18 I'll instruct you on the law of South Carolina as it pertains
19 to the issues that have arisen in this case. When I have
20 completed my instructions to you, you will then be permitted
21 to begin your deliberations in order to reach a verdict.

22 Now, ladies and gentlemen, you are the jury in this
23 case. I want to take a minute to tell you something about
24 your duty as jurors. Let me give you some instructions there,
25 too. At the end of the trial, I'll give you more detailed

1 instructions. And those instructions will control your
2 deliberations. It will be your duty to decide from the
3 evidence what the facts are. You and you alone are the judges
4 of the facts. You will hear the evidence, decide what the
5 facts are, and apply those facts to the law, which I will give
6 to you. That is how you will reach a verdict.

7 In doing so, you must follow that law, whether you
8 agree with it or not. The evidence will consist of the
9 testimony of witnesses, documents, and other things received
10 in the evidence as exhibits, and any facts on which the
11 lawyers agree or which I may instruct you to accept. You
12 should not take anything I may say or do during the trial as
13 indicating what I think of the evidence or what your verdict
14 should be.

15 This is a criminal case brought by the State of
16 South Carolina. The State charges the Defendant with murder,
17 armed robbery, criminal conspiracy, and possession of the
18 weapon during the commission of a violent crime. The charges
19 against the Defendant are contained in the indictments. The
20 indictments are not evidence of anything. They are simply the
21 description of the charges made by the State against the
22 Defendant. The Defendant has pled not guilty to the charges
23 and is presumed innocent, unless and until proven guilty
24 beyond a reasonable doubt. Proof beyond a reasonable doubt is
25 proof that leaves you firmly convinced of the Defendant's

1 guilt.

2 A Defendant has the right not to testify and never
3 has to prove innocence or present any evidence. The burden of
4 proof is always upon the State of South Carolina. The
5 following things are not evidence. You must not consider them
6 as evidence in deciding the facts of this case: one,
7 statements and arguments of the attorneys; two, questions and
8 objections of the attorneys; three, any testimony that I
9 instruct you to disregard; four, allegations contained in the
10 indictment; and, five, any questions or responses heard in the
11 jury selection process.

12 Evidence may be direct or circumstantial. Direct
13 evidence is testimony by a witness about what that witness
14 personally saw, heard, or did. Circumstantial evidence is
15 indirect evidence, that is, it is proof of one or more facts
16 from which one can find another fact. You are to consider
17 both direct and circumstantial evidence. The law permits you
18 to give equal weight to both. But it is up for you to decide
19 how much weight to give in the evidence.

20 There are rules of evidence which control what can
21 be received into evidence. When a lawyer asks a question or
22 offers an exhibit into evidence and a lawyer on the other side
23 thinks it is not permitted by the rules of evidence, that
24 lawyer may object. If I overrule the objection, the question
25 may be answered or the exhibit may be received. If I sustain

1 the objection, the question cannot be answered or the exhibit
2 cannot be received. Whenever I sustain an objection or deny a
3 motion to admit an exhibit into evidence, you must ignore the
4 question or the existence of the exhibit, and you must not
5 guess what the answer would have been or what the exhibit
6 would have shown.

7 Sometimes it may be necessary for me to request that
8 you leave the courtroom while I discuss the attorney's legal
9 questions that come up during the trial. If this occurs, you
10 should not speculate about our discussions or the reason that
11 you are asked to leave the room. This is simply a procedure
12 that the law requires when certain legal issues arise. There
13 also may be occasions where I ask the attorneys to approach
14 the bench, so that I can discuss a legal issue with them in
15 private. I will do this as often as possible so that you will
16 not be required to leave the courtroom more than is absolutely
17 necessary.

18 Again, if I advise the attorneys to step up to the
19 bench or if I ask you to leave the courtroom, please don't
20 think that anybody is trying to hide anything from you or keep
21 any evidence from you. This is simply a procedure used by all
22 lawyers and by all courts to determine and decide legal
23 questions. Now, in deciding the facts of this case, you may
24 have to decide which witnesses to believe and which witnesses
25 not to believe.

1 You may believe everything a witness says, or only
2 part or none. In deciding what to believe, you may consider a
3 number of factors, including the following: the witness's
4 ability to see, hear, or know the things testified to, the
5 witness's -- the quality of the witness's memory, the
6 witness's manner while testifying, whether the witness has an
7 interest in the outcome of the case or any motive, bias, or
8 prejudice; whether the witness was contradicted by anything
9 the witness said or wrote before the trial or by other
10 evidence; and how reasonable is the witnesses testimony when
11 considered in light of other evidence which you believe.

12 Now, until I advise you to begin your deliberations,
13 you must not discuss this case with anyone, including your
14 fellow jurors, friends, family members, or anyone -- and
15 anyone involved in this case. This includes face-to-face
16 discussions or telephone, email, text message, any form of
17 media whatsoever, any communications. During your breaks
18 overnight, you're not doing -- or while you're here, you're
19 not to do any independent research about the law, about what
20 you've heard in the courtroom, about any names you've heard in
21 the courtroom or anyone involved with the case.

22 Everything that you need to hear to fulfill your
23 duty will come from the witness stand and come in this
24 courtroom. So there is absolutely no need for anyone to do
25 any independent research of any kind while you're serving as a

1 juror. Do not research. Don't read or (indiscernible) any
2 news articles. But if you see one, please don't read it. If
3 you happen to come in contact with one, please let me know.
4 Okay?

5 After the case is submitted to you, you must discuss
6 it only in the jury room with your fellow jurors. Attorneys
7 and parties in this case have been advised they're not to talk
8 to you at all. So if you see anyone involved in the case, and
9 they do not say hello, they're not being unfriendly; they're
10 just following my instructions. It's important that you keep
11 an open mind and not decide any issue in your case until all
12 the evidence has been presented, the parties have made the
13 closing arguments, and I have instructed you on the law in
14 this case.

15 It is your solemn responsibility to determine the
16 guilt or innocence of the Defendant, and your verdict must be
17 based solely on the evidence, as it is presented to you in
18 this trial and on the law as I instruct you during and at the
19 close of the trial. I don't see anyone with any notepads, but
20 if you happen to have one with you, please don't take any
21 notes. Please keep your attention focused on the witness
22 stand and on the attorneys as they move around the courtroom
23 and engage with the witnesses during trial. Otherwise, please
24 give your complete and undivided attention to the attorneys as
25 they make their opening statements.

1 MS. MAYES: Your Honor, may it please the Court.

2 THE COURT: Yes, ma'am.

3 OPENING STATEMENT BY MS. MAYES

4 MS. MAYES: Yesterday, when those indictments were
5 called, you heard that this is a murder case. Let me lay it
6 bare right now. This murder case will be one of the most
7 brutal and completely senseless crimes imaginable --
8 completely senseless.

9 We're going to go back to almost two years ago. It
10 was a Wednesday, a Wednesday on the 27th of December, and that
11 falls right between Christmas and New Year's Day. And back
12 around December 27th of 2023, the victim in this case, Tony
13 Etheredge Jr. had worked his shift at Carolina Wings. He was
14 a dishwasher at Carolina Wings, and he worked the evening
15 shift. And it was closing time. And a young woman named Cady
16 Keener had reached out to him. She wanted to meet up. And
17 you'll see and hear evidence of that first meeting on that
18 Wednesday when he meets up with Cady Keener.

19 And that's the Carolina Wings right over here off
20 Sunset Boulevard that Tony worked at. He left that shift, met
21 up with Cady Keener, and they ended up near Leesville at the
22 Mr. B's Exxon, where they go in, buy a couple of soda pops,
23 and then they go and have dinner at Wendy's. What Tony did
24 not know is that that young woman, Cady Keener, was setting a
25 trap, a trap planned and devised by this man, Allon. This was

1 a setup. And this was step one in the setup, to gain Tony's
2 trust. And it worked.

3 So two nights later, it's going to be a Friday
4 night, December 29th, just shy of two years ago. Once again,
5 Cady Keener reaches out to Tony. He's working that midnight
6 shift at Carolina Wings. It's a weeknight. It's Friday night
7 now, and they close around midnight. He's looking forward to
8 this. Cady wants to see him again. When he finishes that
9 dishwashing shift, where does he go? He goes to an address
10 that Cady Keener gives him to pick her up. Well, that address
11 is an abandoned house on Rish Road in Leesville. For those of
12 you here in Lexington County, you know the area.

13 It's secluded, and it's dark, and there's not a lot
14 of lights. Tony didn't know that he was walking into a trap
15 and that there'd be no way out. So he goes to Rish Road and
16 picks up Cady at that abandoned house. And that abandoned
17 house is just a stone's throw away from the camper that Allon
18 lived in at 75 (indiscernible) Way and that Cady sometimes
19 shared with him. They've been long time, boyfriend,
20 girlfriend. He's the father of her baby. His plan was to set
21 up Tony because Tony had a truck, and they wanted it. And
22 they wanted whatever was in Tony's wallet. And it was almost
23 nothing.

24 This setup was to kill Tony, to steal his truck, and
25 to steal that wallet. And it was a crime of (indiscernible).

1 So Tony picks up Cady at that abandoned house, and it's
2 already looking strange to him. As I said, it's dark, and
3 it's secluded. It's after midnight. And then Cady says, hey,
4 my friend Allon just up the way, he needs a ride. Can you
5 pick him up? Can you give him a ride? She had gained Tony's
6 trust. Tony goes up the way and lets Allon into the car along
7 with another guy (indiscernible).

8 Again, the plan was already set and is now in
9 motion -- Allon's plan. Allon had the gun. Allon had
10 arranged all of it. Cady followed along, which makes her
11 equally guilty under the law. So once Allon gets in the car,
12 they drive around a little bit and end up on Parrish Road.
13 And Parrish Road is right there adjacent to Rish Road, where
14 Allon lives. And it's also going to be close to another road
15 you're going to hear about there in rural Leesville, called
16 Truex Road.

17 But right there it's dark, and it's secluded at
18 night, and there aren't street lights. Parrish Road is a dirt
19 road. What happens when they get on Parrish Road? We know
20 that a call is going to be made from Tony after he gets off
21 that midnight shift. And he's going to be calling his son.
22 Tony had a 15-year-old son, Amadre (phonetic). And we know
23 that his last call was to his son, telling him, hey, I'm off
24 work. See you tomorrow. And then that phone is going to go
25 blank.

1 Because sometime after that last call with his son
2 around 12:24, between 12:14 and 12:24, the communications with
3 the son, Tony is going to be shot and killed by this man.
4 When they get on Parrish Road, they want to get Tony out of
5 the truck. Why? Why do they want Tony out of the truck?
6 Well, that's the plan. The plan is to steal the truck. And
7 that truck has value, as long as it's in good condition. So
8 they need Tony out of the truck. They don't want to have to
9 shoot him in the truck because that's going to leave blood and
10 blood stains in the truck.

11 But Tony already knew something was up, something
12 didn't feel right. And Cady was doing everything possible to
13 get him out of that truck. She hops out and says, oh, I think
14 you've got a flat tire. Not enough. Not enough to get Tony
15 out of the truck. It didn't work. And when Tony won't get
16 out of the truck, what happens next is that Allon gets out,
17 walks around to the driver's side, has him roll down the
18 window and shoots him in the head -- shoots him multiple
19 times.

20 They pull him out of the truck, place his body over
21 on an embankment, around some trees in an almost wooded area
22 there off Parrish Road. Passerby can't see it. There's no
23 lights. And his body lay there. Allon gets behind that
24 driver seat steering wheel, steals that truck, and they steal
25 the wallet out of his pants. And you know what's in that

1 wallet? Nothing. Nothing. Couple of credit cards that
2 you'll hear about that, at 1:11 a.m., they're going to use
3 Tony's stolen phone to try and make calls and figure out how
4 much money might be on his credit cards.

5 Well, you know what, none. Senseless. Completely
6 senseless. And that truck that Allon Adams worked so hard to
7 steal is covered in blood, Tony's blood. So they go back to
8 the camper, do God knows what for the next couple of hours.
9 And I can tell you, you're going to hear evidence that Allon
10 Adams is boasting about this, boasting about having killed
11 someone. And I'll get to that in a moment. But, eventually,
12 they figure out, well, maybe we shouldn't leave the body there
13 on the side of the Parrish Road where, eventually, it's going
14 to be found. So together, Allon and Cady, using Tony's stolen
15 truck, go back to Parrish Road, put Tony's body in the bed of
16 his trunk, and they drive to an area near (indiscernible)
17 called Black Creek Road.

18 And in the cover of darkness, they go out. And
19 Allon throws Tony's body over the bridge into Black River.
20 And he's missing. And you're going to hear from his father,
21 Tony Edwards Sr., who was doing everything under the sun to
22 find his child. He and Tony's mom are steadily calling that
23 phone. And every time they call that phone, it goes to
24 voicemail. Allon and Cady have Tony's phone now. It was in
25 his truck. And you're going to hear that, around New Year's -

1 - New Year's Eve and New Year's -- as Tony's mom is
2 desperately trying to find him, Allon and Cady are sending
3 messages to Tony's mother on that phone, trying to make her
4 believe that Tony's still alive.

5 Oh, I got a flat tire, Mom. I'll update you later.
6 I'm at a lady's house, Mom. No, not true. But Tony's parents
7 know those text messages don't sound like their son. And
8 their son would call when they pick up. They've got over 60
9 calls between just the two of them, over and over and over
10 again, calling Tony's phone. And every time it goes to
11 voicemail. They know something has happened to Tony. He
12 wouldn't just disappear and not come home. He was due to work
13 the next shift, the next day, at Carolina Wings. He was due
14 to work the 11 a.m. shift. He's a responsible worker. So
15 when he doesn't show up for that 11 a.m. shift, Carolina Wings
16 also knows Tony has vanished.

17 His father reports him missing to the Sheriff's
18 Department. Still nothing. Then after Allon and Cady
19 realized that there's enough heat out there -- Tony's missing;
20 people want to know where is Tony -- and they're driving all
21 around Leesville in Tony's stolen truck. They know they've
22 got to get rid of that truck. So what do they do? Allon
23 ditches the truck in an abandoned field in Leesville, off
24 Truex. And it's hidden just off the roadway, again, so a
25 passerby can't see. But eventually the landowner says, hey,

1 there's a truck here, and it doesn't belong here. We've never
2 seen that truck before.

3 And they call it in. And that's when the Lexington
4 County Sheriff's Department comes out to Truex, and they find
5 Tony's 2014 Toyota Tacoma abandoned there in a hay field on
6 Truex Road. This officer is one of many who approached that
7 truck. And already they're clued in. Wait, is this the truck
8 that belongs to Tony Etheredge, who we know is missing, whose
9 father has already reported him missing to the Sheriff's
10 Department. And when they look in that truck, they know now
11 this is a murder. There was blood visible in the driver's
12 seat. There is blood in the tailgate area where they had
13 moved Tony's body to throw him off that bridge.

14 There was all kinds of cleaning residue all over
15 that car where they can tell someone has scrubbed it down with
16 something. It's going to turn out to be baking soda, and
17 you're going to hear about that. But that residue is all over
18 that truck. It's on the dashboard, the console, the steering
19 wheel, everywhere, where Allon and Cady are doing everything
20 possible to leave no evidence behind. They don't want their
21 fingerprints. They don't want their DNA anywhere in that car.

22 That didn't work. It didn't work. Also in that car
23 is going to be a bullet defect. And you're going to hear from
24 a CSI officer, a CSI detective, who actually confirmed the
25 presence of a bullet defect in the driver's seat, where Tony

1 was sitting when he was shot and killed. So after law
2 enforcement finds Tony's truck, and there's blood in it, and
3 obvious signs of cleaning, they know now it's a murder
4 investigation. And what's going to stand out to them right
5 away are a couple of things.

6 Number one, they're going to find proof that Tony
7 had been in that Mr. B's Exxon buying some soda pops with Cady
8 Keener. Remember we had talked about that. That was their
9 first meeting on that Wednesday. Law enforcement was going to
10 find that video, and they're going to see Cady Keener. And so
11 they're going to start looking at, who is this -- who is this
12 girl with Tony Etheredge that no one had ever seen with him
13 before? And what do we know about Cady Keener? Well, from
14 there, the investigation comes straight at Allon Adams because
15 law enforcement, in their investigation, fully aware that Cady
16 Keener is the girlfriend of Allon Adams.

17 Another thing -- where that truck is going to be
18 ditched in that open field on Truex is just, once again, a
19 stone's throw from Allon Adams' Camper at [REDACTED] Rish Way.
20 That's an area that is basically his backyard that he knows
21 and is very familiar with. Allon Adams becomes a suspect, the
22 suspect. From there I spoke earlier about not just the
23 physical evidence and the forensic evidence. There's also
24 going to be digital evidence, cell phones, cell phones
25 belonging to Allon Adams. On those cell phones that are

1 recovered by law enforcement, Allon Adams is boasting about
2 his crime.

3 Why? Why? That is something that is almost
4 impossible to comprehend, the why, because it's never going to
5 make sense. It's never going to make sense that this kind of
6 evil can exist, and not only exist, but that someone would
7 boast about it. But Allon did. "Give them boys a head up,"
8 he says. "You better tell them boys in the Berg" -- a
9 reference to Batesburg -- "and South Lee" -- again, a
10 reference to Batesburg-Leesville area -- "you better tell them
11 boys in the Berg and South Lee that I ain't the one. I ain't
12 the one to play with. They ain't never took a soul. They
13 ain't never seen blood gush like a faucet. They ain't seen
14 none of that. You tell them I ain't the one to play with."

15 And from there you're going to hear more about those
16 statements that he makes on his phone. But he wants it out
17 there that now he's a killer. In addition to that phone
18 evidence, you're going to hear DNA evidence. And the DNA
19 evidence in this case is going to link Allon Adams directly to
20 Tony's stolen truck. You're going to hear that Allon Adams'
21 DNA is on the steering wheel of that truck because he's
22 driving it after Tony's been shot and killed.

23 You're going to hear the blood present in that
24 vehicle is Tony's blood. And then, about 20 yards or so away
25 from where that truck is going to be abandoned in that field

1 on Truex, you're going to hear that there's a towel and a
2 hoodie found in the grass nearby. That towel and hoodie, I
3 submit to you, is used by Allon and Cady to try and clean up
4 the blood in that truck. They couldn't do it. It was too
5 much. But you're going to hear about that hoodie that's found
6 out there in that field. Number one, it's going to have
7 Tony's blood on it. And number two, it's got Allon Adams'
8 DNA. His DNA is on the same item with Tony's blood.

9 The evidence in this case doesn't stop there. In
10 addition to the physical evidence and the forensic evidence,
11 you're going to hear from an eyewitness. That eyewitness, who
12 saw Allon Adams pull the trigger, is Cady Keener. Cady Keener
13 is charged just like Allon Adams. She's charged with murder,
14 armed robbery, criminal conspiracies. Why is she charged?
15 Because the hand of one is the hand of all: under South
16 Carolina law, she is just as guilty as he is.

17 She took part of his plan. She carried out the
18 plan. It's as if she pulled the trigger herself, although
19 Allon did. But under the hand of one, hand of all, she is
20 guilty. Cady Keener will tell you that, after this happened,
21 they went to great lengths to cover it up, that the original
22 plan was to shoot Tony outside of the truck so that they could
23 steal that truck, and it wouldn't have blood in it. That
24 didn't pan out. And then they drove around in that truck for
25 a week. And then they're going to ditch it.

1 She's going to tell you that, after this happened,
2 it was only a matter of time till they got caught, and they
3 both knew it. She's going to tell you they used baking soda
4 to try and clean out the truck. She's going to tell you that
5 she tried to cut ties with Allon, and that didn't work either.
6 You're going to hear some -- you're going to hear some voice
7 messages between Allon and Cady, where he says to her "Once we
8 caught a body, we were stuck together." Caught a body. "And
9 if I go down, you're going down with me."

10 Cady Keener, as I stated, is charged with murder,
11 armed robbery, criminal conspiracy. She's going to come in
12 this courtroom, and she's going to take that stand with no
13 plea offer whatsoever. She is facing those charges. There is
14 no deal. There is no plea offer. She is coming in here under
15 the weight of her own actions and her own guilt to testify
16 against this man, her coconspirator.

17 Now, about the law. When we talk about the law in
18 South Carolina and the law of murder, it's actually simple.
19 Murder is the killing of any person with malice aforethought.
20 Now, what do we mean by malice? Malice is hatred, ill will,
21 hostility. Well, it's always going to be malice when someone
22 is shot and killed in order to steal their belongings. Here
23 are Tony's truck, Tony's life. So malice is a given. But
24 what does malice aforethought mean? It doesn't mean that it
25 has to be planned for days in advance or even hours in

1 advance -- although the murder of Tony Etheredge was -- but it
2 only means that malice is present just before and at the time
3 that the trigger is pulled.

4 It can be seconds. But here we know, and it is
5 undeniable, that malice was present from that very first
6 meeting between Cady and Tony. And then on Friday night,
7 they've met at the camper, and the plan is in motion for her
8 to go meet (phonetic) up with Tony. And when he picks her up
9 at that abandoned house, malice is present. Malice in this
10 case is a clear and present evil. It's evil.

11 And the State will prove beyond a reasonable doubt
12 the murder of Tony Etheredge Jr. by this man; the armed
13 robbery of Tony Etheredge Jr.; the conspiracy, and the
14 possession of a weapon during a violent crime. After all is
15 said and done, I submit the State will meet its burden of
16 proof abundantly. And that is proof beyond a reasonable doubt
17 that Allon Adams is guilty as charged with murder, armed
18 robbery and possession of a weapon during a violent crime and
19 criminal conspiracy. Thank you.

20 MR. STORY: May it please the Court.

21 THE COURT: Yes, sir.

22 OPENING STATEMENT BY MR. STORY

23 MR. STORY: She told the deputies she didn't know
24 Tony Etheredge Jr. She told the deputies when they came to
25 her house that she thought his name was Mark Smith. She told

1 the deputies when they came to her house, after they
2 confronted her with pictures of her and Tony Etheredge Jr. at
3 the Exxon gas station in Batesburg with Tony Etheredge Jr,
4 she told them, oh, yeah, he came and picked me up. We rode
5 around. He bought me some snacks on the 27th, but I never saw
6 him again. Those were lies. And after she was arrested, she
7 decided she wanted to talk to law enforcement, and she wanted
8 to come clean.

9 She says, yeah, I know what happened to Tony, and
10 I'm going to tell you what happened to Tony. But I didn't
11 plan it. I didn't plan any of it. It was Allon Admas. She
12 knew he was the perfect person to blame this on, even though
13 she was the only one seen with Tony Etheredge Jr. She was the
14 only one seen getting in and out of the truck before he
15 (indiscernible). Despite those lies, she's going to admit
16 those are lies, and the State is going to admit those are
17 lies. But when she takes the stand, she's the only one going
18 to tell you what happened.

19 And the State's going to want you to believe her,
20 and the State's going to want you to believe her beyond a
21 reasonable doubt. But you can't, folks. You can't believe
22 her because, even when she supposedly came clean, her story
23 continued to change and evolve, and she left out extremely
24 important facts like, oh, by the way, there was a whole other
25 person there. And as the State confronted her with more

1 information -- explain this, explain this -- she came up with
2 explanations for those things time and time again.

3 The State told you that this offense occurred right
4 in Allon Adams' backyard, and that they had dated in the past.
5 And that's why Cady knew that Allon Adams was the perfect
6 person to tell law enforcement, to tell the government, that
7 he was the one who planned and devised (phonetic) it. Now,
8 remember that backyard, remember this is Allon Adams' backyard
9 because that is going to explain much of what the State calls
10 the forensic evidence in this case.

11 But, ultimately, there was only one eyewitness, and
12 that was Cady Keener. Everything the State, that Ms. Mayes
13 just told you, that all came from Cady Keener. And there
14 you -- again, like I said, despite her lies in the past and
15 her changing stories, they're going to ask you to believe her,
16 and they're going to ask you to believe her beyond a
17 reasonable doubt.

18 Right now, the Judge told you that you are the
19 judges of the facts. And I want you to keep that in mind
20 throughout this whole trial. Nobody can tell you what the
21 facts are. Nobody can tell you what you are convinced by
22 except for you. You're all from different backgrounds.
23 You're all different people. But don't let anybody else tell
24 you what to think. And they will tell you what to think.
25 They will tell you to believe Cady.

1 They will tell you to believe that some of these
2 things that law enforcement found point to Allon Adams. But
3 when law enforcement approached Cady Keener, it was -- she was
4 the only person that had been seen with Tony Etheredge Jr.
5 And you're going to hear testimony that that was unusual, that
6 he had not been seen with her before around Batesburg, in the
7 area. So what I'm asking you to do is not to believe her lies
8 again, and, at the end of this trial, find Allon Adams not
9 guilty.

10 THE COURT: The State may call its first witness.

11 MS. MAYES: May it please the Court, Your Honor, the
12 State calls Cady Kirk.

13 THE CLERK: Raise your right hand, left hand on the
14 Bible.

15 Do you swear or affirm any testimony you give the
16 Court is the truth, the whole truth, and nothing but the
17 truth, so help you God?

18 MS. KIRK: I do.

19 THE CLERK: Thank you. Have a seat over there,
20 please. State your name and please spell your last for the
21 record.

22 THE WITNESS: Okay. My name is Katherine Kirk. I
23 go by Cady. The last name is K-I-R-K.

24 KATHERINE KIRK,
25 being duly sworn, testified as follows:

DIRECT EXAMINATION

BY MS. MAYES:

Q. Good morning, Ms. Kirk. I'm going to ask you to pull the microphone a little bit closer to you.

A. Okay. Is that good?

MS. MAYES: It is.

Your Honor, if I may approach.

THE COURT: Yes, ma'am.

BY MS. MAYES:

Q. I'm going to actually move this forward just a little bit.

A. Okay.

Q. All right. Ms. Kirk, where are you currently employed?

A. I work at Carolina Wings in Lexington.

Q. All right. How long have you been there at Carolina Wings?

A. Almost 11 years.

Q. And what is your job position there?

A. The general manager.

Q. All right, so as general manager, tell us whether or not you have knowledge of schedules for employees.

A. Mm-hmm (affirmative), I do. Yes.

Q. All right. I want to go back to 2023. Can you tell us about Tony Etheredge Jr.

A. Sure. He was our dishwasher. He worked there for

1 probably, almost -- approximately, a month on the
2 (indiscernible).

3 Q. All right. So I want to go back to a specific point in
4 time. I'm going to show you a calendar. This is going to be
5 State's 131, for December 2023. And then, do you have a copy
6 of Tony's work records with you?

7 A. I do.

8 Q. All right. I'm going to ask you whether or not Tony was
9 working on the night of Friday, December 29th?

10 A. He was.

11 Q. All right.

12 MS. MAYES: State's 131 is a calendar for December
13 of 2023. Any objection?

14 MR. STORY: No objection, Your Honor.

15 THE COURT: State's 131 is admitted. You may
16 publish.

17 (State's Exhibit 131, received into evidence.)

18 BY MS. MAYES:

19 Q. All right. So, first, I want to look at Friday the 29th.
20 Was Tony scheduled to work that night?

21 A. Yes, ma'am.

22 Q. Now, when we talk about your hours, what is your normal
23 hours during a weekday, such as Monday, Tuesday, Wednesday,
24 and Thursday, versus a weekend, like Friday or Saturday?

25 A. Sunday through Thursday, we are open from 11 a.m. to 10

1 p.m.

2 Q. All right. So you close at 10 p.m. on Wednesday and
3 Thursday nights.

4 A. Right.

5 Q. All right. Now what about Friday night?

6 A. We would close at 11.

7 Q. All right. And closing at 11 for a dishwasher, how much
8 longer after the 11 p.m. close time is a dishwasher usually
9 scheduled to work and they're on the premises completing their
10 work?

11 A. Typically, if we close at 11, I would anticipate they
12 would be out within the hour, about an hour of work.

13 Q. So around midnight. Does that sound right? Around
14 midnight for a Friday night?

15 A. Yes, ma'am.

16 Q. I'm going to show you what it State's 1, for evidence,
17 and ask you whether or not you are familiar with these records
18 from Carolina Wings.

19 A. Yes.

20 Q. In fact, did you sign a letter of authenticity,
21 acknowledging that these are, in fact, the work records for
22 Carolina Wings?

23 A. Yes, ma'am.

24 Q. And these are all records that are maintained in the
25 ordinary course of your business?

1 A. Yes.

2 MS. MAYES: State's 1 for evidence, being the
3 Carolina Wings work records.

4 MR. STORY: Your Honor, may I voir dire the witness
5 about the business records, briefly?

6 THE COURT: (Indiscernible).

7 MR. STORY: Maybe the Solicitor could ask a few more
8 questions, but I don't think the foundation's been laid that
9 these are kept in the ordinary course of business.

10 THE COURT: Okay.

11 MS. MAYES: Your Honor, pursuant to 195520
12 (phonetic), the Carolina work records were also included.
13 Carolina Wings work records were also included in the State's
14 previous notice of evidence, and there's been no objection.

15 THE COURT: Very well.

16 MR. STORY: But, Your Honor -- so the exception of
17 the hearsay rule is these have to be a custodian of record.

18 THE COURT: The witness has testified she's the
19 general manager.

20 Ms. Mayes, if you would, just one quick question on
21 the ordinary course of business, please.

22 MS. MAYES: Yes, Your Honor. And, again, previously
23 filed notice of evidence.

24 THE COURT: Right.

25 //

1 BY MS. MAYES:

2 Q. Ms. Kirk, the records that we're looking at, the work
3 schedule showing when a worker clocks in and clocks out, are
4 those maintained by your company in the ordinary course of
5 business?

6 A. Yes.

7 Q. And does that include the Carolina Wings here off Sunset
8 Boulevard?

9 A. Yes.

10 Q. What is your actual street address?

11 A. 105 North Point Drive, Lexington.

12 Q. All right. So it's the Carolina Wings over there by the
13 movie theater.

14 A. Yes.

15 Q. And you, as manager, do you have access to those records?

16 A. Yes.

17 Q. Do you have knowledge of those records?

18 A. Yes.

19 Q. And, again, maintained in the ordinary course of
20 business.

21 A. Yes.

22 Q. And were they pulled for the benefit of law enforcement
23 in the State of South Carolina in the murder investigation
24 involving Tony Etheredge Jr.?

25 A. Yes. Yes, ma'am.

1 Q. And are these the records that you have just acknowledged
2 and have been offered at State's 1?

3 A. Yes.

4 MS. MAYES: For evidence, Your Honor.

5 MR. STORY: No objection.

6 THE COURT: All right. State's Exhibit 1 is
7 admitted.

8 (State's Exhibit 1, received into evidence.)

9 BY MS. MAYES:

10 Q. Now you've indicated that, normally, the dishwasher would
11 work about an hour past closing time.

12 A. Correct.

13 Q. So on Wednesday night, the 27th, for example, does that
14 mean Tony would usually get off around 11 if you all had
15 closed at 10?

16 A. Correct.

17 Q. And then on Friday night, specifically Friday the 29th,
18 that we're going to be talking about here, do your records
19 indicate what time Tony came in on the night of Friday the
20 29th?

21 A. I think that's 4 p.m.

22 Q. On this place, December 29th. All right. You've
23 indicated he came in around 4 p.m.?

24 A. Yes, ma'am. And do the records show you what time he
25 completed that dishwasher check -- completed his dishwasher

1 responsibilities and actually checked out?

2 A. 12:00 a.m.

3 Q. Now the records that you have, do they reflect, actually,
4 when the worker is clocking in and clocking out?

5 A. Yes, ma'am.

6 Q. How do you go about noting that?

7 A. On this, it would show -- the way our system is set up,
8 it says out of schedule, which means that we just don't input
9 the schedule into the system. We use a different system for
10 the schedule. If it was not the worker that clocked
11 themselves out or clocked themselves in, you would see a
12 manager punch, which would be, for example, Taylor card --
13 clock card -- that would just mean that they either forgot to
14 clock in or forgot to clock out, and the manager had to do so.

15 Q. All right. And do these records reflect whether or not
16 Tony clocked in or clocked out?

17 A. Tony clocked himself in and clocked himself out.

18 Q. All right. So we'll look right here: clocking in at 4
19 p.m., and then clocking out at what time?

20 A. 12 a.m.

21 Q. So at 12 a.m., just at midnight, Tony clocks out of his
22 job there at your Carolina Wings location, just off Sunset
23 Boulevard. Now, the following day, which would be Saturday,
24 was Tony scheduled to work that day?

25 A. He was.

1 Q. Tell us about that.

2 A. Tony was scheduled to work at 11. And he was actually
3 scheduled to work a double, which would mean he washed dishes
4 that morning, would probably take a break, and then wash
5 dishes that night.

6 Q. Okay. So he would actually scheduled to work a double
7 shift on the following day, which would be Saturday.

8 A. Correct.

9 Q. So on Saturday, the 30th, what happened?

10 A. About 11 o'clock, Tony never showed up. And that was
11 unusual. So, probably, I would say within 30 minutes, I
12 called Tony to see if he anticipated coming to work.

13 Q. Okay. Going to talk about that in just a moment.

14 A. Okay.

15 Q. But, again, taking a look here at the work records for
16 Saturday, December 30th, is there any indication that Tony
17 ever clocked in that day?

18 A. No, ma'am.

19 Q. And you, yourself, as manager, know that you didn't see
20 him at all.

21 A. Correct.

22 Q. Was this unusual for Tony?

23 A. It was.

24 Q. Was he a responsible worker?

25 A. He was.

1 Q. Had there ever been an occasion before where he didn't
2 show up?

3 A. No, not at all.

4 Q. And so when he didn't show up for that 11 a.m. on
5 Saturday, you try and call his phone?

6 A. I did.

7 Q. I'm going to show you what is State's 5, being phone
8 records in this case. Are you familiar with the number at
9 Carolina Wings that you would have used to call Tony's phone
10 from?

11 A. Yes, ma'am.

12 Q. What is that number?

13 A. 1-803-356-6244.

14 Q. All right. So the number that ends in 6244 is Carolina
15 Wings?

16 A. Yes, ma'am.

17 Q. And you've indicated that you, yourself, reached out when
18 you didn't show up at 11 a.m.

19 A. Correct.

20 Q. Do you see those calls that you made to Tony's phone on
21 December 30th?

22 A. I do.

23 Q. And what time did you make those calls looking here at
24 Eastern Standard Time.

25 A. There was one at 11:25 and one at 11:26.

1 Q. All right. So, right here, these calls -- 11:25 a.m. and
2 11:26 a.m. -- are you calling Tony's phone?

3 A. Yes.

4 Q. Did both of those calls go to voicemail?

5 A. They did.

6 Q. And Tony never picked up.

7 A. No, he didn't.

8 Q. Did you ever hear from Tony again?

9 A. We did not.

10 Q. Do you also recall his father, Tony Etheredge Sr., coming
11 to Carolina Wings looking for him?

12 A. I think he spoke to another manager, but I was aware that
13 he had came, looking for Tony.

14 Q. And you were aware that they couldn't find him either?

15 A. Yes, ma'am.

16 Q. Tony had vanished?

17 A. Yes.

18 Q. Tony's last paycheck, where is that paycheck now?

19 A. I turned it in. Nobody -- if that weekend he never
20 returned, we got paid that following Wednesday, and he was
21 also in the middle of a pay period, so two checks were there.
22 But for that Wednesday, nobody came to get his check.

23 Q. So his last paycheck was never picked up.

24 MS. MAYES: Beg the Court's indulgence.

25 Nothing further, Ms. Park, at this time.

1 THE COURT: Cross-examination.

2 MR. STORY: No questions for this witness, Your
3 Honor.

4 THE COURT: Very well. Witness may step down.
5 Thank you.

6 MR. HUBBARD: We ask the witness be excused, Your
7 Honor.

8 THE COURT: Without objection?

9 MR. STORY: Without objection.

10 THE COURT: So excused.

11 Next witness?

12 MR. HUBBARD: State calls Tony Etheredge Sr.

13 THE CLERK: Can you raise your right hand?

14 Do you swear or affirm any testimony you give the
15 court is the truth, the whole truth, and nothing but the
16 truth, so help you, God?

17 MR. ETHEREDGE: Yes.

18 THE CLERK: If you have a seat over there. Please
19 state your name. And if you'll spell your last, please, for
20 the record.

21 THE WITNESS: My name is Tony Etheredge Sr.

22 TONY ETHEREDGE SR.,

23 being duly sworn, testified as follows:

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25 //

DIRECT EXAMINATION

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BY MR. HUBBARD:

Q. Mr. Etheredge, is your wife here in the courtroom as well?

A. Yes, she is.

Q. What's her name?

A. Pamela Etheredge.

Q. Tony Etheredge Junior, who is he to you?

A. He's my son.

Q. Do you and your wife have several children?

A. We do.

Q. Two daughters?

A. Two daughters. Yes.

Q. Did you have another son as well?

A. Yes, we did. He was killed in a car accident by a drunk driver.

Q. Is that back in, like '02?

A. 2003, yes.

Q. Tony Junior, did he live with you all at the time he went missing?

A. He did.

Q. How old was he?

A. 35.

Q. His birthday? What day?

A. [REDACTED], 1988.

1 Q. So his 36th birthday was coming right up. When he lived
2 with you, was he working?

3 A. He was. He had to.

4 Q. Why is that?

5 A. Because I didn't allow anybody laying around the house.
6 He had to be a responsible young man.

7 Q. Did you also make sure if he wasn't working, that if
8 there were classes or schooling he needed that, he did that as
9 well?

10 A. Yes, he did. Yes, we did.

11 Q. And did your son, Tony Jr., always work or always try to
12 do what you had told him to do?

13 A. He always. He always worked, regardless, sometimes two
14 jobs if he had to.

15 Q. And at the time you went missing, where was he working?

16 A. Carolina Wings.

17 Q. Now, let me ask you, you mentioned that wreck in '03.
18 Who else was in that wreck?

19 A. His two cousins, which one died, and his brother, who
20 died, also.

21 Q. And was Tony Jr. in that car?

22 A. Tony was in there, too.

23 Q. Can you tell us, was there any lasting effects,
24 physically or anything else, with Tony from that wreck in '03?

25 A. He had traumatic brain injury. As a matter of fact, he

1 was in a coma for probably a week, about maybe two weeks. He
2 went to the trauma center in North Carolina. They told us
3 that there would be some behavioral, some changes in his
4 behavior due to the fact because he had one brain, one surgery
5 after another, brain surgery, after another. You know, the
6 doctors doing the best they could. And they did an excellent
7 job. But they told us, the therapist told us, that he would
8 be different.

9 Q. Let me ask you about him being different. Did you ever
10 let him use that as an excuse ---

11 A. Never.

12 Q. --- in school?

13 A. Never.

14 Q. Or for not holding down a job?

15 A. No, never. We wanted him to be as close as he could, and
16 he wanted it also.

17 Q. That's what I was going to ask you. Did he make efforts
18 to apply himself, even though he had that brain injury?

19 A. He did. He did.

20 Q. And did he often live at home, even -- I know you said he
21 lived at home at the time of this -- but had he ever lived out
22 on his own?

23 A. He did. He moved out a few times. And, of course, he
24 came back. The door was always open.

25 Q. And did Tony Jr. have a son?

1 A. He did.

2 Q. What is your grandson's name?

3 A. Amadre W. [REDACTED] (phonetic).

4 Q. About how old was a Amadre at this time?

5 A. I want to say 14.

6 Q. Okay.

7 A. Yeah, 14.

8 Q. Now, something else I want to ask you about Tony, and --
9 and was he a big fella?

10 A. No, he wasn't. He wasn't.

11 Q. How much did he weigh, roughly?

12 A. About 135, 140 pounds.

13 Q. Did you ever know if that was attributable to that wreck
14 way back in '03, or is it just -- that's just who he was?

15 A. Well, the doctors looked at it. They determined that,
16 you know, all of his -- that almost -- it was almost like it
17 slowed down because he looked younger. You know, he didn't
18 gain -- he didn't gain a whole lot of weight or anything like
19 that because his body, his pelvis, and everything was
20 shattered. And he had a whole lot of putting back together
21 the doctors had to deal with. And almost like it slowed up
22 everything, as far as his growing and his -- just his
23 appearance overall as well.

24 Q. And, again, as your son, was he ever allowed to use that
25 as an excuse?

1 A. Never. Never.

2 Q. So he was smaller. He had some -- he had that brain
3 injury, which kind of put him behind. But, other than that,
4 Tony applied himself.

5 A. He did.

6 Q. And you said he was working at the time that he went
7 missing. Is that correct?

8 A. That's correct.

9 Q. Well, let me shift and talk about when he went missing.
10 We have here a calendar. And the 29th, you know, he went to
11 work at Wings -- or Carolina Wings. Were you aware about what
12 time he was supposed to be getting off?

13 A. Not really. My wife was more, you know, into it. You
14 know, my wife and they were kind of joined at the hip. I was
15 just the father figure, you know, your typical father figure.
16 Hey, what's going on, and so forth and so on. But I knew he
17 was working.

18 Q. And did you know if he had a practice of -- was he close
19 to his son, Amadre?

20 A. Yes, he was.

21 Q. And would he often talk to his son?

22 A. He would.

23 Q. Even when he's getting off from work?

24 A. He would. He would reach out to him. When he got off
25 from work, he would always call me also.

1 Q. After December 29th, did you ever see Tony again?

2 A. No, I did not.

3 Q. Did you, your wife, or any of your family ever see him
4 again?

5 A. No, we did not.

6 Q. I'm going to show you what's been marked into evidence
7 already, State's Exhibit 5. Have you seen these records
8 before, Ms. Etheredge? Have we looked at these before?

9 A. Yes, we have.

10 Q. Okay. And you see there's a color-coded margin on the
11 upper right-hand side?

12 A. Yes, I do.

13 Q. Looking at State's 5, what's marked in yellow? Whose
14 phone number are we looking at right there?

15 A. That's my number.

16 Q. Your phone number?

17 A. My phone number.

18 Q. In green, Pam Etheredge -- that is your wife?

19 A. Yes, it is.

20 Q. And that phone number we see, is that her phone number?

21 A. Yes, it is.

22 Q. So when we see yellow or green on this phone chart,
23 that's going to correspond to your phone number or her phone
24 number?

25 A. That's correct.

1 Q. And the orangish color, is that the Carolina Wings?

2 A. Yes.

3 Q. Okay. Now, when your son did not come home, what did you
4 and your wife start doing?

5 A. We started calling.

6 Q. Calling Tony?

7 A. Yes, we did.

8 Q. Did you ever get an answer from Tony?

9 A. No, we did not.

10 Q. I want you to look on this front page here. There's some
11 phone calls. And I don't know if it's really clear to see,
12 but phone calls around 12:14 in the morning. You see where?
13 Roughly down there midway, lower midway on that -- that form,
14 looking in the blue column? You can see where my finger is on
15 the big board, about 12:14?

16 A. I can't see. Your finger (indiscernible).

17 Q. I'll tell you what I'm going to do. I'm going to walk up
18 and show you. Our technology is way behind in this courtroom.

19 A. I see it. I see it.

20 Q. I'm going to be looking at phone calls made at 12:14,
21 12:20, or -- and some text messages, around 12:20. Looking at
22 those, who's making that call, and who's it being made to --
23 or the text? Is that from -- your -- is that between your son
24 and Amadre?

25 A. It would be. That's his number.

1 Q. So that's about the time he'd be getting off from work,
2 when these calls and texts are made?

3 A. That's correct.

4 Q. So he's finished up on December 29th. We're going into
5 the 30th. And so those after work hours -- was it uncommon
6 for him to reach out to his son by text or phone number?

7 A. No, it was not. It was not.

8 Q. Did they just communicate a lot?

9 A. Quite a bit. Especially when a moderator would be at
10 someone's house, he would call him. He would call him either
11 to pick him up and bring him home.

12 Q. All right. Now, I want to show -- when we look at page
13 2, we see some yellow and green. Is that you and your wife?

14 A. That's Pam and I, yes.

15 Q. And you all were trying to reach out to who?

16 A. We were trying to reach out to Tony.

17 Q. Okay. Did you ever get him on the phone and talk to him?

18 A. No, I did not.

19 Q. That's December 30th. Looking at page 3 -- trying to
20 move this around a little bit. Again, just getting a feel for
21 what we're looking at, is this your wife and you?

22 A. That's correct. Yes, it is.

23 Q. Trying to make phone contact or text contact with ---

24 A. With Tony. Yes.

25 Q. That's covering December 30th and December 31st. Is that

1 correct?

2 A. That's correct.

3 Q. Going on into January 1st, January 2nd?

4 A. Yes, that's Pam and I trying to make contact.

5 Q. From the second to the third, do we still see that, you
6 and your wife making contact?

7 A. Yes, yes. We're still trying to contact those dates.

8 Q. January the 4th, you see a lot of yellow there. Who was
9 that trying to make contact with Tony Jr.? You take your
10 time.

11 A. That's me trying to call him.

12 Q. Mr. Etheredge, how would you describe you and your wife
13 at that point? Here it is, January 4th, what -- what's -- how
14 are you all feeling at this point?

15 A. We're worried, and we know something's wrong.

16 Q. Had Tony Jr. ever been away from you all this long and
17 been this silent?

18 A. Never.

19 Q. So this was way out of the ordinary.

20 A. This was way out of violence.

21 Q. On January the 4th, what did you do?

22 A. I called the sheriff's department and reported him
23 missing.

24 Q. What time of day did you make that phone call?

25 A. I remember about six o'clock in the morning. I remember

1 around 6. It was early.

2 Q. Even after you made that phone call, did you and your
3 wife continue to try to get in touch with Tony Jr.?

4 A. Yes, we did. And we encouraged family members also.

5 Q. I was going to ask you -- talked about you and your wife.
6 Did you all have other family members that were also
7 concerned?

8 A. Yes, they were. They were alerted, and we let them know.

9 Q. So multiple people are trying to find Tony Jr.?

10 A. That's correct. Yes.

11 Q. Every time you made a phone call from that first phone
12 call you made, where did that phone call go?

13 A. It went straight to voicemail.

14 Q. Straight to voicemail. Was that unusual?

15 A. It was very because Tony would call back, or either he
16 would text and say, what's good? What's up? But he couldn't
17 talk at the time.

18 Q. Do you recall a missing person flyer?

19 A. Yes, I do.

20 Q. I want to show you what's been marked State's Exhibit 2.
21 (State's Exhibit 2 marked for identification.)

22 Q. Do you recognize that as that flyer?

23 A. (No audible response).

24 MR. HUBBARD: Your Honor, offer State's 2 into
25 evidence?

1 THE COURT: Without objection?

2 MR. STORY: No objection, Your Honor.

3 THE COURT: All right. State's Exhibit 2 is
4 admitted into evidence.

5 (State's Exhibit 2, received into evidence.)

6 BY MR. HUBBARD:

7 Q. Whose picture are we looking at right here?

8 A. My son, Tony.

9 Q. And we'll see a date up here, January the 8th. He was
10 still missing on that date?

11 A. Yes, he was.

12 Q. We see his height was -- it says 5' 9". Does that sound
13 right?

14 A. Yes, it does.

15 Q. Weight, 135. Does that sound right?

16 A. Yes, it does.

17 Q. His date of birth, [REDACTED] of '88. That's right?

18 A. That's correct.

19 Q. Were you, your family members and friends, out beating
20 the bushes to see where Tony might be?

21 A. Yes, we were.

22 Q. Were you just relying on law enforcement to do that for
23 you?

24 A. No, I was making calls and reaching out to people as
25 well.

1 Q. Now, I want to ask you about something else. After the
2 29th, did you actually receive, you and your wife, some text
3 messages?

4 A. Yes, we did.

5 Q. Show you what's been marked State's Exhibit number 6,
6 State's 6. Have you seen these text messages before?

7 (State's Exhibit 6 marked for identification.)

8 A. Yes, I have. Yes, I have.

9 Q. Did these purport to be from your son to you and your
10 wife? Do they -- are these held out from someone to be -- to
11 you and your wife from Tony?

12 A. This text message had started to get -- they weren't
13 familiar with the verbiage that Tony uses when he texts.

14 Q. All right.

15 MR. HUBBARD: Your Honor, I believe there's no
16 objection to State's Exhibit 6.

17 MR. STORY: No objection, Your Honor.

18 THE COURT: Very well. State's Exhibit 6 is
19 admitted into evidence.

20 (State's Exhibit 6 received into evidence.)

21 BY MR. HUBBARD:

22 Q. Let's go over what we're talking about here when you say
23 they -- there's something different. On the 29th, where you
24 have "Are you okay?" is that from your wife to Tony?

25 A. It appears to be, yes.

1 Q. And on the 29th, that's the day he works, so we know he
2 was around, correct ---

3 A. Yes.

4 Q. --- from what we've talked about on into, just after
5 midnight when he's talking to his son, right?

6 A. That's correct.

7 Q. So we have an answer "Oh, yeah, always" with a smile.
8 And then "Good morning, mother. Are you okay?" Did Tony
9 always refer to your wife, his mom, as mother?

10 A. Yes, he did.

11 Q. Did they have a special relationship, and that was his
12 word for her -- mother?

13 A. That -- he did. He did. He told her more than he told
14 me because, you know, that I -- well, I was -- I was always
15 questioning, you know, what's going on, you know? Pam was --
16 Pam was the loving. And, I guess, I was kind of the outsider
17 of the two parents because he was careful with what he told me
18 because he knows I'm going to question it. I'm going to be a
19 father figure to him and say, okay, hey, this is what we need
20 to do.

21 Q. Let me ask you this, Mr. Etheredge, are you an old-
22 school dad?

23 A. Yes, I am.

24 Q. So you all had an old school home environment?

25 A. Pretty much, yes.

1 Q. Mom's the nurturing one. Dad's the one that makes sure
2 the rules are enforced.

3 A. Enforced.

4 Q. Mom's the one that hugs. Dad's the one, hey ---

5 A. You need to see me.

6 Q. Okay.

7 A. Yeah.

8 Q. Mom's the one, you can do all kinds of things. Dad's
9 one, have a job.

10 A. Don't bring that to me. Correct.

11 Q. Okay. All right. Did you all both love Tony Jr.?

12 A. Loved him more than anything in this world.

13 Q. Was your home his home?

14 A. Exactly. Everything I had was his.

15 Q. Did he know that?

16 A. He knew it.

17 Q. Looking at the 30th, your wife reaches out, says "Good
18 morning. Can you bring me a scratch off?" This response on
19 the 30th? You see that? "I got you later? For sure at
20 ladies place."

21 A. That's not Tony's.

22 Q. Okay. Now, when it comes in from his phone, did your
23 wife want to believe that was your son, even though that
24 looked odd?

25 A. She did.

1 Q. Were you the skeptic?

2 A. It didn't look right to me.

3 Q. Okay. And did she become a skeptic as this went on?

4 A. As it went on because she never talked to him. She
5 talked to him. Not just then. She talked to him daily.

6 Q. And in this case, he's not talking.

7 A. He's not talking.

8 Q. She also sends, on the 30th, about bringing some coffees,
9 too. And then there's a text "Hey, mother got a flat tire.
10 In the process of getting it fixed. I'll keep you updated."
11 Okay. You see that?

12 A. Yes, I do.

13 Q. That's on the 30th. And then she says "Okay, be safe."
14 Now turn into the second page of State's Exhibit 6. Get down
15 here to December 30th. And she goes "Are you okay?" You see
16 that part, right in the middle in green, "Are you okay?"

17 A. Yes, I do.

18 Q. That's your wife. She still has not heard from him,
19 correct?

20 A. That's correct.

21 Q. There's been no phone call saying, hey, mom, I'm all
22 right. Mother, I'm okay.

23 A. Correct.

24 Q. But there is this response at "Ladies, I fell asleep.
25 You okay?" And then "Always" -- a prayer emoji -- "and you."

1 Did that look like something your son would send his mother?

2 A. No. No, he would not. It's just not the verbiage that
3 he would use.

4 Q. December 31st, New Year's Eve, your wife sends "Can you
5 also bring some chicken noodle soup, crackers, ginger ale, and
6 Coke? Your dad has the flu." Do you remember being sick New
7 Year's Eve?

8 A. Yes, I do.

9 Q. And then your wife again says, what's going on? You see
10 that?

11 A. Yes, I do.

12 Q. Again, would the typical course of action be for your
13 son, knowing him as you do, to be to call and talk?

14 A. He would call and talk.

15 Q. He would text, but would he follow up with a phone call?

16 A. That's correct.

17 Q. And that wasn't happening?

18 A. That didn't happen.

19 Q. New Year's Day, we have "Happy New Year's" -- and there's
20 two emojis -- "I've been busy with lady." Did that sound like
21 your son, Tony.

22 A. Not reaching out to his mother, never.

23 Q. In that language there, did that strike you as his
24 father -- as what?

25 A. That's not -- that's not his verbiage. That's not the

1 way he tells -- that's not the way he texts.

2 Q. By this January 1st, how's your wife feeling about these
3 texts?

4 A. We're not feeling good. We know something's wrong.

5 Q. Both of you all together now are suspicious.

6 A. Yes, we were.

7 Q. That's January 1st, correct?

8 A. That's correct.

9 Q. But these are coming from his phone?

10 A. Yes. We've never talked to him. We hadn't talked to
11 him. We hadn't heard his voice in days, so we knew something
12 wasn't right. And this wasn't -- no.

13 Q. His phone records that I showed you in State's 5, with
14 all the yellow and the green calls, the yellow being yours --
15 did you count those up to about 30 phone calls?

16 A. I wouldn't know, but I just kept calling. We just kept
17 calling. It was relentless. We didn't stop calling. We
18 encouraged everybody to call also.

19 Q. In going through these, if we were to add up the green
20 ones, would 38 from your wife shock you or surprise you?

21 A. It wouldn't. She would -- I'm surprised that -- it would
22 be more than that, so what she felt.

23 Q. So roughly 60 to 70 phone calls or text messages, trying
24 to find where Tony is and speak to him?

25 A. That's correct.

1 Q. So January 4th, you report him missing to law
2 enforcement.

3 A. Yes.

4 Q. You said you did it early in the morning.

5 A. I did.

6 Q. Did you and your wife continue to try to reach out to
7 him?

8 A. Yes, we did.

9 Q. Figure out where he is?

10 A. We did.

11 Q. January 5, 2024, were you informed by law enforcement
12 about his truck?

13 A. Yes, I was. I got a phone call.

14 Q. Of where his truck was?

15 A. Yes.

16 Q. I'm going to show you what's been marked as State's 3.
17 (State's Exhibit 3 marked for identification.)

18 Q. Can you identify the vehicle in this photo?

19 A. That's Tony's truck.

20 MR. HUBBARD: Your Honor, I offer State's 3 into
21 evidence.

22 THE COURT: Without objection?

23 MR. STORY: No objection, Your Honor.

24 THE COURT: State's Exhibit 3 is admitted into
25 evidence.

1 (State's Exhibit 3 received into evidence.)

2 BY MR. HUBBARD:

3 Q. What kind of truck is this?

4 A. Toyota Tacoma, 2014.

5 Q. Did you buy that truck for your son?

6 A. No, he bought it himself.

7 Q. And is that how you taught him, to be responsible?

8 A. Yes, I did.

9 Q. Did you ever know Tony to just leave his vehicle
10 somewhere and abandon it anyway?

11 A. Never. He was a typical person that loved the truck. He
12 kept adding things to it. And I kept asking him, why was he
13 doing it; he should have bought it like that. And he just --
14 every week he'd tell me he's going -- I'm going to do this to
15 it, you know, whatever.

16 Q. He's a young man.

17 A. Yes.

18 Q. So he's got the side steps.

19 A. Yeah.

20 Q. He's got the flares on it.

21 A. Yeah.

22 Q. He cared for his truck.

23 A. He did.

24 Q. Did you ever know him to just let other people drive his
25 vehicle?

1 A. Never. He wouldn't let me drive it.

2 Q. Was that something he worked for?

3 A. He worked for it. We never gave him anything.

4 Q. Now, when that truck was found out in a hayfield of
5 Batesburg-Leesville, what did you and your wife start to
6 realize?

7 A. It confirmed our worst suspicions, that it was foul play.

8 Q. I want to show you something else and just see if you can
9 identify this. And if you can't, that's quite all right.
10 State's 4 -- have you ever seen this hoodie before?

11 A. No. That's not Tony.

12 Q. So the hoodie I showed you, I'm not going to put it in
13 evidence right now, but that's one you had never seen before?

14 A. No.

15 Q. Had a logo on it, a Yellowstone. Had you ever known him
16 to wear a Yellowstone hoodie?

17 A. No.

18 Q. After all these phone calls, after the suspicious texts,
19 and then hearing a boy about the truck, what did you believe
20 about Tony's situation?

21 MR. STORY: Objection. That calls for speculation.

22 MR. HUBBARD: Ask him what he believed as a father.

23 THE COURT: Ask your question again, please.

24 BY MR. HUBBARD:

25 Q. After all the phone calls, after the suspicious texts,

1 after your son's truck was found in that hay field, what did
2 you believe had happened to your son?

3 A. We believed the worst.

4 MR. STORY: That calls for speculation.

5 THE COURT: All right. Overruled.

6 BY MR. HUBBARD:

7 Q. Did you ever expect to see your son again after that?

8 A. No, I didn't.

9 Q. Mr. Etheredge, did you ever see or speak to your son
10 again?

11 A. No.

12 Q. Thank you, sir. Please answer any questions the Defense
13 Counsel might have, sir.

14 THE COURT: Cross-examination.

15 MR. STORY: No questions, Your Honor. Thank you.

16 THE COURT: Very well. The witness may step down.

17 Ladies and gentlemen, let's take a short break.

18 Head on back to the jury room. Refresh yourselves. Please do
19 not discuss the case or anyone involved with the case. We'll
20 get you back out here in a few minutes. Thank you.

21 (Jury out.)

22 THE COURT: All right. Counsel, (indiscernible)
23 schedules (phonetic).

24 MR. HUBBARD: Yes, Your Honor.

25 (Bench conference.)

1 (Off the record.)

2 THE COURT: Is the State ready to call their
3 next witness?

4 MR. HUBBARD: Yes, sir, Your Honor.

5 THE COURT: Defense ready to proceed?

6 MR. STORY: Defense is ready, Your Honor.

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

8 THE BAILIFF: All right, sir.

9 (Pause)

10 (Jury in.)

11 THE COURT: All right, please be seated, ladies and
12 gentlemen. Hope you all had a nice break. Continue on to the
13 next witness in the State's case in chief.

14 MS. MAYES: Your Honor, at this time, the State
15 calls Keyosha Chandler.

16 THE CLERK: Raise your right hand, please.

17 Do you swear or affirm any testimony you give the
18 Court is the truth, the whole truth, and nothing but the
19 truth, so help you God?

20 MS. CHANDLER: Yes.

21 THE CLERK: You'll have a seat over there. Please
22 state your name, and please spell your last for the record.

23 THE WITNESS: Keyosha Chandler. C-H-A-N-D-L-E-R.

24 MS. MAYES: Good morning, Ms. Chandler.

25 THE WITNESS: Good morning.

1 MS. MAYES: Your Honor, may I approach the witness?

2 THE COURT: Yes, ma'am.

3 KEYOSHA CHANDLER,

4 being duly sworn, testified as follows:

5 DIRECT EXAMINATION

6 BY MS. MAYES:

7 Q. Going to pull the microphone up just a little bit. All
8 right. Now, Ms. Chandler, where are you currently employed?

9 A. Mr. B's Exxon in Batesburg.

10 Q. All right. That Mr. B's Exxon, where is it located in
11 Lexington County?

12 A. It's right off of exit 39, off of I-20.

13 Q. All right, so if you're going from here in the town of
14 Lexington down towards Batesburg-Leesville, and you're taking
15 I-20, that'd be exit 39?

16 A. Yes, ma'am.

17 Q. And if I take a right on that exit, do you sit on the
18 right side or the left side?

19 A. We sit on the left-hand side.

20 Q. All right. And Mr. B's Exxon, how long have you worked
21 there?

22 A. Since 2021.

23 Q. All right. I want to go back to 2023. What shift were
24 you normally working back then?

25 A. I was working third shift. That is 9 p.m. to 6 a.m. All

1 right. So that third shift, you're working every -- every
2 night pretty much through the week?

3 A. Yes, ma'am. I was off on Friday nights and Saturday
4 nights.

5 Q. Now, how is it that you know the victim in this case,
6 Tony Etheredge Jr.?

7 A. I know Tony since high school. We went to school
8 together. But it's a small town, where everybody know
9 everybody.

10 Q. In Batesburg-Leesville?

11 A. Yes, ma'am.

12 Q. So you've known Tony since high school?

13 A. Yes, ma'am.

14 Q. And after high school, and you're working that night
15 shift in 2023, would you see Tony come in the store?

16 A. Yes, ma'am.

17 Q. How frequently would he come in the store after his shift
18 at Carolina Wings?

19 A. Almost every day.

20 Q. Okay.

21 A. Every day.

22 Q. So coming back from the town in Lexington, where Carolina
23 Wings is, taking the interstate back to the Leesville area,
24 you hit that Exit 39?

25 A. Yes, ma'am.

1 Q. So it was common for you to see him in there?

2 A. Yes, ma'am.

3 Q. Going to show you what it State's 2. Did there come a
4 time in late 2023, into the early part of January 2024, that
5 you learned that Tony Jr. was missing?

6 A. Yes, ma'am.

7 Q. How'd you learn that?

8 A. Through social media and the news. I was watching,
9 waiting. I was -- I was waiting to see it. As soon as I
10 learned that Tony was missing, I think it was, might have been
11 in the afternoon, but it was from Facebook, in the news
12 posting.

13 Q. All right. Seeing it there on Facebook. And you learned
14 that not only was Tony missing, but also that Toyota Tacoma,
15 four-door truck of his was missing?

16 A. Yes, ma'am.

17 Q. Had you seen that truck before?

18 A. Yes, ma'am.

19 A. That's what he normally drove.

20 Q. So when you'd see Tony, you'd see that truck?

21 A. Yes, ma'am.

22 Q. So now you've learned that, not only is tonight Tony
23 missing, but his truck's missing too. When you learned that,
24 what was going through your mind and what recollections did
25 you have, Ms. Chandler?

1 A. That night of December 27th, the last time I saw Tony,
2 during that time, I went and spoke with my manager at that
3 time, which she had been working at that store for 15 years,
4 so she was very familiar with Tony. I went to her, asked
5 her -- you know, we got talking, and I said I was going to
6 contact Lexington County because I knew that that was the last
7 time I had seen him in the store, that night. She contacted
8 Lexington county as well because we was all worried about
9 Tommy because he was one of our regulars -- come in the store
10 every day.

11 Q. So it was already in your mind that something has
12 happened to Tony?

13 A. Yes, ma'am.

14 Q. Looking here at this calendar, I'm going to take you back
15 to Wednesday of that last week of December 2023, specifically
16 Wednesday night, the 27th. Ultimately, did you and other
17 supervisors at the store pull video?

18 A. The manager was the only one that was able to pull video.
19 I didn't get to see the video footage at that time.

20 Q. Okay. And you've seen it since that time?

21 A. Yes, ma'am.

22 Q. Have you been able to identify it as a fair and accurate
23 representation of the night, last time you saw Tony come in
24 the store?

25 A. Yes, ma'am.

1 Q. And is it a fair and accurate representation of what
2 occurred that night while you were working?

3 A. Yes, ma'am.

4 Q. Are you present on the video?

5 A. Yes, ma'am.

6 Q. Is Tony present on the video?

7 A. Yes, ma'am.

8 Q. And does it accurately depict all of the events when you
9 came in the store that night?

10 A. Yes, ma'am.

11 Q. I'm going to show you what is State's 10. Who's
12 initials are on this video?

13 (State's Exhibit 10 marked for identification.)

14 A. Those are my initials.

15 Q. All right. And does that reflect that you have viewed
16 it, and it is a accurate depiction of what occurred that
17 night?

18 A. Yes, ma'am.

19 Q. And that camera at the store is recording the whole time
20 that you're there working as the night clerk?

21 A. Yes, ma'am.

22 Q. And it shows anybody coming in the store.

23 A. Yes, ma'am.

24 Q. And what they're doing in the store?

25 A. Yes.

1 Q. Do these still shots, being State's 11, State's 12, and
2 State's 13 also reflect what is occurring on that video
3 surveillance camera?

4 (State's Exhibits 11, 12, and 13 marked for identification.)

5 A. Yes, ma'am.

6 Q. Those are all taken directly from that camera on the
7 night of December 27th?

8 A. Yes, ma'am.

9 MS. MAYES: For evidence at this time, Your Honor,
10 State's 10, 11, 12, and 13.

11 MR. STORY: No objection, Your Honor.

12 THE COURT: State's Exhibits 10, 11, 12, and 13 are
13 admitted into evidence.

14 (State's Exhibits 10, 11, 12, and 13 received into evidence.)

15 BY MS. MAYES:

16 Q. Now, you've indicated that you learned from social media
17 about Tony's disappearance. And as you go back in your mind
18 and remember that you had seen him in the store, what was it
19 about that last time you saw him in the store that made you
20 think you needed to alert law enforcement?

21 A. He was with somebody. He's never usually with anybody.
22 He's always by himself. Me and my coworker -- me and other
23 coworkers have verified all this, that we see him all the time
24 by himself. Tony had a large amount of money on him. He
25 usually doesn't carry cash. He always have a card on him. He

1 also -- that night he purchased a cigar, which what they use
2 to smoke out of. He don't -- he never buy anything like that,
3 tobacco products, anything like that. So that night is --
4 that stood out to me.

5 Q. The whole event of that last time we saw Tony stood out
6 to you?

7 A. Yes, ma'am.

8 Q. And you mentioned that he was with somebody, and that was
9 unusual.

10 A. Yes.

11 Q. Had you ever seen him with this person before?

12 A. No, ma'am.

13 MS. MAYES: Publish State's 10 at this time, Your
14 Honor.

15 THE COURT: Very well.

16 (Video played.)

17 BY MS. MAYES:

18 Q. Now, Ms. Chandler, I'm going to start by asking you about
19 the date up here at the top. What time is it? What date is
20 reflected?

21 A. December 27, 2023.

22 Q. So it'd be that Wednesday night that we talked about,
23 Wednesday night after Christmas.

24 A. Yes.

25 Q. All right. And what time is reflected up here on the

1 time stamp?

2 A. I really don't have my glasses on.

3 Q. Okay. 23:34 -- so 11:34 p.m., does that sound about
4 right?

5 A. Yes, ma'am.

6 Q. And where do you normally work when you're in the store?

7 A. I'm in that box. Third shift has to be inside that
8 bulletproof box.

9 Q. That'd be this box right here behind the cashier setup?

10 A. Yes, ma'am.

11 Q. All right. And would this be your front entrance?

12 A. Yes, ma'am.

13 Q. What's happening now?

14 A. You can see Tony truck pulling in the parking lot.

15 Q. Looking here at State's 3. Have you seen that truck
16 before?

17 A. Yes, ma'am.

18 Q. Do you know who that truck you belongs to?

19 A. Tony.

20 Q. What's happening now?

21 A. You see the female entering this door and Tony is behind
22 her.

23 Q. This is Tony?

24 A. Tony. Yes.

25 Q. And this young woman, have you ever seen her before?

1 A. No, ma'am.

2 Q. And was it apparent to you that she had arrived with
3 Tony?

4 A. Yes, ma'am. I seen them get out of the vehicle.

5 Q. Together?

6 A. Yes, ma'am.

7 Q. Who is Tony talking to right now behind the desk?

8 A. Me.

9 Q. What's happening now?

10 A. He asked for a cigar. He went outside to get his ID.

11 Q. Had he ever asked for a cigar before this night?

12 A. No, ma'am.

13 Q. First time you'd ever seen that?

14 A. Yes, ma'am.

15 Q. Young woman we see on the phone, is that the same young
16 woman you saw him arrive with?

17 A. Yes, ma'am.

18 Q. What just happened?

19 A. Tony walked outside to get more money. He had larger
20 bills in his wallet, but he walked outside to get smaller
21 bills.

22 Q. So that night you actually saw him with the wallet with
23 money in it?

24 A. Yes, ma'am.

25 Q. Was that usual or unusual for Tony?

1 A. Unusual.

2 Q. You normally saw him use some type of card?

3 A. Just card. He always had a card. I never seen him use
4 cash.

5 Q. And that wallet with the money pulled -- with the money
6 in it, was it pulled in the presence of this female that you
7 had never seen before?

8 A. Yes.

9 Q. She could observe that as well?

10 A. Yes.

11 Q. You just saw something in his hand. What was that in his
12 hand?

13 A. It looked like his money back and that cigar back.

14 Q. Okay. So you actually can see the money in his hand at
15 this point when you're making the change?

16 A. Yes, ma'am.

17 Q. Right there?

18 A. Yes, ma'am.

19 Q. Did they appear to leave together?

20 A. Yes, ma'am.

21 Q. Did you watch both of them get back inside Tony's truck?

22 A. Yes.

23 Q. Ms. Chandler, after that truck pulls away, did you ever
24 see Tony again?

25 A. No, ma'am.

1 Q. Now, knowing that Tony had disappeared and you had that
2 last contact with him on the 27th -- I'm going to put that on
3 the board over here. I think this is going to be roughly
4 11:34 p.m. or so. When you look back and reflected on that
5 last time you had seen him in the store, did you yourself make
6 law enforcement aware of that?

7 A. Yes.

8 Q. Along with other personnel in the store?

9 A. Yes. Yes.

10 Q. And this female shown here in State's 12, never seen her
11 with Tony before?

12 A. No, ma'am.

13 Q. And State's 11?

14 A. No, ma'am.

15 Q. Did you think that that was something law enforcement
16 probably needed to be aware of?

17 A. Yes.

18 Q. Did you have suspicions as well about this young woman?

19 A. Yes.

20 Q. Thank you, Ms. Chandler.

21 THE COURT: Cross-examination?

22 CROSS-EXAMINATION

23 BY MR. STORY:

24 Q. Ms. Chandler, you said you knew Tony, correct?

25 A. Yes, sir.

1 Q. You said you knew him well, correct?

2 A. I knew him from -- we live in a small town. Everybody
3 knew each other in the area, in that town.

4 Q. So, yeah, you knew him well?

5 A. Yeah.

6 Q. You knew him since high school.

7 A. Yeah.

8 Q. He came in your store almost every day.

9 A. Yeah.

10 Q. And you -- it was very unusual for him to come in with
11 anybody else.

12 A. Yeah.

13 Q. But on December 27, you saw him come in the store,
14 correct?

15 A. Yes.

16 Q. You saw him get out of his black Toyota Tacoma.

17 A. Yes.

18 Q. You saw him get out with a young lady.

19 A. Yes.

20 Q. You saw him get out with this young lady, in State's 12,
21 right?

22 A. Yes. Yes.

23 Q. You saw him buy some cigars with cash.

24 A. Yes. Yes.

25 Q. You saw him get back in the truck with that same young

1 lady.

2 A. Yes.

3 Q. And you didn't see him with anybody else that night?

4 A. No.

5 MS. MAYES: No further questions.

6 THE COURT: Any redirect?

7 MS. MAYES: Nothing at this time, Your Honor. We
8 ask that this Chandler be excused.

9 THE COURT: Without objection?

10 MR. STORY: Without objection.

11 THE COURT: All right. The witness is excused.
12 Thank you.

13 Counsel, just real quick.

14 (Bench conference.)

15 THE COURT: So we're going to take lunch now before
16 our next witness. So I'd like you back in your jury room by
17 1:15, so an hour and 20 minutes from lunch. And we'll get
18 started with the afternoon testimony after that.

19 While you're out, don't discuss the case with anyone
20 or do any independent research in the case or anyone involved
21 in the case. Otherwise, have a nice lunch.

22 (Jury out.)

23 THE COURT: Okay. Anything else on the record
24 before we break?

25 MR. STORY: Nothing from the Defense.

1 MR. HUBBARD: No, sir, Your Honor.

2 THE COURT: All right. You all have a nice lunch.

3 (Court recessed.)

4 THE COURT: All right. Hope everybody had a nice
5 lunch. Anything on the record before we bring in the jury?

6 MS. MAYES: Yes, Your Honor. So Your Honor had made
7 us aware of a note that came from a juror.

8 THE COURT: Yes.

9 MS. MAYES: And the note had indicated that someone
10 on the jury knew someone who was seated in the gallery. We
11 have determined that the person in the gallery is Keyonte
12 Milhouse (phonetic).

13 THE COURT: Okay.

14 MS. MAYES: And she is from the Leesville area. She
15 has some familiarity with the juror. They would know each
16 other. Ms. Milhouse is not a witness in the case.

17 THE COURT: Just a member of the public here
18 watching the case.

19 MS. MAYES: That's correct, Your Honor. She's
20 familiar or connected to the victim's family. But our
21 understanding is that the witness who testified, Tony
22 Etheredge Sr., has no connection to that juror and does not
23 know that juror.

24 THE COURT: Counsel, (indiscernible).

25 (Bench conference.)

1 THE COURT: Lisa, if you could join us.

2 THE CLERK: Yes, sir.

3 THE COURT: All right. We'll take a very short
4 break.

5 (Court recessed.)

6 (Court resumed.)

7 (Bench conference.)

8 THE COURT: All right. Come on, have some -- quick
9 seat. So, Ms. Ward?

10 JUROR NO. 280: Yes.

11 THE COURT: And what juror number are you?

12 JUROR NO. 280: 280.

13 THE COURT: 280. So I got your note stating that
14 you know somebody present, behind the prosecution. Do you
15 know who that person is?

16 JUROR NO. 280: Her name is Keyonte Milhouse with
17 her daughter, Jada Milhouse (phonetic), and her sister,
18 Charlene Whitfall (phonetic).

19 THE COURT: Okay. And you just saw them out there
20 today?

21 JUROR NO. 280: Yes, I -- when I -- and, actually, I
22 don't know how long they've been there, but I was watching the
23 prosecutor, and then I saw something at the corner of my eye,
24 and I looked over and saw them.

25 THE COURT: Okay.

1 JUROR NO. 280: And then turned back around. But I
2 didn't know how you go about saying, hey, I know somebody, you
3 know.

4 THE COURT: You did -- you did just right. You went
5 to bailiff during the break. So I appreciate that.

6 JUROR NO. 280: Okay.

7 THE COURT: Now, none of those people you mentioned
8 are witnesses in this case.

9 JUROR NO. 280: Okay.

10 THE COURT: But just to be very clear, the fact that
11 you saw them, does that affect your ability to be fair and
12 impartial?

13 JUROR NO. 280: No, no. No, no. I just didn't --
14 hey, I know somebody -- you know.

15 THE COURT: Okay. So you're just trying to be
16 cautious.

17 JUROR NO. 280: Yes, yes. Yes, yes.

18 THE COURT: All right. Well, that answers my
19 question. You have no issue with your impartiality moving
20 forward?

21 JUROR NO. 280: No. I do not.

22 THE COURT: Okay. Well, you can go back to the jury
23 room. Please don't discuss what we discussed in the jury
24 room.

25 JUROR NO. 280: Okay.

1 THE COURT: We good?

2 UNIDENTIFIED SPEAKER: Yeah.

3 THE COURT: All right. You can step away. If I
4 need questions, I'll let you know.

5 JUROR NO. 280: Okay. All right.

6 THE COURT: Thank you very much.

7 JUROR NO. 280: You're welcome.

8 THE COURT: Okay. So, Mr. Story, any other
9 questions you want me to ask?

10 MR. STORY: No other questions I want you to ask the
11 juror. No.

12 THE COURT: Okay. Mr. Solicitor?

13 Ms. Mayes?

14 MR. HUBBARD: I don't know of any other questions.

15 THE COURT: I mean, yeah, just make sure I'm clear.

16 MS. MAYES: I think when you read the indictment in
17 the beginning, you would have read the name Tony Etheredge
18 Jr., and then said, if anyone knows anything about this case.
19 So there was no indication that she knew about the case or had
20 previous knowledge.

21 THE COURT: She just saw somebody she knew who's
22 here watching the trial, nothing more.

23 MR. HUBBARD: And I think it was important that she
24 didn't say, now I remember about all of this now, either. It
25 was just I know somebody sitting in the stands, I guess.

1 THE COURT: Okay.

2 MR. HUBBARD: Peanut gallery.

3 UNIDENTIFIED SPEAKER: It was three people, is my
4 understanding. Yeah, three people

5 THE COURT: Yeah. Okay. I think we're okay. We
6 can get started. Right?

7 Yes, sir.

8 MR. STORY: Just -- we're not -- are we still ---

9 THE COURT: We're still on the record.

10 MR. STORY: It doesn't matter. You're still going
11 to ask ---

12 THE COURT: We're in chambers.

13 MR. STORY: Yeah. We -- you're still going to ask
14 the jury, I think, as you always do after they take a break,
15 like they go out or the next day, they haven't seen or
16 discussed anything.

17 THE COURT: I don't always remember to do that, but
18 if you can give me a nudge tomorrow morning.

19 MR. STORY: If you don't mind just, because, you
20 never know, the juror might have gone to lunch or something
21 and that kind of thing ---

22 THE COURT: Okay.

23 MR. STORY: --- with other jurors.

24 MS. MAYES: We would also ask that anyone on the
25 jury not do any research or go on social media to read about

1 the case.

2 THE COURT: I always say that.

3 MR. HUBBARD: And you have said that. Maybe we
4 will, if you forget, we'll remind you at the end of the day.

5 THE COURT: That'd be fine. I'll give them that
6 thing. And I'll also say if anyone -- if -- basically, have
7 you seen any other information about the case.

8 MR. STORY: Right. Seen or discussed any
9 information about the case, something like that.

10 THE COURT: Okay. All right. That's fine. Thank
11 you.

12 All right. Anything else will we bring to the jury?

13 MS. MAYES: Nothing for the State, Your Honor.

14 MR. STORY: Nothing for the Defense.

15 THE COURT: Bring them in.

16 (Jury in.)

17 (Pause)

18 THE COURT: All right. Please be seated, ladies and
19 gentlemen. Welcome back. I hope you had a nice lunch. We'll
20 go ahead and continue on with the next witness in the State's
21 case in chief.

22 MS. MAYES: May it please the Court, the State calls
23 Sergeant Brandon Miller.

24 THE COURT: Very well.

25 THE CLERK: Raise your right hand, please.

1 Do you swear or affirm any testimony you give the
2 Court is the truth, the whole truth, and nothing but the
3 truth, so help you God?

4 MR. MILLER: I do.

5 THE CLERK: Thank you. Have a seat, please. If
6 you'll state your name and spell your last name for the
7 record.

8 THE WITNESS: My name is Brandon Miller,
9 M-I-L-L-E-R.

10 BRANDON MILLER,

11 being duly sworn, testified as follows:

12 DIRECT EXAMINATION

13 BY MS. MAYES:

14 Q. Good afternoon. Sergeant Miller. Tell us a little bit
15 about yourself. Where are you currently employed?

16 A. So, I'm currently employed in the Lexington County
17 Sheriff's Department. I've been there about 18 years, and
18 I've been there in my current role as Major Crimes Sergeant
19 for the last seven and a half years.

20 Q. All right. I'm going to ask you to take the microphone,
21 if you can, and pull it just a little bit closer to you.

22 A. How's that?

23 Q. Very good. All right, so seven and a half years in Major
24 Crimes.

25 A. Correct.

1 Q. Tell us what all is encompassed by Major Crimes here at
2 the Lexington County Sheriff's Department.

3 A. So at the Sheriff's Department, we have collectively five
4 teams within our Major Crimes Unit. One consists of crime
5 scene investigations. Then we have four teams of
6 investigators, two of which are catch-all teams. One is an
7 SVU, or Special Victims Unit, and the other is our Criminal
8 Domestic Violence Unit, CDVU.

9 Q. All right. And you're a sergeant over one of those
10 units.

11 A. Correct.

12 Q. And does that involve murder investigations?

13 A. It does.

14 Q. And, prior to 2023, were there numerous other murder
15 investigations that you have overseen as supervisor of that
16 major crimes unit?

17 A. Yes.

18 Q. Want to move forward now to December of 2023. Are you
19 aware now that Tony Etheredge Jr. had last worked at Carolina
20 Wings on December 29th?

21 A. Yes.

22 Q. On January 5, approximately six days after the 30th,
23 what, if any, lead did the Lexington County Sheriff's
24 Department receive regarding Tony Etheredge Jr.

25 A. So on January 5th, I learned that there was a report made

1 on January 4th by Tony Sr., reporting that his son was
2 missing. And on January 5th, in the evening, I received a
3 phone call from road patrol sergeant, notifying me that they
4 had located Tony Jr.'s truck in a field at 1005 Truex Road.

5 Q. Okay. Want to ask you a few more questions about that.
6 State's 143 is a calendar for January 2024.

7 MS. MAYES: I believe there's no objection, Your
8 Honor. The State does offer it at this time.

9 THE COURT: State's Exhibit 143 is admitted into
10 evidence.

11 (State's Exhibit 143 received into evidence.)

12 BY MS. MAYES:

13 Q. All right. So Tony had been reported missing by his
14 family on January 4, 2024, now.

15 A. Yes.

16 Q. And then you said on January 5th, there is a lead.

17 A. Correct.

18 Q. Now, when Tony had been reported missing, did that also
19 include a description of his vehicle?

20 A. It did.

21 Q. And so you're aware in this case that it would have been
22 a 2014 Toyota Tacoma truck?

23 A. Yes.

24 Q. Take us through, Sgt. Miller, what you observed when you
25 arrived out at that field on January 5, 2024.

1 A. So when I arrived at that field, I noticed that there are
2 other patrol cars that had pulled in. And, as you pull in,
3 there's a driveway, if you will, a driveway that enters into
4 the field. It's a large hay field. And, off to the left,
5 which couldn't be seen by the roadway, was Tony Jr.'s truck.

6 Q. All right. So, if you were traveling down the roadway of
7 Truex Road, and you're in a car on the roadway, would that
8 truck be visible?

9 A. No.

10 Q. So it was off the beaten path?

11 A. Yes.

12 Q. How would you describe the field in which it was
13 discovered to have been abandoned?

14 A. So the field at the time was just a large hay field. I
15 believe there are some manure piles over to the side, so
16 they've got (indiscernible) and laid out down in the field.

17 Q. And is this a rural area of Lexington County?

18 A. Yes.

19 Q. And, specifically, this area along Truex Road, is that
20 consideration Leesville?

21 A. Yes.

22 Q. I'm going to show you some photographs and ask whether or
23 not you recognize them. State's 14, 15, and 16.

24 (State's Exhibits 14, 15, and 16 marked for identification.)

25 A. I recognize these.

1 Q. And are they a fair and accurate representation of that
2 truck as it was found on January 5, 2024 in that open field?

3 A. Yes, they are.

4 Q. And what is the actual street address of this location in
5 Leesville?

6 A. 1005 Truex Road.

7 Q. So the 1005 block of Truex Road?

8 A. Yes.

9 MS. MAYES: Your Honor, may I approach the witness?

10 THE COURT: Yes, ma'am.

11 BY MS. MAYES:

12 Q. All right. You indicated that it is an open field, a
13 very rural area. Are there lights out there?

14 A. No.

15 Q. Is that what you would consider to be secluded?

16 A. Yes.

17 Q. And, again, you've Indicated that where this vehicle is
18 found would not be visible from the roadway of Truex Road.

19 A. Correct. So the entire field is actually lined with
20 trees all the way around it, except for that entrance area.

21 Q. Upon your arrival out there and the arrival of other law
22 enforcement units, was there an opportunity to actually run
23 the tag on this vehicle of the Toyota Tacoma?

24 A. Yes, the opportunity was there. I did not. But I
25 learned that road patrol had ran the tag and learned that it

1 came back registered, I believe, to Tony Jr.

2 Q. So it was confirmed to be the vehicle of Tony Etheredge
3 Jr.

4 A. Yes.

5 Q. Who you and other officers already knew at this time was
6 a missing person.

7 A. Correct.

8 Q. This State 16, does that also depend pick the truck?

9 A. It does.

10 Q. And so it's initially found during daylight hours?

11 A. Yes.

12 Q. Tell us what, if anything, you recall, Sgt. Miller, about
13 actually approaching that vehicle and taking a look inside.

14 A. So initially, if you notice that the windows are fairly
15 dark and the back window has that American flag decal on it,
16 it's kind of tough to see in. But as night was -- or dusk was
17 quickly approaching, we used flashlights to shine in.

18 And I can immediately tell that there was some sort of
19 stain on the driver's side seat. There also appeared to be
20 some sort of residue about the interior of the car, as well as
21 the exterior of the car. And then there's also what appeared
22 to be a bullet defect on the passenger side of the exterior of
23 the vehicle.

24 Q. So I'm going to ask you a few more questions about that.

25 MS. MAYES: I believe we have no objection, Your

1 Honor. This is going to be State's 18, 25, 22, 23, 21, and 20
2 for evidence at this time.

3 THE COURT: Without objection?

4 MR. STORY: Without objection, Your Honor.

5 THE COURT: State's Exhibits 18, 20, 21, 22, 23, and
6 25 are admitted without objection.

7 (State's Exhibits 18, 20, 21, 22, 23, and 25 received into
8 evidence.)

9 BY MS. MAYES:

10 Q. Sgt. Miller, do all of these photos depict the scene and
11 circumstances from the field that day on January 5th?

12 A. Yes.

13 Q. And do all of these photographs depict observations that
14 you yourself made out there at the scene?

15 A. Yes.

16 Q. Now, I'm going to go back to your description of what was
17 observed when you looked into that vehicle -- State's 18. You
18 have your laser pointer.

19 A. I do.

20 Q. Can you show us what you are observing as you and other
21 officers are looking into the vehicle?

22 A. Yes. So, initially, what I could see was this stain here
23 on the seat. To me, it was consistent enough to be blood, or
24 at least something that appeared to be blood, that caused
25 concern. And it also was a little bit harder to see, but when

1 we're able to open up the truck later, we're able to determine
2 and see, this residue here, all in here -- you can also see
3 some on the dash. And it's about other places, as well as the
4 truck goes. It can also be seen on the exterior, on the door
5 handles of the truck.

6 Q. All right. So you've indicated that eventually you and
7 other officers went, open the doors to the truck and were able
8 to look inside.

9 A. Yes.

10 Q. Was this search warrant obtained in order to accomplish
11 that?

12 A. Yes.

13 Q. And you had concerns upon first looking in, but once you
14 have opened the truck and looking inside, where all did you
15 see this residue that you have described? Where all within
16 that truck and the dashboard area did you see that residue?

17 A. So I think a fair way to explain that is, it appeared to
18 be everywhere. It's all about the dash, the handles, the
19 interior, the cup holder area. To me, it seems as though it's
20 anywhere that a person would normally touch.

21 Q. And you've indicated that being there and looking at it,
22 it was also observable, even along the exterior door handles.

23 A. Yes.

24 Q. So it's as if someone was attempting to clean the
25 exterior door handles, as well as the interior of that

1 vehicle.

2 A. Yes.

3 Q. Now, despite those efforts to clean up the inside of the
4 vehicle, was there still present in the vehicle what you
5 consider to be blood or what appeared to be blood?

6 A. Yes.

7 Q. Where else do you recall observing blood, in addition to
8 this area in the driver's seat area?

9 A. And there also appear be blood and tailgate area of the
10 truck, so the exterior.

11 Q. And you, yourself, actually observed that?

12 A. I did.

13 Q. So that'd be in the bed of the truck.

14 A. Right.

15 Q. So, at some point, was the tailgate lowered?

16 A. Yes.

17 Q. And once the tailgate was lowered, yourself and other
18 officers observed what you thought or appeared to be blood in
19 that tail gate area?

20 A. Yes.

21 Q. At this point, having observed blood, what concerns did
22 you have about Tony Etheredge Jr.?

23 A. So at that point -- and please keep in mind that we get a
24 lot of misinformation reports at the sheriff's department.

25 Very few turn out to be a case like this. And, at that point,

1 with the condition that the truck was in, and there's no sign
2 of Tony being anywhere around, which we also did a thorough
3 search of the woods in the field over the next -- throughout
4 that night and later that weekend.

5 Without finding him, especially in close proximity and
6 the condition of the truck having potential blood in it, some
7 sort of maybe cleaning agent, which I initially thought was
8 going to be bleach, and then blood on the exterior and
9 interior, as well as a bullet defect -- to me, that looks
10 grim. I felt as though we were looking at potentially a
11 murder at that point.

12 Q. And did you and other officers treat it as such, as a
13 crime scene?

14 A. We did.

15 Q. As a potential murder investigation?

16 A. Yes.

17 Q. And, as a result, what efforts did you take to bring out
18 your CSI or Crime Scene Investigation Unit?

19 A. So I -- excuse me. I notified Detective -- or Crime
20 Scene Investigator Tom Smith, and he came to the scene to
21 process the scene.

22 Q. Okay. In order to process that vehicle for potential
23 evidence collection?

24 A. Yes.

25 Q. Does that include blood?

1 A. Yes.

2 Q. Does that include DNA?

3 A. Yes.

4 Q. And does that include a more thorough examination of what
5 you thought appeared to be a bullet defect in that vehicle?

6 A. Yes.

7 Q. I'm going to show you State's 25. Now, is this going to
8 be the right side or the left side of the vehicle?

9 A. This is going to be the right side, so the passenger
10 side, the rear passenger side.

11 Q. So that's going to be the right side passenger area.

12 A. Correct.

13 Q. What, if anything, did you note on that photograph?

14 A. Well, initially, I had seen, of course, what I mentioned
15 earlier, is this substance here that's dripping down. There's
16 a door handle, actually, just above that, and that -- that
17 residue looks like it dripped down at some point. But then
18 also notice this, which, to me, appeared to be a bullet
19 defect.

20 Q. All right. So there is so much of that cleaning liquid
21 that the residue appears to even be flowing downward.

22 A. Correct.

23 Q. From gravity?

24 A. Yes.

25 Q. And then, where you've noted a defect -- you indicated

1 that you've worked numerous other homicides. Did those
2 involve gunfire?

3 A. Yes.

4 Q. Have you worked on numerous cases involving gun violence?

5 A. Yes.

6 Q. And you've had an opportunity to review bullet defects
7 inside vehicles before?

8 A. Yes.

9 Q. What, if any, observations did you make in that regard?

10 A. Just, it's consistent with the bullet defect.

11 Q. All right.

12 A. Nothing -- there's -- I haven't seen many things that
13 made a hole like that before.

14 Q. All right. And so, you've indicated that your CSI
15 investigator, Tom Smith, came out to the field in order to
16 process the truck while it sat out there?

17 A. Yes.

18 Q. And that included evidence collection, not only of the
19 truck itself, but what about other items that may be near or
20 around that vehicle?

21 A. Absolutely, yes. We did a search around the area. Like
22 I said, we looked for -- we were looking for Tony or any other
23 evidence of any other one else in that field, in the woods.
24 And, upon doing that, we located a few items that were
25 noteworthy at the time.

1 Q. All right. So when you have a missing person, and you
2 have a truck like this, and it has what you believe now to be
3 blood inside of it, obvious attempts to clean that vehicle,
4 and a potential bullet defect, what concerns did you have that
5 the body of Tony Etheredge Jr. may be somewhere within that
6 area?

7 A. I was very concerned for that.

8 Q. What efforts did law enforcement take to determine
9 whether or not Tony Etheredge's body might be nearby?

10 A. So we had our drone team respond. Drone team did an
11 aerial search with that. Of course, this is late in the
12 afternoon. It was nearing dusk, so the drone was limited in
13 what it could see. But we also brought our K-9 units out, as
14 they were looking for any kind of -- we deployed them
15 throughout the field and the woods of (indiscernible).

16 Q. These K-9s are cadaver trained?

17 A. So the ones at the time were just our regular, we call
18 them multipurpose dogs. They search for drugs. They search
19 for people, and just all kinds of other things. And then --
20 and articles (phonetic), of course. And two days -- I believe
21 it was Sunday -- we brought out the cadaver dog.

22 Q. All right. Despite those efforts of searching with the
23 drone into this wooded area that we see here to the left of
24 the photograph, and despite the dogs, the canines being
25 brought out to search, was there any indication whatsoever

1 that Tony Etheredge Jr. was in the area?

2 A. No.

3 Q. Or that a body was in the area?

4 A. No.

5 Q. Given that, did you also have a phone number for Tony
6 Etheredge Jr., a phone number for the phone that he was known
7 to carry and have with him at all times?

8 A. Yes. At the time, I was not aware of what the exact
9 number was, but I had detectives attempt to call that number
10 and do investigative techniques to attempt to locate a
11 location for that phone.

12 Q. All right. So I want to talk about that a little bit
13 more. By January 5th, when the truck is found and law
14 enforcement has Tony's phone number, did you take what's known
15 as exigent circumstances, attempts to have that phone pinged?

16 A. We did, and the results were negative. There were no
17 updated location that was available for that phone.

18 Q. All right. So you're actually going to his provider, T-
19 Mobile have them, potentially, find out where that phone may
20 be located on a cell tower somewhere?

21 A. Yes.

22 Q. And, despite those attempts, was there any activity shown
23 on the phone?

24 A. No.

25 Q. Was it as if the phone was dead or deactivated?

1 A. Yes.

2 Q. Now, you mentioned that the surrounding area is searched
3 as well, both by members of the Major Crimes Unit and CSI.

4 A. Yes.

5 Q. I'm going to ask specifically about some items that were
6 located during that search. This is going to be State's 21.
7 And then a closer-up view, which is State's 20. Going back
8 now to 21. What are we looking at here, Sgt. Miller?

9 A. So once I was alerted that this was located, I went over
10 myself to take a look at it. Does anyone else would want to
11 see what it is, if it has any relevance to this case? And we
12 ultimately found, it's a towel and a hoodie.

13 Q. Okay. And is this exactly as it was found by searchers
14 out there?

15 A. Yes.

16 Q. Laying on its own away from the truck and in this wooded
17 area?

18 A. Correct. So, at this point, CSI would have photographed
19 it and marked it, as you see, with the 3 next to it,
20 indicating where it is. They wouldn't have moved it to that
21 point.

22 Q. All right. And so did is exactly the condition in which
23 it was found?

24 A. Yes.

25 Q. Get up a little bit closer on it. All right. What is

1 the item laying here on top?

2 A. It appears to be a towel.

3 Q. And then beneath the towel is what type of item?

4 A. A hoodie.

5 Q. All right. Were those items collected by your CSI
6 division?

7 A. Yes.

8 Q. For what purpose?

9 A. So, at this point, anything we find could potentially be
10 evidence, especially at a scene like this. So we took those,
11 and what we try to do is send those off to SLED for testing to
12 see if there's -- if we could find out a potential owner or
13 see if there's any kind of DNA on that material to link it
14 back to who it may belong to or if there's any blood on it
15 that could be compared to somebody.

16 Q. All right. So the SLED lab would have the capability of
17 determining all of that?

18 A. Correct.

19 Q. Including whether or not there may be blood on any of
20 these items?

21 A. Yes.

22 Q. And including whether or not there may be DNA left behind
23 from someone touching or wearing those items?

24 A. Yes.

25 Q. Now, you yourself and other officers, are you handling

1 those items?

2 A. No.

3 Q. Are they protected or secured until a CSI officer
4 arrives?

5 A. Yes, they are.

6 Q. And when that CSI officer arrives, is he wearing gloves?

7 A. Absolutely.

8 Q. And were these items collected, pursuant to proper
9 protocol to secure them as evidence?

10 A. Yes.

11 Q. By a person wearing gloves and then packaging them?

12 A. Correct.

13 Q. Let me go back to the map now for December -- and also
14 January. But at this point in the investigation, I think
15 you've indicated it's now a murder investigation.

16 A. Correct.

17 Q. And, ultimately, the phone record of Tony Etheredge Jr.
18 were obtained by law enforcement?

19 A. Yes.

20 Q. And that includes what is State's 5. And I believe you
21 have a copy yourself.

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

23 Q. This would be the actual phone records of Tony Etheredge
24 Jr.?

25 A. Yes.

1 Q. And, again, what efforts did law enforcement undertake in
2 order to obtain Tony Etheredge Jr.'s phone records?

3 A. So, under circumstances like this, we often give
4 exigent -- we call it exigent -- to get these records, but
5 then we also get a search warrant to fill these. And the
6 reason why we're doing this is to see what kind of
7 communication Tony may have had with people and see if there's
8 anyone else or outside influence that may have had some sort
9 of communication with him.

10 Q. All right. So, by search warrant, these records are
11 obtained directly from T-Mobile Corporation?

12 A. Correct.

13 Q. And they're coming to you to reflect all of the activity
14 on Tony Jr.'s phone at the time of his disappearance?

15 A. Yes.

16 Q. And even including the time after his disappearance?

17 A. Correct. Yes.

18 Q. So, pursuant to your investigation, were you aware that
19 Tony had last worked the midnight shift on December 29th?
20 Were you aware of that, that he had last worked the midnight
21 shift at Carolina Wings on the night of the 29th?

22 A. Yes.

23 Q. And would have clocked out at approximately midnight?

24 A. Yes.

25 Q. Upon review of those records, what, if anything, did they

1 indicate to you, as a Major Crimes investigator, about the
2 activity that's going to occur after -- after Tony clocks out
3 at Carolina Wings around midnight? We can get up a little bit
4 closer on this.

5 A. So, looking at the activity right after we clocked
6 out ---

7 Q. And we're going to be using ---

8 A. Sorry.

9 Q. Eastern -- sorry -- Eastern Standard Time is the time
10 conversion in blue?

11 A. Correct.

12 A. So we noticed here that it appears that Tony's son
13 contacted him in this instance here, which would be around
14 23:48. And then, after he clocked out, it appears as though
15 he called his son at 14 -- or midnight, 14. And you see
16 Tony's number here, his son's number here. And, subsequently,
17 after that ---

18 Q. I'm going to stop you right there, if that's okay. All
19 right. So Tony is going to clock out at midnight on December
20 29th?

21 A. Yes.

22 Q. And then we are in -- in the time frame of December 30th.
23 So on 12/30, the very morning hours, just 14 minutes after
24 midnight, you've indicated that a phone call is placed from
25 that phone.

1 A. Yes.

2 Q. And that phone call occurs at 12:14 a.m.?

3 A. Yes, ma'am.

4 Q. And that phone call was to who?

5 A. To his son.

6 Q. To his son, Amadre W. [REDACTED]?

7 A. Yes.

8 Q. And that phone call appears to be 55 seconds in duration.

9 So does it appear that there was some communication between
10 Tony and his son?

11 A. Yes.

12 Q. And so, based upon that, what does that tell you about
13 Tony, whether Tony is alive at this point?

14 A. I think it's fair to assume that he is at that point.

15 Q. And, after that phone call to his son that was 55 seconds
16 in duration at 12:14 a.m., what activity are you seeing from
17 12:20 into 12:21?

18 A. So it looks like there's text messages between he and his
19 son.

20 Q. All right. And that's going to -- the last text message
21 between Tony and his son is going to occur at what time?

22 A. It's at midnight 21.

23 Q. All right. So between 12:14 a.m. and 12:21 a.m., it
24 appears that Tony's phone is in use with his son?

25 A. Yes.

1 Q. Is there then a gap in time?

2 A. There is, about 50 minutes.

3 Q. Can you show us where that occurs in the record?

4 A. So right here. So there's the last text message, and
5 there's the next phone call.

6 Q. All right. And you've indicated that's about 50 minutes
7 in length?

8 A. Yes.

9 Q. And what is the next activity on Tony's phone after that
10 gap in time?

11 A. So Tony's phone, which again is his number here, calls
12 this 888 number, which we would later learn is cardholder
13 services number. And my understanding of that is, when you
14 would call that, is if you have a gift card or some sort of
15 debit card, you call and check the account balance or manage
16 the card, different things like that through that service.

17 Q. And you've called that number yourself.

18 A. I have.

19 Q. And that phone call is made at what time, Sergeant
20 Miller?

21 A. 01:11, so 1 a.m.

22 Q. So at 1:11 a.m. his phone is used to call some type of
23 cardholder services corporation to determine how much balance
24 may be on some type of credit card or gift card?

25 A. Yes.

1 Q. And you determine that yourself by calling that number?

2 A. Yes.

3 Q. From that point on, do you ever see any activity in which
4 Tony Jr. answers that phone for his mother, his father, or any
5 other known family member?

6 A. No.

7 Q. Looking here at these records, you're familiar with
8 Carolina Wings attempt to reach Tony?

9 A. Yes.

10 Q. And that that call went to voicemail?

11 A. Yes.

12 Q. How is voicemail indicated on these records?

13 A. So, when you look at it -- can you zoom in just a little
14 bit?

15 Q. Yes.

16 A. There's an odd number here, and it shows up in all the
17 records. And what I've learned over time is that this number
18 or numbers similar to it is what directs you to voicemail. So
19 if I were to call the number and you go straight to voicemail,
20 this is the number that we're going to see in this record.

21 Q. All right. So every time that the phone forwards to
22 voicemail, it shows up as an outgoing to the 999 number?

23 A. Yes.

24 Q. and those calls from his employer -- first of all, were
25 you aware during the investigation that he failed to arrive

1 for his 11 a.m. Saturday shift the next morning at Carolina
2 Wings?

3 A. Yes.

4 Q. And that Carolina Wings also attempted to reach him by
5 phone?

6 A. Yes.

7 Q. But could not.

8 A. Correct.

9 Q. You're aware of the numerous attempts by his mother, Pam
10 Etheredge, and his father, Tony Etheredge Sr., to reach him by
11 phone?

12 A. Yes.

13 Q. I believe a total of 68 or some attempts just by the two
14 of them?

15 A. Yes, ma'am.

16 Q. Was there ever any indication that any of those phone
17 calls were answered by Tony?

18 A. No.

19 Q. What do the records indicate happened to all of those
20 phone calls from his parents?

21 A. I believe all of them show the similar circumstances as
22 the Carolina Wings, is that number.

23 Q. So here we see father and mother. And all of the phone
24 calls are going to voicemail?

25 A. Yes.

1 Q. Even on the date in which the truck is found, January
2 12th -- January 5th, 2024, the family is still trying to reach
3 home by phone.

4 A. Correct.

5 Q. And you've indicated by at this point on the date that
6 the truck is actually found out there in that field on Truex,
7 that you, yourself, went through exigent circumstances to have
8 T-Mobile attempt to ping Tony's phone?

9 A. Yes.

10 Q. With no response?

11 A. Correct.

12 Q. And, ultimately, do you know whether or not a phone was
13 found inside that abandoned vehicle?

14 A. Yes.

15 Q. And recovered by law enforcement?

16 A. Yes.

17 Q. Believed to be the phone of Tony Etheredge Jr.?

18 A. Correct.

19 Q. Left behind in that vehicle?

20 A. Yes.

21 Q. Now, I'm going to ask you about these two items, I
22 believe, already in evidence. But this is going to be State's
23 22 and 23, without objection. But as law enforcement is
24 searching out there, what efforts are you all taking out in
25 this open field to recover anything that may potentially be of

1 value?

2 A. So, as I said, everything -- earlier -- everything we can
3 find is potential evidence in a case like this. And in this
4 case, this is a receipt that was found in that entryway to the
5 field.

6 Q. All right. So looking at State's 22 and 23, does this
7 indicate the original location of that receipt that was found?

8 A. Yes.

9 MS. MAYES: State's 22 and 23 for evidence at this
10 time, Your Honor.

11 MR. STORY: No objection, Your Honor.

12 THE COURT: State's Exhibit 22 and 23 are admitted
13 into evidence.

14 (Previously admitted.)

15 BY MS. MAYES:

16 Q. Now, looking at 22, away from the truck, what is this
17 area right here?

18 A. So, again, it's kind of what I describe as the driveway
19 into the field.

20 Q. So, if you were coming from Truex Road and pulling into
21 the open field, would this be the initial entryway into the
22 field?

23 A. Yes.

24 Q. And this is sort of a dirt or gravel area before you get
25 to the field.

1 A. Loose litter (phonetic), yes.

2 Q. Okay. So the truck itself is not even visible in this
3 photograph.

4 A. No, it's not.

5 Q. But law enforcement was taking all efforts to retrieve
6 anything of potential value?

7 A. Yes.

8 Q. And is that routine in any type of investigation, similar
9 to this?

10 A. Yes.

11 Q. And so, as a result, was a paper receipt seen on the
12 ground of that driveway?

13 A. Yes.

14 Q. And was that receipt collected?

15 A. Yes, it was.

16 Q. Ultimately, did law enforcement follow all leads
17 associated with that receipt?

18 A. Yes.

19 Q. Was there any connection, to the best of your knowledge,
20 whatsoever, to this case?

21 A. No.

22 Q. And when I say all leads were followed, did you
23 ultimately find out who had actually left that receipt behind?

24 A. We did.

25 Q. And you located the person that left that receipt behind?

1 A. I did not, but law enforcement did.

2 Q. All right. I believe Sgt. Carvajal?

3 A. Detective, yes.

4 Q. Also a member -- Detective Carvajal -- also a member of
5 the Lexington County Sheriff's Department?

6 A. Yes.

7 Q. And, ultimately, the person who left the receipt behind,
8 did they cooperate with law enforcement?

9 A. Yes.

10 Q. Interviews were conducted with that person?

11 A. Yes.

12 Q. That person gave a buccal swab just in case it were
13 needed for any reason?

14 A. Yes.

15 Q. Now, this particular area in Leesville, what is it most
16 commonly known for, for local residents?

17 A. So what we found is, oftentimes, there'll be fields like
18 this where people go shoot guns and do other activities in the
19 rural area.

20 Q. Okay. And is there also a dove field located nearby?

21 A. There is.

22 Q. And is there. Is that dove field also a common area
23 where people go to shoot guns?

24 A. Yes.

25 Q. And, as a result, people shooting guns in this area of

1 Leesville, does that usually even result in a 911 call?

2 A. Usually not.

3 Q. Because people know that it's commonly used to shoot
4 guns?

5 A. Yes.

6 Q. All right. And, based upon your investigation into this
7 receipt, who were the individuals that left the receipt
8 behind, and what reason were they there?

9 A. So his name was Maki Grey. That was the person that the
10 receipt belonged to. I can't remember the last name. I
11 believe her first name was Kessa, and that's for his
12 girlfriend. And the receipt actually originated from a wing
13 restaurant in Columbia, over near Garners Ferry, I believe.
14 And then she is actually from this area, so she's familiar
15 with the area. And they discussed shooting a gun at some
16 point. And they had been out here to this field just a few
17 days prior.

18 Q. Okay. And when you say a few times days prior, was there
19 a date on that receipt?

20 A. There was. I don't recall what the date was, though. I
21 do know that they said they were out there, I believe it was
22 Wednesday, prior to the Friday that we were out there.

23 Q. All right. So several days before the truck is actually
24 recovered?

25 A. Yes.

1 Q. And based upon all of your information, pursuant to this
2 aspect of the investigation, was there any indication that the
3 truck had even been abandoned at the point that they were out
4 there?

5 A. No.

6 Q. Were you, ultimately, able to rule them out in connection
7 to Tony Jr.'s disappearance?

8 A. Yes.

9 Q. And in connection to depositing -- Tony Jr.'s truck
10 having been deposited in this field.

11 A. Correct.

12 Q. And they've been ruled out?

13 A. Yes.

14 Q. So going back to where we were with other evidence that's
15 recovered, I know you've indicated that this hoodie and towel
16 are found nearby the truck. What is your best estimation of
17 the proximity in which this hoodie and towel are found in
18 relation to that vehicle?

19 A. Maybe 30 or 40 yards. And, again, this is near that kind
20 of entry area. As you see from the picture, it's more in the
21 leafy area, so it's not quite on the two rut (phonetic)
22 portion of the driveway.

23 Q. So 30 or so yards, give or take?

24 A. Yes, ma'am.

25 Q. Now, I want to move forward in the investigation. I'm

1 going to show you some photographs and ask you to take a look
2 at them -- State's 12, State's 11, and State's 13, in addition
3 to State's 2. Are you familiar with all of these items?

4 A. I am.

5 Q. Now, you've indicated that, once that vehicle was found
6 with what appeared to be blood evidence, cleaning residue, and
7 a bullet defect, the nature of this investigation took on a
8 different course. Tell us about that.

9 A. Yeah. So, as I think I stated earlier, the -- starts out
10 as a missing person. To us, there's a lot of people that are
11 missing that aren't truly missing, and we, usually, quickly
12 able to find them. In a case like this, where he's been gone
13 for multiple days, and we found the condition of a vehicle
14 like this, it was apparent that something most likely happened
15 to Tony. And, at that point, we were considering this is
16 probably a murder.

17 Q. Okay. Looking here at State's 2, the missing person
18 flyer, including Tony's photograph, information about Tony and
19 about his vehicle being that 2014 black Toyota Tacoma truck --
20 did that go out to numerous news outlets in the Midlands area?

21 A. So that flyer specifically, no. That flyer was one that
22 was generated on 8th of January that was dispersed to all of
23 law enforcement, which is typical of what we'll do. But
24 they're was, I believe, a Facebook post that was made by the
25 sheriff's department, seeking the public's help with that.

1 And some of this information was put out. Of course, there's
2 personal information on there that we're not going to put out
3 to the public, but the photograph that was used there came
4 from his Facebook profile and some other demographics to help
5 describe him and seek the public's help in identifying or
6 trying to locate him.

7 Q. All right. This same photograph of Tony and the fact
8 that he was considered now a missing person and that
9 information or tips were needed, that went out to news
10 outlets.

11 A. Yes.

12 Q. As well as social media outlets?

13 A. Yes.

14 Q. All across the Midlands?

15 A. Yes.

16 Q. And, as a result, were you receiving tips coming in?
17 Were all members of the Major Crimes Unit receiving tips that
18 were coming in?

19 A. Yes. Correct.

20 Q. And as tips come in, what efforts are made to follow-up
21 on those tips, possibly obtain surveillance video, or anything
22 that might lead to some clues as to Tony's whereabouts?

23 A. So, similar to evidence collection on scene, any tip that
24 comes in, any little bit of information, no matter how minute
25 it may seem, we follow up on those leads. And, in reference

1 to this, we actually received information from Tony Sr. on the
2 8th of January, stating that a clerk at Mr. B's had seen him
3 in there a few days prior with an unknown female.

4 Q. All right. And then, in addition to that, were officers
5 dispatched out to Mr. B's to retrieve that video?

6 A. Yes.

7 Q. I'm going to show you what is already in evidence,
8 State's 12, State's 11, and State's 13. Looking here at
9 State's 11. Knowing that that trip to Mr. B's had occurred
10 just two days before Tony was last seen alive. That trip to
11 Mr. B's having occurred on Wednesday, December 27th, what, if
12 any, efforts were made by law enforcement to try and identify
13 this female, who was accompanying Tony inside that store?

14 A. So what we did with this picture, some of these still
15 shots, we dispersed to those other law enforcement in our own
16 department and even outside of the department in an attempt to
17 help identify her. At the time, I believe we had been -- we
18 had received information from his family stating that there
19 was maybe a new girlfriend he'd been seeing somewhere.

20 But, nonetheless, no one knew who that may be or what
21 her name is. So when we came across this information and
22 looked at it, like, we have to identify that person, that
23 someone was seen with him just a few days before he was
24 reported missing. Maybe she knows what happened to him.
25 Maybe she knows where he's at. All of those, all the unknown

1 questions. So we sent that information out to law
2 enforcement, and we actually received a name back that came
3 back to this female as a potential of being someone that --
4 I've actually -- we actually know through ---

5 Q. Well, let me ask -- let me ask you this way.

6 A. Yeah. Sorry.

7 Q. Were you able to identify that female yourself? Did
8 you -- having seen this photograph, do you recognize this
9 individual?

10 A. So, initially, no. But once I received the name, I
11 realized that it could quite potentially be Cady Keener.

12 Q. What is that name again?

13 A. Cady Keener.

14 Q. C-A-D-Y?

15 A. Correct.

16 Q. K-E-E-N-E-R?

17 A. I believe that's correct.

18 Q. And once this information comes in that this individual
19 is believed to be Cady Keener, how did the investigation
20 change at that point?

21 A. It changed quite a bit. We all of a sudden had another
22 lead that seemed to -- potentially, seemed like it was going
23 to lead to somewhere. Because, at this point, we tracked down
24 several different leads to include the receipt and others,
25 which were all fizzling out. They're all people that were

1 able to account for where they were, and they were clearly not
2 involved with this incident. So, once we knew her name, and
3 we recognized her name, we knew that she had an associate who
4 lived close by where the truck was located.

5 Q. I want to ask you a few more questions about that. When
6 you say she knew -- you knew she had an associate -- and,
7 pursuant to the investigation, you've learned that associate
8 to be who?

9 A. Allon Adams.

10 Q. All Right. You see Allon Adams in this courtroom?

11 A. I do.

12 Q. Where is he seated?

13 A. Seated at the Defendant's table.

14 MS. MAYES: All right. Your Honor, may the record
15 reflect, he has identified Allon Adams.

16 THE COURT: So noted.

17 BY MS. MAYES:

18 Q. Now, knowing that she has an association with Allon
19 Adams, I'm going to ask you, specifically, based upon the law
20 enforcement investigation, what do you understand that
21 association to be?

22 A. Long time, intimate relationship as girlfriend and
23 boyfriend.

24 Q. All right.

25 MR. STORY: I'll object to hearsay.

1 MS. MAYES: I'm asking -- I'll ask if he has
2 personal knowledge.

3 BY MS. MAYES:

4 Q. Do you have personal knowledge as to the association
5 between Ms. Keener and Mr. Adams ---

6 A. I do.

7 Q. --- the Defendant in this case?

8 A. Correct.

9 Q. And what do you know that relationship to be?

10 A. Girlfriend and boyfriend.

11 Q. Girlfriend and boyfriend. And your understanding is that
12 relationship was long term?

13 A. Yes.

14 Q. In existence well into 2023 when Ms. Keener is seen here
15 on the video with Tony Etheredge?

16 A. Yes.

17 Q. I'm going to show you two more photographs. This is
18 going to be State's 19 and State's 142 and ask you whether or
19 not you recognize them. I believe, without objection.

20 (State's Exhibits 19 and 142 marked for identification.)

21 THE COURT: That's Exhibit?

22 MS. MAYES: 19, Your Honor, and 142.

23 THE WITNESS: Yes, I recognize (phonetic) these.

24 BY MS. MAYES:

25 Q. Is this a fair and accurate representation of the map,

1 the aerial map, showing the area of the truck recovery?

2 A. Yes.

3 Q. And is this also a residence that you're familiar with,
4 shown in State's 142?

5 A. Yes.

6 MS. MAYES: For evidence at this time, Your Honor.

7 MR. STORY: No objection.

8 THE COURT: State's Exhibit 19 and 142 are admitted
9 into evidence.

10 (State's Exhibits 19 and 142 received into evidence.)

11 BY MS. MAYES:

12 Q. So you've learned now in the investigation that Tony was
13 with this female two days before his disappearance?

14 A. Yes.

15 Q. Were efforts undertaken to find and locate Cady Keener?

16 A. Yes.

17 Q. And the other information that you have learned in your
18 investigation is that she is a -- an associate or girlfriend
19 of whom?

20 A. Allon Adams.

21 MR. STORY: Object, Your Honor, to hearsay. Same
22 objection as earlier, Your Honor.

23 MS. MAYES: I'll rephrase that.

24 BY MS. MAYES:

25 Q. Do you have personal knowledge, and did you have personal

1 knowledge as an investigator with major crimes unit, at the
2 connection between Ms. Keener and Mr. Adams?

3 A. Yes.

4 MR. STORY: Your Honor, there's no way he has
5 personal knowledge about (indiscernible).

6 MS. MAYES: May we approach?

7 THE COURT: You all approach.

8 (Bench conference.)

9 BY MS. MAYES:

10 Q. All right. So looking here at State's 19, you've
11 indicated knowledge of the relationship. What, if anything
12 else, was of concern to you as a major crimes investigator
13 about the location of the truck recovery?

14 A. So the truck was recovered in this field. And down the
15 street, right down here, maybe within a mile, is a residence
16 where Allon Adams lives.

17 Q. All right. What area of Lexington County are we looking
18 at here?

19 A. Leesville.

20 Q. Leesville. And this road that is going to run -- get a
21 little bit closer on it. This road right here that is going
22 to run just adjacent to that open field where the truck is
23 going to be found is what road?

24 A. That's Truex Road.

25 Q. And these roads run off of what major highway in the

1 Batesburg-Leesville area?

2 A. I believe that's 178, also known as Fairview Road.

3 Q. Fairview Road. And is that the road that if you were to
4 take Exit 39, where Mr. B's Exxon is located from the
5 interstate -- if you were to take that exit, would that be
6 Fairview Road?

7 A. Yes.

8 Q. 178?

9 A. Yes.

10 Q. And then these roads are going to run off of it in
11 Leesville.

12 A. Correct.

13 Q. Again, is this a very rural area?

14 A. Yes.

15 Q. Can this location and this location be reached simply by
16 walking?

17 A. It could be, but most typically, it would be driven, I
18 would assume.

19 Q. Or walking the roadways.

20 A. Yes.

21 Q. Okay. But it's walkable?

22 A. It is.

23 Q. A short distance. You've estimated, approximately, a
24 mile. And this road here being Truit (phonetic), what road
25 runs here and intersects with Truex, right at about the area

1 of that open field. What is that intersection?

2 A. Rish Drive.

3 Q. So Truex and then Rish Drive running here?

4 A. Yes, ma'am.

5 Q. And based upon your investigation, who is known to live
6 at Rish Road?

7 A. Allon Adams.

8 Q. Looking here at State's 142, what is the address at Rish
9 Road for the Defendant in this case, Allon Adams?

10 A. [REDACTED] Rish Road.

11 Q. [REDACTED] Rish Road. And what are we looking at here?

12 A. So that's a camper that sits toward the front of the
13 property. And that's the one that I've learned to know that
14 Allon Adams stays in.

15 Q. Okay. The known residence of Allon Adams.

16 A. Yes.

17 Q. So knowing now the proximity -- well, first of all, let
18 me go back.

19 Knowing now the relationship between Ms. Keener and Mr.
20 Adams and knowing here the proximity between the truck
21 recovery and the residence of Allon Adams, what can you tell
22 us about the next step in the investigation?

23 A. The next step is imperative to contact and interview Cady
24 Keener.

25 Q. All right. Locate Cady Keener?

1 A. Correct.

2 Q. What can you tell us about the status of Allon Adams as a
3 potential suspect in this case?

4 A. So, at this point, he's a person of interest.

5 Q. A person of interest in the disappearance of Tony
6 Etheredge Jr.?

7 A. Yes.

8 MS. MAYES: Beg the Court's indulgence. Nothing
9 further for Sgt. Miller at this time, Your Honor.

10 THE COURT: Cross-examination?

11 CROSS-EXAMINATION

12 BY MR. STORY:

13 Q. Sgt. Miller, without going into the contents of any
14 conversations, on February 6, 2024, did you go to [REDACTED] Elliptic
15 Green Lane with Detective Reed?

16 A. Sorry. What was the date on that?

17 Q. February the 6th, 2024.

18 A. That's correct.

19 Q. And is that the home of Cady Keener?

20 A. Yes.

21 Q. Okay. And without talking about any conversations at
22 this time, did you and Detective Reed interview Cady Keener?

23 A. Yes.

24 Q. On February 7th, did you obtain a arrest warrant for Cady
25 Keener?

1 A. I don't believe I did, but I'm ---

2 Q. Not personally, but ---

3 A. The detective did.

4 Q. A detective obtained an arrest warrant for Cady Keener on
5 that day, correct?

6 A. Yes.

7 Q. In the investigation you were involved with?

8 A. Yes.

9 Q. Also on February 7, 2024, as you stated, you went to [REDACTED]
10 Rish Drive, correct?

11 A. I'm sorry. Hang on just one second.

12 Q. Okay, I can -- so you have previously testified [REDACTED] Rish
13 Drive is a camper that you understand Allon Adams lived in,
14 correct?

15 A. Correct.

16 Q. Okay. You and Detective Carvajal went to [REDACTED] Rish Drive
17 on February 7, correct?

18 A. Yes, that's correct.

19 Q. And the purpose of that was to look for Cady Keener,
20 correct?

21 A. Correct.

22 Q. And there's actually a number of homes and campers on
23 this property, correct?

24 A. Correct.

25 Q. On that date, you also spoke with a Ferlandis (phonetic)

1 Adams, correct.

2 A. That's correct.

3 Q. And you also spoke with a Mary Adams.

4 A. I believe that's her.

5 MR. STORY: Brief indulgence. No further questions,
6 Your Honor.

7 THE COURT: Redirect?

8 MS. MAYES: Briefly, Your Honor.

9 BY MS. MAYES:

10 Q. So I believe there are numerous family members who live
11 around that area. By that I mean numerous family members of
12 the Defendant, Allon Adams.

13 A. Yes.

14 Q. Who live around this area of [REDACTED] Rish Road.

15 A. Yes, ma'am.

16 Q. But the camper itself, shown in State's 142, is the
17 residence of whom?

18 A. Allon Adams.

19 Q. Thank you.

20 MS. MAYES: Nothing further.

21 THE COURT: Recross?

22 MR. STORY: None, Your Honor.

23 THE COURT: All right. The witness may step down.

24 Ladies and gentlemen, let's take a very short break,
25 refresh yourselves before our next witness. I'll get you back

1 in here. Please don't discuss the case while you're out.

2 Thank you.

3 (Jury out.)

4 (Court recessed.)

5 THE COURT: Please be seated. (Indiscernible) our
6 next witness is (indiscernible).

7 MR. HUBBARD: Thank you, Your Honor. State calls
8 Detective Tom Smith.

9 THE COURT: Very well.

10 THE CLERK: Do you solemnly swear from the testimony
11 before the Court today to be the truth, the whole truth, and
12 nothing but the truth, so help you God?

13 MR. SMITH: I swear.

14 THE CLERK: Thank you. Please take a seat in the
15 witness stand. Once you're seated, state your full name, and
16 spell your last for the record.

17 THE WITNESS: Thomas Alvin Smith. Yes, I'm a
18 Chipmunk. Last name is spelled S-M-I-T-H.

19 THOMAS ALVIN SMITH,

20 being duly sworn, testified as follows:

21 DIRECT EXAMINATION

22 BY MR. HUBBARD:

23 Q. Detective Smith, where do you work?

24 A. I'm employed with the Lexington County Sheriff's
25 Department.

1 Q. And what are your duties there?

2 A. Split duties between crime scene investigations and
3 firearm examiner.

4 Q. Those are actually two different roles?

5 A. Correct.

6 Q. And you play both of those roles for the County?

7 A. I do.

8 Q. How long have you been with the sheriff's department?

9 A. I was originally hired December of 2013. I was employed
10 with them until December of 2019. I left there and went to
11 the Criminal Justice Academy, where I taught for about a year
12 and a half. Came back to Lexington County Sheriff's
13 Department in September of 2001 and have employed there since.

14 Q. During your time at the sheriff's department, what have
15 your duties been?

16 A. I started off as a trainee, basically waiting to go to
17 the academy to attend the academy in order to get my
18 certification. After that, I was on the road as a patrol
19 deputy for approximately two years. And then, after that,
20 I've been in crime scenes.

21 Q. About how long ago you been in crime scenes?

22 A. So I started my law enforcement career while I was in the
23 Army with the U.S. Army Criminal Investigation Division
24 Command. So I was with them for six and a half years. So we
25 did our own crime scene exams there as well. Then -- so

1 that's six and a half years. So that's four and a half years.
2 So that's 11 years. Then I started in 2016, so that's another
3 three years. So about 14 years or so that I've been doing
4 crime scene examinations.

5 Q. Let me ask you this: do you have a college education?

6 A. I do. I have a bachelor's degree from Shamron (phonetic)
7 University out of Honolulu. And then I have a master's degree
8 from Northeastern -- Southeastern University out of Florida.

9 Q. Okay. And that is a master's degree.

10 A. Yes, sir.

11 Q. In addition to that experience, in addition to your
12 formal education, have you received specific education in
13 crime scene investigation?

14 A. I have. Part of the training that we received while
15 studying -- while at the Army CID Academy is crime scenes to,
16 include death investigations. All in all, it's probably about
17 six weeks of training there. I've had the opportunity to go
18 to FLETC and obtain training there in both in crime scenes
19 Level 1 and Level 2 for advanced forensic technology crime
20 scene investigations, Level 1 and Level 2.

21 Q. Can I ask you about this -- about this FLETC? Is that
22 F-L-E-T-C?

23 A. Yeah, it's an acronym. It's the Federal Law Enforcement
24 Training Center.

25 Q. And is that some of the more premier training for crime

1 scene investigation?

2 A. It is. They only accept a limited number of people per
3 cycle. They only hold so many classes. Their intent is to
4 get individuals that have been doing the program -- or been
5 doing crime scenes for a while and better their skills.

6 Q. And then you said you have the Level 2 training. In
7 addition to the Investigation 1, you took Investigation 2?

8 A. Correct.

9 Q. Is that an even more -- a smaller group of individuals?

10 A. Not necessarily a smaller group of individuals, but it's
11 a -- because if you take Level 1, you can automatically come
12 back for Level 2. But they have less classes and being able
13 to get a seat in it is more difficult because of less classes.

14 Q. Okay. In addition to crime scene investigation, have you
15 also done reconstruction education for classes?

16 A. I have. I've done crime scene reconstruction with IPTM
17 out of Florida. I've done shooting incident reconstruction
18 with Bevel Gardner & Associates. And I've done Blood Pattern
19 Analysis Reconstruction Level 1 and Level 2 with Bevel, Garner
20 & Associates as well.

21 Q. And, Detective Smith, have you been qualified as an
22 expert in a court of law, including this courtroom, as an
23 expert in crime scene investigations and as an expert in crime
24 scene reconstruction?

25 A. I have.

1 MR. HUBBARD: Your Honor, I offer Detective Smith as
2 an expert in crime scene investigations and in crime scene
3 reconstruction.

4 MR. STORY: No objection, Your Honor.

5 THE COURT: All right. Ladies and gentlemen, a
6 person testifying cannot give a opinion testimony, but
7 testifies to what they personally either saw heard, sensed by
8 smell, or something of that nature. However, there's an
9 exception when someone is qualified because of knowledge,
10 education, or experience: they're permitted to give their
11 opinion in certain areas if the Court qualifies in that way.

12 This witness will be qualified in the area of crime
13 scene investigation and crime scene reconstruction and give
14 opinion testimony in that area. That does not mean you must
15 accept the opinion, but it's evidence for you to use any way
16 that you see fit.

17 MR. HUBBARD: Thank you, Your Honor.

18 BY MR. HUBBARD:

19 Q. Detective, January 5th, 2024, do you recall being called
20 out to a hayfield in the Batesburg-Leesville area?

21 A. Yeah, I was notified approximately 16:28, of a vehicle
22 that was in a hay field. The road deputies had responded.
23 And they were looking at it and just the situation where it
24 was and who was registered and all to -- just didn't sit
25 right. So they -- they had called in major crimes, as well as

1 myself, to take a look at the vehicle.

2 Q. This -- this vehicle was just in a hay field off of Truex
3 Road in Lexington County?

4 A. Yes, sir. About 1005 Truex Road.

5 Q. Okay. Now, when you got there, officers had already been
6 out there at that scene?

7 A. Yes, sir.

8 Q. When you got out there, did you see this -- this pickup
9 truck that they were talking about?

10 A. Yes, sir, I did.

11 Q. And when you get out to a scene like that, what do you
12 first start doing?

13 A. The first thing I start doing is taking photographs of
14 the median area and the subject of the photographs. In this
15 case, it would be the vehicle.

16 Q. I'm going to show you what's already been placed into
17 evidence, State's 14. Are you the one that took this
18 photograph of this pickup truck?

19 A. I am.

20 Q. And does that show just the expanse of that field?

21 A. Yes, it does. And understand, to my back is wood line.
22 Not too far away from my back is wood line.

23 Q. I want to show you some photographs, State's 17, 24, 27,
24 and 28. Did you also take these photographs? This would be
25 of the same pickup truck?

1 A. Yes, this is of the same pickup truck.

2 MR. HUBBARD: Offer these into evidence at this
3 time.

4 MR. STORY: No objection, Your Honor.

5 THE COURT: Those numbers again, sir?

6 MR. HUBBARD: Yes, sir. It's -- see if I can get
7 them in order -- 17, 24, 26, 27, 28.

8 THE COURT: All right. State's Exhibit 17, 24, 26,
9 27, and 28 are admitted into evidence.

10 (State's Exhibits 17, 24, 26, 27, and 28 received into
11 evidence.)

12 BY MR. HUBBARD:

13 Q. Now Detective, looking at State's 14, we can see the hay
14 field. Looking at State's 28, is that how the truck was
15 found?

16 A. It is.

17 Q. So from one side, you're looking right at a wood line?

18 A. Yes, sir.

19 Q. And it's right up on the wood line?

20 A. Yes, sir.

21 Q. And when you took this photo, State's 14, you just walked
22 on the other side of the vehicle, or was the vehicle moved?

23 A. No, no. It was -- the vehicle stayed stationary until we
24 had it towed from that lot. So all I'm doing is changing
25 where I am located.

1 Q. And Detective, looking at State's 28, it looks like we
2 see a shadow here. What time of day are we talking about that
3 you've got out there?

4 A. So I got out there about 16 -- hold on just a second. I
5 got there about 16:48 hours, so about 4:48 in the afternoon.
6 And this is January, so it starts to get darker early. That
7 shadow is my shadow.

8 Q. So by the time we get back to State's 14, you can see the
9 sun beginning to set.

10 A. Yes, sir.

11 Q. Now, Detective, going around the outside of the vehicle,
12 I want you to look at State's 24. Did you notice some
13 substance on the outside of the doors from the door handles?

14 A. Yeah, there seemed to be some sort of residue of a
15 whitish, powderish residue on the door handles, on all four
16 door handles of the vehicle?

17 Q. All four of them?

18 A. Correct.

19 Q. State's 26, is that a close-up, showing a little bit
20 closer of what you were looking at?

21 A. Yes, sir.

22 Q. And then you did it for all the door handles? There's
23 another door handle?

24 A. Yes, sir.

25 Q. State's 27 -- but you did it for all four doors?

1 A. Yes, sir.

2 Q. And did you notice any kind of defect of interest on the
3 vehicle as well?

4 A. So when we got out there and started photographing, we --
5 I quickly -- it was quickly identified that there was a
6 projectile defect coming from the inside of the vehicle out,
7 just below, almost centered just below the rear passenger side
8 door.

9 Q. Looking at State's 25, what we see right here, would that
10 be that defect that we're talking about right here?

11 A. It would be.

12 Q. In State's 17, is that a close up of that defect?

13 A. It is.

14 Q. Now you said it's a defect of a projectile coming from
15 inside and going outside the vehicle?

16 A. Correct.

17 Q. Okay. So this is not a hole where somebody shot into the
18 truck?

19 A. No, that's an exit hole.

20 Q. All right. Show you some more photos. State's 31, 32,
21 33, 34. You took these as well.

22 A. I did.

23 Q. And are those of the tailgate area of the truck?

24 A. Correct.

25 MR. HUBBARD: Offer these into evidence?

1 MR. STORY: No objection, Your Honor.

2 THE COURT: So admitted. Those numbers again?

3 MR. HUBBARD: It's 31, 32, 33, 34.

4 THE COURT: All right. So admitted.

5 (State's Exhibits 31, 32, 33, 34 received into evidence.)

6 BY MR. HUBBARD:

7 Q. Looking at State's 33, we see these little placards, C,
8 B, A, and D. Who put those there?

9 A. Those will be my placards.

10 Q. And why do you put a placard, when you -- what's the
11 purpose of putting a placard?

12 A. So the whole idea in putting a placard down is, when we
13 take our photographs, it shows area of interest or shows a
14 piece of evidence. We use numbers, 1 through however many, to
15 indicate physical items of evidence. We use letters to denote
16 areas of interest. In this case, those four placards denote
17 areas that have a substance on them that's reddish brown.

18 It's consistent with possible blood. So we're documenting
19 that there on the tailgate, as well as the bed at the truck.

20 Q. And while we're looking at this, it appears dark here.
21 While you're out there, I mean, does that show -- by the time
22 you got to that, it was already -- the sun's already gone
23 down.

24 A. Correct. Understand that we didn't actually leave the
25 scene. We didn't have the vehicle towed. We didn't finish up

1 until about 9:38, 9:40 at night. So, at this point, our sun's
2 down, and we're using flashlights and flash photography.

3 Q. And when you're processing a scene in a situation like
4 this, do you do what you can at the scene?

5 A. Yes. Unless we think that there's going to be -- so some
6 processing better -- takes -- is better with better lighting
7 and also in a more controlled environment. We don't have a
8 controlled environment out here. We're losing light. So, at
9 a certain point, instead of continuing to process the entire
10 vehicle there on the scene, I made the decision to have it
11 towed back to our warehouse, where I could have better
12 lighting, more controlled environment to finish the process.

13 Q. Okay. But right now you're doing what you can at the
14 scene?

15 A. Yes.

16 Q. All right. State's 31, State's 32, that's a close up.

17 A. Correct.

18 Q. Now, looking at State's 33, does that indicate the
19 substance that you were actually marking with CVA?

20 A. Yes. Those darker marks on the -- against the metal
21 there.

22 Q. And then placard deed, you see also, a little more faint,
23 but the same type of substance?

24 A. Correct.

25 Q. Okay. Now, while you were looking at the bed of the

1 truck, I want to -- did you find what appeared to be like, a
2 cleaning solution?

3 A. Yeah, there was a -- and did you -- yes both those are my
4 photographs.

5 Q. 29 and 30?

6 A. Yes, sir.

7 MR. HUBBARD: Offer these into evidence.

8 MR. STORY: No objection.

9 THE COURT: All right. State's Exhibit 29 and 30
10 are admitted into evidence.

11 (State's Exhibits 29 and 30 received into evidence.)

12 BY MR. HUBBARD:

13 Q. Detective, State's 29 -- now we see a cleaning solution.
14 What is that?

15 A. It's a bottle of white vinegar cleaning solution.

16 Q. Now, obviously, you didn't have that on the tailgate a
17 while ago. Did you find that in the side of the vehicle or
18 inside the truck bed area?

19 A. No, it was in the bed of the truck.

20 Q. Okay. And so you -- this is just you basically marking
21 it as evidence.

22 A. Well -- so I found it in the bed of the truck, not
23 knowing -- brought it out, photographed it, there with a
24 placard. I then proceeded to use latent powder on it to
25 attempt to develop latent prints. There was no latent prints

1 on it. So, at that point, it was not collected as evidence.
2 It was just left with the truck.

3 Q. State's 30 is also close-up showing -- when you really
4 look at some of that black powder that you're looking for
5 latent prints.

6 A. Yes, sir.

7 Q. Now, let me ask you this outright -- at any time, did you
8 find any fingerprints, or what we call latent prints, inside
9 or outside this vehicle?

10 A. No. During -- during the times in which we searched this
11 vehicle, there was no latent prints found or developed in this
12 case.

13 Q. Okay. Now, in addition to the truck, do you recall some
14 other items, a couple of items, that you collected that were
15 off a distance from the vehicle?

16 A. Yes. I was notified while I was processing the vehicle
17 that one of the investigators had found some -- some black we
18 weren't sure what it was, but there was some -- some black
19 clothing, some black cloth, separate from the vehicle. At
20 some point, I broke from the vehicle, went photographed,
21 collected that, and then came back to the vehicle and finished
22 processing it.

23 Q. I want to show you what's already been placed in
24 evidence, State's 21. Did you take that photograph?

25 A. That's my photograph, yes.

1 Q. And then a close-up of State's 3. I mean, excuse me,
2 State's 20, of placard 3.

3 A. Correct.

4 Q. And that appeared to be a towel and then an item of
5 clothing.

6 A. I didn't pay attention on-scene exactly what it was. I
7 scooped -- I literally took it and dropped it -- one --
8 dropped it into a bag. It was moist. It was damp. I took it
9 back to hang it up to let it dry out. That's when I realized
10 that it was two items, one being a towel and one being a
11 sweatshirt.

12 Q. Okay. I'm going to show you what's been marked as
13 State's 4, the sweatshirt that you were talking about. Do you
14 recognize what I have in my hand as State's 4?

15 (State's Exhibit 4 marked for identification.)

16 A. Yes.

17 Q. And is that that sweatshirt or hoodie?

18 A. Yes, sir.

19 MR. HUBBARD: Offer this into evidence at this time.

20 MR. STORY: No objection, Your Honor.

21 MR. HUBBARD: State's 4, Your Honor.

22 THE COURT: State's Exhibit 4 is admitted into
23 evidence.

24 (State's Exhibit 4, received into evidence.)

25 //

1 BY MR. HUBBARD:

2 Q. Detective, when you open it up -- now, when something, a
3 piece of clothing is wet, is it protocol to lay it out to let
4 it dry?

5 A. Yeah. We have dedicated drying chambers that we
6 specifically keep clean for that purpose. It dries them
7 quicker than just hanging them out because it draws air in
8 through a filter and then sucks the air up out of it out of
9 the system. It's all HEPA in order to prevent cross-
10 contamination and everything.

11 Q. And this particular hoodie had Yellowstone, a Yellowstone
12 product from the TV series?

13 A. Right. Well, I didn't know it was a TV series. I just
14 knew that there was Yellowstone on it. I found out about the
15 TV series much later, after the fact.

16 Q. So you're not a TV watcher?

17 A. Apparently, I missed that program.

18 Q. Now, while you're out at the scene, did you not just
19 photograph outside of the truck, but did you also photograph
20 inside the vehicle, to the best you could, while you were out
21 there?

22 A. I wanted to take some initial photographs of it because I
23 wasn't sure what the gentleman with the tow truck was going to
24 need in order to get the vehicle towed. I was afraid he was
25 going to have to actually enter into the vehicle. Turned out

1 that wasn't how he towed the vehicle. But yes, I opened up
2 the door and took some initial photographs of all of the
3 vehicle.

4 Q. I want to show you some photographs from the interior.
5 State's 36, 37, 39, 40, 41, 43, and 44. And are these also
6 photographs that you took?

7 A. Yes, these are all my photographs.

8 MR. HUBBARD: Offer these into evidence.

9 MR. STORY: No objection.

10 THE COURT: All right. State's Exhibits 36, 37, 39,
11 40, 41, 43, and 44 are admitted into evidence.

12 (State's Exhibits 36, 37, 39, 40, 41, 43, and 44 received into
13 evidence.)

14 MR. HUBBARD: Thank you, Your Honor.

15 BY MR. HUBBARD:

16 Q. State's 36, the interior, this white stuff that we're
17 seeing, is that the same type of stuff you saw on the exterior
18 of the vehicle?

19 A. Yes. It's the same powder residue that we found on the
20 door handles of the exterior of the vehicle. When we opened
21 up the vehicle, we saw it across the dash, across the vehicle
22 center console, and everything like that. We also found it in
23 the handles, the internal handles of the vehicle as well.

24 Q. So you had mentioned the exterior. All the door handles
25 had this type of stuff on the outside. So all the interior

1 ones had it, too.

2 A. Correct.

3 Q. And then we're looking at, again, State's 36, all on the
4 console, the entire dash area. It was everywhere?

5 A. Yes, sir.

6 Q. In the State's 37, on the door, you see some of it there,
7 the driver's door?

8 A. Yes, sir.

9 Q. You mentioned door handle, State's 40. You saw it there?

10 A. Yes, sir.

11 Q. Again, State's 41. When we see something like that, were
12 you taking swabs of the door handles?

13 A. I was taking swabs of the door handle -- two parts, one
14 part for possible touch DNA, but the other part was to
15 determine what type of substance that was that was on the --
16 on these door handles.

17 Q. State's 39, looking in from the driver's side. Saw it
18 all over the steering wheel as well.

19 A. Correct.

20 Q. And what, if anything, did you notice about the driver's
21 seat?

22 A. The driver's seat had a reddish stain that had saturated
23 into the seat cushions.

24 Q. State's 43. Does that denote -- see placard G. You put
25 that there to denote the red stain.

1 A. Correct.

2 Q. And a close-up. Again, this is the driver's seat.

3 A. Yes, sir.

4 Q. Did you see red stain on any of the other seats, or is it
5 just the driver's seat?

6 A. Just the driver's seat.

7 Q. I want to go through a series of photographs here.

8 Hang on just a minute. Before I do that, let me ask you
9 about some of the physical evidence you collected. Mentioned
10 the hoodie and the towel. I want you look at State's 138 and
11 137. These are the physical items themselves.

12 A. Yes.

13 Q. 138 being the towel -- I mean, the hoodie. 137 being the
14 towel.

15 A. Yes.

16 MR. HUBBARD: Your Honor I offer these into evidence
17 at this time.

18 MR. STORY: No objection, Your Honor.

19 THE COURT: State's Exhibit 138 and 137 admitted
20 into evidence.

21 (State's Exhibit 137 and 138 received into evidence.)

22 BY MR. HUBBARD:

23 Q. And, Detective, when you were looking at the tailgate,
24 the exterior of the truck, what appeared to be blood, did you
25 take swabs?

1 A. Yes. I actually took swabs of every placard area. So
2 all the letters would have had a swab associated.

3 Q. Okay. Show you -- what's been marked as State's 132.
4 Let's see if that is one of the swabs -- specifically, A --
5 from that tailgate. You may need -- do you have some gloves?
6 (State's Exhibit 132 marked for identification.)

7 A. I do.

8 Q. You may need to open that up. Do you have a scissors or
9 a knife?

10 A. I do. Yes, sir. This is my handwriting. This is my
11 packaging.

12 Q. Okay. And that's the swab from the tailgate?

13 A. Yes, sir.

14 Q. And that swab, where does it go to once you take it?

15 A. So, once I take it, I take it back to our lab. I package
16 it. Then I turn it into our lab. And, with all evidence, if
17 the investigator wants it taken and processed, it's then taken
18 to SLED, who does our DNA processing.

19 Q. Was this particular piece taken to DNA at SLED?

20 A. Yes, sir, it was.

21 Q. Okay. I'll let you put that back in there. Thank you,
22 sir.

23 MR. HUBBARD: Again, Your Honor, that State's 132.
24 And I offer it into evidence. I don't know if it's been
25 offered.

1 MR. STORY: No objection.

2 THE COURT: All right. State's 132 is admitted into
3 evidence.

4 (State's Exhibit 132 received into evidence.)

5 BY MR. HUBBARD:

6 Q. And, again, you had no latent prints that you found
7 anywhere in the vehicle or outside or inside?

8 A. No, sir.

9 Q. After you did what you did could out there in the field
10 with the lighting that you had, what did you do with that
11 pickup truck at that time?

12 A. I made the decision that the vehicle needed to be towed
13 back to our evidence warehouse, where we could have proper
14 lighting and controlled environment in order to finish the
15 process.

16 Q. And when you get back there, do you start taking
17 photographs again?

18 A. So we got it back there. We got it into the evidence
19 warehouse. We actually come back the next day. Since we
20 moved the vehicle from where it was in the field, we had to
21 get a search warrant to process the vehicle again. So we
22 had -- I had waited for the investigators. They went and got
23 a search warrant. Once that search warrant was approved and
24 signed, I then went back to the evidence warehouse at that
25 time and began to process the vehicle.

1 Q. I'm going to show you series photographs.

2 A. I'm sorry. To answer your question, yes -- once I began
3 my examination of the vehicle, I began taking photographs,
4 again, starting with the exterior of the vehicle, all the way
5 in.

6 Q. Now I want to show you a series of photographs. And I've
7 got them marked. The numbers may hop around a little bit, but
8 these are photographs you took.

9 A. Yes. That's mine.

10 Q. Right. Looking at State's 51 and 64.

11 A. Yes.

12 Q. Looking at 68 and 70.

13 A. Yes.

14 Q. And at 76 and 80.

15 A. Yes.

16 Q. Looking at 82, 86, and 92.

17 A. Yes.

18 Q. 95, 93, and 94.

19 A. Yes.

20 Q. And 99 and 100.

21 A. Yes.

22 Q. And are all these into evidence, I believe, with no
23 objection?

24 MR. STORY: No objections.

25 THE COURT: All right. State's Exhibits 51, 64, 68,

1 70, 76, 80, 82, 86, 96, 92, 95, 93, 94, 99, and 100 are
2 admitted into evidence.

3 (State's Exhibits 51, 64, 68, 70, 76, 80, 82, 86, 96, 92, 95,
4 93, 94, 99, and 100 received into evidence.)

5 MR. HUBBARD: Thank you, Your Honor.

6 BY MR. HUBBARD:

7 Q. Now, Detective, looking at State's 51. We've earlier
8 seen a photograph taken of the seat with blood on it. But now
9 this is the next day back at the bay.

10 A. Correct.

11 Q. We're looking at a placard, number 8. What, if anything,
12 did you do to that seat for the purpose of having that placard
13 there?

14 A. So, in the field, that placard was actually a letter and
15 all that was denoting that slot. So here, the reason there's
16 number 8 is I've actually come back at this time, and I will
17 proceed to cut out a swatch (phonetic) of the fabric, as well
18 as the foam underneath the fabric and collect that as
19 evidence. They were collected, item 8.1 and 8.2.

20 Q. I want to show you physical evidence, see if you
21 recognize them as 8.1, 8.2. These would be State's 135,
22 picked to be 8.2. State's 134 as 8.1. You probably need to
23 open those up to verify that.

24 A. So 8.11 are State's 134. That is my packaging and
25 handwriting that I recognize.

1 Q. What is 8.1 as opposed to 8.2?

2 A. So 8.1 is the -- should be the actual cutting. This is
3 the cutting of the seat cushion itself. 8.135 (phonetic)
4 should be the actual fabric of the seat.

5 Q. Okay. So one's like foam and one's more of the fabric.

6 A. Yes, sir.

7 Q. All right. So 135, State's Exhibit 135, that's the
8 actual foam of the seat.

9 Q. Okay.

10 A. And State 134 is the actual fabric of the seat.

11 MR. HUBBARD: Your Honor, I offer these into
12 evidence, State's 134, 135.

13 MR. STORY: No objection.

14 THE COURT: All right. State's 134 and 135 are into
15 evidence.

16 (State's Exhibits 134 and 135 received into evidence.)

17 MR. HUBBARD: Thank you, Your Honor.

18 BY MR. HUBBARD:

19 Q. State's 64 -- now, again, this is in the bay where you
20 took this photograph. We see a little tape strip there. What
21 is that purpose?

22 A. So the tape strip here is the same equivalent as the
23 yellow placards that we had out on scene. It's something that
24 we can attach to a horizontal surface instead of -- a vertical
25 surface instead of a horizontal surface. So it's sticky; it's

1 not going to fall off instantly. And, with those, we write
2 the letter just like we have the letter placard. We'll write
3 the letter on that. And we'll also put the case number and
4 the day in which that photograph is taken.

5 Q. Okay. So some of them have placards, but when you have a
6 smaller object like that, do you use that tape?

7 A. Yes, sir.

8 MR. HUBBARD: Your Honor, just to make sure, I
9 thought I've introduced State's 44. That was from the field
10 with markers G ---

11 THE COURT: Yes. I have (crosstalk).

12 MR. HUBBARD: Okay. All right. That was in. Just
13 making sure. Thank you.

14 BY MR. HUBBARD:

15 Q. So is this where you took a swab?

16 A. Oh, yes.

17 Q. I want to show you State's 133. And if that is the same
18 swab -- is that marker K?

19 A. Correct. Correct. And yes, this is -- this is my
20 writing. This is my seal.

21 Q. And this goes to -- again, to SLED for testing.

22 A. Correct.

23 Q. This would be DNA testing?

24 A. Yes, sir.

25 MR. HUBBARD: Offer State's 133.

1 MR. STORY: No objection.

2 THE COURT: State's Exhibit 133 is admitted into
3 evidence.

4 (State's Exhibit 133 received into evidence.)

5 MR. HUBBARD: Thank you, Your Honor.

6 BY MR. HUBBARD:

7 Q. I want you to look at -- looking in the back seat of that
8 vehicle, State's 68. You have a marker there, L. What are
9 you looking at right there?

10 A. So there is what appears to be a pooling of blood there
11 at the rail system. So, again, putting down the placard,
12 photograph it. Then we collected a sample, a potential DNA
13 sample, as evidence.

14 Q. I want to show State's 70. Is that a close-up, again,
15 showing that red stain that you -- you saw?

16 A. Yes.

17 Q. And, when you saw that, was that you moved the seat up to
18 find that?

19 A. Correct.

20 Q. All right. Now I want to talk about that bullet hole
21 defect, or that -- would appear to be a bullet hole exiting
22 from the vehicle. And I want you to look at State's 76 and
23 80. State's 76, show, again with that tape, where that defect
24 is.

25 A. Correct.

1 Q. In State's 80, is that a close-up of that defect?

2 A. It is.

3 Q. Now, Detective, when you're looking at a bullet hole
4 defect you think that has come through a vehicle, you start
5 where it comes out and work backwards, or do you start where
6 you think it comes in and work out?

7 A. No. It's a lot easier to work backwards. So I began
8 here and then worked backward through the vehicle.

9 Q. Looking at State's 82, 86, and 92 -- 82, you see where
10 State's 80 is right here.

11 A. Mm-hmm (affirmative).

12 Q. State's 82, is that on the inside of the vehicle?

13 A. Correct. That's the door area of the rear passenger
14 door.

15 Q. Okay. So it's right where the -- right where the carpet
16 and that plastic base, where the door is.

17 A. Correct.

18 Q. State's 86, we see wires. Have you removed that plastic
19 base?

20 A. I have.

21 Q. And then State's 92, do we see a close up of that defect
22 on the inside of the vehicle?

23 A. We do. We see the defect. We can see where the
24 projectile started to mushroom pretty significantly before it
25 left the vehicle.

1 Q. And, again, working backwards into the truck, looking at
2 State's 95, what seat are we looking at here?

3 A. That is the right side of the driver's seat.

4 Q. Okay, so that's the side of the driver's seat.

5 A. Yes, sir.

6 Q. And we see tape there. I want you to look at State's 93
7 and State's 94. Is that a close-up?

8 A. Yes, it is.

9 Q. And what are we looking at?

10 A. That is a exit defect coming through that fabric, of a
11 projectile.

12 Q. Okay. Again, so that's an exit.

13 A. Correct.

14 Q. And, as we continue to work backwards, looking at State's
15 99 and 100, to the actual driver's seat, you see some tape
16 there -- again, your marking tape?

17 A. Yes, sir.

18 Q. And close-up -- that's a 99 close-up and State's 100,
19 that's an actual -- where the driver's seat is?

20 A. Yes, sir.

21 Q. Going back to State's 99, that seat, is that the same
22 seat where we find all the blood?

23 A. It is.

24 Q. And where we see the exit hole on the side of the seat,
25 is it down there in the rails that we see more blood?

1 A. Below that, yes.

2 Q. State's 100, does that look like an entrance hole or an
3 exit hole?

4 A. Entrance.

5 Q. Entrance?

6 A. Yes, sir.

7 Q. Now let me ask you this, did you try to ride this hole as
8 well?

9 A. I did.

10 Q. I'll show you State's 103, 104, 105, 106. Do these
11 capture the process where you're rodding this hole or these
12 holes?

13 A. Yes, sir.

14 MR. STORY: No objection.

15 MR. HUBBARD: Your Honor, I offer State's 103, 104,
16 105, and 106. No objection.

17 THE COURT: State's Exhibits 103, 104, 105, and 106
18 are admitted into evidence.

19 (State's Exhibits 103, 104, 105, and 106 received into
20 evidence.)

21 BY MR. HUBBARD:

22 Q. Now, Detective, when you're doing this, what's the
23 purpose of rodding?

24 A. The rodding is intended to show the trajectory of a
25 projectile as it flies through a scene. In this case, we have

1 a very small scene because our scene is a vehicle in and of
2 itself. So we're just trying to show the direction and travel
3 path of that projectile.

4 Q. In doing that, does that also give an indicator where the
5 person is that is shooting the weapon?

6 A. It does.

7 Q. All right. Looking at State's 103. Now we're going --
8 following the path of the bullet.

9 A. Correct. So I worked backwards so I could get the entire
10 trajectory, that flight path. Once I found that, now I'm
11 working from the start to the -- from where that bullet starts
12 in my scene that I can follow -- where it starts in my scene
13 to where it exits the scene.

14 Q. Looking at State's 103, you placed that rod.

15 A. I did.

16 Q. Now, on the far end of the rod, down at the base of it,
17 there's this black thing. What -- what is that?

18 A. Boy, can you say this forever? It's a laser.

19 Q. Laser. All right. So this yellow rod, you place that
20 through. So it goes in the entrance here and then through the
21 side of the seat.

22 A. It does.

23 Q. So you look at 103 and 104. Is that a close-up of the
24 same thing?

25 A. Yes, sir.

1 Q. And, again, 104 is showing the trajectory.

2 A. Yes, sir.

3 Q. Let me ask you this -- when you were doing this, at any
4 time, did you notice any time of glass on the inside of the
5 vehicle that might have indicated you shot through a window?

6 A. No. Matter of fact, when we found the vehicle, the
7 window's actually all the way up. So I actually have in my
8 notes that the start of the path of this bullet, AKA, the gun,
9 the end of the gun barrel, had to either be -- the window
10 either had to be down or the individual standing in the ajar'd
11 (phonetic) door in order to shoot.

12 Q. So either the window had to be down or the door had to be
13 open.

14 A. Correct.

15 Q. Because the car -- that window is still intact.

16 A. Still perfectly intact.

17 Q. So following State's 104, that path -- let's look at
18 State's 105. And now we're taking it from the beginning
19 viewpoint of the rear passenger seat.

20 A. Correct.

21 Q. Is that correct? You see that rod now -- right here,
22 this black piece -- again, that's your laser.

23 A. Correct.

24 Q. Do you see a green light down at the base, depicted in
25 State's 105?

1 A. Yes.

2 Q. Right down at that defect area, you had denoted earlier?

3 A. Correct.

4 Q. In State's 106. And then did you follow that, again,
5 with a rod, going to the outside?

6 A. I did.

7 Q. So somebody was either standing at the door with an open
8 window or in an open door and fired into that vehicle.

9 A. Correct.

10 Q. It's not somebody inside the vehicle firing.

11 A. No.

12 Q. Somebody had to be outside the vehicle.

13 A. Correct.

14 Q. Firing in -- and with that blood on that same driver's
15 seat, that a good indication where our victim was when he was
16 struck?

17 A. Correct.

18 Q. Are you aware if he was shot multiple times? Or were you
19 informed of that later?

20 A. Much later. I think I was told he was shot three times
21 total, maybe.

22 Q. Okay. I want to show you something else. So you've
23 rodded to show the path of that bullet. I want to show you
24 State's 107 and 109 to see if you can tell us what, if
25 anything, you found in the driver's side door, right in the

1 pocket.

2 A. Yeah. So when we were conducting the search and all of
3 this vehicle, in that pocket we found a cellular telephone.
4 And it was photographed and collected as evidence.

5 Q. And that's depicted in State's 107 and 109?

6 A. Yes, sir.

7 MR. HUBBARD: I offer these into evidence?

8 MR. STORY: No, objection.

9 THE COURT: State's Exhibit 107 and 109 are
10 admitted.

11 (State's Exhibit 107 and 109 received into evidence.)

12 BY MR. HUBBARD:

13 Q. State's 107 looking at that pocket in the driver's door.
14 You've put a placard there. Did you find this evidence inside
15 that door?

16 A. Yeah. So the phone was down inside the door. At this
17 point, I pulled the phone about halfway out and kind of have
18 it sitting there. I couldn't get a good photograph down
19 inside the door pocket of the phone. So, like I said, I
20 pulled it about halfway out so that I could take a photograph
21 with it.

22 Q. Detective, can I show you State's 109? Is that a close-
23 up of what you are describing to the jury?

24 A. Yes, sir.

25 Q. So this is the phone right here that you've pulled out a

1 little bit so you can see what you were photographing. And
2 did you collect that phone?

3 A. I did.

4 Q. I'm going to show you what's been marked State's 136.
5 See if you can tell us if this is the phone that you collected
6 that we see in that placard number 10.

7 (State's Exhibit 136 marked for identification.)

8 A. Yes, sir. This would be my documentation. Yeah, that
9 would have been my documentation.

10 Q. You can open up the phone, if you want. You need glove,
11 Detective?

12 A. No, I think I'm okay. Yes, sir, this is the phone that I
13 collected.

14 MR. HUBBARD: I offer State's 136 into evidence.

15 MR. STORY: No objection.

16 THE COURT: State's 136 admitted into evidence.

17 (State's Exhibit 136 received into evidence.)

18 BY MR. HUBBARD:

19 Q. There was talk about trying to reach the victim. And
20 then we found a phone inside that vehicle. This is the phone?

21 A. That's the phone from the vehicle. Yes, sir.

22 Q. And you collected that, turned that over to your folks
23 that work on phones.

24 A. Well, it was first submitted to the evidence depository,
25 and I think they took it from there and began to do what magic

1 they do with phones.

2 Q. That's a separate -- separate group than you.

3 A. Oh, yeah, absolutely. You do not want me working on a
4 phone.

5 Q. And did you also -- I want to show you some
6 photographs -- State's 122, 123, 124, 126 -- 125, 126, 127.

7 MR. HUBBARD: I'll call them out again, Your Honor.

8 BY MR. HUBBARD:

9 Q. Did you take these photographs?

10 A. I did.

11 Q. And what are you doing, or what are you documenting with
12 these photographs?

13 A. So one of the things that we have as an investigative
14 tool is a solution called Bluestar. Bluestar is a product
15 that's used for two purposes. The first one is to identify
16 potential blood within a crime scene. The other one is, once
17 you know, or once you have an idea where blood is, is to be
18 able to photograph it.

19 So we're -- in this case, specifically with this vehicle,
20 we're in the warehouse, so we're able to turn off the lights
21 of the warehouse and open the garage door a little bit, to get
22 it a little bit darker in there. And then we apply the
23 Bluestar to it. Bluestar is reactant for blood. It actually
24 works off of the iron that is in blood and causes it to
25 fluoresce. It allows us to see it. It allows us to take

1 photographs of it.

2 MR. HUBBARD: Your Honor, at this time, I'll offer
3 State's 122, 123, 124, 125, 126, and 127.

4 MR. STORY: No objection.

5 THE COURT: So admitted.

6 (State's Exhibits 122, 123, 124, 125, 126, and 127 received
7 into evidence.)

8 BY MR. HUBBARD:

9 Q. Showing you State's 122. Do you see the blue area? Is
10 that the Bluestar that you're talking about that bonds with
11 the iron in blood?

12 A. Correct.

13 Q. Okay. And then it turns -- when you darken the room, it
14 turns bright blue.

15 A. Yes, sir.

16 Q. Does that help you find where there might be blood where
17 visibly you can't see it?

18 A. Correct. It's good for areas that have been cleaned
19 because you can't get all blood out. So areas that have been
20 attempted to be cleaned up and everything like that will react
21 to the Bluestar and allow you to see it.

22 Q. State's 123, looking at that door pocket again and at the
23 door. Do you see blue there?

24 A. Correct.

25 Q. State's 124, do you see some down at the base or the

1 floorboard of the vehicle?

2 A. Correct.

3 Q. Let me show you State's 126 and 127. Is this the rear
4 door behind the driver's seat?

5 A. Correct. Rear driver door.

6 Q. And we see blue on the rails as well.

7 A. So that's not on the rails. That's, literally, a
8 circular pattern, almost like a Soho (phonetic) cup that had
9 blood on it had been put down and then picked out on the
10 floor.

11 Q. And that's what we're seeing right here in State's 126,
12 the little circular pattern that looked like a Soho or
13 something had been placed there.

14 A. Yeah. Something round had been placed there.

15 Q. Now, right here on this right or left passenger door,
16 rear passenger door. And looking at State's 27, what, if
17 anything, were you visibly seeing as you looked at these two?

18 A. So the previous picture, better. But, right there, if
19 you look at it, that's a handprint. You can see the palm and
20 then down where the handle and all is, you can see where the
21 actual ends of the fingers are. But that's a handprint on the
22 door in blood.

23 Q. Is it something that you can, like, take a fingerprint
24 from or anything like that?

25 A. No, no, there's no ridge detail or anything like that.

1 The only thing that we have is that pattern, so there would
2 not have been any latent prints or anything like that.

3 Q. So 126, 127 showed that door. I want to show you State's
4 125, the bed of the truck. We had seen earlier, you had
5 placards right here on the tailgate and then a placard D on
6 the inside of the tail bed. But did we also see some more
7 areas where there were blood?

8 A. Correct. There was areas that we did not see that night
9 that fluoresced. And we were able to photograph them back at
10 the warehouse.

11 Q. And, again, no latent prints, no fingerprints were found?

12 A. No, sir.

13 Q. Now I want to show you what's been marked State's 144 and
14 State's 140. Or, excuse me, 141 and 140.

15 (State's Exhibits 141 and 140 marked for identification.)

16 Q. Looking at State's 141, is that a photograph you took of
17 the truck?

18 A. Yes. That would have been my photograph.

19 Q. State's 140, is that a photograph that someone else took?

20 A. Yeah, this is not my photograph, no.

21 Q. Let me ask you about State's 140. What, if anything, can
22 you say about that photograph? Is that from the interior or
23 exterior of a vehicle?

24 A. This is interior photograph.

25 Q. And would that interior photograph be consistent or

1 inconsistent with the photographs you have taken of that
2 pickup truck, including State's 141?

3 A. I can tell you both windows are tinted. The coloring of
4 the interior as well as this potted (phonetic) looks, faux-ish
5 leather across the top is all consistent.

6 MR. HUBBARD: Your Honor, I offer State's 141 and
7 140 into evidence.

8 MR. STORY: No objection to 141. No objection to
9 140 if it's offered for the limited purpose of showing a
10 similar interior.

11 MR. HUBBARD: That's exactly what we're doing.

12 THE COURT: All right. 140 and 141 are admitted
13 into evidence.

14 (State's Exhibit 140 and 141 received into evidence.)

15 BY MR. HUBBARD:

16 Q. Looking at State's 141, when you look at the grain on
17 this Toyota, right around the windows, it's darker color.

18 A. Correct.

19 Q. Is it perforated, or is it a solid -- solid mass?

20 A. No, it's pocketed, pocked.

21 Q. Okay.

22 A. There's some sort of texture to it.

23 Q. And then lighter gray and a unique molding on the
24 interior of that Tacoma underneath that section of the door.

25 A. Correct.

1 Q. Looking at State's 140. Are we seeing, when you look up
2 close at it, that same pocked or perforated material,
3 something consistent with what you had seen in that vehicle?

4 A. Yes, sir.

5 Q. And as you look at it, similar molding and coloring as
6 the interior of that Tacoma that you processed.

7 A. Correct.

8 Q. Something else I want to ask you about. We're talking
9 about a shooting. At any time, did you find any projectiles
10 or casings?

11 A. No, we did not.

12 Q. Now let me ask, just to explain to the jury, a
13 projectile, a bullet that's been fired, you didn't find any
14 bullets or fragments of a bullet inside that vehicle?

15 A. No, there were not.

16 Q. Did you find any out in the field when you were going
17 around the truck?

18 A. No, there were none there.

19 Q. And the casings. What is a casing?

20 A. So when you have a, what's called a cartridge that feeds
21 into a bullet, that cartridge consists of four items, the
22 first one being the cartridge case, which basically is the
23 body, holds everything together. Inside of that is gunpowder.
24 And then, at the tip of that cartridge case is your bullet.
25 The bullet is when you -- is the item that, when you pull the

1 trigger, it goes down the barrel and then exits. It hits the
2 target that you're aiming at. The cartridge case -- a
3 cartridge case and revolver is going to stay inside the
4 cylinder.

5 Cartridge case in a semiautomatic firearm is going to be
6 ejected out of the firearm. So when we say cartridge case,
7 what we're talking about -- or extended cartridge case, what
8 we're talking about is a cartridge case that has been fired,
9 and it no longer has an active primer, no longer has gunpowder
10 when the bullet's been fired. So there was no expended
11 cartridge cases in the field that day. There was no
12 projectiles that were located either.

13 Q. And when we're talking about the field, was the -- was
14 there, I guess, maybe a thought that the truck had been dumped
15 there after the fact of this killing, at some point in the
16 investigation?

17 A. Yes. Yes, there was. And a lot of that came to do with
18 the white powder as well as the -- kind of when the vehicle
19 was located by the property owner.

20 Q. So it looked like somebody tried to clean it, and the
21 last thing was dumped it in the field.

22 A. Correct.

23 Q. So there was really no expectation to find casings or
24 bullet rounds or fragments out in that field?

25 A. There was no expectation, but a search was conducted.

1 Q. When you got back to the bay, did you do a search on the
2 inside of the vehicle to see if any shell casings or rounds
3 were inside the vehicle?

4 A. Yeah, we did a complete search of that vehicle, looking
5 for any possible firearm or firearm related items.

6 Q. Now, one thing, I don't know if I've asked, but the
7 entire time you're processing a vehicle, do you wear gloves?

8 A. Actually, so when we process vehicles, we actually --
9 well, when we process a scene, we wear two gloves, actually.
10 We wear an inner set of gloves, and then we have another set
11 of gloves over that. And the reason is, is, as we're
12 switching from one piece of item to another piece of item,
13 we're switching gloves.

14 It's easier to put gloves on, gloves that you already
15 have. So we have our inner gloves that stay on the whole
16 time, and then we're just switching that outer glove out in
17 between each piece of evidence. So, every time I went to take
18 a swab, we switched gloves out. Every time I collected an
19 item of evidence, we're switching gloves out.

20 Q. Is that so you don't cross-contaminate?

21 A. Correct.

22 Q. Let me ask you, when you collected both the hoodie and
23 the towel, which are in State's 138 and 137, were you wearing
24 gloves at that time?

25 A. I was.

1 Q. You were following that same process.

2 A. Correct.

3 Q. Now, in April of 2025, April 7th of 2025, did you do a
4 buccal swab on Allon Adams?

5 A. I did.

6 Q. I want to show you State's 139. Does that contain that
7 buccal swab?

8 A. Yes, this is my packaging, my initials, my label.

9 MR. HUBBARD: Your Honor, I offer State's 139 into
10 evidence.

11 MR. STORY: No objection.

12 THE COURT: State's 139 is admitted.

13 (State's Exhibit 139 received into evidence.)

14 BY MR. HUBBARD:

15 Q. Now, Detective, when we talk about a buccal, or buccal
16 swab, what is that and what's the process you go through, and
17 what's the purpose of it?

18 A. So buccal swab -- the term buccal comes from the cells
19 that line the inside of your mouth. They're called buccal
20 cells. So a buccal swab, or buccal swab, is nothing more than
21 a swab trying to collect those cells. Those cells are what we
22 use in order to DNA comparison. So when we collect those
23 cells, we're then able to compare a known standard, in this
24 case that set of buccal swabs, or buccal swabs, a known
25 standard to evidence that we have or to standards that have

1 been developed off of the evidence.

2 Q. In the actual swab, does it -- what does it look like?

3 A. It literally looks like a Q-tip. So it's a six-inch,
4 wooden shish kebab, basically, with a cotton tip.

5 MR. HUBBARD: Your Honor, I just want to make sure
6 I've put State's 29 and 30 into evidence. Those are the
7 cleaning solution from the tailgate.

8 THE COURT: Correct. So noted (phonetic).

9 MR. HUBBARD: So ---

10 MR. STORY: I don't believe those have been offered,
11 Your Honor. Are those photographs?

12 MR. HUBBARD: Yeah.

13 THE COURT: There's a picture and ---

14 MR. HUBBARD: 29 and 30. Okay. If I haven't, I'm
15 offering officially now in evidence.

16 MR. STORY: No objection.

17 THE COURT: Okay. I show them as admitted before,
18 but they can still be admitted (indiscernible).

19 BY MR. HUBBARD:

20 Q. Now, Detective, when you took this buccal, or buccal
21 swab, do you put that into evidence?

22 A. Correct.

23 Q. And, ultimately, where does that evidence go to be
24 tested?

25 A. Again, just like with the swab stick from the vehicle,

1 they're sent to SLED for processing.

2 Q. For DNA processing?

3 A. Correct.

4 Q. Okay. You all don't have a DNA lab here in Lexington
5 County?

6 A. We do not.

7 MR. HUBBARD: All right. I believe that's all I
8 have at this time. Hang on just one moment. Okay. Just
9 making sure I've got everything.

10 BY MR. HUBBARD:

11 Q. In this buccal swab process, when you stick it in
12 somebody's mouth, is it just touching both sides of the mouth
13 and swish it around?

14 A. So the process I've developed and works for me is I have
15 them open their mouth. I'll put my hand on the outside of
16 their cheek, give a little bit of force on, because I need to
17 make sure that it actually adheres. So I'll swab one side, go
18 across the bottom gums, swab the other side, and then across
19 the top. That's how I collect my swab samples.

20 Q. A non-invasive process?

21 A. No, sir.

22 Q. And then, when you collect it, you seal it and then bag
23 it.

24 A. It's actually sealed twice. So I take the swabs, I put
25 them into a coin envelope, seal that up with all the

1 information that it needs. That is then dropped into a larger
2 envelope or paper bag, and it's sealed up again. A couple of
3 reasons for that. The first one is, in case one layer of
4 protection, AKA that packaging gets messed up, it doesn't
5 necessarily contaminate all of my -- all of my evidence.

6 There's a chance that the second layer holds up. And
7 then the other thing is -- the other reason that we do that is
8 so that those coin envelopes are kind of small. There's a
9 potential for them getting lost or misplaced. So I put them
10 inside of the larger envelope so it's easier for our evidence
11 custodians to maintain and track those.

12 MR. HUBBARD: Thank you, Detective. I believe
13 that's all I have at this time.

14 THE COURT: Cross-examination.

15 MR. STORY: Briefly.

16 CROSS-EXAMINATION

17 BY MR. STORY:

18 Q. Detective, you've seen the -- you took the pictures of
19 the rodding that you actually conducted, correct?

20 A. Yes, sir.

21 Q. And it tells you the trajectory of the bullet,
22 potentially?

23 A. Yes, sir.

24 Q. This may seem like an obvious question, but it doesn't
25 tell you anything about who shot the bullet, correct?

1 A. No, sir. No, sir.

2 MR. STORY: No further questions.

3 THE COURT: Any redirect?

4 MR. HUBBARD: No, sir, Your Honor.

5 THE COURT: All right. The witness may step down.
6 Counsel, please approach.

7 (Bench conference.)

8 THE COURT: All right, ladies and gentlemen, that's
9 actually our last witness today, so let you go before 4 p.m.
10 As you head out today, remember, please don't discuss the case
11 with anyone. Please don't do any independent research about
12 this case, about the law, about any facts or any testimony
13 you've heard or any people involved in this case.

14 And if someone were to try to discuss this case with
15 you, let me know. Okay? I will see you all tomorrow morning,
16 back in your room at 9:15. If there's some issue with
17 traffic, try to give us a heads up. But, otherwise, have a
18 pleasant evening. See you tomorrow morning at 9:15. Thank
19 you.

20 (Jury out.)

21 THE COURT: Okay. Anything else for record today?

22 MR. HUBBARD: Not today, Your Honor.

23 MR. STORY: No, Your Honor.

24 THE COURT: All right. We'll see you all tomorrow,
25 then.

1 (THERE BEING NOTHING FURTHER, THIS HEARING WAS ADJOURNED UNTIL
2 WEDNESDAY, NOVEMBER 19, 2025, AT 9:15 A.M.)
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P R O C E E D I N G S

Wednesday, November 19, 2025

(Jury not present.)

(Defendant present.)

THE COURT: All right. Good morning. Please be seated.

MR. HUBBARD: Your Honor ---

THE COURT: Sir.

MR. HUBBARD: --- thank you for the time that you gave us. Just so you know, we've been working with the Defense on multiple witnesses we're putting up today, working out issues just to make things run smoothly.

THE COURT: Yes, sir.

MR. HUBBARD: And so, actually, three different witnesses. So I think we've got a lot of that resolved. And I was just going to ask, maybe if, when the jury comes out -- and we are ready -- maybe let the jury know, we've been working on legal matters this morning, so they don't think we've just been coming in late or that we haven't been doing anything.

THE COURT: Okay.

MR. HUBBARD: I would appreciate that.

THE COURT: Sure.

MR. HUBBARD: I think the jury would understand, we're all working.

1 THE COURT: Yeah, I'll try to convey that ---

2 MR. HUBBARD: Thank you, Your Honor.

3 THE COURT: --- properly.

4 MR. HUBBARD: Thank you, Your Honor. Thank you.

5 THE COURT: Anything else before we bring the jury
6 in?

7 MR. STORY: Nothing from the Defense.

8 MR. HUBBARD: Nothing from us, either, Your Honor.

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

10 (Jury in.)

11 THE COURT: Please be seated. All right. Welcome
12 back. Hope you all had a nice evening. We're ready to move
13 on to the next witness in this trial. Just want to let
14 everyone know, I know you've been sitting back there for a
15 little bit. The attorneys have been working hard as far as
16 coordinating witnesses, making sure the trial moves as
17 efficiently as possible. So if you feel like it's taken a
18 while back there, please know that everybody's working hard to
19 make sure that when you're out here, it moves as efficiently
20 as possible. So appreciate your patience this morning.

21 State may call the next witness, please.

22 MR. HUBBARD: Thank you, Your Honor. State calls
23 Sergeant Deandre Hugue.

24 THE CLERK: Raise your right hand, please.

25 Do you swear from any testimony you give the Court

1 is the truth, the whole truth, and nothing but the truth, so
2 help you God?

3 MR. HUGUE: I do.

4 THE CLERK: Thank you. If you'll have a seat in
5 there, please.

6 THE WITNESS: Okay.

7 THE CLERK: If you will, state your name and then
8 spill your last, please, for the record.

9 THE WITNESS: Deandre Hugue. H-U-G-U-E.

10 DEANDRE HUGUE,

11 being duly sworn, testified as follows:

12 DIRECT EXAMINATION

13 BY MR. HUBBARD:

14 Q. Sergeant, where do you work?

15 A. Irmo Police department.

16 Q. How long have you been with Irmo?

17 A. Thirteen years.

18 Q. What are your duties there?

19 A. Staff Sergeant, traffic stops, traffic enforcement,
20 (indiscernible) patrols, respond to call for service.

21 Q. So a wide variety of things, all related to traffic
22 enforcement.

23 A. That's correct.

24 Q. Back on January 20th, '24, you still had those same
25 duties?

1 A. That's correct.

2 Q. Do you recall working on that day?

3 A. Yes.

4 Q. What shift were you working?

5 A. Night shift.

6 Q. What does night shift cover? From when to when?

7 A. From 6 p.m. to 6 a.m.

8 Q. So you go well into the evening hours, early morning
9 hours of 20 -- January 20th and you go into the 21st?

10 A. Yes.

11 Q. Do you recall on that day or that early morning hours,
12 sometime January 20, making a traffic stop?

13 A. Yes.

14 Q. Do you recall where that traffic stop was?

15 A. 7600 block of Broad River Road.

16 Q. What is it -- just to put us there, is there a car
17 dealership close by?

18 A. There is a car dealership, yes.

19 Q. What's the name of that?

20 A. It's a Toyota -- Toyota dealership.

21 Q. Okay. That's good. And it's right close to the I-20
22 Broad River exit?

23 A. Correct.

24 Q. Okay. Now, this traffic stop that you made on the
25 evening of January 20th, what was the basis for that stop?

1 A. Based off the little tail lights.

2 Q. In fact, were there any lights, headlights or tail
3 lights, when you got up on the vehicle?

4 A. There was no headlights or tail lights, correct.

5 Q. And at that point, was it fairly dark?

6 A. Yes.

7 Q. Now, did you identify the driver of that vehicle?

8 A. Yes.

9 Q. Do you have a name?

10 A. Catherine Smith.

11 Q. Catherine Smith. Now, white female, black female,
12 Hispanic female?

13 A. White female.

14 Q. Were you able to confirm that the identity of that female
15 was in fact Catherine Smith?

16 A. Yes.

17 Q. It wasn't anybody other than Catherine Smith?

18 A. Correct.

19 Q. Did she have a passenger in that car as well?

20 A. She did.

21 Q. Did you identify who the passenger was?

22 A. Yes.

23 Q. Who was the passenger?

24 A. Allon Adams. Allon Adams, excuse me?

25 Q. Allon -- or there's -- people have said it different

1 ways, but it's a Allon Adams?

2 A. Yes, correct.

3 Q. And did you confirm his identity as well?

4 A. Yes.

5 Q. Now, at this point time, January 20th, were you -- as

6 you're conducting your investigation, were you aware the

7 sheriff's department here in Lexington was conducting an

8 investigation concerning the murder of a Tony Etheredge Jr.

9 A. I did not.

10 Q. Okay. So when you made that stop, that information was

11 not available to you?

12 A. That's correct.

13 Q. Now, as part of your investigation, did you ask Mr. Adams

14 to step out of the vehicle?

15 A. Yes.

16 Q. Working traffic, were you wearing what we often call

17 body worn camera?

18 A. Yes.

19 Q. And you were wearing it that night?

20 A. I was.

21 Q. I want to show you what's been marked, State's 129. And

22 see if this is a still shot photo from your camera of the man

23 who got out of the passenger seat?

24 (State's Exhibit 129 marked for identification.)

25 A. Yes, sir, that's correct.

1 Q. And is that the man who identified himself as Allon
2 Adams?

3 A. Yes.

4 MR. HUBBARD: Your Honor, I'll offer State's 129
5 into evidence.

6 MR. STORY: No objection.

7 THE COURT: All right. State's Exhibit 129 is
8 admitted.

9 (State's Exhibit 129 received into evidence.)

10 BY MR. HUBBARD:

11 Q. So, January 20th of 2024, you were able to confirm the
12 man we see in State's 129 was in fact Allon Adams?

13 A. Yes.

14 Q. Was he wearing glasses that night?

15 A. He was not.

16 Q. Was his hair different than it is in the courtroom today?

17 A. Yes.

18 Q. So although his appearance is different, back in January
19 20th, it's one in the same Allon Adams?

20 A. That's correct.

21 Q. Now, when he got out of the car, did he have anything in
22 his possession?

23 A. Yes.

24 Q. What was that?

25 A. He had a Crown Royal bag.

1 Q. What did you direct him to do with that bag?

2 A. Place it on top of the vehicle.

3 Q. And did he comply with that?

4 A. He did.

5 Q. I want to show you another photo, State's 149. Is this
6 from your body worn camera?

7 A. Yes.

8 Q. And is that that bag opened up so you can see contents?

9 A. Yes.

10 Q. You see three phones in that bag?

11 A. Yes.

12 Q. So this is an accurate depiction of what you saw January
13 20th of 2024?

14 A. Yes.

15 MR. HUBBARD: I offer State's 149 into evidence.

16 MR. STORY: Without objection.

17 THE COURT: State's Exhibit 149 is admitted.

18 MR. HUBBARD: Thank you, Your Honor.

19 (State's Exhibit 149 received into evidence.)

20 BY MR. HUBBARD:

21 Q. Now, Sergeant, the bag is open and focusing on -- do you
22 see the three cell phones here?

23 A. Yes.

24 Q. And that's as you found them in that bag?

25 A. That's correct.

1 Q. As part of your investigation, what did you do with this
2 bag and the contents?

3 A. I seized it and placed it into evidence.

4 Q. Did you seize all three cell phones?

5 A. I did.

6 Q. And again, who was in possession of these cell phones
7 when you made that traffic stop?

8 A. Mr. Adams.

9 Q. Mr. Adams. It wasn't Ms. Smith?

10 A. No, sir.

11 Q. I want to show you three phones. One is State's 146,
12 which purports to be a red Vortex phone. Can you take a look
13 at that one, please?

14 A. That's correct.

15 Q. Okay. State's 147, which purports to be a blue Motorola
16 phone. Would you take a look at that one, please?

17 A. That's correct.

18 Q. And then State's 148, Samsung phone -- I believe a
19 Samsung Galaxy?

20 A. That's correct.

21 MR. HUBBARD: Your Honor, I'll offer these phones
22 into evidence. And the numbers will be 146, 147, 148.

23 THE COURT: Without objection?

24 MR. STORY: No objection.

25 THE COURT: State's Exhibit 146, 147, and 148 are

1 admitted into evidence.

2 (State's Exhibits 146, 147, and 148 received into evidence.)

3 MR. HUBBARD: Thank you, Your Honor.

4 BY MR. HUBBARD:

5 Q. Now, Sergeant, when you seize those cell phones, what did
6 you do with those cell phones?

7 A. Return back to Irmo PD, and I placed them into evidence.

8 Q. Let me ask you this. When you actually, at the scene,
9 were recovering those phones, was one of those phones actually
10 on?

11 A. Yes.

12 Q. And was it so you could see the screen?

13 A. Yes.

14 Q. Was that anything you did?

15 A. No, sir.

16 Q. What did you see on the screen?

17 A. I saw a message from ZipRecruiter that was pointing
18 out -- that stated of Allon Adams.

19 Q. So it was a message from ZipRecruiter to Allon Adams?

20 A. Yes.

21 Q. Again confirming the man that you had that night and the
22 man who had these phones?

23 A. Yes, sir.

24 Q. And after you seized these phones, you said you took them
25 where?

1 A. To the Irmo Police Department to place them into
2 evidence.

3 Q. And I know this was late night of January 20th. By the
4 time you did that, was it then the 21st, early morning hours?

5 A. Yes, sir.

6 Q. All right. So I'm going to write up here and -- see,
7 this is correct. The traffic stop, you had a red Vortex. Is
8 that correct?

9 A. That's correct.

10 Q. A blue Motorola.

11 A. That's correct.

12 Q. And then a Samsung Galaxy.

13 A. That's correct.

14 Q. Those are the items you seized from Mr. Adams that night?

15 A. Yes, sir.

16 Q. Sergeant, I believe that's all I have for you at this
17 time. Please answer any questions that Defense has.

18 A. Yes, sir.

19 THE COURT: Cross-examination?

20 MR. HOLLADAY: May it please the Court?

21 THE COURT: Sir.

22 CROSS-EXAMINATION

23 BY MR. HOLLADAY:

24 Q. Good morning, Officer Hugue. How you doing today?

25 A. I'm doing okay. Good morning.

1 Q. So not everybody can be a sheriff's deputy or a police
2 officer, can they?

3 A. That's correct.

4 Q. I mean, before you can become an officer, you have to go
5 to South Carolina Criminal Justice Academy, right?

6 A. That's correct.

7 Q. And while you're at the academy, you're trained on a
8 variety of different things, correct?

9 A. That's correct.

10 Q. You're trained on shooting guns, right?

11 A. Correct.

12 Q. Trained on driving vehicles

13 A. Correct.

14 Q. Trained on some hand-to-hand combat techniques.

15 A. Correct.

16 Q. Take a wide variety of different classes as well, right?

17 A. That's correct.

18 Q. You learn how to write reports and other documents.

19 A. That's correct.

20 Q. Learn how to write incident reports.

21 A. That's correct.

22 Q. Know how to write supplemental reports.

23 A. Correct.

24 Q. And you also learn how to handle and process evidence,
25 right?

1 A. Correct.

2 Q. As a matter of fact, one of the most important things any
3 officer can do is writing accurate reports, correct?

4 A. That's correct.

5 Q. Certainly not the most exciting thing to do, but it is
6 extremely important, right?

7 A. That's correct.

8 Q. Body worn cameras, as you testified, help officers write
9 their reports when they get back to sit down to write the
10 reports, correct?

11 A. That's correct.

12 Q. Dash cam, in-car camera, also help in writing the
13 reports.

14 A. That's correct.

15 Q. When you write your reports, you want them to be
16 thorough, right?

17 A. Correct.

18 Q. You want your reports to be accurate, correct?

19 A. Correct.

20 Q. And you want your reports to be complete.

21 A. Correct.

22 Q. Because, when you write reports, you document what
23 happened, right?

24 A. Correct.

25 Q. And you work on a number of cases and oftentimes you work

1 on different cases simultaneously, right?

2 A. Correct.

3 Q. So you write stuff down in your report so you can recall
4 (indiscernible).

5 A. Correct.

6 Q. It appears you have a file, perhaps your case file, with
7 you today, correct.

8 A. That's correct.

9 Q. From time the incident occurs, way back on the 20 --
10 January of 2024, is some time, and you probably worked
11 hundreds of cases between then and now, correct?

12 A. Not necessarily.

13 Q. But you've worked on a lot of -- on numerous cases. This
14 isn't the only case you've worked since the 20 January of
15 2024.

16 A. That's correct.

17 Q. And you write reports so you don't have to test your
18 memory today.

19 A. Correct.

20 Q. Other people rely on your reports as well, don't they?

21 A. Correct.

22 Q. When you write those reports, you want to do the best you
23 can in documenting what happened on an incident?

24 A. That's correct.

25 Q. You want your reports to be thorough, right?

1 A. Correct.

2 Q. You want your reports to be accurate?

3 A. Correct.

4 Q. And you want your reports to be complete.

5 A. That's correct.

6 MR. HUBBARD: Your Honor, objection. We've gone
7 over this. There may be a matter we need to step up and
8 discuss at the bench, but I just want to make sure that --
9 where we're going with this.

10 MR. HOLLADAY: I can assure the Court, Your Honor,
11 we're only going to discuss issues during testimony, direct
12 testimony, today.

13 THE COURT: All right. Very well. Proceed.

14 MR. HOLLADAY: Thank you, Your Honor.

15 BY MR. HOLLADAY:

16 Q. So you write these report while everything is fresh in
17 your mind, right?

18 A. That's correct.

19 Q. As close to the incident time as you can, immediately
20 following an incident.

21 A. Correct.

22 Q. And a copy of these reports, they go to the Solicitor's
23 office, so they can prepare cases for trial, right?

24 A. Correct.

25 Q. And, ultimately, a copy of your report goes to defense

1 attorneys through the discovery process, right?

2 A. Correct.

3 Q. Without the report, you may not be able to remember
4 exactly what happened if it's been some time and a bunch of
5 cases between that time, correct?

6 A. Again, it can be correct, can not be correct. Depends on
7 the case.

8 Q. Okay. Some cases may be more memorable than others.

9 A. A hundred percent.

10 Q. All right. But if your report's not accurate, obviously
11 that would affect your ability to testify truthfully -- could
12 affect your ability to tell the truthfully?

13 A. Correct.

14 Q. You also prepare these reports because cases that
15 actually go to trial, you know, you're going to be cross-
16 examined by defense counsel.

17 A. Correct.

18 Q. So if I were to ask you a question, you know, how do you
19 remember that, you want to be able to respond, because I wrote
20 it down in my report, right?

21 A. Correct.

22 Q. So we are all today depending on information that you
23 wrote down in this report, your report in this case, to be
24 thorough, accurate and complete, right?

25 A. Correct.

1 Q. I mean, I know in some cases, law enforcement end up
2 filing arrest warrants, as in this case, correct?

3 A. Correct.

4 Q. Where someone's life, liberty is on the line.

5 A. Correct.

6 Q. So, ultimately, you want to do the best you can because
7 stakes are extremely high, right?

8 A. Correct.

9 Q. In preparation for your testimony here today, you
10 obviously reviewed your case file from the incident on the
11 20th of January, 2024.

12 A. That's correct.

13 Q. And you also met with the prosecutors, with the
14 Solicitor's office, in preparation for your testimony here
15 today, right?

16 A. That's correct.

17 Q. And the reason you did that is you wanted to make sure
18 that your memory was as accurate as it could be.

19 A. That's correct.

20 Q. All right. So the stop you made on the 20, January,
21 2024 -- you remember that traffic stop, right?

22 A. That's correct.

23 Q. And you testified that it was in the early morning hours?

24 A. No, he -- he had -- in reference to the evidence, getting
25 police into evidence, the cell phones.

1 Q. Okay. I understand that. But at the time of the traffic
2 stop, the time of night, it was dark, it was early morning
3 hours after midnight.

4 A. Traffic stop didn't happen at midnight. It had happened
5 a little prior -- before midnight.

6 Q. A little prior before midnight. But it was at night and
7 obviously dark, in the middle of your shift -- the 6 p.m. to
8 the 6 a.m. shift, right?

9 A. That's correct.

10 Q. And the reason you stopped the vehicle was the 2013 red
11 Camry, right, Toyota Camry?

12 A. That's correct.

13 Q. And you testified that the reason you stopped was because
14 it had no tail lights, but also had no headlights.

15 A. Correct.

16 Q. You identified the driver as Catherine Smith, right?

17 A. Correct.

18 Q. And she was also the registered owner of that vehicle.

19 (Pause)

20 A. I just want to double check before I actually answer your
21 question there.

22 Q. Certainly. It's on page 2 of 14 in your report.

23 A. Yeah, I'm on it. Thank you. That's what I have.
24 Correct.

25 Q. And you testified that Mr. Adams was the front seat

1 passenger.

2 A. That is correct.

3 Q. And there was nobody else in the vehicle?

4 A. That's correct.

5 Q. You testified that you collected three cell phones,
6 right?

7 A. That's correct.

8 Q. When you collected those three cell phones, were all
9 three of them powered on?

10 A. I don't recall. I just know the fact that the one had
11 been on, that had Mr. Adams' name on it.

12 Q. That was the ZipRecruiter app with (crosstalk) ---

13 A. That's correct.

14 Q. Which cell phone had that information on it?

15 A. I don't recall which cell phone it was.

16 Q. Did you document that in your report?

17 A. I documented that his name was seen on a cell phone, not
18 exactly which cell phone it was.

19 Q. Did driver, Catherine Smith, have a cell phone?

20 A. I don't recall.

21 Q. Now you testified that you turned those cell phones into
22 evidence at Irmo Police Department, standard procedure when
23 you seize evidence.

24 A. That's correct.

25 Q. And you documented that in your report?

1 A. That's correct.

2 Q. When you place those three cell phones into evidence, the
3 report you completed, you put all three cell phones on one
4 document, right?

5 A. That's correct.

6 Q. And, in that document, in that evidence report, you
7 listed your collection as three cell phones with cracked
8 screens, right?

9 A. If I placed them all in there, sometimes the description
10 can also place all of them with that same description.

11 Q. Okay. But, in this case, according to Town of Irmo
12 Police Department evidence report, reporting officer Deandre
13 Hugue, property details, three cell phones with cracked
14 screens. Is that accurate? Is that in your file?

15 A. That's in my file.

16 Q. Okay. Now, on this town of Irmo Police Department
17 evidence report, there's a place to enter property details,
18 right?

19 A. That's correct.

20 Q. And under that property details, the form has specific
21 categories listed, right?

22 A. That's correct.

23 Q. I mean, it has a place for article type, where you note,
24 cell phone, right?

25 A. That's correct.

1 Q. It has a place for article brand?

2 A. That's correct.

3 Q. It has a place for model number?

4 A. That's correct.

5 Q. And it has a place for serial numbers.

6 A. That's correct.

7 Q. But you didn't itemize each one of these cell phones
8 individually, did you?

9 A. In reference to actually logging cell phones, we don't
10 have a specific area that says cell phones. You have to
11 listen as other. So sometimes, even if you try to put down,
12 if you said the serial number or anything additional, it won't
13 allow you to type that. Best thing you can do is type it in
14 the description.

15 Q. Okay. But if there are other evidence reports that have,
16 you know, name, model ---

17 A. But if you have that category pertaining to whatever that
18 item is, such as a wallet or a purse, (indiscernible).

19 Q. Okay. So my question is, if there are other evidence
20 forms that have model number of a phone, brand of a phone, and
21 the serial number of a phone, you wouldn't dispute that as a
22 way to log in evidence of a cell phone?

23 A. Correct.

24 Q. But on this case, you just documented three cell phones
25 with cracked screens on your log in.

1 A. That's correct.

2 MR. HOLLADAY: Court's indulgence. Nothing further,
3 Your Honor.

4 THE COURT: Redirect?

5 MR. HOLLADAY: Quick follow-up.

6 REDIRECT EXAMINATION

7 BY MR. HUBBARD:

8 Q. Sergeant, is there any question in your mind that on the
9 night of January 20th, '24, you seized three phones?

10 A. That's correct.

11 Q. And those phones were in the possession of who?

12 A. Mr. Adams.

13 Q. A red Vortex, a blue Motorola, and a Samsung Galaxy?

14 A. That's correct.

15 Q. Is there any question that the phones you looked at today
16 that are in State's 146, 147, and 148 are the phones that you
17 seized from Allon Adams?

18 A. That's a hundred percent correct.

19 Q. Whether the screens are cracked or not, those are the
20 phones.

21 A. Those are the phones.

22 Q. A red Vortex, blue Motorola, and a Samsung Galaxy?

23 A. That's correct.

24 Q. From Mr. Adams?

25 A. That's correct.

1 Q. Thank you, sir.

2 MR. HUBBARD: That's all I got.

3 THE COURT: Recross?

4 MR. HOLLADAY: One question.

5 RECROSS-EXAMINATION

6 BY MR. HOLLADAY:

7 Q. However, on your evidence form, you did not list those
8 three specific phones, did you?

9 A. That's correct.

10 MR. HOLLADAY: Nothing further.

11 THE COURT: All right. Witness may step down.

12 MR. HUBBARD: State calls Schylur Wells.

13 Thank you, Sergeant.

14 THE COURT: Very well.

15 THE CLERK: Raise your right hand, please.

16 Do you swear any testimony you give the Court is the
17 truth, the whole truth, and nothing but the truth, so help you
18 God?

19 MR. WELLS: I do.

20 THE CLERK: Thank you. Have a seat over there,
21 please. If you'll state your name, please, and spell your
22 last for the record.

23 THE WITNESS: Investigator Schylur Wells for Irmo
24 Police Department.

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SCHYLUR WELLS,

being duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. HUBBARD:

Q. Investigator Wells, how long have you been with Irmo?

A. Fifteen years, sir.

Q. Is that how long you've been in law enforcement?

A. It is.

Q. What are your duties?

A. I am a criminal investigator. So I do vice work for Irmo Police Department. I do criminal investigations and any other type of investigative work.

Q. All right. I want to ask you, going back to January of 2024, were you tasked with taking three cell phones out of Irmo's evidence?

A. I was.

Q. Was that January 23rd or 24th of 2024?

A. It was.

Q. When you took those cell phones, let me ask you this: do you recall them being a red Vortex, blue Motorola, and a Samsung.

A. They were.

Q. What was the purpose of taking those phones out of evidence?

A. To prepare a search warrant and take those phones to

1 forensics.

2 Q. Okay. The search warrants allow somebody to look inside
3 the phones.

4 A. They do.

5 Q. And forensics, being somebody who could actually -- who's
6 trained to actually look inside the phones.

7 A. Correct.

8 Q. Okay. Now, as to the three phones you pulled out -- I'm
9 going to show you State's 146, the red Vortex; State's 147,
10 the blue Motorola -- and just confirm if these are phones --
11 in State's 148, the Samsung.

12 A. Yes, those are the phones.

13 Q. When you got these phones, Detective, you said you were
14 taking forensics. Where exactly were you taking those phones?

15 A. To Forensic Investigator John Donnelly at Lexington
16 County Sheriff's Department.

17 Q. He's one of the experts that works on phones and
18 understands how to get in the phones.

19 A. He is.

20 Q. Now, were you able to get some identifying information on
21 the phones themselves, what is often called a IEMI number?

22 A. We were.

23 Q. Which phones were you able to get that from?

24 A. So on the red Vortex phone, we got an IMEI. And on the
25 blue Samsung with the cracked screen, we got an IMEI. And

1 then the Motorola phone, there wasn't one physically viewable.

2 Q. When you can't see one visibly on the outside, is that
3 something the phone guy can end up getting?

4 A. It is.

5 Q. Will you please read in the record the ones you did get
6 for the Vortex, and did you say the Samsung?

7 A. Correct. Yes, sir.

8 Q. If you would read those into the record, please, just so
9 we -- we've followed up on this.

10 A. Yes, sir. For the red and black Vortex cell phone, the
11 IMEI number was 35-207850-385920-9. And for the Samsung with
12 the cracked screen, the IMEI number was 35-581921-696763-2.

13 Q. Okay. Thank you. So the Samsung you said had a cracked
14 screen?

15 A. It did.

16 Q. All right. Now I want to ask you, jumping forward, the
17 following month, February 6th of 2024, were you part of a
18 search, conducting a search warrant at [REDACTED] Kings Creek Court in
19 Irmo?

20 A. I was.

21 Q. Whose residence was that?

22 A. That was the grandmother's residence of the Defendant.

23 Q. And would her name be Niki Adams?

24 A. It was.

25 Q. I believe it's N-I-K-I Adams.

1 A. Yes.

2 Q. And you said she's the grandmother to who?

3 A. To Allon Adams, the Defendant.

4 Q. Was a phone seized during the course of that search?

5 A. A phone was seized.

6 Q. Where was that phone found?

7 A. That phone was on the couch in the living room.

8 Q. Now, based on your investigation -- was the grandmother
9 there that night?

10 A. She was there.

11 Q. Was Mr. Adams there?

12 A. He was there.

13 Q. Where -- and you said it was on the couch.

14 A. It was, in the living room.

15 Q. Did Mr. Adams grandmother indicate where he had been
16 staying in her house?

17 A. She stated he was staying on the couch.

18 Q. All right. And the phone that you found on the couch,
19 did she indicate whose phone that was?

20 A. She did.

21 Q. And who did she say that phone belonged to?

22 A. She stated she believed it to belong to Allon Adams.

23 Q. All right. I want to show you what's been marked State's
24 173. Is that a photo from that search showing the thumb on
25 that SOFA?

1 A. That is.

2 MR. HUBBARD: I offer 173 into evidence.

3 MR. HOLLADAY: Without objection.

4 THE COURT: All right. State's Exhibit 173 is
5 admitted.

6 (State's Exhibit 173 received into evidence.)

7 BY MR. HUBBARD:

8 Q. Maybe a little hard to see here. Is this the sofa or the
9 couch we're talking about?

10 A. That is.

11 Q. This object we see right here, this dark object with a
12 white cord, what is that?

13 A. That's the iPhone that we collected, Apple iPhone.

14 Q. And it was an iPhone?

15 A. It was.

16 Q. Was it an Apple 8?

17 A. Yes, it was.

18 Q. Who actually took that phone off that -- that couch?

19 A. Investigator Sean Kilcoyne.

20 Q. And who is he with?

21 A. He's with Richland County Sheriff's Department.

22 Q. He was assisting you in search of the house?

23 A. He was.

24 Q. And who did he give that phone to?

25 A. He handed it directly to me.

1 Q. At that scene?

2 A. At that scene, yes.

3 Q. I want to show you what's been marked State's 145. Does
4 that appear to be the Apple iPhone?

5 A. It does.

6 MR. HUBBARD: Your Honor, I offer this into
7 evidence, State's 145.

8 MR. HOLLADAY: No objection.

9 THE COURT: State's Exhibit 145 is admitted.
10 (State's Exhibit 145 received into evidence.)

11 BY MR. HUBBARD:

12 Q. And, Detective, what did you do with this iPhone 8 when
13 you seized it?

14 A. I took it back to our police department, and I was
15 planning on preparing a search warrant, but I did not end up
16 doing that. So I took it to Investigator -- Forensic
17 Investigator John Donnelly again.

18 Q. Again, the same investigator?

19 A. The same investigator.

20 Q. Okay. And you're going to let the county do the search
21 warrant on that one.

22 A. Correct.

23 Q. You remember what day you took it to him?

24 A. On the 8th, I believe. On February 8th.

25 Q. On February 8th. Okay. I want to make sure we're

1 accurate here. So from the grandmother's house, you seized a
2 Apple iPhone 8.

3 A. Correct.

4 Q. Do you have that IEMI number from that phone?

5 A. I do.

6 Q. Would you please read that one into evidence as well?

7 A. Yes, sir. That IEMI number would be 35-609809-053202-3.

8 MR. HUBBARD: Thank you. I believe that's all the
9 questions I have at this time.

10 THE COURT: Cross-examination?

11 MR. HOLLADAY: Thank you.

12 CROSS-EXAMINATION

13 BY MR. HOLLADAY:

14 Q. Good morning, Investigator Wells.

15 A. Good morning, sir.

16 Q. How you doing today?

17 A. I'm good. How are you?

18 Q. So you weren't present at the traffic stop on the 20th of
19 January, 2024, when the phone was received, correct?

20 A. I was not.

21 Q. So when you received, the first time you had interaction
22 with the phone was when you received those from the Irmo
23 Police Department evidence room, right?

24 A. Correct.

25 Q. And the documentation when they had been entered, had

1 been entered as three cell phones with cracked screens.

2 A. I don't believe they all had cracked screens. But three
3 cell phones, yes, one with a cracked screen.

4 Q. But that's what was on the evidence report when they were
5 entered into Irmo Police Department evidence, correct?

6 A. That could be, yes.

7 Q. I mean, I have the name on a chain of custody, where, at
8 top of that page it says three cell phones with cracked
9 screens. So that should be in your case file, correct?

10 A. Yes, that's what it says.

11 Q. And when you turned those over to Investigator Detective
12 Donnelly, he made out a chain of custody form, correct?

13 A. He did.

14 Q. But on Irmo Police Department's chain of custody form, it
15 just lists three cell phones with cracked screens, no specific
16 itemization of any of these three phones, correct?

17 A. That's correct.

18 MR. HOLLADAY: That's all the questions I have, Your
19 Honor.

20 THE COURT: Any redirect?

21 MR. HUBBARD: No redirect, Your Honor. Thank you.

22 THE COURT: Very well. Witness may step down.
23 Thank you, sir.

24 THE WITNESS: Thank you, sir.

25 MS. MAYES: Your Honor, at this time, the State

1 calls Detective Scott Zylstra.

2 THE COURT: Very well.

3 THE CLERK: Your right hand, please.

4 Do you swear any testimony or affirm any testimony
5 you give the Court is the truth, the whole truth, and nothing
6 but the truth, so help you God?

7 MR. ZYLSTRA: I do.

8 THE CLERK: Thank you. Go have a seat there.
9 Please state your name and please by your last for the record.

10 THE WITNESS: Scott Zylstra. Z-, as in Zebra,
11 Y-L-S-T-R-A.

12 DETECTIVE SCOTT ZYLSTRA,
13 being duly sworn, testified as follows:

14 DIRECT EXAMINATION

15 BY MS. MAYES:

16 Q. Good morning, Detective Zylstra. During the course of
17 the investigation involving suspects Allon Adams and Cady
18 Keener, were multiple search warrants executed in this case?

19 A. Yes, ma'am.

20 Q. And did there come a point in time where law enforcement
21 made contact with a 14-year-old juvenile witness by the name
22 of Ava S. [REDACTED]?

23 A. Yes, ma'am.

24 Q. And do you have any documents with you that reflect a
25 search warrant executed at the home of that 14-year-old

1 juvenile?

2 A. Yes, ma'am. I have a supplement, plus a copy of the
3 search warrant.

4 Q. All right. And where was that search warrant executed?

5 A. It was [REDACTED] Doe Trail. It is within the Lexington area of
6 Lexington County, South Carolina.

7 Q. All right. [REDACTED] Doe Trail. And what was law enforcement
8 attempting to seize from that residence?

9 A. We were looking to obtain video footage.

10 Q. All right. And when we say video signature, are you
11 referring to like a home video security system?

12 A. Yes, ma'am. That's correct.

13 Q. And, ultimately, during the execution of that search
14 warrant, was such a DVR or home security system seized from
15 the residence?

16 A. There was.

17 Q. And do you have with you -- were you present for the
18 execution of that search warrant?

19 A. I was.

20 Q. And do you have with you documentation of that DVR serial
21 number seized from the home residence of the 14-year-old
22 juvenile, Ava S. [REDACTED]?

23 A. Yes, ma'am. I have a supplement as well as -- or the
24 supplement for the DVR.

25 Q. All right. What is that serial number?

1 A. It is K, as in Kilo, 8210 3W, Whiskey, 2302170018.

2 Q. All right. And I believe that's going to be a DVR from
3 [REDACTED] Elliptic Green.

4 A. Yes, I'm sorry. I misread. The serial number for the
5 DVR obtained at [REDACTED] Doe Trail is K, Kilo, 82085W, Whisky,
6 2101050221.

7 Q. All right. And on what date was that seized from the
8 residents of the juvenile?

9 A. I have notated February the 7th of 2024.

10 Q. All right. So in February 2024, that DVR was seized?

11 A. Yes, ma'am.

12 Q. And who was that turned over to forensic examination?

13 A. It was turned into evidence, so our CSI would be the ones
14 looking into.

15 Q. All right. And are you familiar with CSI Digital
16 Examiner, John Donnelly?

17 A. Oh, yes, ma'am.

18 Q. And is he trained in the examination of both DVRs and
19 digital evidence such as cell phones?

20 A. Yes, ma'am.

21 Q. And so it was turned into your evidence following its
22 seizure?

23 A. That's correct.

24 MS. MAYES: Nothing further, subject to ---

25 THE COURT: (Crosstalk). Oh, sorry.

1 MS. MAYES: Subject to recall at a later time.

2 THE COURT: All right. Cross-examination?

3 MR. STORY: No questions, Your Honor.

4 THE COURT: Very well. The witness may step down.

5 (Bench conference.)

6 THE COURT: All right. Let's take a short break
7 before our next witness. Refresh yourselves. Please don't
8 discuss the case or do any independent research on the case.
9 Get you back in here in about 15 minutes. Thank you.

10 (Jury out.)

11 THE COURT: All right. Anything for the record?

12 On recess for 15 minutes.

13 (Court recessed.)

14 (Court resumed.)

15 THE COURT: All right. Let's bring the jury in
16 here.

17 (Jury in.)

18 THE COURT: Please be seated.

19 All right. Ladies and gentlemen, we're ready to
20 move on to our next witness in the State's case.

21 MS. MAYES: Your Honor, at this time, the State
22 calls Detective John Donnelly.

23 THE COURT: Very well.

24 THE CLERK: Raise your right hand, please.

25 Do you swear or affirm any testimony you give the

1 Court as the truth, the whole truth, and nothing but the
2 truth, so help you God?

3 Mr. Donnelly: I swear.

4 THE CLERK: Thank you. Have a seat right there,
5 please. If you'll state your name and spell your last,
6 please.

7 THE WITNESS: Senior Investigator John Donnelly,
8 with the Lexington County Sheriff's Department.

9 DETECTIVE JOHN DONNELLY,
10 being duly sworn, testified as follows:

11 DIRECT EXAMINATION

12 BY MS. MAYES:

13 Q. Good morning. Can you tell us specifically where you
14 work and what your job description is at that agency?

15 A. I work at the Lexington County Sheriff's Department as a
16 senior crime scene investigator.

17 Q. And when you say crime scene investigator -- CSI, we know
18 it. What does that specifically entail for you?

19 A. So we process crime scenes, along with other duties, as
20 well as processing evidence, which could be latent print
21 examination, getting fingerprints, DNA, doing gun testing, but
22 also investigating and doing forensics on digital forensic
23 items.

24 Q. And how long have you been with the CSI division here at
25 the Lexington County Sheriff's Department?

1 A. For five years.

2 Q. Five years. And during the course of that time, have you
3 worked multiple crime scenes?

4 A. I have.

5 Q. Including homicide investigations?

6 A. I have.

7 Q. Including shooting investigations?

8 A. I have.

9 Q. Have you been trained in the collection of DNA evidence?

10 A. I have.

11 Q. Blood evidence?

12 A. I have.

13 Q. Ballistics evidence?

14 A. I have.

15 Q. Latent print examination?

16 A. I have

17 Q. So all of the general CSI-type work?

18 A. Yes, ma'am.

19 Q. Now, in addition to that, what specialty have you pursued
20 within the CSI realm?

21 A. So I specialize in digital forensics, so the examination
22 of mobile devices, computers, DVR systems -- pretty much any
23 digital-age item.

24 Q. All right. And so, when we talk about digital evidence,
25 such as DVR systems or cell phones, what type of training have

1 you received in that regard?

2 A. So I've received in -- in-house training from other CSI
3 members that were there before me. Professionally, I've
4 attended several courses, including what's called CCO, which
5 is Certified Cellebrite Operator through the company
6 Cellebrite. And then CCPA, which is Cellebrite Certified
7 Physical Analyst. I've also taken CASA, which is Cellebrite's
8 Advanced Smartphone Analysis. And then I've also taken the
9 capstone for those courses, which gave me the certification
10 CCME, which is a Certified Celebrate Mobile Examiner.

11 Q. So you have multiple certifications dealing with the
12 recovery of evidence from cellular devices?

13 A. That's correct.

14 Q. Cell phones, smartphones, iPhones?

15 A. Correct. Yes.

16 Q. And what is your educational background?

17 A. So I have a Master's in Criminal justice from Thomas
18 Edison State University. I also attended the South Carolina
19 Criminal Justice Academy. And I've also attended courses
20 through NCFI, which is the National Computer Forensic
21 Institute.

22 Q. All right. And the certifications that you hold
23 regarding cell phone extractions, are those certifications up
24 to date?

25 A. They are.

1 Q. Have you testified previously as an expert in this field
2 of CSI digital evidence?

3 A. I have.

4 Q. How many such times?

5 A. Three.

6 MS. MAYES: Your Honor, at this time the State
7 offers Investigator John Donnelly as an expert in crime scene
8 investigation, to include digital evidence examination.

9 THE COURT: Without objection?

10 MR. STORY: Briefly. I just want to clarify one
11 thing.

12 You've been ---

13 THE COURT: (Indiscernible).

14 MR. STORY: Apologize.

15 VOIR DIRE

16 BY MR. STORY:

17 Q. You've been certified in the course of South Carolina
18 three times as an expert in this field, correct?

19 A. I believe so, yes.

20 MR. STORY: Okay. No objection.

21 THE COURT: All right.

22 Ladies and gentlemen, this witness will be qualified
23 in the area of crime scene investigation, digital evidence
24 examination, and can give opinion testimony in that area. It
25 does not mean you must accept the opinion, but it is evidence

1 for you to use any way you see fit.

2 Yes, ma'am.

3 BY MS. MAYES:

4 Q. Now, have you been involved in the Lexington County
5 Sheriff's Department investigation into the disappearance and
6 murder of Tony Etheredge Jr.

7 A. I have.

8 Q. Does that include the forensic examination of multiple
9 cell phones seized during the course of this investigation?

10 A. That's correct.

11 Q. I want to start by asking you specifically about three
12 phones, three phones that were seized during traffic stop
13 conducted by the Irmo Police department. Are you aware of
14 those phones that were seized on January 20, 2024?

15 A. Yes.

16 Q. Are you aware that they were seized from the physical
17 possession of the Defendant in this case, Allon Adams?

18 A. Yes.

19 Q. These three phones, after they were collected by the Irmo
20 Police department and submitted to detective Schylur Wells.
21 What did Schylur Wells do with those three phones?

22 A. He ended up obtaining search warrants for the devices and
23 then turning them over to myself for examination.

24 Q. As to State's 146, 147, and 148, all in evidence, can you
25 take a look at those claims and tell us whether or not you

1 were able to conduct forensic examinations, cell phone
2 extractions, of all three of these devices.

3 (Pause)

4 A. I have.

5 Q. In those three devices, the red Vortex, the blue
6 Motorola, the Samsung Galaxy, seized from the possession of
7 Allon Adams on January 20, 2024, can you tell us if you
8 conducted full cell phone extractions on them -- or cell phone
9 extractions to the ability that was available to you at that
10 time?

11 A. That is correct, on all three places.

12 Q. Now, I want to start with the blue Motorola. And do you
13 have that blue Motorola before you?

14 A. I do.

15 Q. Were you able to determine any evidence on that phone, in
16 addition to it being in the physical possession of Mr. Adams,
17 but that linked Mr. Adams to use of that phone?

18 A. Yes.

19 Q. I'm going to show you through three items. This is going
20 to be State's 180, State's 181, and State's 182 for
21 identification.

22 (State's Exhibit 180, 181, and 182 marked for identification.)

23 Q. Now, does a cell phone -- when it goes through an
24 extraction, does it give you the ability to recover
25 photographs?

1 A. It does.

2 Q. What about videos?

3 A. It does.

4 Q. What about audio recordings?

5 A. It does.

6 Q. What about what we call voice note memos, where someone
7 is just talking into the phone?

8 A. It does.

9 Q. What about someone using a phone to send an audio text
10 instead of actually typing it out?

11 A. It does.

12 Q. What about text messages?

13 A. It recovers those too.

14 Q. What about web history searches? If someone goes into
15 Google or some type of search engine and enters specific
16 terms?

17 A. It does.

18 Q. And what if that type of evidence has actually been
19 deleted from the phone?

20 A. There's a possibility of it being recovered.

21 Q. So you can still recover that type of evidence, even
22 after it's been deleted?

23 A. Yes, in some circumstances.

24 Q. Now, after that blue Motorola -- I'm going to show you
25 what is State's 180, 181, and 182 and ask if you recognize

1 these items.

2 A. I do.

3 Q. And can you tell us who was depicted in those
4 photographs?

5 A. The Defendant, as well as who I believe to be Cady
6 Keener.

7 Q. And are those what we would call selfies and social media
8 type terms?

9 A. Yes.

10 Q. And do you also have the metadata with you showing the
11 dates of these photographs?

12 A. Yes.

13 Q. And according to the metadata, on what dates were these
14 photographs to recovered?

15 A. One photograph was from December 20, 2023, and the other
16 one was November 24, 2023.

17 Q. Okay. So all for late November and late December 2024 --
18 2023?

19 A. That's correct.

20 MS. MAYES: I offer for evidence at this time, Your
21 Honor, 180, 181, and 182.

22 MR. STORY: No objection, Your Honor.

23 THE COURT: State's 180, 181, and 182 are admitted.
24 (State's Exhibit 180, 181, and 182 received into evidence.)

25 //

1 BY MS. MAYES:

2 Q. All right. Looking there at State's 181, and now it
3 State's 182. You've identified these individuals as who?

4 A. The Defendant and Cady Keener.

5 Q. So Allon Adams and the female is who you believe to be
6 Cady Keener.

7 A. That is correct.

8 Q. And these were selfies recovered from that blue Motorola?

9 A. That's correct.

10 Q. Now, in addition to that, were there also accounts on
11 that phone?

12 A. Yes.

13 Q. And were there accounts that combined or shared names
14 attributed to both Allon Adams and Cady Keener?

15 A. That's correct.

16 Q. Upon review of this blue Motorola, did the extraction
17 reveal certain recordings tying this device to the crime, in
18 this case being the murder of Tony Etheredge?

19 A. That's correct.

20 Q. I'm going to ask you about specific aspects of that. Are
21 you aware in this case -- again, you're CSI.

22 A. That's correct.

23 Q. In addition to the phone examinations, did you also have
24 an opportunity to conduct a visual examination of that Toyota
25 Tacoma truck that belonged to the victim in this case, Tony

1 Etheredge?

2 A. That's correct.

3 Q. This truck that was recovered from out in that hay field
4 in Leesville?

5 A. That's correct.

6 Q. You actually visually examined that yourself?

7 A. That's correct.

8 Q. And were you aware of the time frame of interest in this
9 case, that Mr. Etheredge had worked a shift until around
10 midnight at Carolina Wings on the night of December 29th?

11 A. I was aware.

12 Q. And that he appeared to vanish after phone calls to his
13 son, ending around 12:21?

14 A. I was aware of those?

15 Q. And then are you also aware of a gap in time that was
16 visible in the phone records between that last communication
17 at around 12:21 a.m. until when there's a call to cardholder
18 services at 1:11 a.m.?

19 A. I was aware.

20 Q. And you're aware that Tony Etheredge was never seen alive
21 after that night?

22 A. I was aware.

23 Q. What, if any, evidence did you find on the phone leading
24 up to the events of that night? And I'm asking specifically
25 about December 29, 2023, earlier in that evening.

1 A. There was a video that was dated hours earlier.

2 Q. All right. And when you say the video is from hours
3 earlier -- let me go that blue -- again, this is the blue
4 Motorola.

5 A. That is correct.

6 Q. Okay. When you say hours earlier, what date are we
7 talking about? 12-29?

8 A. Yes. 12-29-2023.

9 Q. And what is the time of the video that you captured and
10 observed?

11 A. I don't have the exact timestamp with me, but it was
12 about 8 p.m. that day.

13 Q. All right. And will the timestamp be visible on the
14 recording itself?

15 A. The metadata that was provided with the video, yes.

16 Q. So does the time of 8:01 p.m. sound accurate with your --
17 what you observed?

18 A. That sounds accurate.

19 Q. Now, were you able to identify at least one of the
20 individuals on that video?

21 A. I was.

22 Q. Who is that individual?

23 A. Allon Adams.

24 Q. What does he have in his possession on that video?

25 A. It appeared to be a firearm.

1 Q. I'm going to show you what it State's 169. I'm going to
2 show you State's 169 and ask you whether or not that
3 particular video has been preserved as evidence in this case.

4 A. It has.

5 Q. And you've had an opportunity to review it?

6 A. Yes.

7 MR. STORY: Your Honor, may we briefly approach?

8 THE COURT: Sure.

9 (Bench conference.)

10 BY MS. MAYES:

11 Q. I'm going to show you two still shots -- or one still
12 shot. I'm going to show you now State's 170. What is this?

13 A. It's a still frame from the video.

14 Q. All right. And when you say still frame from the video,
15 is there a time associated with that still frame?

16 A. 8:01.

17 Q. 8:01 p.m. And again, although the date is not visible on
18 this screenshot, were you able to determine a date for this
19 video through your cell phone extraction?

20 A. Yeah. 12-29-2023.

21 Q. So December 29, 2023, at 8:01 p.m.

22 A. That's correct. So this is going to be approximately
23 four and a half hours before Tony Etheredge is last seen?

24 A. That's correct.

25 Q. And this is directly from State's 170, correct?

1 A. If it's the blue Motorola, that is correct.

2 Q. Directly from this video?

3 A. Yes.

4 MS. MAYES: I move for evidence at this time, Your
5 Honor, State's 170.

6 MR. STORY: Yes, Your Honor, I object under Rule
7 404, as to impermissible character evidence, as well as 403.
8 Same grounds we talked about. Your Honor, the argument of the
9 State v. Cheeseboro that we spoke about pretrial. I do want
10 to object to this video on the same ground.

11 THE COURT: So then, Ms. Mayes, can I ask you all a
12 quick question. Approach, please.

13 MS. MAYES: And, for the record, this is five hours
14 before the -- or four and a half hours before the crime.

15 (Bench conference.)

16 THE COURT: All right. (Indiscernible) brief
17 response.

18 MR. STORY: Oh, yeah. And so just to clarify my
19 objection, Your Honor, is the impermissible character evidence
20 to social media post that I make for pretrial.

21 THE COURT: Right.

22 MR. STORY: To all potential social media posts
23 under 404, as well as 403.

24 THE COURT: Very well.

25 Ms. Mayes.

1 MS. MAYES: Yes, Your Honor. The State's position
2 again, not a 404(b) issue. This is res gestae. This is
3 approximately four and a half hours before the testimony has
4 been elicited that Tony Etheredge was last seen or heard from.

5 THE COURT: All right. Objection's noted. It's
6 overruled. State's Exhibits 169 and 170 are admitted, subject
7 to objection.

8 (State's Exhibits 169 and 170 received into evidence.)

9 MS. MAYES: State's 169 to publish.

10 (Video played.)

11 (Video stopped.)

12 BY MS. MAYES:

13 Q. All right. So that is a video present on the blue
14 Motorola.

15 A. That's correct.

16 Q. And you've testified that the date that that actual video
17 was recorded is December 29th at around 8:01 p.m.

18 A. That's correct.

19 Q. Again, about four and a half hours before Mr. Etheredge
20 was last seen from? And that video is -- that video is,
21 again, from the blue Motorola seized from that traffic stop?

22 A. That is correct.

23 Q. The same blue Motorola in which this selfie of the
24 Defendant Allon Adams was recovered?

25 A. That is correct.

1 Q. And this selfie of the Defendant Allon Adams was
2 recovered?

3 A. That's correct.

4 Q. And now looking here, State's 170. This screenshot is
5 from that video that we just watched?

6 A. That's correct.

7 Q. And looking here at this video, can you tell us how many
8 firearms were visible to you in that video?

9 A. The one.

10 Q. Just this one. And that firearm was in whose possession?

11 A. Allon Adams.

12 Q. Do you have a laser pointer with you?

13 A. I do.

14 Q. I can't. Can you identify where Allon Adams is in that
15 video?

16 A. Right here.

17 Q. And having watched that video, any doubt in your mind
18 that that is a firearm in his possession?

19 A. There's no doubt.

20 Q. Now, in addition to that video being recovered, what can
21 you tell us about web history searches recovered from that
22 phone?

23 A. There were numerous web searches that were recovered from
24 the device.

25 Q. All right. And, for the sake of the jury, I know that's

1 a common term we use a lot -- web history searches -- but what
2 is your best explanation of a web history search and how that
3 information is actually recoverable from a phone?

4 A. So essentially on your mobile devices there's a browser.
5 On an Apple phone, it would be Safari. You can also download
6 third party app applications; so you can get a Chrome browser.
7 Same thing with Android phones. You have the Chrome browser
8 and other browsing capabilities within the device through the
9 application store. We are able to recover the searches that
10 are conducted through those browsers. So if someone's doing a
11 Google search, to just write some terms in and then provide a
12 search, and then click on links, we can recover those search
13 data on those things that were done.

14 Q. All right, so if I were to put into a web or to a search
15 engine, Lexington County Courthouse, would it record it
16 exactly as I typed it?

17 A. That's correct.

18 Q. What if I misspell courthouse?

19 A. It would include that misspelling.

20 Q. All right. So whatever I type in, even with
21 misspellings, that is how the device is going to record it.

22 A. That's correct.

23 Q. And when these web history searches are recorded covered,
24 are they the act, or action, of the user of that phone?

25 A. That's correct.

1 Q. So it's recording exactly what each keystroke is
2 representing?

3 A. That's correct.

4 Q. Now I want to move a little bit forward. Tony Etheredge
5 was last seen December 29th to the early morning hours,
6 December 30th, 2023, and last communicated on his phone at
7 those times. Ultimately, what date was his body recovered?

8 A. February 9, 2024.

9 Q. Tony was recovered February 9th of 2020. Who is the
10 officer who actually found Tony?

11 A. I believe it was Detective Snelgrove and Sergeant
12 Westbury.

13 Q. All right. And were you there?

14 A. I was.

15 Q. Where was he found?

16 A. He was located in the body of water, that was named Black
17 Creek.

18 Q. Black Creek?

19 A. That's correct.

20 Q. Is that in Lexington County?

21 A. It is in Lexington County. It's off of Hartley Quarter
22 Road, the location we were at.

23 Q. And what area of Lexington County is that known as?

24 A. It's around the Pelion area, Leesville area.

25 Q. I'm going to show you a photograph, State's 174, this

1 being an aerial map, and ask you whether or not you recognize
2 this.

3 A. I do.

4 Q. And is that the area that you just spoke of?

5 A. It is.

6 Q. And identified as the Pelion area of Lexington County?

7 A. That's correct.

8 Q. You indicated that you yourself were out there. What
9 efforts did you take to assist in recovering Tony?

10 A. I utilized a kayak that was provided by Lexington County
11 Fire Services. And then I went on the kayak with detective
12 Snelgrove, who was also on the kayak. And Lexington County
13 Fire Services had a boat of some sort that also accompanied us
14 to where the body was located, somewhat downstream.

15 Q. All right. And you say downstream. So this creek flows
16 like a river?

17 A. That is correct.

18 Q. Can you show us where on State's 174 that creek or river
19 in the Pelion area is located?

20 A. It would be right in that area.

21 Q. Now, dealing with those web histories searches from that
22 blue Motorola, were there any searches specific to the Pelion
23 area?

24 A. There was.

25 Q. And were those searches after the date that Tony was last

1 seen alive in the early morning hours of December 30th?

2 A. That is correct.

3 Q. 167 -- does this reflect those web histories searches
4 that you spoke of? You can take your time to review the
5 document.

6 A. It does.

7 Q. This was recovered, pursuant to your cell phone
8 extraction of that blue Motorola.

9 A. That is correct.

10 MS. MAYES: For evidence at this time, Your Honor.

11 MR. STORY: If I may, Your Honor.

12 THE COURT: Sure.

13 MR. STORY: Maybe we approach, Your Honor.

14 THE COURT: Sure.

15 (Bench conference.)

16 THE COURT: All right. Ladies and gentlemen, we're
17 going to take a short break. Get you back in here in a few
18 minutes. Please head on back to the jury room. Do not
19 discuss the case or anything involved in the case. See you in
20 a few minutes.

21 (Jury out.)

22 THE COURT: Okay. So we're talking about Exhibit
23 167?

24 MS. MAYES: Yes, Your Honor. The State's prepared
25 to proffer.

1 THE COURT: Okay. What are we -- just the
2 extraction report (phonetic) or just the web search?

3 MS. MAYES: Well, it's three searches, Your Honor.

4 MR. STORY: Yeah, that's correct, Your Honor.
5 There's -- I have a couple of different -- my objection on --
6 Your Honor, is, under 404 or 403, evidence of other crimes,
7 bad acts. It's also the prejudicial effect is -- excuse me.

8 THE COURT: Well, a web search is a prior bad act,
9 isn't it?

10 MR. STORY: It could be considered -- in this case,
11 there's a couple of different things. It's -- there's a
12 number of web searches for murder, murder in Pelion, highest
13 murder rate, things like that. One of the things -- and, you
14 know, I was going to ask Investigator Donnelly about this
15 later -- putting it in like this would have appear like
16 they're searching over and over and over. When my
17 understanding is, sometimes when you leave a window open on
18 your phone and it refreshes, sometimes the reports from
19 Cellebrite will essentially report it many, many times over.

20 To a jury, that may appear like someone is
21 obsessively searching over and over, when it's not actually
22 doing that. So it's a little confusing, under 403, Your
23 Honor. And also, generally, web searches about murder or
24 crime rates or things like that, I would argue are not
25 probative in this case and are inherently prejudicial. And,

1 you know, I would object under due process, as well as my
2 client's right to fair trial.

3 MS. MAYES: All right. And we can establish
4 relevancy at this time.

5 THE COURT: Very well. Proffer (indiscernible).

6 BY MS. MAYES:

7 Q. All right. So looking here at State's 167, what, if any,
8 search is conducted regarding the Pelion area on December
9 31st, 2023, approximately 24 to 48 hours after Mr. Etheredge
10 has disappeared?

11 A. The search that was conducted was Pelion news Today,
12 crime.

13 Q. All right.

14 THE COURT: Pelion what? News?

15 THE WITNESS: Pelion news Today, crime.

16 THE COURT: Okay.

17 BY MS. MAYES:

18 Q. And then is there an additional search involving Pelion
19 also on December 31st of 2023?

20 A. That's correct. It was Pelion news Today, crime.

21 Q. All right. And another?

22 A. Pelion news Today.

23 Q. And it's the one that just says Pelion news.

24 A. There is.

25 Q. So that would be yet a separate search.

1 A. Correct.

2 Q. Again, for news in Pelion.

3 A. Correct.

4 Q. Now, is there a search regarding anything involving
5 murder?

6 A. Yeah, there's a search conducted that said SE murde,
7 with the R missing at the end.

8 Q. Is there any search for murder as it pertains to
9 Lexington County?

10 A. Yes. There was a search for Lexington, South Carolina
11 murder.

12 Q. And is there a search pertaining to a body found in a
13 creek in Lexington?

14 A. There was.

15 Q. And just to distinguish, you were aware of a separate
16 homicide investigation involving a victim by the name of Devin
17 Tricoche?

18 A. I'm familiar.

19 Q. And you're familiar with the fact that his body was
20 actually located in a Aiken County?

21 A. I'm familiar.

22 Q. Tony's body was found in what county?

23 A. Lexington County.

24 Q. And this search is, body found in creeks, Lexington, or
25 Lex?

1 A. That's correct.

2 Q. Does it appear that some of these searches have been
3 deleted from the device?

4 A. Yes, it does appear that way.

5 Q. Yet you were still able to recover them?

6 A. That's correct.

7 Q. What else pertaining to Lexington County?

8 A. Lexington County News search.

9 Q. Does it appear that was deleted?

10 A. That's correct.

11 Q. What, if any, searches were found regarding Lexington
12 crime?

13 A. Yes. The search conducted for Lexington, South Carolina
14 crime news.

15 Q. And was that also deleted?

16 A. Yes.

17 Q. Now, was there also a search for just Lexington?

18 A. Yes. Lexington crime news.

19 Q. Was there a search for South Carolina murder rate in
20 2023?

21 A. There was.

22 Q. Was that search deleted?

23 A. Yes.

24 Q. Now, is there another search dealing with bodies?

25 A. Yes. Lexington, South Carolina, body, murder, 2023.

1 Q. So that's dealing specifically with Lexington South
2 Carolina murder in 2023 and the search term body or bodies?

3 A. That's correct.

4 Q. And was that search deleted?

5 A. Yes.

6 Q. Is there an additional search for murders 2023 in
7 Lexington, South Carolina?

8 A. There was.

9 Q. And is that also deleted?

10 A. That's correct.

11 Q. Is there a search regarding a creek?

12 A. Yes, there is. Body found in Creek, Lexington, SC.

13 Q. Body found in Creek, Lexington SC.

14 A. Yes.

15 Q. Was that search deleted?

16 A. Yes.

17 Q. Was there an additional search regarding a creek?

18 A. There was.

19 Q. What is that search?

20 A. Body found in creek.

21 Q. And can you tell us whether or not that search was
22 deleted?

23 A. It appears so, yes.

24 Q. Can you tell us whether or not there's a search regarding
25 any missing persons?

1 A. There was -- missing person, Lexington County.

2 Q. So missing person in Lexington County?

3 A. Correct.

4 Q. And can you tell us, was there a substantial period of
5 time between late December 2023 and the recovery of the body
6 on February 9, 2024, in which Tony Etheredge was a missing
7 person?

8 A. Yes.

9 MS. MAYES: That's all at this time, Your Honor.
10 We're not offering the specific searches as the highest murder
11 rates.

12 THE COURT: Meaning you would redact it from the
13 exhibits.

14 MS. MAYES: We would.

15 THE COURT: Cross-examination. (Indiscernible).

16 MR. STORY: Yes, briefly.

17 CROSS-EXAMINATION

18 BY MR. STORY:

19 Q. Detective Donnelly, you heard what I was arguing earlier.
20 This report that you submitted is a report from the Cellebrite
21 software, correct?

22 A. That's Correct.

23 Q. Which you are trained in and you're an expert on,
24 correct?

25 A. That's correct.

1 Q. And you said that these were deleted, correct?

2 A. There were things that were deleted, correct.

3 Q. These searches, but you recovered them with Cellebrite.

4 A. That's correct.

5 Q. Now, when you search these in Google Chrome and leave it
6 open, the Chrome will refresh from time to time, correct?

7 A. That is a possibility, yes.

8 Q. Yeah. You're familiar with the Chrome application,
9 correct?

10 A. I am.

11 Q. Okay. And so, often, Cellebrite will report when Chrome
12 refreshes, correct?

13 A. It will.

14 Q. Okay. And that could be an explanation of why you get so
15 many searches on the Cellebrite of the same term.

16 A. I believe that report actually indicates duplications in
17 data, which is presented with parentheses under the item
18 number.

19 Q. Okay. So the duplications and data are those created by
20 Cellebrite?

21 A. No, it's just the data has been recovered several times.
22 There's several entries for it. So the software can determine
23 that it was the same data, so it just groups it together.

24 Q. Okay, so there are several entries for the search terms,
25 correct?

1 A. There are entries for various search terms.

2 Q. Right. For the same search terms there. Are you saying
3 that there were various entries inputted, or when it -- that's
4 how many times it was recovered? Apologies if I'm not being
5 specific enough, but you -- so, if I may approach. These
6 numbers with the parentheses, that is when the same search was
7 recovered, correct?

8 A. Correct.

9 Q. Okay. So that doesn't necessarily mean that the person
10 entering in these search terms put it in, let's see, 1, 2, 3,
11 4, 5 times, correct?

12 A. That's correct.

13 MR. STORY: Okay. That's all the questions I have
14 for Investigator Donnelly.

15 Again, I just want to reiterate my position. You
16 know, general search terms are too general -- too general to
17 be specifically probative in this case, Your Honor. I would
18 argue it's prejudicial. It's a confusion. It's a waste of
19 time, given the way the report reads. So I object under the
20 Fifth and Fourteenth Amendments of the United State's
21 Constitution, as well as the right to a fair trial under --
22 excuse me -- right to a fair trial and due process under the
23 Fifth and Fourteenth Amendments of the Constitution and
24 Article 1, Section 3 and 14 of the South Carolina
25 Constitution.

1 THE COURT: Ms. Mayes?

2 MS. MAYES: Yes, Your Honor. So the foundation has
3 already been laid that Tony Etheredge's body was recovered in
4 Black Creek, which is also considered a river, and that is in
5 the Pelion area. Within the first 48 hours, there are going
6 to be searches for Pelion news, and there are going to be
7 later specific searches for Lexington murder, 2023;
8 Lexington -- or body found in Creek Lexington, South Carolina.
9 Your Honor, it is directly relevant to consciousness of guilt
10 and knowledge of the crime.

11 THE COURT: Any other issue? Well, before we bring
12 the jury back in, will we have any other issues you foresee?
13 Do we need to get ahead of anything else is my question?

14 MS. MAYES: We're going to have multiple searches,
15 Your Honor on multiple devices.

16 THE COURT: Well, as for this one, as to your
17 objection, I believe under 403, I find the probative value
18 outweighs the prejudicial effects here. I think it's highly
19 relevant evidence of the circumstances, based upon where the
20 searches were done. That's as to Exhibit 167.

21 When you renew your objection, do accept the
22 previous objection, just so I don't have any more speaking
23 objections on this specific exhibit. But it's preserved
24 (phonetic).

25 MR. STORY: Well on this -- you've overruled me on

1 this specific one, Your Honor.

2 THE COURT: Yeah. Well I'm getting there. So it's
3 actually (indiscernible). One other thing. Exhibit 174, I
4 don't think we actually moved into evidence. So if I missed
5 it, I'm sorry. But just to be clear, we will you move 174
6 into evidence as well?

7 MS. MAYES: I have 169 being the video. 173 was
8 inside [REDACTED] King's Court.

9 THE COURT: 174 is the one over, the map, I'm
10 looking at right now.

11 MS. MAYES: Okay.

12 THE COURT: Just, obviously, you're moving that into
13 evidence and (indiscernible).

14 MS. MAYES: Yes, Your Honor. And it was shown to
15 Mr. Story, and there was no objection.

16 THE COURT: No objection. So 174 is admitted.
17 (State's Exhibit 174 received into evidence.)

18 THE COURT: And the web searches is 167.

19 MS. MAYES: 167.

20 THE COURT: Okay. So those will be admitted,
21 subject to objection as well.

22 (State's Exhibit 167 received into evidence.)

23 MS. MAYES: And just for the sake of the Court and
24 scheduling, it does not appear -- it is a little after 12. It
25 does not appear that we would be able to complete Investigator

1 Donnelly's testimony prior to one o'clock or so. So does Your
2 Honor wish me to approach at a good stopping point?

3 THE COURT: You don't think we can finish direct?

4 MS. MAYES: No, Your Honor.

5 THE COURT: Okay. Well, Mr. Story -- honestly, I
6 mean, they've already -- they're already on a break. Would it
7 make more sense to break now until 1:15?

8 MS. MAYES: We leave that to the court's discretion.

9 THE COURT: One break in testimony is better than
10 two.

11 So it's ten after 12 right now. 1:15, please.

12 MS. MAYES: Yes, Your Honor. And we would have a
13 place for investigator Donnelly in our office without
14 communicating with us.

15 THE COURT: Yeah. Obviously, we're going to take a
16 lunch break right now.

17 Investigator Donnelly, please don't discuss your
18 testimony with anyone.

19 Anything else for the moment?

20 MS. MAYES: Nothing, Your Honor.

21 THE COURT: Mr. Story?

22 I'll bring him in real quick. All right. Let's
23 bring him back in real quick.

24 UNIDENTIFIED SPEAKER: Your Honor, do you want ---

25 THE COURT: He can stay there. He can stay there

1 for (indiscernible).

2 (Jury in.)

3 THE COURT: Ladies and gentlemen, before you sit
4 down, we're going to let you take your lunch now, so just --
5 you can go ahead and head out to lunch. Please don't discuss
6 the case anymore or discuss or do any independent research of
7 the case. I'd like you back in your jury room by 1:15, about
8 an hour and five minutes. Otherwise, have a nice lunch.
9 We'll see you then. Thank you.

10 (Jury out.)

11 THE COURT: And just before we exit the Court, I'd
12 like to give the chance to get out.

13 Sheriff, can we just keep everybody -- (crosstalk)
14 and then we'll clear out. All right. Have a nice lunch.

15 MS. MAYES: Your Honor, as to 167, I believe that is
16 being admitted. I am going to hold on to it at this time for
17 proper redaction.

18 THE COURT: I said that on the record here. It's
19 not been admitted by the jury. It'll be admitted after
20 redaction, subject to (indiscernible).

21 MS. MAYES: Thank you. Your Honor.

22 (Court recessed.)

23 (Court resumed.)

24 THE COURT: All right. Are we ready to bring the
25 jury in?

1 MS. MAYES: Yes, Your Honor.

2 THE COURT: Is the Defense ready?

3 MR. STORY: Defense is ready, Your Honor.

4 (Jury in.)

5 THE COURT: Please be seated, ladies and gentlemen.

6 Welcome back. Hope you had a nice lunch. We'll figure out

7 where we were with this witness prior to lunch.

8 MS. MAYES: May it please the Court.

9 THE COURT: Yes, ma'am.

10 REDIRECT EXAMINATION

11 BY MS. MAYES:

12 Q. So, Officer Donnelly, Investigator Donnelly, when you
13 were last addressing the recovery of the body of Tony
14 Etheredge Jr., you indicated it is in what area of Lexington
15 County?

16 A. The Pelion area.

17 Q. All right. And is that also adjacent to Leesville?

18 A. It is.

19 Q. Also in Lexington County.

20 A. That's correct.

21 Q. And, again, specifically on State's 174, being at aerial
22 map, and you having at that location for the recovery, tell us
23 where exactly he was recovered.

24 A. He was recovered where that indicator is, in the creek.

25 Q. And that -- Black Creek, as it's known, I believe I asked

1 you, does it flow like a river?

2 A. It does.

3 Q. Was his body actually in water?

4 A. It was.

5 Q. And retrieved from that place?

6 A. It was.

7 Q. I have shown you State's 167, being web history searches.

8 I'm going to show you this item again. Are you familiar with
9 it?

10 A. I am.

11 Q. And this report on web history searches came from what
12 phone?

13 A. The blue Motorola.

14 Q. The blue Motorola seized by Irmo police during that
15 traffic stop?

16 A. That's correct.

17 Q. I want to break down a listing of some of those items of
18 evidence that were recovered. Want to start from the cell
19 phone? We're going to start, specifically, with the item
20 you've already identified being 12-29-23 -- so December 29,
21 2023, at 8:01 p.m. is the video that you've already
22 identified?

23 A. That's correct.

24 Q. And that's the video in which a gun is present?

25 A. That's correct.

1 Q. I believe you've indicated you're aware that Tony
2 Etheredge was last known to be alive in the early morning
3 hours of December 30th.

4 A. That's correct.

5 Q. State's 167, does it contain web searches from the date
6 of December 31st?

7 A. It does.

8 Q. So that would be within 36 or so hours of Tony's
9 disappearance.

10 A. That's correct.

11 MS. MAYES: State's 167 for evidence at this time,
12 Your Honor.

13 MR. STORY: Previous objection, Your Honor.

14 THE COURT: Subject to previous objection, State's
15 Exhibit 167 is admitted.

16 BY MS. MAYES:

17 Q. And can you see from where you are, or will you need to
18 come down to review the item?

19 A. I will try my best to do it from here.

20 Q. Okay. If not --

21 MS. MAYES: Your Honor, with your permission, if he
22 may step down as needed.

23 THE COURT: That'd be fine.

24 BY MS. MAYES:

25 Q. All right. Beginning with December 31st 2023 at 10:04

1 a.m., what search you observe?

2 A. Pelion news Today crime was searched.

3 Q. And again, Pelion being the location in which,
4 ultimately, Tony's body was recovered.

5 A. That's correct.

6 Q. Now, why do we see duplicates of that search?

7 A. So that data is stored in various areas on the device.
8 It's just showing it was recovered from different areas. So
9 it could be backups, logs that haven't committed to data yet.
10 So that's why we see multiple instances.

11 Q. All right. So that search for Pelion news Today, crime,
12 conducted December 31st in the morning hours at 10:04 a.m. Is
13 that correct?

14 A. That's correct.

15 Q. And again, this document and your conversion of the time
16 on this cell phone extraction, does it show UTC-5?

17 A. That is correct.

18 Q. And that indicates what?

19 A. It's Eastern Standard Time, which is the time zone we
20 currently are (indiscernible).

21 Q. Okay. So we're looking at real time here for Eastern
22 Standard Time.

23 A. Correct.

24 Q. Now, was there a variation of that search regarding
25 Pelion news?

1 A. There was.

2 Q. And what is the next search that you see?

3 A. Pelion news today.

4 Q. Pelion news today. And what is that date?

5 A. December 31st, 2023.

6 Q. Now, when you see the words, enter here, Pelion news
7 today, and then below it, there's going to be a slight
8 variation. Why is it that there's a variation?

9 A. Two separate searches.

10 Q. All right. Again, these are the keyword searches entered
11 by whoever is holding the device.

12 A. That's correct.

13 Q. Keystroke for keystroke.

14 A. That's correct.

15 Q. So the first entry by whoever was using the device and
16 entering the search was Pelion news Today, crime.

17 A. That is correct.

18 Q. And then the next search is Pelion news today.

19 A. Correct.

20 Q. And then the next search is going to be what?

21 A. Pelion news.

22 Q. Now, were there additional searches recovered during your
23 cell phone extraction that had actually been deleted from the
24 phone?

25 A. There were entries that were deleted.

1 Q. And once they're deleted from the phone, does that
2 sometime affect your ability to recover certain metadata
3 associated with it?

4 A. Yes. The possibility of losing some of that data, to
5 include losing access to the timestamps.

6 Q. Including the -- or the date and actual timestamp of the
7 search?

8 A. That's correct.

9 Q. And that's because it's been deleted?

10 A. That's correct.

11 Q. Now, is the act to delete it, is that an intentional act
12 by the user of the device?

13 A. Normally it is.

14 Q. So looking here, what evidence do you have that this
15 particular search was deleted?

16 A. The software itself indicated that the item was actually
17 a deleted entry from the history.

18 Q. All right. And what does this mean when it says here in
19 red, "yes"?

20 A. It's indicating that it's deleted.

21 Q. And what was this search that had been deleted?

22 A. SC, murde.

23 Q. And, again, that's entered exactly as the device user
24 would have entered it?

25 A. That's correct.

1 Q. So as if for murder, but without the "R"?

2 A. That's correct.

3 Q. Next, what other searches do you see, once again,
4 relating to Pelion?

5 A. Pelion news.

6 Q. And that search for Pelion news, can you tell us whether
7 or not it had been deleted from the phone?

8 A. It was indicating it was deleted.

9 Q. So just like going in and doing a search but then
10 deleting the search itself?

11 A. That's correct.

12 Q. And you have the ability to recover that?

13 A. That's correct.

14 Q. What is the next search you see that has been deleted?

15 A. Lexington SC murder.

16 Q. Lexington SC, as in South Carolina, murder?

17 A. That's correct.

18 Q. What is the next search that you see?

19 A. Body found in creek, Lex.

20 Q. Body found in creek, Lex.

21 What is the next search you see?

22 A. Lexington county news?

23 Q. Lexington county news. Can you tell us whether or not
24 that search was deleted?

25 A. Yes. One of the entries that was recovered was deleted.

1 Q. Now, when there is a missing person, does law enforcement
2 sometimes take efforts to make that newsworthy and release
3 that information to the media?

4 A. At times, yes.

5 Q. When a body is found and a homicide investigation ensues,
6 do you have your own what's known as public information
7 officer there at the Lexington County Sheriff's Department?

8 A. We do.

9 Q. Are there often news releases that associate a body being
10 found or recovered.

11 A. There are.

12 Q. To include the location in which it was recovered?

13 A. Yes.

14 Q. So if a person were to conduct a search, it may
15 potentially tell whether or not a body has been found yet?

16 A. Correct.

17 Q. What is the next search you see that has been deleted?

18 A. Lexington SC crime news.

19 Q. Lexington SC, as in South Carolina, crime news?

20 A. That's correct.

21 Q. What is the next search you see?

22 A. Lexington crime news.

23 Q. So a slightly different variation from that other search?

24 A. That's correct.

25 Q. Again, another separate entry into that search engine.

1 A. Correct.

2 Q. What is the next search or GC that has been deleted?

3 A. Lexington SC body, murder, 2023.

4 Q. All right. And has that been deleted?

5 A. Yes.

6 Q. And again, is 2023 the time frame in which Tony
7 Etheredge's murder would have occurred?

8 A. That's correct.

9 Q. Were there multiple deletions?

10 A. There were multiple line items that had been deleted.

11 Q. What is the next search you see?

12 A. I believe, Lexington SC murders, 2023.

13 Q. And has that search been deleted?

14 A. Yes.

15 Q. Now, what is the next search you see that has been
16 deleted?

17 A. Body found in Creek, Lexington, South Carolina.

18 Q. And that has been deleted?

19 A. For that entry, yes.

20 Q. Okay. This phone is going to be seized on January 20th
21 during the traffic stop. So it's actually seized prior to
22 Tony's body, ultimately, being found in February?

23 A. That is correct.

24 Q. But during that entire time, was Tony Etheredge Jr.
25 considered missing by the Lexington County Sheriff's

1 Department?

2 A. Yes.

3 Q. So these searches are being done before the body is
4 actually found?

5 A. Correct.

6 Q. And do the searches indicate they are consistent with
7 where Tony Etheredge Jr. was recovered?

8 A. They are.

9 Q. Was there another variation on the body in creek?

10 A. There was.

11 Q. And what is that?

12 A. Body found in the creek.

13 Q. And what is the next search you see?

14 A. Missing person, Lexington County.

15 Q. All right. Now, moving forward on this same device,
16 being the blue Motorola, you've indicated that the search
17 history shows those searches begin on or about December 31st
18 at 10:04 in the morning.

19 A. That's correct.

20 Q. I'm going to move forward now to January 1, 2024. Again,
21 on this device, were you able to recover text messages?

22 A. That is correct.

23 Q. And does that include instant messages?

24 A. It does.

25 Q. And does that include messages or instant messages sent

1 from the device itself?

2 A. Yes.

3 Q. I'm going to show you what it State's 151, and ask you
4 whether or not you recognize this.

5 A. I do.

6 Q. And can you tell us whether or not these messages were
7 sent directly from this device, the blue Motorola?

8 A. They were.

9 MS. MAYES: State's 151 for evidence, Your Honor.

10 MR. STORY: Object under 403, Your Honor.

11 THE COURT: Objection (indiscernible).

12 MR. STORY: If you want to see it.

13 MS. MAYES: May we approach, Your Honor.

14 (Bench conference.)

15 MR. STORY: Your Honor, just for the record, I
16 object to State's 151. Under 403, Your Honor, these contain
17 no specific details. These seem to be general references to
18 mental health. So I would argue that the probative value --
19 excuse me -- the probative value is greatly outweighed by the
20 prejudicial effect. It's also vague. So, therefore, it's
21 confusing.

22 THE COURT: Ms. Mayes?

23 MS. MAYES: As state of mind, Your Honor, as well as
24 multiple other probative value purposes, stated at the bench.

25 THE COURT: Objection's overruled. State's 151 will

1 be admitted, subject to objection. Okay. And just to be
2 clear about the probative value -- substantially outweighs the
3 prejudicial effect.

4 (State's Exhibit 151 received into evidence.)

5 BY MS. MAYES:

6 Q. All right. So now we're going to move forward to January
7 1st of 2024, so roughly 48 hours or so since the disappearance
8 of Tony Etheredge.

9 A. That's correct.

10 Q. And, again, these are found in what format on the device?

11 A. These are messages from the application, Textfree Ultra.

12 Q. All right. Would instant messages be the correct term?

13 A. It is.

14 Q. And what is the specific time noted when you've done the
15 Eastern Standard Time conversion for the first text message?

16 A. It would be January 1st, 2024, at 02:09 a.m.

17 Q. 2:09 a.m. All right. And again, these messages are sent
18 from the device to whom, according to the contract?

19 A. According to the contacts, it would be the participant,
20 labeled as Mom.

21 Q. All right. So that's a designated contact present within
22 the phone.

23 A. That's correct.

24 Q. And the user has given that name, Mom.

25 A. That's correct.

1 Q. And start at the beginning, please for the first instant
2 message that is outgoing from this device.

3 A. Mama, I need a spiritual cleansing.

4 Q. And then, just shortly after a matter of seconds
5 afterwards, what is the next message?

6 A. I'm not okay. I'm getting worse.

7 Q. What is the next message after that?

8 A. I'm scared, mama. I'm hurting people.

9 Q. I'm hurting people?

10 A. That's correct.

11 Q. What is the next message after that?

12 A. I'm numb, mama. It makes me feel better.

13 Q. Now, in addition to text messages, web searches, videos
14 that you've already addressed, do you also have the ability to
15 recover photographs?

16 A. I do.

17 Q. I'm going to show you a photograph that is pre-marked,
18 State's 140. And I'm going to ask you where this photograph
19 came from.

20 A. It came from the blue Motorola.

21 Q. All right. That specific photograph came from the blue
22 Motorola. At what time was it recovered?

23 Without publishing it yet, I just want to ask you what
24 time it was recovered.

25 MS. MAYES: Beg the Court's indulgence.

1 MR. STORY: Your Honor, while they're taking that
2 break, might I take a look at the photo?

3 THE COURT: Of course. You may approach.

4 Ms. Mayes (indiscernible).

5 MS. MAYES: I believe it was offered yesterday, Your
6 Honor, and is in evidence. That's 140 and 141. I believe
7 they were both offered yesterday and in evidence.

8 THE COURT: They were, yes.

9 BY MS. MAYES:

10 Q. Now, is there metadata that would have been associated
11 with this?

12 A. There is.

13 Q. All right. I'm going to show you State's 207 and ask you
14 whether or not you recognize that.

15 A. I do.

16 Q. Does that assist you in determination the date and time
17 of State's 140?

18 A. It does.

19 MS. MAYES: I believe 140 is in, Your Honor.

20 THE COURT: It is.

21 BY MS. MAYES:

22 Q. What is the date and time for that photograph having been
23 taken from that device, being the blue Motorola.

24 A. It would be January 1st, 2024, at 10:41 p.m.

25 Q. 10:41 p.m.?

1 A. That's correct.

2 Q. What is the significance of that photograph? Why did you
3 flag that photograph as part of your cell phone extraction in
4 this case?

5 A. So I found that this photograph was actually similar to
6 the interior door of the victim's truck.

7 Q. Now when we talk about the Victim's truck, the 2014
8 Toyota Tacoma, did you actually have a chance to view and
9 inspect that truck yourself?

10 A. I did.

11 Q. Again, you indicated your CSI.

12 A. I am.

13 Q. So when your fellow CSI investigator, Tom Smith, had it
14 at the evidence bay, did you have an opportunity to review it
15 there?

16 A. I did.

17 Q. And did that include the interior of the vehicle?

18 A. It did.

19 Q. So that particular photograph, State's 1041 -- State's
20 140 and State's 141 also already in evidence, does one reflect
21 a photograph taken at your evidence bay?

22 A. It does.

23 Q. And the other is a photograph that came off the phone?

24 A. It was.

25 Q. All right. Do you recognize the location in which this

1 photograph was taken?

2 A. I do. It's our evidence bay at our headquarters.

3 Q. All right. And that photograph was taken of the interior
4 of the front right passenger door area during the course of
5 the evidence collection?

6 A. That's correct.

7 Q. Now I'm going to move over to the photograph that you
8 recovered from this cell phone, the blue Motorola, that was
9 actually taken on -- at 10:41 p.m. on January 1st. January
10 1st, that truck belonging to Tony Etheredge, had it actually
11 been recovered yet by law enforcement?

12 A. No.

13 Q. So with the truck recovery being on January 5th out in
14 that field, this photograph was taken prior to that truck
15 being found in that the field?

16 A. That's correct.

17 Q. And you've noted the unique features there of the
18 interior car?

19 A. Correct.

20 Q. Looking here at State's 140, what does that indicate to
21 you?

22 A. It appears that is the same picture of the same vehicle.

23 Q. State's 140, taken on the night of January 1st is the
24 inside. Your opinion, to a reasonable degree in certainty as
25 an expert in this field, is that it's going to be the same

1 location, the interior of this truck?

2 A. I believe so. It matches the main model of the vehicle
3 we have.

4 Q. Now we talked about video, photos, web history searches,
5 text messages -- I want to ask you about audio recordings.

6 Does this phone also have the ability to record audio?

7 A. It does.

8 Q. Does that include like a voice note memo, if you choose
9 to talk to your yourself?

10 A. It does.

11 Q. Does it include a text now feature such as, instead of
12 sending you a text, I choose to just say it out loud and send
13 it to ---

14 A. That's correct.

15 Q. So if I wanted to send you a text as an audio recording,
16 I could do that?

17 A. That is correct.

18 Q. And was that capability present on this blue Motorola?

19 A. Yes.

20 Q. What date did you discover that the audio recording was
21 actually taken or preserved?

22 A. In reference to this audio statement, it was January
23 11th, 2024.

24 Q. I'm going to show you what is State's 153 and also 183
25 and see if that helps with the metadata associated with this

1 item.

2 (State's Exhibit 183 marked for identification.)

3 A. It does.

4 Q. What is the date in which that audio recording was
5 actually saved to the device?

6 A. It was on the device on January 1st, 11:24. And with us
7 adjusting for Eastern Standard Time, it would be 11:16 a.m.

8 Q. All right. And, once again, the date?

9 A. 1-11-2024.

10 Q. All right. So January 11th, 2024.

11 A. That's correct.

12 Q. And this is the audio recording.

13 A. Correct.

14 Q. Have you had a chance to review those items that are
15 before you and properly identify them as coming directly from
16 this blue Motorola extraction?

17 A. Yes.

18 Q. And your initials are on State's 153?

19 A. They are.

20 MS. MAYES: State's 153 and 207 for evidence, Your
21 Honor.

22 MR. STORY: Your Honor, renew my previous objection,
23 pretrial.

24 THE COURT: Very well. State's Exhibit 153 and 207
25 admitted, subject to objection.

1 (State's Exhibits 153 and 207 received into evidence.)

2 BY MS. MAYES:

3 Q. Now, why was this audio recording of interest to you in
4 relation to this murder investigation?

5 A. Due to what was said in the audio recording.

6 Q. And it is a male speaker or a female speaker?

7 A. It's a male.

8 Q. And during the course of this investigation and your
9 review of multiple devices, have you had an opportunity to
10 hear the voice of Allon Adams?

11 A. I have.

12 Q. Can you tell us whether or not the voice heard on this
13 audio recording is consistent with the voice you've heard of
14 Allon Adams?

15 A. It is consistent with this voice.

16 Q. Including a video recording where he's actually speaking?

17 A. That is correct.

18 Q. For comparison?

19 A. Yes.

20 Q. What is it about this recording that references a crime?

21 A. The audio recording is graphic in nature.

22 MS. MAYES: Beg the Court's indulgence.

23 BY MS. MAYES:

24 Q. You indicated -- you indicated that you had an
25 opportunity to actually review the interior of that truck

1 yourself when it was out at the evidence bay?

2 A. I did.

3 Q. Did that include the interior dashboard area?

4 A. It did.

5 Q. What, if anything, to you was significant as a CSI agent?
6 Regarding the interior of that dashboard area?

7 A. You can visually see that there was some substance on the
8 dash and the interior vehicle area.

9 Q. What, if anything, about the dash was referenced in this
10 recording that you've noted -- State's 153?

11 A. In reference to the audio recording, there is mention of
12 brain on the dash.

13 Q. And what exactly is said in reference to brain on the
14 dash?

15 A. I quote, "They never seen no" -- slur -- "brain on the
16 dash."

17 Q. They never seen no brain on the dash?

18 A. Correct.

19 Q. What, if anything, else, references is a homicide?

20 A. And I quote, "Them ain't never took a" -- slur -- "soul."

21 Q. Ain't never took a soul?

22 A. Correct.

23 Q. What, if anything, else, references a violent act?

24 A. I quote, "They ain't never seen blood gushing out like a
25 faucet."

1 Q. You're aware in this case that the Defendant, Allon
2 Adams, resides in the Leesville area of Lexington County?

3 A. That's correct.

4 Q. [REDACTED] Rish Road.

5 A. Correct.

6 Q. Are you aware of terms, such as the Berg and South Lee?

7 A. I am.

8 Q. How so?

9 A. Just working the areas and being a deputy in Lexington
10 County, I come familiar with acronyms (phonetic) and monikers
11 used for different locations.

12 Q. What is stated in this audio recording regarding the Berg
13 in South Lee.

14 A. I quote, "You better tell them boys in the Berg, though,
15 and South Lee that I ain't the one."

16 Q. And the next sentence.

17 A. So you better tell them I ain't the one to play with.

18 Q. I ain't the one to play with? In reference to the Berg,
19 what do you understand that to be?

20 A. Batesburg.

21 Q. And the reference to South Lee?

22 A. Just Leesville.

23 Q. Batesburg-Leesville area?

24 A. Correct.

25 (Video played.)

1 "THE DEFENDANT: -- that brain on the dash. And you
2 niggers ain't never took any soul and never seen blood gushing
3 like a faucet. Them niggers ain't never seen none of that.
4 You know what I'm saying? You better tell them boys in the
5 Berg, though, in South Lee, I ain't the one, though. Cause I
6 know you know them boys, and I know they -- they my cousin,
7 too. But them boys don't -- let's -- you just gotta get them
8 with the head up. I'm going to chop shit up. That's what I'm
9 saying. I'm in business, bro. So you better tell them that
10 this brother, bro, I ain't the one to play with. Listen,
11 'cuz, I ain't lying to you all. This shit about to get
12 wicked."

13 (Video stopped.)

14 Q. Now, after your analysis of the blue Motorola, I'm going
15 to ask you about the red Vortex. The red Vortex, I believe,
16 was also found pursuant to that same traffic stop that we
17 spoke about before, that traffic stop being the January 20th
18 traffic stop by the Irmo Police Department. You're familiar
19 with that?

20 A. I am.

21 Q. And that red Vortex being one of the three phones that
22 was seized?

23 A. That's correct.

24 Q. And you conducted an analysis of this phone?

25 A. I did.

1 Q. As to the red Vortex, can you tell us whether or not
2 there were audio recordings preserved with this phone?

3 A. There were.

4 Q. In addition to audio recordings, were there are also web
5 searches affiliated with this phone?

6 A. There were.

7 Q. I'm going to start with the web searches. Going to show
8 you State's 164.

9 While he's looking at that, were you ultimately able to
10 recover dates associated with those web searches?

11 A. I believe so, yes.

12 Q. Okay. Do you have those dates with you?

13 A. I do not.

14 Q. And do you recall verifying searches after the date of
15 Tony Etheredge disappearance?

16 A. Yes.

17 MS. MAYES: Okay. And this would be State's 164,
18 from the red Vortex for evidence at this time, Your Honor.

19 MR. STORY: Your Honor, the same objection, under
20 403, as I did to State's 167 (indiscernible).

21 THE COURT: Can I just look at it?

22 MS. MAYES: Yes.

23 THE COURT: All right. Objection's noted. State's
24 Exhibit 164 is admitted, subject to objection.

25 (State's Exhibit 164 received into evidence.)

1 MR. STORY: Thank you, Your Honor.

2 THE COURT: Ms. Mayes, I have it right here. Thank
3 you.

4 MS. MAYES: Thank you, Your Honor.

5 BY MS. MAYES:

6 Q. All right. Going Back to State's 149, this being one of
7 the three phone seats from that Crown Royal bag?

8 A. That's correct.

9 Q. Looking at State's 164, did you find web history searches
10 on this phone that were consistent with this homicide
11 investigation?

12 A. That's correct.

13 Q. And you believe to be directly related?

14 A. That's correct.

15 Q. All right. You had indicated before that this location
16 of the body recovery was Pelion, but it's also adjacent to
17 what area?

18 A. Leesville.

19 Q. Hartley Quarter Road.

20 A. That's correct.

21 Q. What, if anything, did you see regarding searches on this
22 phone that had been deleted?

23 A. The search, Leesville body found.

24 Q. Leesville body found, or what appears to be the beginning
25 of the word found?

1 A. That's correct.

2 Q. What else?

3 A. Leesville, with a "C".

4 Q. Even the word Leesville, was that deleted?

5 A. Yes.

6 Q. What's next?

7 A. Pelion body found.

8 Q. Pelion body found. Has that been deleted?

9 A. Those, yes.

10 Q. And then is there a separate variation on that same
11 search?

12 A. Correct. Pelion crime body found.

13 Q. So separate searches.

14 A. Correct.

15 Q. Now you said you went in that creek in Black Creek. Are
16 you familiar with what area or what river, what major river
17 system this Black Creek flows into?

18 A. I'm not familiar with that.

19 Q. Okay. What is the next search?

20 A. Edisto river, body.

21 Q. Edisto river, body?

22 What is the next search that's been deleted?

23 A. Lexington body found.

24 Q. What is the next search that's been deleted?

25 A. Pelion body found.

1 Q. What is the next search you see after that?

2 A. Leesville body found.

3 Q. Can you tell us whether or not that's been deleted?

4 A. There are entries that are deleted.

5 Q. What is the next variation of that that you observed?

6 A. Leesville crime body found.

7 Q. Leesville crime body found.

8 A. That's correct.

9 Q. And has that been deleted?

10 A. Yes.

11 Q. What is the next variation you see?

12 A. Lexington crime body found.

13 Q. And has that been deleted?

14 A. There are entries that are deleted, yes.

15 Q. Now, does this red Vortex have the ability to preserve,
16 to create and preserve what's known as a voice note memo?

17 A. It did.

18 Q. And what is a voice note memo? What's the best way that
19 you can use to describe that?

20 A. If you're communicating, and you'd rather just send a
21 voice message, rather than actually typing something out or
22 texting something out, you can record your voice and then send
23 it to the other party.

24 Q. I'm going to show you what it State's 156, as well as the
25 metadata that goes with it. Give you a moment to review that.

1 State's 157, as well as the metadata. State's 158, as well as
2 the metadata. Can you tell us whether or not all of these
3 recordings came from that red Vortex?

4 A. They did.

5 Q. What is the date in which these recordings came were
6 preserved?

7 A. It's January 18, 2024.

8 Q. January 28th -- I'm sorry, January what? 18th?

9 A. 18th.

10 Q. And is it a male voice or a female voice?

11 A. It's a male voice.

12 Q. And is there one recording or more than one recording?

13 A. There are numerous recordings.

14 Q. Can you tell us whether or not the information contained
15 therein appears consistent with your name knowledge of this
16 case?

17 A. It does.

18 Q. And you're aware that there is also a female codefendant
19 in this case?

20 A. I am.

21 Q. Cady Keener.

22 A. Correct.

23 Q. You're familiar with her, and you've reviewed video with
24 her in it as well?

25 A. I have.

1 MS. MAYES: I'll offer evidence at this time, Your
2 Honor. This is going to be State's 158, and 186 being the
3 metadata. State's 157, and 185 being the metadata. State's
4 156, and 184 being the metadata.

5 MR. STORY: Your Honor, I believe these were all
6 argued. I objected in pretrial here.

7 THE COURT: All right. So that's State's Exhibits
8 156, 157, 158, 184, 185, and 186?

9 MS. MAYES: Yes, Your Honor.

10 MR. STORY: Just to be clear, I objected to the
11 recordings. Metadata here, going to enter, obviously, over my
12 objection. I don't have objections to the metadata.

13 THE COURT: Thank you. Otherwise admitted, subject
14 to your previous objection.

15 (State's Exhibits 156, 157, 158, 184, 185, and 186 received
16 into evidence.)

17 MR. STORY: Thank you, Your Honor.

18 BY MS. MAYES:

19 Q. You are aware, based upon your review of multiple items
20 of evidence in this case, as well as the ongoing investigation
21 of the relationship between the Defendant, Allon Adams, and
22 the codefendant Cady Keener.

23 A. I'm aware.

24 Q. Looking here at State's 181. Based upon your knowledge
25 of the information contained in the phone, did they appear to

1 be in a relationship?

2 A. It does.

3 MS. MAYES: State's 156 to publish. This is audio.

4 THE COURT: Very well.

5 BY MS. MAYES:

6 Q. Now, is there any way to know for sure who this was being
7 sent to?

8 A. Not that I was able to determine at the time.

9 Q. All right. And can you tell us the method or format in
10 which an app was used to make this recording?

11 A. These recordings came from the Snapchat application.

12 Q. All right. And when it comes to Snapchat, are you
13 familiar with the Snapchat account of the Defendant in this
14 case, Allon Adams?

15 A. I am.

16 Q. And was that Snapchat present on the red Vortex?

17 A. It was.

18 MS. MAYES: State's 156.

19 THE COURT: Very well.

20 (Video played.)

21 "THE DEFENDANT: You can pin everything on me, and,
22 shit, we still going to go down. She might get less time, but
23 you still going down together. You even said that before,
24 so -- at the end, there, we both going down together."

25 (Video stopped.)

1 BY MS. MAYES:

2 Q. In that recording, there's a reference to "It might be
3 less time, but we're going down together"?

4 A. There is.

5 MS. MAYES: Next audio to publish, State's 157.

6 THE COURT: Very well.

7 (Video played.)

8 "THE DEFENDANT: Bro, you don't see me yelling on
9 the phone with you. You see me calling you names. I'm
10 letting you know what the fuck going on. I fucked up, and
11 they going to come get your ass, too. What the fuck? I'm not
12 about to go down by myself. I would if you would never did
13 anything, but you going down with me, 'cuz I want you to go
14 down with me, too. So, at the end of the day, bro, you going
15 down, regardless. Even if I go down for this, you going down
16 with me, bro. Damn. Leave it alone. It's said and done,
17 brother."

18 (Video stopped.)

19 BY MS. MAYES:

20 Q. Now, you've indicated that you have worked numerous
21 investigations and major crimes.

22 A. That's correct.

23 Q. What is meant by the term "setup girl?"

24 A. Essentially, it would be the terminology used for someone
25 to interact with somebody to either set them up for a robbery

1 or a murder (phonetic) (crosstalk).

2 Q. The lure. The lure.

3 A. That's correct.

4 Q. To set up the (indiscernible).

5 A. That's correct.

6 MS. MAYES: State's 158 for publishing.

7 THE COURT: Very well.

8 (Video played.)

9 "THE DEFENDANT: And I'm texting everybody in your
10 phone and showing them that she was a setup bitch."

11 (Video stopped.)

12 BY MS. MAYES:

13 Q. All right. "I'm texting everybody in your phone and
14 telling them you was a setup bitch"?

15 A. That's correct.

16 Q. And again, all of those voice notes from the date of
17 January 18, 2024?

18 A. That is correct.

19 Q. Roughly two and a half weeks after Tony's disappearance?

20 A. That's correct.

21 Q. But prior to his body being found?

22 A. That's correct.

23 Q. Now, in addition to those phones being seized during the
24 traffic stop, there's also a phone that was seized from number

25 ■ (phonetic) Kings Quarter. Are you familiar with that phone?

1 A. I am.

2 Q. That phone was what?

3 A. An Apple iPhone.

4 Q. An Apple iPhone. Seized from the residence of Allon
5 Adams' grandmother.

6 A. Correct.

7 Q. Did you have an opportunity to review that phone
8 extraction?

9 A. I did.

10 Q. Did you recover selfies?

11 A. I did.

12 Q. Indicating who was using the phone?

13 A. I did.

14 Q. And do you have metadata associated with those selfies?

15 A. I do.

16 Q. Showing multiple photographs over the course of time?

17 A. That's correct.

18 Q. Do you show as the actual activation date for this phone,
19 meaning when did it first start to be activated or used?

20 A. I don't have that information.

21 Q. I'm going to show you State's 161.

22 Let me ask you this: are you aware of the seizure date
23 for this phone being February 6, 2024?

24 A. I'm aware.

25 Q. So again, once again, after the disappearance of Tony

1 Etheredge.

2 A. That is correct.

3 Q. But before his body is actually found ---

4 A. Correct.

5 Q. --- this phone has been seized. Looking here at these
6 photographs and the metadata associated with them, were you
7 able to identify who is on these selfies located on that Apple
8 iPhone 8?

9 A. Yes, I was able to identify the subject in the photos as
10 Allon Adams.

11 Q. And does it indicate to you whether these selfies were
12 actually taken by the device itself?

13 A. They were.

14 Q. What are the dates in which these selfies were taken?

15 A. The January 13, 2024; January 30, 2024; January 13, 2024;
16 January 20, 2024.

17 Q. So throughout the month of January.

18 A. That is correct.

19 Q. Showing multiple occasions of access to this device.

20 A. Correct.

21 MS. MAYES: State's 188 for evidence, 189 for
22 evidence, 191 for evidence, 190 and 192.

23 MR. STORY: No objection.

24 THE COURT: States Exhibits 188, 189, 190, 191, 192,
25 are admitted in evidence.

1 (State's Exhibits 188, 189, 190, 191, and 192 received into
2 evidence.)

3 BY MS. MAYES:

4 Q. Who is shown in State's 189?

5 A. The Defendant, Allon Adams.

6 Q. Who was shown in State's 191?

7 A. The Defendant, Allon Adams.

8 Q. Who is shown in State's 190?

9 A. The Defendant, Allon Adams.

10 Q. And who is shown in State's 192?

11 A. The Defendant, Allon Adams.

12 Q. Does it appear, based upon the dress and clothing and
13 hairstyles, that these photographs were taken along the course
14 of different dates?

15 A. That's correct.

16 Q. On this Apple iPhone, were there also note accounts
17 associated directly with the Defendant Allon Adams?

18 A. There were.

19 Q. And do you know the alias or nickname for -- that Allon
20 Adams uses?

21 A. I am aware.

22 Q. And is that reflected in those accounts?

23 A. It is reflected in these accounts.

24 Q. Do you have that device report with you?

25 A. I do.

1 Q. Does it show multiple accounts associated directly with
2 Snapchat accounts and other accounts in the name of Allon
3 Adams, on his name alias?

4 A. Yes.

5 MS. MAYES: For evidence at this time, please.

6 THE COURT: What exhibit?

7 MS. MAYES: What is the number on that device?
8 report.

9 THE WITNESS: 161.

10 MS. MAYES: 161 for evidence, Your Honor.

11 MR. STORY: Sorry. Just let me remind myself what
12 161 is. No objection.

13 THE COURT: Exhibit 161 is admitted into evidence.
14 (State's Exhibit 161 received into evidence.)

15 BY MS. MAYES:

16 Q. What are the known accounts for the alias of Allon Adams
17 in that Apple iPhone 8.

18 A. So the accounts that we have that we were able to locate
19 was awarekilo@gmail (phonetic); the WhatsApp with the
20 username, an account name, Kilo dword (phonetic); Instagram
21 with the account name Onlyone_Kilodelmigo (phonetic). And the
22 Apple Wallet was actually associated with the name Allon
23 Adams.

24 Q. Even a financial account, being the Apple Wallet.

25 A. That's correct.

1 Q. And what was the name associated with that?

2 A. Allon Adams.

3 Q. All right. So that one's actually in his legal name.

4 A. Correct.

5 Q. And the known alias that you indicated is what?

6 A. Kilo is the one I'm aware of.

7 Q. Now I know we -- before we come back to that Apple
8 iPhone, I know we talked a lot about the blue Motorola. But I
9 want to ask you about one more item on that blue Motorola,
10 that being an audio recording. I'm going to give you a chance
11 to review 179, being the metadata; and then 154, being the
12 audio recording. This came from that blue Motorola that we've
13 already spoken about?

14 A. Yes.

15 Q. And what is indicated as the date for this audio
16 recording from the blue Motorola?

17 A. January 11, 2024.

18 Q. So a little while ago we heard the recording in reference
19 to the Berg and South Lee. You indicated that with January
20 the 11th.

21 A. That's correct.

22 Q. And so there's at least one more audio recording from
23 that same phone, also on January 11th.

24 A. That's correct.

25 Q. Having worked numerous cases with major crimes, what is

1 meant by the term "caught a body."

2 A. Usually implies that someone killed someone.

3 Q. All right. State's 154, did you preserve this audio
4 recording in reference to this investigation?

5 A. That is correct.

6 MS. MAYES: State's 154 as evidence.

7 MR. STORY: Previous objection, pretrial, Your
8 Honor.

9 THE COURT: State's 154 will be admitted, subject to
10 objection.

11 (State's Exhibit 154 received into evidence.)

12 MS. MAYES: And the metadata, Your Honor, is 179.

13 THE COURT: Any objection to 179?

14 MR. STORY: No objection to the metadata, Your
15 Honor.

16 THE COURT: All right. State's Exhibit 179 is
17 admitted into evidence.

18 (State's Exhibit 179 received into evidence.)

19 BY MS. MAYES:

20 Q. All right. So caught a body, based upon your training in
21 it experience, is a reference to a homicide.

22 A. That's correct.

23 Q. Again, is this in the form of some type of text?

24 A. The audio message, yes.

25 Q. So, once again, if I were to record a text and send it to

1 you that way, as opposed to typing it out.

2 A. That's correct.

3 (Video played.)

4 "THE DEFENDANT: Right. But you just been with me
5 just to be with me. At this point, like, bro, once we got
6 caught the body, like, we was stuck with each other, all
7 right? I can still fuck bitches and do what the fuck I want
8 to because I take care of you. Like, you don't do nothing for
9 me, so why are you complaining? Shut the fuck up. You don't
10 buy me nothing or do nothing."

11 (Video stopped.)

12 BY MS. MAYES:

13 Q. All right. So when the statement is made, "Once we
14 caught a body, we was stuck together," did you interpret that
15 to be in reference to this investigation?

16 A. I did.

17 Q. And, based upon the communication on that phone, what, if
18 anything, indicated to you that the speaker was addressing a
19 female?

20 A. It was numerous communications with the other
21 codefendant, Cady Keener.

22 Q. And in this particular audio recording, did he refer to
23 whoever he is addressing as bitch?

24 A. That is correct.

25 Q. I want to go back to that Apple iPhone 8, the Apple

1 iPhone 8 that received February 6th. You indicated that there
2 were numerous selfies on this phone that you've already
3 identified as the Defendant, Allon Adams.

4 A. That's correct.

5 Q. As well as multiple accounts, including a cash account in
6 the name of Allon Adams or his alias, Kilo.

7 A. That's correct.

8 Q. Did you observe any type of video recordings in which you
9 saw Allon Adams in it?

10 A. I did.

11 Q. And was he speaking in that video?

12 A. He was.

13 Q. I'm going to show you what it State's 152 and ask you
14 whether or not you're familiar with this.

15 A. I am.

16 Q. And was that preserved from that Apple iPhone 8?

17 A. It was.

18 Q. Do you have metadata associated with that? I'm going to
19 show you what it State's 187.

20 A. I do have metadata.

21 Q. What is the date in which this video recording was saved
22 to the phone?

23 A. January 14, 2024.

24 Q. That date again -- January 14th?

25 A. Correct. 2024.

1 Q. 2024? So, approximately, two weeks after the
2 disappearance of Tony Etheredge Jr.

3 A. That is correct.

4 Q. Having reviewed this video before we play it, I want to
5 ask you a few things. Are you familiar with the appearance of
6 the codefendant Cady Keener?

7 A. I am.

8 Q. I believe you've identified her in numerous other
9 photographs that have already been offered as evidence.

10 A. That's correct.

11 Q. Who is visible to you in the background of this video?

12 A. Allon Adams.

13 Q. Allon Adams is visible in the video?

14 A. Yes, along with another person.

15 Q. Okay. Who is the other person?

16 A. Cady Keener.

17 Q. All right. Cady Keener that we see here on the overhead?

18 A. That is correct.

19 Q. She's actually present in the video?

20 A. That is correct.

21 Q. Taken on January 14, 2024?

22 A. That is correct.

23 MS. MAYES: State's 152 for evidence, Your Honor.

24 MR. STORY: Previous objection, Your Honor.

25 THE COURT: This 152?

1 MS. MAYES: State's 152.

2 THE COURT: All right. Subject to objection, so
3 admitted.

4 (State's Exhibit 152 received into evidence.)

5 BY MS. MAYES:

6 Q. Why did you preserve this video?

7 A. Due to the nature of what was said in the video.

8 Q. Did it appear to you to be directly related to a
9 homicide?

10 A. Yes.

11 Q. Who is the person speaking in the video?

12 A. Allon Adams.

13 Q. What, if anything, is stated in the video that made you
14 reach the conclusion that it's related to a homicide?

15 A. I observed, or heard, violent acts spoken about in the
16 video.

17 Q. All right. I'm going to ask you exactly what is
18 addressed in relation to this case involving Tony Etheredge
19 Jr.

20 A. I quote, "Last two words was, oh, shit, like a robot."
21 And I quote, "Blew his F -- bad word -- brains out."

22 Q. All right. Let me stop you right there. Blew his?

23 A. Fucking.

24 Q. Brains out. Are you aware of the autopsy for Tony
25 Etheredge Jr. in this case?

1 A. I am aware.

2 Q. You indicated you actually helped retrieve the body
3 yourself.

4 A. I did.

5 Q. Do you know if he had a gunshot wound?

6 MR. STORY: Objection to hearsay, as to the matter
7 (phonetic).

8 MS. MAYES: I can rephrase it.

9 THE COURT: Very well.

10 BY MS. MAYES:

11 Q. You, yourself, have direct knowledge of the injuries
12 sustained by Tony Etheredge Jr.

13 A. I do.

14 Q. You actually retrieved his body?

15 A. I did.

16 Q. Can you tell us whether or not he had a gunshot wound to
17 the head?

18 A. He did.

19 Q. So the references that we heard previously to "brains on
20 the dash."

21 A. That's correct.

22 Q. And now in this particular recording that you preserved,
23 being the video, you've heard a direct reference to brains?

24 A. That's correct.

25 Q. Again. What is that statement that you hear the -- a

1 person make on this video?

2 A. I apologize -- "Blew his fucking brains out."

3 Q. And that is made by the Defendant, Allon Adams?

4 A. That is correct.

5 Q. What is stated next?

6 A. I quote, "My favorite food is spaghetti. I don't even
7 eat spaghetti no more."

8 Q. And you said that's in reference to the graphic nature of
9 the homicide?

10 A. That's correct.

11 Q. What else is stated?

12 A. "You're going to die and know who killed you."

13 Q. Now, are you familiar with the term 12, or the slang
14 word, 12?

15 A. I am. It typically means police.

16 Q. What is stated in this video regarding 12, or the police?

17 A. And I quote -- I apologize -- "Fuck 12. This shit will
18 never stop."

19 MS. MAYES: All right. State's 152 to publish at
20 this time. And then, Your Honor, also the metadata associated
21 with that is also being offered.

22 THE COURT: That would be Exhibit 187.

23 MS. MAYES: 187, Your Honor.

24 THE COURT: Very well. Any objection to that?

25 MR. STORY: Not to the metadata.

1 THE COURT: Very well. 187 is admitted into
2 evidence. State's 152 is admitted, subject to previous
3 objection.

4 (State's Exhibits 187 and 152 received into evidence.)

5 (Video played.)

6 "THE DEFENDANT: -- died, last two words was 'Oh,
7 shit,' like a robot. Blew his fucking brains out. My
8 favorite food is spaghetti, man. I don't eat spaghetti no
9 more. Literally, (indiscernible) never seen brains, like --
10 it's, like -- bro, that shit, (indiscernible) anywhere. That
11 shit made me not want to eat spaghetti no more."

12 (Video stopped.)

13 Q. Who is this?

14 A. That would be Cady Keener.

15 (Video played.)

16 "THE DEFENDANT: Damn. (Indiscernible) die, he was
17 a big bitch."

18 UNIDENTIFIED SPEAKER: (Indiscernible).

19 THE DEFENDANT: Ain't going to die, no children
20 (phonetic).

21 UNIDENTIFIED SPEAKER: That's the (indiscernible)
22 part. Fuck 12. This shit will never stop."

23 (Video stopped.)

24 Q. And that communication -- F-12. This shit will never
25 stop.

1 A. That's correct.

2 Q. You believe it to be a reference to the police?

3 A. That's correct.

4 Q. And again, that's from that Apple iPhone 8?

5 A. That is correct.

6 Q. I'm going to show you what is State's 168 and ask you
7 whether or not you recognize this.

8 A. I recognize it.

9 Q. How so?

10 A. It's our department's posting on tunnel being a missing
11 person.

12 Q. And do you recall whether or not State's 168 was present
13 on any of the phones in which you conducted a phone
14 extraction?

15 A. It was present.

16 Q. On which phone?

17 A. The apple iPhone.

18 Q. So you recognize State's 168 is coming from that Apple
19 iPhone?

20 A. That is correct.

21 Q. And can you tell us where it appears, based upon this
22 screenshot, it had originated from.

23 A. It came from Snapchat.

24 Q. From Snapchat. So if I'm using my smartphone, and I'm on
25 a social media app, such as Facebook, Snapchat, TikTok, and I

1 choose to make a screenshot, is that potentially preserved on
2 the phone?

3 A. It is.

4 Q. Does that appear to be what this is?

5 A. It's a picture of another device, of the posting from our
6 department.

7 Q. So it's a screenshot preserved on this phone.

8 A. Correct.

9 Q. And the screenshot is of some type of post on social
10 media, such as Snapchat?

11 A. That is correct.

12 MS. MAYES: State's 168 for evidence.

13 MR. STORY: May I see it?

14 MS. MAYES: Yes.

15 MR. STORY: 403 objection, Your Honor.

16 THE COURT: May I see you real quick?

17 MS. MAYES: Yes, Your Honor.

18 (Bench conference.)

19 THE COURT: Ms. Mayes, any response (indiscernible).

20 MS. MAYES: Your Honor, the objection was 403.

21 THE COURT: I believe so.

22 MS. MAYES: Your Honor, it's directly probative been
23 relevant to this crime.

24 THE COURT: All right. Objection's overruled. Will
25 be admitted, subject to objection. What number is this?

1 MS. MAYES: 168, Your Honor.

2 THE COURT: 168.

3 (State's Exhibit 168 received into evidence.)

4 THE COURT: And I find the probative value greatly
5 outweighs any prejudicial effect.

6 BY MS. MAYES:

7 Q. Now, ultimately, all of these phones received from prior
8 to the discovery of Tony Etheredge's body in that creek.

9 A. That is correct.

10 Q. And this had been preserved on one of those phone seized,
11 prior to his body being found.

12 A. That is correct.

13 Q. All right. What is State's 168.

14 A. That would be the screenshot of the posting from social
15 media.

16 Q. All right. And this particular social media post
17 actually originated by what agency?

18 A. Lexington County Sheriff's Department.

19 Q. That's your agency actually putting out Tony's picture?

20 A. That is correct.

21 Q. With information about both Tony and his truck?

22 A. That is correct.

23 Q. And asking any persons with information to contact the
24 sheriff's department?

25 A. That is correct.

1 Q. And then this particular post, being the Lexington County
2 Sheriff's Department, was shared by this individual on
3 Snapchat, known as Sway (phonetic).

4 A. That is correct.

5 Q. And then at some point, someone using this device, the
6 device that was seized and that you extracted, someone using
7 this device, screenshotted that Snapchat post.

8 A. (Indiscernible) sure screenshot, but yes.

9 Q. And therefore preserved it on the phone?

10 A. That is correct.

11 Q. Now, Tony's phone -- you're aware that Tony's phone was
12 actually recovered inside the truck after it had been
13 abandoned there in the field.

14 A. I'm aware.

15 Q. Did you attempt to extract his phone?

16 A. I did.

17 Q. Were you able to?

18 A. I was unable to complete an extraction on the device.

19 Q. All right. And are there some phones that you just can't
20 complete an extraction on because it's not compatible with
21 your software?

22 A. That is true.

23 Q. I'm going to show you State's 144 and ask you if you're
24 familiar with this item. And if you need to unseal it with
25 the court's permission, we ask that you do.

1 (State's Exhibit 144 marked for identification.)

2 THE COURT: Very well.

3 BY MS. MAYES:

4 Q. Can you tell us whether or not a phone was seized from
5 Cady Keener in February 2024?

6 A. There was.

7 Q. Was an extraction conducted on that phone?

8 A. There was.

9 MS. MAYES: State's 144 for evidence.

10 MR. STORY: I do object, Your Honor. I don't
11 believe that Investigator Donnelly seized that phone, so I'd
12 object to the chain of evidence, Your Honor. Hasn't been
13 established where it came from, except through hearsay.

14 THE COURT: (Indiscernible).

15 MS. MAYES: Your Honor, I'll state for the record
16 that a witness will follow who can establish the foundation
17 for this phone. I'm going to have him identify some articles
18 from this phone.

19 THE COURT: From the extraction itself?

20 MS. MAYES: Yes, Your Honor. Yes, Your Honor.

21 THE COURT: That he performed?

22 MS. MAYES: Yes, Your Honor.

23 THE COURT: Okay

24 MS. MAYES: Not for evidence at this time, but to
25 identify.

1 THE COURT: For identification.

2 MS. MAYES: Yes, Your Honor.

3 THE COURT: All right. Proceed.

4 BY MS. MAYES:

5 Q. That particular item that you've identified as the cell
6 phone of Cady Keener, 144, you did an extraction on this
7 phone.

8 A. I did.

9 Q. I'm going to show you some items, 165 and 166, and ask
10 you if you're familiar with these items.

11 A. I am.

12 Q. Is 166 a photograph?

13 A. It is.

14 Q. Did it come from that phone of Cady Keener?

15 A. It did.

16 Q. Is 165 a text message associated with that with that
17 photograph that was sent?

18 A. Yes.

19 Q. I'm going to give you a moment to look at this. And
20 without telling us the content, what is the date associated
21 with that text message?

22 A. That'd be January 29th, 2024.

23 Q. January 29th, 2024. That text message was sent from the
24 phone?

25 A. That's correct.

1 Q. And without getting into the content, it was sent from
2 who to who?

3 A. It was sent from the owner of the device at the time --
4 and, through our knowledge, to be Cady Keener -- to a number
5 associated with Allon Adams.

6 Q. And again, there's a photograph that goes along with
7 that.

8 A. That is correct.

9 Q. All from January 29th?

10 A. Correct.

11 MS. MAYES: For ID at this time, Your Honor.

12 THE COURT: Very well.

13 (State's Exhibit 165 and 166 marked for identification.)

14 BY MS. MAYES:

15 Q. All right. Now, you talked a lot about the phones in
16 which you conducted multiple phone extractions in this case:
17 at least four phones associated with Allon Adams, a phone that
18 you testified just a moment ago is associated with Cady
19 Keener. You retrieved a phone for Tony Etheredge, but you
20 were unable to actually conduct an extraction on that phone?

21 A. That's correct.

22 Q. What other types of devices did you review in reference
23 to this case?

24 A. I reviewed two DVR systems.

25 Q. DVR systems? And those DVR systems were from whose

1 residence?

2 A. It was from Cady Keener.

3 Q. All right. And then, are you also familiar with the
4 residents at [REDACTED] Doe Trail for a juvenile by the name of Ava
5 S. [REDACTED]?

6 A. I am.

7 Q. Did you also review a DVR system containing video -- home
8 surveillance video from that residence?

9 A. I did.

10 Q. And were videos of interest retrieved?

11 A. There were.

12 MS. MAYES: Beg the Court's indulgence.

13 BY MS. MAYES:

14 Q. Going to start with the time frame of December 30, 2023.
15 So the same day in which Tony Etheredge was last known to be
16 alive. Did you retrieve any video of interest from that home
17 phone system or home surveillance system at Doe Trail Court,
18 relating to Tony's missing 2014 Toyota Tacoma?

19 A. I did.

20 Q. I'm going to show you what is State's 196, 197, and 193.

21 A. You told us already that you've observed, ultimately
22 observed, the vehicle yourself. And you're very familiar with
23 the make and manufacture and details of that vehicle?

24 A. I am.

25 Q. This particular residence, Ava S. [REDACTED] -- I want to ask you

1 about that. You aware she was a juvenile?

2 A. I am.

3 Q. Based upon your knowledge of the investigation,
4 approximately 14 years of age.

5 A. Yes.

6 Q. Are you aware as to whether or not that juvenile was
7 acquainted with the codefendant in this case, Cady Keener?

8 A. I was aware they were.

9 Q. Upon observing those home videos, did you see that
10 juvenile, Ava S. [REDACTED]?

11 A. I did.

12 Q. Did you see the codefendant in this case, Cady Keener?

13 A. I did.

14 Q. State's 196, 197, are these screenshots a fair and
15 accurate depiction of what came from that home surveillance
16 system?

17 A. They are.

18 Q. On December 30th, the same date in which Tony Etheredge
19 had disappeared during the early morning hours?

20 A. That's correct.

21 Q. And the time on these video stamps is what?

22 A. It's December 30th, 2023.

23 Q. And what time?

24 A. At 0:936 p.m.

25 Q. All right, so 9:36 p.m., less than 24 hours since Tony's

1 disappearance?

2 A. That's correct.

3 MS. MAYES: For evidence at this time, Your Honor,
4 196, 197, and 193.

5 MR. STORY: No objection.

6 THE COURT: All right. State's Exhibit 196, 197,
7 and 193 are admitted into evidence.

8 MR. STORY: No objection, Your Honor.

9 (State's Exhibits 196, 197, and 193 received into evidence.)

10 BY MS. MAYES:

11 Q. Looking here at the truck, that truck of Tony Etheredge
12 Jr., recovered by law enforcement in this case -- 197 -- why
13 was this video of interest to you, outside the residence of
14 Ava S. [REDACTED]?

15 A. Due to the picture of the vehicle that was depicted, it
16 was similar to the make, model, and year of the victim's
17 truck.

18 Q. All right. And do you have a laser pointer with you?

19 A. I do.

20 Q. And can you show us where you're referring to.

21 A. Right here.

22 Q. And now, what are we looking at in this screenshot, 196?

23 A. That would be Ava S. [REDACTED] walking back to the residence.

24 Q. You were able to identify this person?

25 A. Yes.

1 Q. As who?

2 A. Ava S. [REDACTED].

3 Q. And, to your knowledge, she resides inside that
4 residence?

5 A. That's correct.

6 Q. And is an acquaintance of Cady Keener?

7 A. That is correct.

8 MS. MAYES: Publish the video at this time, Your
9 Honor. Or, actually, I've got a few more screenshots, Your
10 Honor, and then we'll publish all of the videos.

11 BY MS. MAYES:

12 Q. Are you also familiar with what is State's 200?

13 A. I am.

14 Q. Who was assigned the task of reviewing all of this video
15 surveillance footage?

16 A. Myself, assisted, and Major Crimes.

17 Q. All right. And so every time a vehicle consistent with
18 that Toyota Tacoma truck appeared on video, you made a note of
19 it?

20 A. I did.

21 Q. And preserved that video?

22 A. I did.

23 Q. And looking at State's 200, you also recognize that as
24 coming from [REDACTED] Doe Court -- or Doe Trail?

25 A. That is correct.

1 Q. The residence of Ava S. [REDACTED].

2 A. Yes.

3 MS. MAYES: 200 for evidence at this time?

4 MR. STORY: No objection.

5 THE COURT: State's Exhibit 200 is admitted into
6 evidence.

7 MS. MAYES: Along with 194 and 198.

8 MR. STORY: No objection.

9 THE COURT: State's 194, 198 are also admitted.

10 (State's Exhibits 200, 194, and 198 received into evidence.)

11 THE COURT: Defense, Ms. Mayes and Mr. Story, would
12 you all approach real quick.

13 (Bench conference.)

14 THE COURT: Ladies and gentlemen, we've been going
15 for about an hour and 20 minutes. Let's take a short break,
16 refresh yourselves. Let the Bailiff know as soon as you're
17 ready so I can get you back in the courtroom. Please don't
18 discuss the case or do any independent research about
19 (indiscernible). Thank you.

20 THE COURT: Okay. We'll try to get right back in a
21 few minutes. If you need to excuse yourself briefly; just
22 don't discuss your testimony. Thank you.

23 THE WITNESS: Thank you, Your Honor.

24 (Court recessed.)

25 (Court resumed.)

1 THE COURT: Defense ready?

2 MR. STORY: Defense is ready.

3 THE COURT: Anything else before I bring the jury
4 back in?

5 MS. MAYES: Nothing for the State, Your Honor.

6 THE COURT: All right ---

7 MS. MAYES: --- the Court -- the court reporter has
8 indicated that she might have questions about exactly what is
9 in and what isn't. So even when I have completed questioning
10 for Investigator Donnelly, we can reserve the right to go back
11 and clear up if there is any numbers missed. My understanding
12 is that, of all of the numbers referenced, the only ones that
13 are not in are the phone of Cady Keener ---

14 THE COURT: Which you mark for identification.

15 MS. MAYES: Yes, Your Honor. State's 165 and 166.
16 All are for ID only at this time. Other than that, Your
17 Honor, our understanding is that all items have been admitted.

18 THE COURT: I think I'm up to speed on it, too. And
19 we can get the full report at the end of the day and verify.
20 Okay? There have been a few exhibits. All right. Let's
21 bring the jury back.

22 (Jury in.)

23 THE COURT: Please be seated.

24 Ms. Mayes, you may continue.

25 MS. MAYES: All right. And, Your Honor, I believe

1 we have offered 204, 199 -- if not 204, then we are offering
2 204 -- 199, 198, 200 -- all screenshots, as well as the
3 associated videos, those being 203, 194, and 193 -- all the --
4 from the home surveillance system of Ava S. [REDACTED].

5 MR. STORY: No objection.

6 THE COURT: All right. State's Exhibits -- as
7 everything Ms. Mayes you said, so admitted.

8 (State's Exhibits 204, 199, 203, 194, and 193 received into
9 evidence.)

10 BY MS. MAYES:

11 Q. Now, you have spoken about home surveillance being
12 recovered from the date of December 30, 2023. Can you tell us
13 whether or not there was also home surveillance from January 1
14 of 2023?

15 A. Yes, there was.

16 Q. Can you tell us whether or not it appeared to depict that
17 same 2014 Toyota Tacoma truck belonging to Tony Etheredge?

18 A. It did.

19 Q. And what is the date of the next video?

20 A. January 3rd, 2024.

21 Q. All right. So January 1st and January 4th -- January
22 3rd. I'm sorry.

23 A. That's correct.

24 Q. That video from January 3rd, does it also appear to
25 depict that same missing Toyota Tacoma truck belonging to Tony

1 Etheredge?

2 A. It does.

3 Q. And all of these occurring after Tony was known to be
4 harmed.

5 A. That is true.

6 Q. We're going to start with the video from December 30th.
7 Now, does this video have sound?

8 A. No.

9 Q. So you're only viewing the video, what it's recording,
10 which is movement.

11 A. Correct.

12 Q. In and out of Ava S. [REDACTED]'s home.

13 A. Correct.

14 Q. As well as the front yard area of Ava S. [REDACTED]'s home?

15 A. That is correct.

16 Q. What -- based upon your knowledge of this case and your
17 multiple opportunities to review this video, what are we
18 observing right now?

19 A. That would be what is believed to be the victim's truck
20 in the yard of a Ava S. [REDACTED]'s residence.

21 Q. All right. If you need to step down, please do so.

22 THE COURT: And, Your Honor, with permission, if he
23 may.

24 THE COURT: Very well.

25 You may step down, sir.

1 BY MS. MAYES:

2 Q. Who is located here in the foreground?

3 A. That would be Ava S. [REDACTED].

4 Q. And again, the date being December 30th, less than 24
5 hours after Tony's disappearance?

6 A. That's correct.

7 Q. What did you observe about whether or not there was a
8 dome light within the cabin of Tony's truck?

9 A. If you look at the still in the video, there appears to
10 be an interior light on in the vehicle. And you can see that
11 there's two occupants in the vehicle.

12 Q. What, if anything, did you observe about the two
13 occupants of the vehicle?

14 A. It appeared to be a female and a male.

15 Q. And the female was seated where in the vehicle?

16 A. The front passenger seat.

17 Q. This location?

18 A. That is correct.

19 Q. And where was the male seated?

20 A. In the driver's seat.

21 Q. This location?

22 A. That is correct.

23 Q. And who is this individual?

24 A. Ava S. [REDACTED].

25 Q. Thank you. You may return. What we're looking at there

1 is the front yard of Ava S. [REDACTED]?

2 A. That's correct.

3 Q. This being the front porch leading into the residence?

4 A. That's correct.

5 Q. Now, we're going to publish 194 from New Year's Day,
6 January 1st, 2024.

7 (Video played.)

8 Q. Once again, what are we looking at?

9 A. It's security footage from Avis Smith's residence.

10 Q. And what is the time?

11 A. It would be 02:54 a.m. January 1st, 2024.

12 Q. In addition to the driver, does there appear to be
13 movement on the passenger side?

14 A. Yes, there is.

15 Q. So appears to be two occupants of that vehicle.

16 A. That is correct.

17 Q. In the front yard of the residence of a Smith?

18 A. That is correct.

19 Q. And now January 3rd -- two days later, January 3rd,
20 2024 -- publish State's 203 at this time.

21 Based upon your review of that video surveillance, did it
22 ever appear that Ava S. [REDACTED], the resident of the home, went
23 outside to the vehicle?

24 A. Yes.

25 Q. Can you tell us whether it ever appeared that she brought

1 anything to the occupants of the vehicle?

2 A. Yes. It appeared she had stuff in her in hands at some
3 point.

4 Q. Bringing to them.

5 A. Correct.

6 Q. All right. I'm going to stop it once again. Does it
7 appear in this video -- and we'll back it up a little bit --
8 that, once again, that interior light to the Toyota Tacoma
9 truck is on?

10 A. That is correct.

11 Q. And looking at this particular angle, are you able to get
12 a better view of the truck?

13 A. I can.

14 Q. And, based upon all of your observations, do all aspects
15 of the truck appear consistent with Tony Etheredge's truck?

16 A. They do.

17 MS. MAYES: And, at this stage, once again I'm going
18 to ask you to step down. Your Honor, with your permission.

19 THE COURT: Yes, ma'am. Proceed.

20 BY MS. MAYES:

21 Q. With that interior light on, what, if any, observations
22 can you make regarding the interior of the truck?

23 A. That there's two occupants?

24 Q. All right. And, once again, any observations about those
25 occupants?

1 A. Yeah, it appears to be a white female in the front
2 passenger seat and a black male in the driver's seat.

3 Q. Thank you. You may return. This is January 3rd, 2024.

4 A. That is correct.

5 Q. All right. Based upon your knowledge and observation of
6 these videos, who is walking out to that truck at this time?

7 A. That would be Ava S. [REDACTED].

8 Q. Did it appear as if she had something in her hands, based
9 upon your full review of these videos?

10 A. It did.

11 Q. She has stopped. What is happening now?

12 A. There is a vehicle coming up the street.

13 Q. And is that, in fact, a law enforcement vehicle?

14 A. It reflects like it does. Yes.

15 Q. Ava S. [REDACTED] actually gets inside that vehicle?

16 A. That is correct.

17 Q. Where the two occupants had been present that you've
18 identified as a male driver and a female occupant on the
19 passenger side?

20 A. That is correct.

21 MS. MAYES: Beg the Court's indulgence.

22 (Pause)

23 MS. MAYES: Your Honor, I think it's been noted
24 that the three items that have been offered for identification
25 only at this time -- we believe that all of the other items

1 that were offered or presented with a number, an evidence
2 number, have been presented at this time. If not, the State
3 would reserve the opportunity to offer them as evidence at a
4 later point. Thank you. Nothing further for Detective
5 Donnelly at this time.

6 THE COURT: Cross-examination.

7 RECROSS-EXAMINATION

8 BY MR. STORY:

9 Q. All right. Detective Donnelly. You've been up there a
10 while. I'm going to try to start kind of from the beginning
11 of your testimony, but -- let's go to -- start with the Google
12 searches.

13 MR. STORY: Beg the Court's brief indulgence.
14 There's a lot up here.

15 THE COURT: Yes, sir.

16 BY MR. STORY:

17 Q. I'm going to show you what's been marked as State's 167.
18 Do you recall that being the searches you testified to from
19 the Motorola, correct?

20 A. Yes, I believe so.

21 Q. Now, these searches were -- look at the -- yes. These
22 were used on the Chrome browser, correct?

23 A. That is correct.

24 Q. According to the metadata. And I'm just going to stay
25 here. And you're an expert in digital forensics, correct?

1 A. That's correct.

2 Q. That's your area of expertise. So you're familiar with
3 the Chrome browser. That's often used to search, as you
4 testify to, right?

5 A. Correct.

6 Q. Now, this report is actually from an extraction -- you
7 used the Cellebrite software, correct?

8 A. That's correct.

9 Q. Now, each of these entries -- you see 1, and then (11) in
10 parentheses, (12) in parentheses. These are not necessarily
11 individual searches, correct?

12 A. That's correct.

13 Q. So when Google is left open in somebody's cell phone,
14 occasionally it might refresh itself, correct?

15 A. There's a possibility, yes.

16 Q. And there's a possibility, when you run the extraction,
17 it will give multiple reports for one single search, correct?

18 A. That is correct.

19 Q. So it's possible that, from the report, it may appear
20 that there was multiple searches for the same thing, when in
21 reality there was only one search, correct?

22 A. Per term. Correct.

23 Q. Per term, correct. And there was also -- you testified
24 as to the -- the searches from the Vortex as well, correct?

25 A. That's correct.

1 Q. The red Vortex. I'm having trouble out of all this,
2 laying my hands on it, but do you recall if that was also
3 searched using Google Chrome application?

4 A. I believe it was. Okay, thank you.

5 Q. Okay, I'm going to show you what's been marked at State's
6 164. Do you recognize that?

7 A. I do.

8 Q. Okay. That's the extraction from the Vortex, correct?

9 A. That is correct.

10 Q. And the same thing I asked you about the search from the
11 Motorola, that would apply also to the Chrome application on
12 the Vortex, correct?

13 A. That is correct.

14 Q. Thank you. Next, I want to move on to, you've testified
15 as to State's 170, correct?

16 A. Correct.

17 Q. And you also got that off the Motorola?

18 A. I believe so, yes.

19 Q. This time stamp that says Friday, 8:01 p.m., you did not
20 create that, right?

21 A. That is correct.

22 Q. That was -- and you didn't get that from the metadata and
23 then put it on the photo, correct?

24 A. That's correct.

25 Q. It was extracted in that form with that stamp?

1 A. That is correct.

2 Q. So in your area of expertise, you're familiar with social
3 media applications, like Snapchat and Instagram, correct?

4 A. I am.

5 Q. And some of those applications will also have certain
6 filters that let you put things on the photographs, correct?

7 A. That is correct.

8 Q. Does that stamp look similar to a filter that might be
9 used with one of those applications?

10 A. It's possible.

11 Q. And just going through, it's possible, correct?

12 A. That's correct.

13 Q. And you did not create that? That was on the photograph?

14 A. It was on the video.

15 Q. Yeah. Okay. Thank you. On the video, excuse me. The
16 photograph from the video?

17 A. That's correct.

18 Q. And just -- obviously, these were large extractions that
19 you -- extraction reports that you made, correct, from each
20 one of the phones?

21 A. That's correct.

22 Q. And there was, I'd say, a large amount of data from all
23 kinds of applications, correct?

24 A. That is correct.

25 Q. Detective Donnelly, in addition to being a cell phone

1 expert, obviously, you're a deputy with the Lexington County
2 Sheriff's Department, correct?

3 A. That is correct.

4 Q. And you are a law enforcement officer?

5 A. That is correct.

6 Q. In order to become a law enforcement officer, you have to
7 attend the Criminal Justice Academy, correct?

8 A. That is correct.

9 Q. And at Criminal Justice Academy, that's off Broad River,
10 near SLED, correct?

11 A. Yes, that is correct.

12 Q. And that's where you attended as well?

13 A. That is correct.

14 Q. And at the Criminal Justice Academy, you learned to write
15 a report, correct?

16 A. That is correct.

17 Q. And you've put every -- all the important information in
18 the reports, correct?

19 A. That is correct.

20 Q. You've done that in this case?

21 A. That's correct.

22 Q. Okay. Do you recall noting in your report -- you -- you
23 wrote reports associated with your examination of these
24 phones, correct?

25 A. That is correct.

1 Q. When you examined the Motorola, you noted that the user's
2 account ID was associated with the email
3 keener.cady@gmail.com, correct?

4 A. That's correct.

5 Q. Now, it was associated with -- or there was a number of
6 emails used on it, correct?

7 A. That is correct.

8 Q. Some of them contain the name Kilo, correct, as the State
9 asked you about, correct?

10 A. I believe so, yes.

11 Q. But the Motorola -- I mean, you noted that the user's
12 account was keener.cady@gmail.com. If I may, does this look
13 like a page of your report?

14 A. Yes.

15 Q. Okay. And so, page 1450, about halfway down, if you have
16 that. If not, I have a copy.

17 A. I have it.

18 Q. Okay. So you noted that was the user account associated
19 with the owner, correct?

20 A. That's correct. When we do extractions, it provides us
21 with an account that is either already signed in, which is
22 being used, and also lists additional accounts on the device.

23 Q. Okay. And you -- again, in fairness, you listed a number
24 of additional accounts that were used.

25 A. That is correct.

1 Q. Okay. Moving on to the video. You testified that you
2 observed the videos, correct, that were taken from the DVR off
3 DOE Trail.

4 A. Yes.

5 Q. Yes. You observed them. You examined them. They were
6 played in the courtroom.

7 A. That's right.

8 Q. I just want to note -- and, let's see. I'm going to show
9 you what's been marked as State's 199. You recall testifying
10 that that is the Toyota Tacoma, correct?

11 A. (Crosstalk) ---

12 Q. Or what it appears to be the Toyota Tacoma.

13 A. Correct.

14 Q. And it appears that the interior light is on, correct?

15 A. That's correct.

16 Q. And said there was a female and a male in it, correct?

17 A. That's correct.

18 Q. But the video quality isn't good enough to be able to
19 actually identify who's in the truck at this time, correct?

20 A. That's correct.

21 Q. And I want to approach you with what's been marked as
22 State's 204 and State's 200. You recall testing about --
23 testifying about those, correct?

24 A. I do.

25 Q. In State's 204, that's Ava S. [REDACTED] going -- walking to the

1 truck, correct?

2 A. That's correct.

3 Q. That's an associate of Cady Keener, as you testified.

4 A. That's correct.

5 Q. And it in the video, it actually appears that she's
6 bringing something to the truck, correct?

7 A. That's correct.

8 Q. And you also noted that she stops -- as she's bringing
9 something to the truck, she stops at one point, correct?

10 A. That is correct.

11 Q. She stops when a vehicle goes by?

12 A. That is correct.

13 Q. She stops when a law enforcement vehicle goes by.

14 A. What appeared to be, yes.

15 Q. And it appeared to be sheriff's deputy vehicle, correct?

16 A. It's possible.

17 Q. But you testified it looked like a law enforcement
18 vehicle.

19 A. Yes.

20 Q. Going to State's 200, you see the truck. The interior
21 light is off, correct?

22 A. That's correct.

23 Q. You see Ava S. [REDACTED] in this photo, correct?

24 A. That's correct.

25 Q. And you see Cady Keener walking behind her, correct?

1 A. That is correct.

2 Q. So you see -- you can identify Ava S. [REDACTED] in this video,
3 correct?

4 A. That's correct.

5 Q. Taken on January 3rd, 2024.

6 A. Correct.

7 Q. And you can recognize Cady Keener in the video?

8 A. That's correct.

9 Q. And you cannot recognize any other individuals.

10 A. There's no other individuals that are in front of the
11 camera like they were.

12 Q. There are no individuals that you can identify on this
13 video, correct?

14 A. Correct.

15 MR. STORY: Brief indulgence. Thank you, Your
16 Honor. No further questions.

17 THE COURT: Redirect?

18 MS. MAYES: Yes, Your Honor.

19 REDIRECT EXAMINATION

20 BY MS. MAYES:

21 Q. All right. Going back to that question that Counsel just
22 posed, I want to ask you specifically about that January 3rd
23 video. Looking here, State's 199. You've had an opportunity
24 to review this video on multiple occasions.

25 A. That's correct.

1 Q. And you've indicated that there are times that the
2 occupant on the female -- the female occupant actually gets
3 out of the vehicle?

4 A. That is correct.

5 Q. And you are able to make an identification of her?

6 A. That is correct.

7 Q. Who was that?

8 A. Cady Keener.

9 Q. Cady Keener, the known codefendant in this case?

10 A. That's correct.

11 Q. And you indicated that the driver appears to be of what
12 description?

13 A. It would appear to be an African American male.

14 Q. And you never actually saw him exit the car?

15 A. That is correct.

16 Q. Now about those accounts on that blue Motorola that the
17 Defense was just asking you about -- I got a few more
18 questions about that blue Motorola. I'm going to ask you to
19 take a look at this document. What is meant by the term
20 device report?

21 A. It's a report of preliminary data from the device, which
22 usually includes identifying information and user accounts.

23 Q. Do you have a device report for this blue Motorola?

24 A. I do.

25 Q. That report was generated by who?

1 Let me ask it this way: did you -- did the device report
2 come with your extraction?

3 A. It did.

4 Q. Okay. It's part of the extraction process.

5 A. It is.

6 Q. I believe you were asked about accounts on that phone in
7 the name Cady Keener. Who is Triante in this case?

8 A. I know Triante to be an alias of Allon Adams.

9 Q. Okay. I believe a middle name.

10 A. Yes.

11 Q. Okay. So Allon Triante Adams.

12 A. That's correct.

13 Q. Are there accounts utilizing the name Triante?

14 A. There is.

15 Q. You've also indicated the known alias Kilo.

16 A. That is correct.

17 Q. I'm going to ask you to review that document and tell us
18 whether or not you see multiple accounts in that name, Kilo.

19 A. I do.

20 Q. And the audio recordings that you retrieved from this
21 phone utilizing Snapchat and voice note memos, was that a male
22 voice or a female voice?

23 A. It was a male voice.

24 Q. The video that had on it Friday, 8:01 p.m. It showed an
25 individual with the gun. Was that a male individual or a

1 female individual?

2 A. Appeared to be a male.

3 Q. That you've identified as Allon Adams?

4 A. That is correct.

5 Q. Regarding the blue Motorola, was there an Instagram
6 account on that phone?

7 A. There was.

8 Q. What name was the Instagram account?

9 A. Onlyone_Kilodelmigo (phonetic).

10 Q. And the name Kilo?

11 A. That's correct.

12 Q. Was there a Snapchat account on this phone?

13 A. There was.

14 Q. And what name was the Snapchat account?

15 A. The account name was Topkilo76.

16 Q. Topkilo?

17 A. That is correct.

18 Q. Let's go back to this item here, State's 170. I think
19 the Defense had a specific question for you about this
20 particular item. Give me a moment. State's 170 is a
21 screenshot of that video that we saw from the blue Motorola.

22 A. That is correct.

23 Q. And your testimony was that video was December 29, 2023?

24 A. That is correct.

25 Q. I'll come back to that in a moment. But I believe the

1 question from the Defense is whether or not the user can
2 assign a certain date and time to the video.

3 A. Usually, if it's taken with social media applications,
4 it's going to present you with a time that is local to the
5 device.

6 Q. I'm going to show you here whether State's 131, already
7 in evidence; but this being a calendar for the month of
8 December, December 29th. Do you see it on the calendar?

9 A. I do.

10 Q. What day is December 29th?

11 A. Friday.

12 Q. And this screen grab from Snapchat also indicates Friday.

13 A. That is correct.

14 Q. At what time?

15 A. At 8:01 p.m.

16 Q. And did you also have some type of metadata or inclusive
17 data with your extraction that gave you that date of December
18 29, 2023?

19 A. I did. December 29, 2023, with the same time, but not
20 converted in UTC the way I saw it. But converting it to
21 Eastern Standard Time, it would be 801.

22 Q. Okay. So, once you do the time conversion that you are
23 trained to do, it does equate with 8:01 p.m.?

24 A. That is correct.

25 Q. And that's the actual metadata coming from the phone

1 where you pulled this video?

2 A. That is correct.

3 Q. And so does that indicate to you whether or not what is
4 shown on the screen, or on the screen cap itself, is
5 consistent with the actual metadata for that video?

6 A. It is consistent, yes.

7 Q. And that's Friday, December 29, 2023?

8 A. That is correct.

9 Q. At 8:01 p.m.?

10 A. That is correct.

11 Q. Four and a half hours before Tony Etheredge Jr.
12 disappears?

13 A. That is correct.

14 MS. MAYES: Nothing further.

15 THE COURT: Recross?

16 MR. STORY: Brief recross, Your Honor.

17 RECROSS-EXAMINATION

18 BY MR. STORY:

19 Q. And so, regarding this video, this still from the this
20 video -- again, you testified to the metadata associated was
21 on December 29, correct?

22 A. That is correct.

23 Q. But the actual video was made using an application called
24 Snapchat, correct?

25 A. That is correct.

1 Q. And from the report, you can't tell if it was necessarily
2 posted on Snapchat, correct?

3 A. That is correct.

4 Q. Okay. And so my question was, simply, that this date
5 could have been made using a Snapchat filter, correct? That
6 is my question. I'm asking you right now. It could have been
7 made with a Snapchat filter.

8 A. The date and timestamp that's presented could be made
9 with Snapchat.

10 Q. So the voice memos that you recorded, the videos, you
11 don't know if, just on that report, if they were uploaded to
12 an application; you just know that they were made using the
13 application on the phone, correct?

14 A. Where those audio recordings and the pictures and videos
15 were located was in the application file path for Snapchat.
16 So those items were contained within in the Snapchat directory
17 for the application. So I know it was stored locally on the
18 phone.

19 Q. Okay. But you don't know if they were necessarily
20 posted, correct?

21 A. That is correct.

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

23 THE COURT: Witness may step down.

24 MR. HUBBARD: State called Matt Kyzer.

25 THE COURT: Very well.

1 THE CLERK: Raise your right hand, please.

2 Do you swear or affirm any testimony you give to the
3 Court is the truth, the whole truth, and nothing but the
4 truth, so help you God?

5 MR. KYZER: I do.

6 THE CLERK: Thank you. Have a seat, please over
7 there. State your name and spell your last for the record.

8 THE WITNESS: Matthew Kyzer. K-Y-Z-E-R.

9 DETECTIVE MATTHEW KYZER,
10 being duly sworn, testified as follows:

11 DIRECT EXAMINATION

12 BY MR. HUBBARD:

13 Q. Detective Kyzer, where do you work?

14 A. I work for the Lexington County Sheriff's Department.

15 Q. How long have you been there?

16 a. About 13 years.

17 Q. I want to ask you about January 6th of 2024. Were you
18 and Detective Carvajal tasked with going and getting a buccal
19 swab, or buccal swab, from a Maki Grey (phonetic)?

20 A. Yes, we were.

21 Q. And did you all actually locate Mr. Grey?

22 A. We did.

23 Q. And the purpose getting a buccal swab is that so that it
24 can then be sent and tested for DNA.

25 A. Correct.

1 Q. When you located Mr. Maki Grey, did he volunteer to give
2 a buccal swab?

3 A. He did.

4 Q. Who actually did the buccal swab itself from his mouth
5 with a little Q-tip?

6 A. It was Detective Carvajal.

7 Q. And when you were there with him, you watched him and
8 observed how he did it.

9 A. I did.

10 Q. Is there a protocol to doing this?

11 A. Yes. The packet actually comes with instructions inside
12 of it to kind of give you a step-by-step of how to conduct the
13 procedure.

14 Q. And all you officers, you investigators, you all are
15 pretty familiar with doing this. This is a routine thing you
16 all do?

17 A. Correct.

18 Q. Did he follow those proper protocols?

19 A. He did.

20 Q. He wore gloves?

21 A. Yes.

22 Q. He properly sealed it.

23 A. Correct.

24 Q. And when he was done with it, was that then placed into
25 evidence, pursuant to protocol?

1 A. Yes.

2 Q. I want to show you what's been marked State's 205,
3 purports to be buccal swab from a Maki Grey?

4 (State's Exhibit 205 marked for identification.)

5 A. Yes.

6 Q. Do you recognize this?

7 A. I do.

8 MR. HUBBARD: Your Honor, I offer into evidence 205.

9 THE COURT: No objection.

10 THE COURT: State's Exhibit 205 is admitted.

11 (State's Exhibit 205 received into evidence.)

12 BY MR. HUBBARD:

13 Q. Now I want to ask you about February 6th.

14 A. Okay.

15 Q. Did you participate in a search warrant of the home of
16 Cady, the codefendant?

17 A. Yes.

18 Q. Cady Keener. Was at residence at [REDACTED] Elliptic Green Lane
19 in Lexington.

20 A. It was.

21 Q. And, again, that was February 6th of 2024.

22 A. Correct.

23 Q. In that search, did you all locate her phone?

24 A. Yes. There were several that were located. Hers was one
25 of them.

1 MR. HUBBARD: Beg the Court's indulgence. There we
2 go.

3 BY MR. HUBBARD:

4 Q. Looking at State's 144. Does that appear to be the phone
5 that you all seized from Cady Keener?

6 A. Yes.

7 Q. At that residence.

8 A. Yes.

9 MR. HUBBARD: Your Honor, I'm not sure that 144 is
10 in evidence, but I do offer it in evidence at this time.

11 THE COURT: These are phones?

12 MR. HUBBARD: Yes, sir.

13 MR. STORY: No objection.

14 THE COURT: All right. State's Exhibit 144 is
15 admitted.

16 (State's Exhibit 144 received into evidence.)

17 BY MR. HUBBARD:

18 Q. Now, six days later, February 12th of 2024, did you
19 attend the autopsy of Tony Etheredge Jr.

20 A. I did.

21 Q. And where was that?

22 A. That was down at MUSC, the medical university down there.

23 Q. In Charleston?

24 A. Charleston.

25 Q. Was the autopsy, was that performed by Dr. Angelina

1 Phillips?

2 A. Yes.

3 Q. Your purpose in being there, did you collect various
4 items from that autopsy?

5 A. Correct. They have an observation room where we kind of
6 oversee it. And then, at the end, they package everything and
7 provide it to us.

8 Q. You get clothing, things like that.

9 A. Correct.

10 Q. One of the items you got, was it what would be a blood
11 standard for Tony Etheredge Jr.

12 A. Yes.

13 Q. Often referred to as a blood spot, that it can be tested
14 at SLED for DNA?

15 A. Yes.

16 Q. And that's biohazard, correct?

17 A. Correct.

18 Q. So I want to show you a bag, State's 206. Was this the
19 bag that contained that blood spot that went to SLED?

20 A. Yes, it was.

21 MR. HUBBARD: Your Honor, I offer 206 in evidence.

22 MR. STORY: No objections.

23 THE COURT: State's Exhibit 206 is admitted into
24 evidence.

25 (State's Exhibit 206 received into evidence.)

1 BY MR. HUBBARD:

2 Q. And then, Detective, very often, sometimes when they do a
3 test, something might be returned from that, but other times,
4 it's biohazard, correct?

5 A. Correct.

6 MR. HUBBARD: Beg the Court's indulgence. I think
7 that's all I have for this witness.

8 MR. STORY: No questions for this witness, Your
9 Honor.

10 THE COURT: Very well. Witness may step down.
11 Thank you.

12 MR. HUBBARD: State calls Marlo McCann.

13 THE COURT: Very well.

14 THE CLERK: Do you swear or affirm any testimony you
15 give the Court is the truth, the whole truth, and nothing but
16 the truth, so help you God?

17 MS. MCCANN: I do.

18 THE CLERK: Thank you. You can have a seat, please.
19 State your name and spell your last for the record.

20 THE WITNESS: My name is Marlo McCann --
21 M-C-C-A-N-N.

22 LIEUTENANT MARLO MCCANN,
23 being duly sworn, testified as follows:

24 //

25 //

DIRECT EXAMINATION

BY MR. HUBBARD:

Q. Detective McCann, are you -- what is your rank and what do you do with the sheriff's department?

A. I am Lieutenant in the Major Crimes Division.

Q. I want to ask you about a very specific part of this investigation.

February -- February 9th of 2024, did you collect buccal swab from Cady Keener?

A. I did.

Q. And was that voluntarily or by search warrant?

A. It was voluntary. She agreed and signed a consent to search.

Q. And when you took that buccal swab, did you wear gloves and seal it properly and do all the basic protocol that you all were trained to do with buccal swabs?

A. Yes, sir. All that's included in the package.

Q. I'm going to show you what's been marked as State's 208.

Is that the buccal swab that you took from Cady Keener?

(State's Exhibit 208 marked for identification.)

A. Yes, sir.

MR. HUBBARD: Offer 208 into evidence.

MR. STORY: No objection.

THE COURT: State's number 208 is admitted.

(State's Exhibit 208 received into evidence.)

1 MR. HUBBARD: That's all I have for this witness.

2 THE COURT: Any cross?

3 MR. HUBBARD: I would say, at this time, subject to
4 recall.

5 THE COURT: Subject to recall.

6 MR. STORY: Brief indulgence.

7 CROSS-EXAMINATION

8 BY MR. STORY:

9 Q. Lieutenant McCann, briefly. Without going into the
10 contents of any conversation, do you recall interviewing Cady
11 Keener on February 8, 2024?

12 A. Briefly.

13 Q. Okay. You interviewed her at the sheriff's department,
14 correct?

15 A. That's correct.

16 Q. Along with Detective Reed, correct?

17 A. Yes, sir.

18 Q. Okay. Do you recall telling her during that interview,
19 she was helping herself tremendously?

20 A. Not that day. No, sir.

21 Q. Okay. You also interviewed Cady Keener again in 2025,
22 correct?

23 A. Yes.

24 Q. At the Solicitor's office.

25 A. Yes.

1 Q. Correct. And I believe that was November 3rd, 2025.

2 A. That sounds correct.

3 Q. Okay. The interview in February 2024 -- again, I'm not
4 going into the contents of that conversation at this time.
5 But you do not recall telling her that she was helping
6 herself, correct.

7 A. Not just -- not exactly, no. It was an extensive
8 interview. I don't remember exactly everything that was said.

9 Q. Would reviewing video -- the reviewing video refresh your
10 memory?

11 A. I'm sure it would. Yes.

12 MR. STORY: Okay. Your Honor, at this time, I'd ask
13 that the jury be excused for a brief moment so we can refresh
14 Lieutenant Marlo's memory.

15 THE COURT: Very well. We'll take a short break.
16 Please don't discuss the case. We'll have you here as soon as
17 possible.

18 (Jury out.)

19 THE COURT: I'm assuming you have this teed up and
20 ready?

21 MR. STORY: Your Honor, I do have a copy of the
22 video. Now, last time I tried to play it on the Solicitor's
23 computer, they didn't want me put in my hard drive or flash
24 drive.

25 (Pause)

1 (Video played.)

2 "MS. KEENER: -- think (phonetic) you
3 (indiscernible). Okay. Let me just say (indiscernible) saw
4 it happen, you know. It -- it was quite bad enough.

5 MS. MCCANN: That way, (indiscernible) we do ---

6 MS. KEENER: Yeah, yeah, yeah.

7 MS. MCCANN: We're kinda -- well, you were involved
8 in that.

9 MS. KEENER: Yeah. Yeah, (indiscernible) in that.

10 MS. MCCANN: So it's kind of ---

11 MS. KEENER: Yeah.

12 MS. MCCANN: --- okay. Sort of question I
13 (crosstalk) ---

14 MS. KEENER: Yeah.

15 MS. MCCANN: Gotcha. Okay. These were just things
16 we were thinking of after we talked. Your friend -- was not a
17 friend -- your girlfriend is ---

18 MS. KEENER: A friend of his. I didn't know who it
19 was.

20 MS. MCCANN: Okay. What part of Charleston? Do you
21 know?

22 MS. KEENER: No ma'am, I don't. Just -- they were
23 kind of in a weird part of Charleston, too, so I don't even
24 know. It was quite a drive, though.

25 MS. MCCANN: He stayed down that way for a little.

1 We knew (phonetic). That's Reed's decision to make. I'm not
2 going to tell you that you're going to walk out or walk away
3 from this scot-free, though.

4 MS. KEENER: No, I'm okay. But I'm okay with that.
5 I'm okay with that. I just didn't want to have to spend the
6 rest of my life for something I didn't do or even wanted to."

7 (Video stopped.)

8 MR. HUBBARD: Your Honor, I thought we were talking
9 about February 8th and that she was going to have her memory
10 refreshed as to February 8th.

11 MR. STORY: Your Honor, that was not recorded, so I
12 can't refresh her memory with that.

13 MR. HUBBARD: Well, I thought that was the question.

14 THE COURT: (Indiscernible). Well, (indiscernible)
15 thought the point was to refresh the question that was asked
16 during the interview.

17 MR. HUBBARD: Right. On February 8th, whether --
18 whether she was helping herself. And -- and that's why I'm
19 kind of confused.

20 THE COURT: Didn't I just hear that?

21 MR. HUBBARD: This is February 9th.

22 THE COURT: Oh.

23 MR. STORY: Excuse me, February the 9th. I
24 apologize. I got the date wrong, Your Honor.

25 (Video played.)

1 "MS. MCCANN: I can tell you right now, you're
2 helping yourself tremendously."

3 (Video stopped.)

4 MR. STORY: And let me back up a little bit just so
5 it's not out of context.

6 THE COURT: (Crosstalk).

7 MR. HUBBARD: I guess my question, before we do
8 that -- before this jury, it's going to be used to impeach
9 her. Didn't you say this, and -- and I know that he's
10 refreshing her memory, but the question was -- I understood be
11 to the 8th. And so, in the jury's mind, they're going to
12 have -- okay, she either doesn't remember, or she was
13 withholding something. She doesn't know her facts.

14 MR. STORY: No, Your Honor. My question -- I will
15 correct it because that was my mistake that it was February
16 8th. I thought it was February 8th. It was February 9th. I
17 will ask her again when the jury comes out.

18 THE COURT: The date was incorrect. The subject
19 matter you're (indiscernible) what we just heard. So, as long
20 as Mr. Story is going to correct the premise of the question.

21 MR. HUBBARD: Okay. All right. That'd be fine.
22 And, of course, the video won't be played in front of the
23 jury, right?

24 THE COURT: I mean, yeah, I think it's just -- well,
25 did you see is she's been refreshed?

1 BY MR. STORY:

2 Q. And so, don't -- like, don't let me misspeak for you,
3 but, putting in context, you know, she asked, what's going to
4 happen to me? You say, you're not getting out of this scot-
5 free, but you're helping yourself tremendously, correct?

6 A. Correct. Correct.

7 Q. All right.

8 THE COURT: All right.

9 THE WITNESS: On the 9th.

10 MR. STORY: On February 9th, 2024.

11 THE COURT: Okay. We ready to proceed forward?

12 MR. HUBBARD: State's ready.

13 THE COURT: Mr. Story, are you ready to proceed now?

14 MR. STORY: Ready to proceed, Your Honor.

15 THE COURT: All right. See if they're ready. Let's
16 bring them in.

17 (Jury in.)

18 THE COURT: All right. Please be seated.

19 Mr. Story?

20 BY MR. STORY:

21 Q. Okay. Lieutenant McCann, you interviewed Cady Keener on
22 February 9, 2024, correct?

23 A. Correct.

24 Q. Correct. Along with Detective Reed, correct?

25 A. Yes, sir.

1 Q. At the sheriff's department.

2 A. Yes, sir.

3 Q. Do you recall saying to her during that interview -- not
4 asking about what she said; I'm only asking about your
5 words -- you told her, you're not getting out of this scot-
6 free, correct?

7 A. I did.

8 Q. You said, but you are helping yourself tremendously,
9 correct?

10 A. Yes, sir. That was on the 9th, not the 8th.

11 Q. On February 9th. Thank you. No further questions.

12 THE COURT: Redirect?

13 MR. HUBBARD: A few follow-ups.

14 REDIRECT EXAMINATION

15 BY MR. HUBBARD:

16 Q. February 9th, did you make any offers or deals with her?

17 A. Absolutely not.

18 Q. Did you make any promises?

19 A. No, sir.

20 Q. Let me ask you this: between the sheriff's department,
21 Solicitor's Office, who's the one that makes deals on charges,
22 if there's a deal to be made at all?

23 A. That would be the Solicitor's office.

24 Q. And ultimately, is it my decision, as the elected?

25 A. Yes, sir.

1 Q. Were you with us November 3rd of 2025, just this month?

2 A. Yes, sir.

3 Q. When Cady Keener was brought over to my conference room.

4 A. I was.

5 Q. Was her attorney, Eleanor Dean present?

6 A. Yes, sir.

7 Q. Were any promises or deals made at that time?

8 A. No.

9 Q. Was it made clear there would be no promises or deals
10 when we talked to her?

11 A. It was made clear.

12 Q. Before she opened her mouth, was that made clear?

13 A. Yes, sir.

14 Q. Was there any discussion about her charges at all?

15 A. Only that they were still pending.

16 Q. And that we weren't going to talk about what's going to
17 happen to her.

18 A. Correct.

19 Q. That we weren't there about that?

20 A. Exactly.

21 Q. And again, her attorney was there -- no promises, no
22 deals when we had that -- that meeting?

23 A. Yes, sir.

24 Q. And did Cady Keener, with her attorney present, decide to
25 talk to us.

1 A. She did.

2 Q. And you were present as an officer that could take down
3 what she said?

4 A. Yes, sir.

5 Q. When she was done, was there any talk about what would
6 happen to her or on her charges?

7 A. No, sir.

8 Q. At any time before or after or since then, has there been
9 any communication about promises or deals with Cady Keener?

10 MR. HUBBARD: Thank you.

11 THE COURT: Any recross?

12 MR. STORY: No recross, Your Honor.

13 THE COURT: The witness may step down. Thank you.

14 MR. HUBBARD: I beg the Court's indulgence on the
15 next witness. It's getting late. Thank you.

16 THE COURT: Counsel, can you approach real quick?

17 (Bench conference.)

18 THE COURT: Okay. Next witness?

19 MS. MAYES: The State calls Rachel Nguyen.

20 THE CLERK: Raise your right hand, please.

21 Do you swear or me testimony any testimony you give
22 the Court is the truth, the whole truth, and nothing but the
23 truth, so help you God?

24 MS. NGUYEN: I do.

25 THE CLERK: Thank you. Have a seat, please. State

1 your name, and please spell your last.

2 THE WITNESS: My name is Rachel Nguyen.

3 N-G-U-Y-E-N.

4 RACHEL NGUYEN,

5 being duly sworn, testified as follows:

6 DIRECT EXAMINATION

7 BY MS. MAYES:

8 Q. Tell us a little bit about yourself. Where are you
9 employed?

10 A. I am truly (phonetic) employed at the South Carolina Law
11 Enforcement Division, most commonly known as SLED. I am a
12 forensic scientist within the DNA casework department within
13 the forensics laboratory.

14 Q. And how long have you been with SLED?

15 A. I've been at SLED for over 11 years.

16 Q. Tell us about your educational background and training.

17 A. I have two bachelors of science degrees from the
18 University of New Haven, one in forensic science and one in
19 biology. Upon being employed within the DNA casework
20 department, I've undergone several different training programs
21 to include evidence processing, serological testing, which is
22 testing for bodily fluids, such as blood, semen and saliva,
23 and I also perform DNA analysis.

24 Each of the training programs were mapped out in a
25 similar manner. There was a period of observation of whatever

1 type of analysis I was being trained in. I was then able to
2 practice these types of analysis and observe courtroom
3 testimony in that area. I attended multiple lectures, in
4 which I had to take a quiz on the lectures and successfully
5 pass. And then, at the end of my training program, I entered
6 a competency testing phase.

7 So that, at minimum, was comprised of four components: a
8 written exam, an oral examination, a mock case, and mock port.
9 And once all the components were successfully completed, I was
10 then able to perform independent analysis in that area of
11 testing.

12 Q. All right. How long have you been working, specifically
13 with SLED, in the field of serology?

14 A. This week was eight years.

15 Q. Eight years. And have you testified previously as an
16 expert in the field of serology?

17 A. I have.

18 Q. How many such times?

19 A. Approximately, 20.

20 Q. Twenty times?

21 A. Yes.

22 Q. And you said you're also trained and experienced in
23 conducting DNA analysis?

24 A. I am.

25 Q. Now are you the only DNA analyst within the SLED lab?

1 A. Oh, no. The DNA casework department has approximately 30
2 individuals who work in some capacity there.

3 Q. Okay. And you, yourself, do serology. Is that a
4 different field and a different type of training than DNA?

5 A. Yes. So the primary focus would be that body fluid
6 testing -- blood, semen or saliva -- as well as evidence
7 processing. So taking items of evidence that they have DNA
8 left behind and either handling that object or being the
9 primary wearer of that object. We also sometimes will collect
10 hair, as -- if that's what (indiscernible).

11 Q. All right.

12 MS. MAYES: And -- Your Honor, at this time, the
13 State would offer Rachel Nguyen as an expert in the field of
14 serology and DNA prep.

15 THE COURT: Any voir dire?

16 MR. STORY: None, Your Honor. No objection.

17 THE COURT: All right. Ladies and gentlemen, this
18 witness will be qualified in the area of serology and DNA prep
19 and give a opinion testimony in that area. Doesn't mean you
20 must accept the opinion, but it's evidence for you to use in
21 any way you see fit?

22 BY MS. MAYES:

23 Q. Now, Agent Nguyen, are you familiar with evidence
24 submitted in this case, pursuant to SLED lab number
25 L-24-00702?

1 A. I am.

2 Q. And in this particular event, the victim was Tony
3 Etheredge?

4 A. I believe that's true.

5 Q. And do you have with you a copy of that report?

6 A. I do.

7 Q. All right. I'm going to ask you about some specific
8 items that were submitted to SLED for analysis.

9 A. Okay.

10 Q. The first being a hoodie and a towel. I'm going to show
11 you State's 137 and 138.

12 MS. MAYES: Your Honor, with your permission, if she
13 may unseal.

14 THE COURT: Very well.

15 THE WITNESS: So State's 138 is SLED item 6, which
16 would be the black hoodie. And State's item 137 is SLED item
17 5, which is the black bath towel.

18 BY MS. MAYES:

19 Q. Did those items come to you for analysis?

20 A. They did. I recognize that because I labeled the
21 exterior packaging with the unique case number, the unique
22 item number, my initials and the date that I opened the item;
23 as well as after I performed processing, I then resealed these
24 items. And it has my initials and the date that I resealed
25 these items.

1 Q. All right. Now, the type of packaging that they're in, I
2 note that there is evidence tape. Why is evidence tape used
3 to seal such packaging?

4 A. So, usually, evidence tape or sometimes packaging tape is
5 used because it is tamper evident. So you should be able to
6 see if someone has ripped it in order to open the packaging.

7 Q. All right. And can you tell us how those items arrived
8 to your lab.

9 A. So the items of evidence that arrived to SLED laboratory
10 were in a sealed state, meaning they were either in a box or
11 in a bag or in what we also have as a heat sealed pouch, all
12 sealed properly with initials and date of whoever was
13 submitting that evidence to the laboratory.

14 Q. Let's take a look now at State's 20. You've indicated
15 that certain items meeting that description, being a hoodie
16 and a towel, arrived to your lab in a sealed condition.

17 A. That's correct.

18 Q. And is that normal? Once CSI has actually collected
19 evidence from a crime scene wearing gloves, that they would
20 then seal it?

21 A. Yes. So we -- at the SLED laboratory, we have to receive
22 the evidence in a sealed state. If, perhaps, it is given to
23 us by another agency, and it's not sealed, that agency will be
24 contacted to come back and make sure that the evidence is
25 being submitted properly, properly meeting the sealed

1 condition.

2 Q. So these particular items being a black hoodie and a
3 towel, the items that are before you, can you tell us how you
4 know for sure that they were properly sealed when they arrived
5 to you for initial serology analysis?

6 A. May I remove this?

7 Q. Yes.

8 MS. MAYES: Your Honor, with your permission, if she
9 may unseal.

10 THE COURT: Very well.

11 BY MS. MAYES:

12 Q. And then, also, do you keep records internally that would
13 reflect if there had been any breakage or tampering with an
14 evidence seal?

15 A. Yes. There are multiple locations where that would be
16 documented. So I have an evidence worksheet which documents
17 any evidence I'm performing analysis on, and I would document
18 it there if something were not sealed. There's also a more
19 general location within our electronic system, where we would
20 document that we received an item that was not sealed.

21 Q. Based upon all of your review of the notes in this case,
22 including within the lab, was there ever an indication that
23 any of these items were not properly sealed once they arrived
24 to you for analysis?

25 A. There was not.

1 So these two items, to go back to your original question,
2 did come in a sealed state. This is the original red seal as
3 I was received it with initials and date of the individual who
4 initially sealed these packages.

5 Q. All right. And they arrived to you in a sealed state.
6 Are you the first person within the lab who actually unsealed
7 the black towel and the hoodie that were submitted by the
8 Lexington County Sheriff's Department for analysis?

9 A. I am.

10 Q. So you actually unsealed them for the first time within
11 the SLED laboratory?

12 A. I did.

13 Q. I want to ask you a little bit more about serology. You
14 spoke about DNA as a science, but what's unique about serology
15 as a field of science?

16 A. So serology can be beneficial in order to identify a
17 bodily fluid that may be of interest to a case. That --
18 bodily fluids are also very rich in DNA, so that also helps
19 that portion of the analysis down the line.

20 Q. And when you talk about bodily fluids, does that include
21 blood?

22 A. Yes.

23 Q. And do you have a means and method in which you can
24 analyze a certain stain that may appear to be blood to
25 determine whether or not it may be positive as blood?

1 A. Yes. So, generally, when an item is submitted to the
2 laboratory with a blood analysis request, I will visually
3 examine that item to locate any possible stains that I believe
4 are consistent with the body fluid of blood. Once I locate
5 any of those stains, I will circle them, and then I will use
6 our presumptive blood test, presumptive meaning to indicate
7 the possible presence of blood.

8 If it's positive, that may indicate that blood as a body
9 fluid may be present in that stain. And if it's negative, it
10 does not indicate that that is possibly present.

11 Q. All right. And do you do that testing yourself, Agent
12 Nguyen?

13 A. I do.

14 Q. And you have done that type of testing on numerous
15 occasions prior to your involvement with this case?

16 A. Absolutely.

17 Q. I'm going to ask you, first, about the item that's
18 labeled, a hoodie. That is State's 138, already in evidence.
19 What, if any, notes are on the outside of this packaging,
20 regarding the hoodie?

21 A. So on my evidence worksheet, as I mentioned earlier, I
22 have that, "From ground, near tree line of woods from field"
23 was written on the front of the packaging.

24 Q. So from the ground, near the tree line from the field.
25 And what, if anything, is indicated about the color of the

1 hoodie?

2 A. That it's black.

3 Q. All right. And what is your SLED number for this item?

4 A. SLED number 6 for the hoodie.

5 MS. MAYES: All right. Your Honor, with your
6 permission, if she may step down.

7 THE COURT: Very well.

8 (Pause)

9 BY MS. MAYES:

10 Q. Now, Agent Nguyen, I'm going to ask you to keep your
11 voice up so that the court reporter can hear you. And you may
12 want to -- let me move over here, and then she can see you.

13 All right, can you show the jury what those markings are
14 on the hoodie and tell us why they're there?

15 A. So the markings on the hoodie, as you can see, different
16 locations were circled in silver. That's, as I mentioned --
17 if I notice any areas of interest to test, I will circle them.
18 You can also possibly see some words. Each circle has a
19 result next to it. If there is a positive phen (phonetic)
20 sign, that means that that area was -- tested presumptively
21 positive for blood. If you see this negative -- I'm sorry,
22 equal sign phen, that means that that area tested negative.
23 We do an equal sign because an equal sign you cannot alter to
24 make a positive sign.

25 Q. Sign. Now, upon your visual examination of this item,

1 the black hoodie with the Yellowstone logo, was there any
2 visual indication to you, as a serologist, that it did, in
3 fact, have the presence of blood?

4 A. Yes. So, as I mentioned, based on what the different
5 stains on this item look like, that's what -- how I decided
6 what area to test. You may notice that there are holes or
7 pieces missing from this hoodie. Those were cuttings I made
8 that were positive for the presumptive blood test and were
9 removed for further analysis.

10 Q. All right, and when you say removed for further analysis,
11 the cuttings that you took from this, you actually forwarded
12 to a different section within the lab.

13 A. Yes. So once an area is presumptively positive for
14 blood, I will assign it a new item number. So this was, I
15 believe item 6. So any cuttings that I removed off of this
16 would be 6.1, 6.2, and so forth. I will package those
17 cuttings into another envelope, package all of the cuttings
18 that I have taken off of this item into a heat-sealed pouch
19 and then that will be forwarded for DNA analysis.

20 Q. All right. So you're actually cutting where you are
21 observing what you believe are to be blood stains?

22 A. Yes. And the test is positive.

23 Q. And then, from there, someone else within the DNA lab can
24 potentially determine whose blood it is?

25 A. Yes. So they will do DNA analysis and make any necessary

1 comparisons.

2 Q. So DNA -- deoxyribonucleic acid -- is it present within
3 blood?

4 A. Yes. So the DNA is actually present within your white
5 blood cells, within blood.

6 Q. All right. Now what if, in addition to the cuttings that
7 you made to determine where the blood stains came from and
8 whose blood it may be -- what if there's also a request to
9 determine who may have touched or handled that hoodie?

10 A. So for touch collection, that would have to be something
11 that is specifically requested by the agency of whatever areas
12 of interest they would like us to collect a touch swab from.

13 Q. All right. And what are we looking at here.

14 A. This is a sterile scraper. So anytime touch is
15 collect -- the touch processing is performed on an article of
16 clothing, so a porous item, generally, I will scrape the area
17 of interest. Scraping is going to rough up any skin cells
18 that may possibly be present. And then I'm going to go behind
19 it and swab any skin cells that may be present. I will
20 package that swab in a similar manner to the cuttings that I
21 just mentioned, and it would be forwarded for further
22 analysis.

23 Q. All right. So in addition to determining DNA from blood
24 stains, you can also potentially determine DNA for anyone who
25 may have handled that item without wearing gloves?

1 A. Yes. Anyone who may have come into contact or left their
2 DNA behind on an item.

3 Q. All right. Even by handling it?

4 A. Yes.

5 Q. And sometimes may a DNA mixture result if you have a
6 different person bleeding onto the item as the person handling
7 the item?

8 A. That's possible.

9 Q. All right. And, for example, if I were to bleed onto
10 your jacket that you're wearing now, would it potentially have
11 my DNA from my blood stain?

12 A. Yes.

13 Q. And would it potentially have your DNA because you've
14 handled it or have worn your jacket?

15 A. Yes.

16 Q. All right. Thank you. You may return.

17 A. Show you a couple of photographs, as well as State's 212,
18 State's 210, and then State's 209, which is going to be one
19 exhibit. One moment. And in addition to 209, State's 212.
20 How do you recognize these items?

21 (State's Exhibit 212, 210, and 209 marked for identification.)

22 A. So the photographs I recognize because they are
23 photographs that I have taken. They are of the item after I
24 performed presumptive blood test. It's showing the results
25 for each of the stains on item 6. In addition, each of the

1 photographs have a Post-it note that has the unique case
2 number, the item number, and my initials.

3 MS. MAYES: Your Honor, 209 and 210 for evidence at
4 this time.

5 MR. STORY: No objection.

6 THE COURT: State's Exhibits 209 and 210 are
7 admitted into evidence.

8 (State's Exhibits 209 and 210 received into evidence.)

9 BY MS. MAYES:

10 Q. Now, looking at 209, is this the same hoodie that you
11 just showed us?

12 A. Yes.

13 Q. What are we looking at here? And I'll get a little bit
14 closer on it. But what sign is indicated right here? Is that
15 a positive or a negative?

16 A. That is a positive.

17 Q. And right here, is that a positive or a negative?

18 A. That is also a positive.

19 Q. And way down here at the bottom, if you can see that, is
20 that a positive or a negative?

21 A. I believe that's a positive.

22 Q. All right. So there were multiple locations on this
23 hoodie, in which it tested positive for what?

24 A. It's a positive test for blood.

25 Q. Now we're going to look at 210, the back of the hoodie.

1 Does this indicate positive or negative?

2 A. Positive.

3 Q. And here, positive or negative?

4 A. Positive.

5 Q. And every time you have a positive test, you do what?

6 A. I assign a unique item number and then forward that for
7 analysis. So you can see in the photograph that, in addition
8 to the positives, there are numbers. So that's their -- the
9 cutting queue (phonetic) number.

10 Q. So you say cuttings, you're actually cutting those
11 samples once they test positive?

12 A. Yes. I'm removing them from the item.

13 Q. What are we looking at right here, State's 212?

14 A. If you need to unseal it --

15 MS. MAYES: Your Honor, with your permission, she
16 may?

17 THE COURT: Very well.

18 (Pause)

19 THE WITNESS: So State's 212 has the cuttings that I
20 have made. I can generally see from the outside the evidence
21 tape. I sealed all these envelopes. In addition, there are
22 test tubes in here, which is where, once I remove a cutting
23 from the hoodie, for example, I will cut a small portion to
24 prepare it for DNA analysis. I will put that small portion in
25 a tube and label the tube with the unique case number and the

1 item number. So within this packaging is also the tubes that
2 I may have prepared for DNA analysis.

3 BY MS. MAYES:

4 Q. All right. And then, were there locations on this hoodie
5 where you also made a collection for the purpose of potential
6 touch DNA?

7 A. So, yes. The hoodie, SLED item 6.8, was a swab from
8 scraping the interior cuffs and collar.

9 Q. All right. So that scraper that you showed us just a few
10 minutes ago, you used that tool?

11 A. I did. And, again, it's a sterile scraper. I remove it
12 from any packaging. And then I retain it with the item to
13 also show that it has not ever been used with any other item.
14 It stays with the item that it was used with.

15 Q. All right. And you're testing here, the cuffs, as well
16 as that area?

17 A. Yes. The interior cuffs and collar.

18 Q. Again, for potential touch DNA?

19 A. Yes.

20 Q. Now, in addition to the hoodie, can you tell us whether
21 you also checked that black towel for the possible presence of
22 blood.

23 A. I did.

24 Q. And is that the towel before you

25 A. It is.

1 Q. What, if anything, did you observe in examining the towel
2 for the possible presence of blood?

3 A. So a similar method was performed on the towel. I
4 visually examined the towel, looking for any possible areas of
5 interest to test for blood. And I located several and tested
6 those areas for the possible presence of blood. And then, for
7 the towel, I removed four cuttings.

8 MS. MAYES: And, Your Honor, if she may unseal.

9 THE COURT: Very well.

10 BY MS. MAYES:

11 Q. Can you show us where you observed what appeared to be
12 blood?

13 A. May I stand?

14 Q. Yes.

15 A. So all these missing portions were cut and imported for
16 DNA analysis, due to that they tested positive for the
17 possible presence of blood.

18 Q. All right. You may return that item.

19 And, just as you indicated with the hoodie, were those
20 cuttings from that black towel also preserved and sealed by
21 you and submitted to your DNA analysis lab.

22 A. Yes. It would have gone through the same process.

23 Q. Are they present in State's 212?

24 A. Yes.

25 Q. And State's 212 bears who's signature?

1 A. Oh, on the front -- me, because I created this packaging
2 for all of the cuttings.

3 Q. So, once you've made the cuttings, do you then properly
4 seal it and submit it to a DNA analyst?

5 A. Yes. Either it goes directly to the DNA analyst, or it
6 may go back to our evidence control department until it's
7 ready to be retrieved by the DNA analyst.

8 Q. All right. And who was the DNA analyst in this case who
9 conducted the testing?

10 A. Catherine Leisy.

11 Q. So all items properly resealed by you?

12 A. Yes.

13 Q. And do you see your initials within the internal packages
14 as well?

15 A. I do, as well as the external packaging.

16 MS. MAYES: Your Honor, State's 212, being the
17 cutting, multiple cutting, for evidence.

18 MR. STORY: No objection.

19 THE COURT: State's 212 is admitted.

20 (State's Exhibit 212 received into evidence.)

21 BY MS. MAYES:

22 Q. How many of those cuttings from the towel were positive
23 for blood?

24 A. Four.

25 Q. Now, in addition, were items submitted to you, consistent

1 with Lexington County Sheriff's Department, item number 8
2 coming from the driver's seat cushion?

3 A. Yes. I received what was slide item 7, which is a
4 cutting from the driver's seat foam.

5 Q. I'm going to show you these items and ask you whether or
6 not you recognize them. State's 135 and State's 134.

7 A. I do not recognize 134. I do not believe I have this
8 item.

9 Q. All right.

10 A. But I do recognize State's Exhibit 135. Again, the outer
11 packaging has my labeling of the case number, the item number,
12 my initials and date.

13 Q. And what is your description for that item?

14 A. For item 7, it was cutting of driver's seat foam.

15 Q. All right. So there's driver seat cushion, and then
16 underneath the cushion, there's also driver's seat foam.

17 A. Yes.

18 Q. And it's the foam that you actually examined for serology
19 purposes?

20 A. That's correct.

21 Q. Tell us what, if anything, you observed upon your
22 examination of the driver's seat foam.

23 A. I tested the cutting for the possible presence of blood,
24 and the result was that it was positive.

25 Q. Positive for blood.

1 A. Possible for the possible presence of blood.

2 Q. And then once you get a positive, what do you do with
3 that item? What did you do with that driver's seat foam? Who
4 did you forward that to?

5 A. Catherine Leisy. I would have done the same process,
6 cutting a small portion of the seating, placing it into a
7 tube, labeling that tube with the unique case number and item
8 number, and then forwarding it for further analysis.

9 Q. And again, that's to determine potentially whose blood
10 that is?

11 A. Yes.

12 Q. Just as you did to determine whose blood is on the hoodie
13 and the towel?

14 A. That is correct.

15 Q. I'm going to show you State's 33, which is a tailgate.
16 And I'm going to ask you, specifically, about an item A, the
17 law enforcement label would have been item A, swabs from a
18 tailgate and ask you whether or not you had any contact with
19 that item.

20 A. Yes. I received SLED item 8, which was described as
21 swabs from stain from tailgate, A. And I took these swaps,
22 and I performed the same presumptive blood test, which was
23 positive. So, therefore, I then prepared that sample also for
24 DNA analysis.

25 Q. All right. When you say you prepared it for DNA

1 analysis, are you actually conducting the DNA yourself?

2 A. Not in this case.

3 Q. You're just prepping it for DNA to go to Katherine Leisy?

4 A. That is correct.

5 Q. And again, that was determined to be blood or

6 presumptively positive for blood.

7 A. That is correct.

8 Q. I'm going to ask you about swabs from the steering wheel,

9 I believe, labeled item K. Did you have any role in the prep

10 of those items that made their way to the DNA analysis

11 department?

12 A. I do not believe I had those swabs in my possession.

13 Q. So there are some swabs that go directly to Agent Leisy

14 for DNA analysis?

15 A. Yes.

16 Q. The buccal swab for Cady Keener, did you play any role in

17 the prep of that item?

18 A. I did not.

19 Q. The buccal swabs or blood spot from the autopsy of Tony

20 Etheredge, did you play any role in the prep of that item?

21 A. I did not.

22 Q. So, once again, those items are going directly to Agent

23 Leininger in DNA?

24 A. That's correct.

25 Q. Along with the buccal swab known standard of the

1 Defendant in this case, Allon Adams.

2 A. I believe that's true.

3 Q. Now, in addition to all of these items that you've noted,
4 the hoodie, the towel, the swabs from the back tail gate, were
5 there any other items that may potentially contain blood that
6 were submitted to you for analysis in this case?

7 A. Yes.

8 Q. And can you tell us whether or not that is the item noted
9 on the report, dated July 17th, 2025.

10 A. What was the date? July?

11 Q. July 17th, 2025.

12 Going to show you what is State's 211, and ask you if you
13 recognize what is depicted in this photograph.

14 A. I do.

15 Q. Okay. State's 211 was photographed by who?

16 A. That was photographed by me.

17 Q. Okay. Is this another item that was submitted to your
18 department for a potential analysis?

19 A. Yes. It was item 23, which was described as a
20 multicolored quilt.

21 MS. MAYES: All right. I believe 211 is offered at
22 this time, Your Honor, without objection.

23 MR. STORY: That's correct.

24 THE COURT: All right. So admitted, Exhibit 211.

25 (State's Exhibit 211 received into evidence.)

1 BY MS. MAYES:

2 Q. All right, 211 -- this is a quilt that comes to you,
3 separate and apart from those other items.

4 A. Yes, I did process the quilt on a different day.

5 Q. All right. And what notes do you have about the quilt?

6 A. So, on my evidence worksheet, I noted that it was
7 multiple patterns. Some were patches that were no longer sewn
8 together, and that there was outdoor debris present. And then
9 I designated a side A and a side B to distinguish for testing.

10 MS. MAYES: Beg the Court's indulgence.

11 BY MS. MAYES:

12 Q. That item, what can you tell us about whether or not
13 there was an indication of blood on that item?

14 A. So I circled several locations for blood testing. I only
15 took one cutting off of the quilt, which is described as item
16 23.1 -- cutting from white fabric area on side A of the
17 multicolored quilt. I removed this cutting again because the
18 result for the presumptive blood test was positive.

19 Q. Positive. All right, and so this quilt also had a
20 presumptive positive test for blood?

21 A. Yes.

22 MS. MAYES: Beg the Court's indulgence.

23 BY MS. MAYES:

24 Q. And again, was a cutting made from this?

25 A. Yes.

1 Q. And that cutting was also forwarded to your DNA
2 department?

3 A. Yes, it was.

4 MS. MAYES: Thank you. Nothing further at this
5 time.

6 THE COURT: Cross-examination?

7 MR. STORY: Briefly.

8 CROSS-EXAMINATION

9 BY MR. STORY:

10 Q. You said -- I mean, you testified that you tested several
11 spots that were positive for blood, correct?

12 A. That's correct.

13 Q. And blood, as you testified, can be rich in DNA, correct?

14 A. Blood is rich in DNA.

15 Q. But you can get DNA from other substances as well,
16 correct?

17 A. Yes. Other bodily fluids, and as we discussed, possible
18 skin cells that may be left behind.

19 Q. That can be dead skin cells from touch, correct?

20 A. Yes. From handling or coming into contact with an item.

21 Q. Obviously, you don't have -- you have no way of knowing
22 how the DNA, or potential DNA, got on the items, correct?

23 A. I do not.

24 MR. STORY: No further questions.

25 THE COURT: Redirect?

1 MS. MAYES: Yes, Your Honor.

2 REDIRECT EXAMINATION

3 BY MS. MAYES:

4 Q. You don't know how these -- how DNA got on these items,
5 but blood -- can blood get on -- get on an item if someone is
6 actively bleeding?

7 A. I would say, if someone bled on an item or if it came
8 into contact with a blood stain.

9 Q. Bleeding onto a driver's seat can saturate the foam
10 Underneath?

11 A. Yes. If blood is present, it'll go through the fabric.

12 Q. And blood being present and coming into contact with a
13 towel and hoodie can also result in that blood being
14 transferred to those items?

15 A. Yes. It would have to come into contact with the bodily
16 fluid blood to be present.

17 Q. And then when we talk about touch DNA, if someone handles
18 or holds on to an item, can they leave DNA behind?

19 A. Yes. Folding, coming into contact, wearing an article of
20 clothing -- that you could leave DNA behind.

21 MS. MAYES: Thank you. Nothing further.

22 THE COURT: Recross?

23 MR. STORY: No recross, Your Honor.

24 THE COURT: All right. Witness may step down.

25 (Bench conference.)

1 THE COURT: All right. Ladies and gentlemen,
2 that'll be our last witness today. We'll start again tomorrow
3 morning. Please be back in the jury room at 9:15. Appreciate
4 you all being here today. Please don't discuss the case or do
5 any independent research of the case or on anyone involved in
6 the case, but have a evening. We'll see you tomorrow, 9:15.

7 (Jury out.)

8 THE COURT: Okay. Anything else for record before
9 we part for the day?

10 MR. HUBBARD: Not from the State.

11 MR. STORY: Nothing from the Defense.

12 THE COURT: Ms. Mayes, we have -- we're endeavoring
13 to keep a spreadsheet up here, too. (Indiscernible) off
14 yours.

15 MS. MAYES: Thank you, Your Honor.

16 THE COURT: All right. Have a good evening.

17

18 (THERE BEING NOTHING FURTHER, THIS HEARING WAS ADJOURNED UNTIL

19 THURSDAY, NOVEMBER 20, 2025, AT 9:30 A.M.)

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P R O C E E D I N G S

Thursday, November 20, 2025

(Jury not present.)

(Defendant present.)

THE COURT: Anything for the record before we bring
in the jury this morning?

MS. MAYES: Nothing from the State, Your Honor.

MR. STORY: Nothing for the Defense.

THE COURT: Let's bring them in.

(Jury in.)

THE COURT: All right. Everyone, please be seated.
Hope everyone had a nice evening.

Go ahead and pick up the next witness in the State's
case.

MS. MAYES: Your Honor, the State calls Agent
Catherine Leisy.

THE COURT: Very well.

THE CLERK: Could raise your right hand, place
your left on the Bible.

Do you solemnly swear or affirm your testimony to
the Court today to be the truth, the whole truth, and nothing
but the truth, so help you God?

MS. LEISY: I do.

THE CLERK: Please take a seat in the witness stand.
State your full name and spell your last for the record.

1 THE WITNESS: Catherine Leisy, L-E-I-S-Y.

2 CATHERINE LEISY,

3 being duly sworn, testified as follows:

4 DIRECT EXAMINATION

5 BY MS. MAYES:

6 Q. Good morning.

7 A. Good morning.

8 Q. Can you tell us a little bit about yourself? Where are
9 you currently employed?

10 A. I work in the South Carolina Law Enforcement Division,
11 more commonly referred to as SLED.

12 Q. And how long have you been with the State Law Enforcement
13 Division?

14 A. Just short of 20 years.

15 Q. All right. I'm going to ask you to pull the microphone a
16 little bit closer to you. Now, over the course of your 20-
17 year career at SLED, tell us what divisions you have worked in
18 inside the forensics lab.

19 A. I'm a forensic scientist assigned to the DNA casework
20 department. My responsibilities as a forensic scientist is
21 processing forensic cases, generating reports based on the
22 results and conclusions drawn, and testifying to those reports
23 as necessary. I also assist in the training of less
24 experienced analysts, as well as triaging, keeping, assigning
25 cases, as they're submitted to the laboratory and assist with

1 certain quality control needs.

2 Q. All right, Agent Leisy, how long have you actually worked
3 within the DNA department?

4 A. Before my 20 years here at SLED, I spent approximately
5 four years working as a forensic DNA analyst at a private
6 testing facility that, at the time, was known as Orchid
7 Cellmark. And that was located in Germantown, Maryland. We
8 accepted cases from agencies all over the country, and I
9 perform the same types of tests and analyses there that I do
10 at SLED.

11 Q. All right. And within the SLED lab, what is your role
12 specifically in the DNA lab?

13 A. As far as DNA analysis, my responsibility is essentially
14 to try to develop DNA profiles from unidentified biological
15 materials that are found on items of evidence or crime scenes,
16 compare those profiles to the profiles of known individuals,
17 and try to determine whether or not those individuals could
18 have contributed to the profile developed in the evidence.

19 Q. All right. What is your educational background and
20 training that led you to become a forensic scientist?

21 A. I have a Bachelor of Science degree in Genetic
22 Engineering from Cedar Crest College in Allentown,
23 Pennsylvania. I have received in-house training by other core
24 qualified analysts in all the different types of tests and
25 analyses I'm required to perform. I have to complete

1 competency testing in any new type of technology before I can
2 use that technology with casework. I'm also required to
3 participate in annual continuing education, which consists of
4 attending seminars or conferences related to the newest
5 techniques available to us.

6 And I participate in proficiency testing on an annual
7 basis. And proficiency tests are essentially mock cases that
8 that we buy from a vendor laboratory, and we have to
9 successfully complete those to show that we are capable of
10 following protocols and standards that are put in place for
11 our work.

12 Q. All right. Is it possible for you to estimate how many
13 cases you have worked within the forensic science lab
14 specifically dealing with the development of DNA profiles?

15 A. I know that I've issued over 3,000 individual reports in
16 my career at SLED. Those reports could consist of one or two
17 items of evidence. Sometimes they consist of dozens. So in
18 terms of individual items, it's well into the thousands. I
19 couldn't venture a guess as to the exact number.

20 Q. All right. And does your current training and experience
21 also allow you to utilize what's known as the STRmix software
22 within your forensic science lab?

23 A. Yes, it does. And STRmix is a type of software that
24 performs an interpretation and calculation that's referred to
25 as probabilistic genotyping. And that's a technique that

1 allows us to use biological modeling, such as considering the
2 number of contributors to an item, the amount of DNA each
3 individual has contributed. And it essentially allows us to
4 break down profiles that are developed from items of evidence
5 into all the different possible combinations of contributors.

6 Then we can compare DNA profiles from known individuals
7 to those combinations to determine a statistic to tell us how
8 likely we are to see a given profile, if that individual has
9 contributed, or if they have not. And that calculation is
10 called a likelihood ratio. And the likelihood ratio, as I
11 mentioned, is just a comparison between two possible
12 explanations, the first being that we're seeing this profile
13 because a particular individual has contributed.

14 The second possible explanation would be that we are
15 seeing that profile because that individual is did not
16 contribute, so it is unidentified unrelated individuals who
17 contributed. The likelihood ratio value or the LR provides
18 support for which of those two possible explanations is more
19 likely. And that helps us to provide just some idea of
20 whether or not we're seeing this profile because that person
21 has contributed or because it is some other unidentified
22 person.

23 Q. All right. Are you also experienced in testifying as to
24 the statistical calculations assigned to your DNA results?

25 A. Yes, I am.

1 Q. And can you tell us how many such times you previously
2 testified in the courts of this state as an expert in DNA
3 science?

4 A. Overall, I've testified on more than 150 occasions. Most
5 of those testimonies have been in general sessions courts
6 throughout the State of South Carolina. I've also testified
7 in jurisdictions in California, Massachusetts, New Jersey,
8 Florida, the District of Columbia, United States District
9 Court in Florence, Spartanburg, and Charleston Counties, as
10 well as the United States court martial in Fort Jackson in
11 Columbia. And not all of those testimonies have included
12 StarMit in particular, but they have encompassed all the
13 different types of tests and analyses I've run as my career
14 has gone on.

15 Q. All right. And when we talk about the STRmix method of
16 DNA interpretation, is that accepted among other peers in your
17 field of forensic science?

18 A. It is. StarMix is one of several softwares that are
19 available to run probabilistic genotyping. STRmix is by far
20 the most commonly used throughout the United States. It's
21 also used in the UK and China. It's all over the world. It
22 was initially developed in Australia and New Zealand to be
23 used sort of as their in-house software program. And it has
24 become so popular and so effective, it is items throughout the
25 world.

1 Q. All right. And is your forensic science lab within SLED,
2 your DNA lab, is it accredited?

3 A. It is. The SLED laboratory is accredited by the ANSI
4 National Accreditation Board. And accreditation is a program
5 that labs can choose to voluntarily submit to and participate
6 in to show that they're meeting certain guidelines and
7 standards that have been put in place to ensure quality and
8 consistency in forensics.

9 Q. All right. In your lab there at SLED, at the SLED
10 headquarters, is that utilized by numerous law enforcement
11 agencies across the State of South Carolina?

12 A. It is. We perform testing on items submitted from local,
13 county, and state level law enforcement agencies, as well as
14 any federal agency that operates within the State.

15 MS. MAYES: Your Honor, this time the State offers
16 agent Catherine Leisy as an exquisite in DNA forensic science.

17 MR. STORY: No objection.

18 THE COURT: All right, ladies and gentlemen, this
19 witness will be qualified in the area of DNA forensic science
20 and will give opinion testimony in that area. It doesn't mean
21 you must accept the opinion, but it's evidence for you to use
22 in any way you see fit.

23 BY MS. MAYES:

24 Q. All right. DNA -- deoxyribonucleic acid. Tell us what
25 it is.

1 A. DNA -- again, deoxyribonucleic acid, is the genetic
2 material found in all of our body's cells, with the exception
3 of our red blood cells. And DNA is packaged into structures
4 called chromosomes, which contain our genes. And genes are
5 simply strands of DNA that code for our physical
6 characteristics, such as our height or our eye color.

7 We inherit two copies of DNA: one copy from mama, one
8 copy from our dad; and, therefore, we have two copies of every
9 gene. Now, approximately, 99.9 percent of an individual's DNA
10 is identical to that of everyone else's. And it's by testing
11 the variation in that remaining 0.1 percent that we can tell
12 different people apart.

13 Q. All right. So it is unique to every individual.

14 A. With the exception of identical twins, that's correct.

15 Q. All right. And our DNA, is it present in our blood?

16 A. It is.

17 Q. Is it also sometimes present in skin cells that we leave
18 behind by touching items?

19 A. It is. And that's a type of testing we refer to as touch
20 DNA. And that implies that there has been transfer through
21 physical contact with an item. So it's the transfer of skin
22 cells, possibly sweat, from an individual to the item that
23 they are in contact with.

24 Q. And does that include the clothes that we wear? We may
25 leave DNA behind?

1 A. That's correct. That's, typically, a search that we call
2 ownership DNA. That gives us an idea of who may have been in
3 contact with a particular article of clothing.

4 Q. And items or fabrics that we touch or handle, such as
5 bath towels?

6 A. They can. Really anything that you come in contact with,
7 there can be enough transfer of cellular material that you can
8 potentially develop a DNA profile.

9 Q. Even steering wheels of the cars that we drive?

10 A. That's correct.

11 Q. Now, in this case, I believe you had several swabs
12 submitted to you that are what we call known standards, buccal
13 swabs from inside the cheek of certain individuals.

14 A. That's correct.

15 Q. In this case, I believe you received a buccal swab from
16 inside the cheek of the codefendant in this case, Cady Keener.

17 A. Yes, I did.

18 Q. And I believe there was an individual who had left a
19 receipt behind at Truex Road, and his name is Maki Grey. You
20 received a buccal swab from inside the cheek of Maki Grey.

21 A. That's how it was submitted. Yes.

22 Q. And you also received a buccal swab, known DNA standard,
23 from inside the cheek of the Defendant, in this case, Allon
24 Adams.

25 A. That's correct.

1 Q. And then from the autopsy of Tony Etheredge Jr., a blood
2 spot was taken during the course of his autopsy?

3 A. That's correct.

4 Q. And that blood spot was submitted to you to be the known
5 DNA standard for Tony Etheredge?

6 A. It was. And when we refer to a known DNA standard, it is
7 the buccal swab, so the swab collected from inside the cheek
8 or a blood standard. We develop profiles from those items,
9 and we then use those profiles as the known DNA profile from
10 an individual to compare to the evidence profiles.

11 Q. All right. All of those known DNA standards that I just
12 mentioned, the one for the Defendant, Allon Adams, and the one
13 from the autopsy of Tony Etheredge, were you able to develop a
14 DNA profile?

15 A. Yes, I was.

16 Q. And then you used that for comparison to anything that
17 may have come from the crime scene in this case?

18 A. It would have been compared to any item that yielded a
19 profile that we would consider suitable for comparison -- so,
20 meaning it met our protocols and our requirements for quality,
21 as far as the profile goes and suitability for comparison.

22 Q. Take a look now at what is marked by the Lexington County
23 Sheriff's Department as item number 8. But it involves the
24 driver's seat. Are you aware as to whether or not certain
25 cuttings from that driver's seat were submitted to your lab

1 for comparison analysis?

2 A. There were two cut ins that were submitted and identified
3 by the submitting agency as having been item 8. The first was
4 item 8.2, which was then identified as SLED item 7, being a
5 cutting from the driver's seat foam. And SLED item 18
6 corresponds to agency item 8.1, a cutting of the seat cushion
7 from the driver's seat of the Tacoma.

8 Q. All right. So two different cuttings came from that
9 driver's seat. One is the actual seat cushion?

10 A. Based on the submission information, that's correct.

11 Q. One is the seat cushion and the other is foam from
12 underneath that seat cushion?

13 A. It is identified as driver's seat foam. That's correct.

14 Q. And I believe you're aware that the serologist who
15 testified yesterday, Agent Nguyen, had conducted presumptive
16 positive testing on those items to determine if the presence
17 of blood may be there.

18 A. She did. And those test results indicated a positive
19 presumptive result for the possible presence of blood.

20 Q. I want to talk with you now specifically about your
21 analysis, once you were testing the presumed blood from the
22 seat cushion and the phone. Do you have the results of that
23 analysis with you?

24 A. I do.

25 Q. I'm going to ask you to refer directly to that. You

1 spoke before about mixtures. In this case, where we're
2 talking about the presumed blood present there in the driver's
3 seat, was that a mixture, or was there only one DNA profile
4 discovered?

5 A. The DNA profile developed from both cutting 8.1 and 8.2
6 from the submitting agency was determined to be a single-
7 source profile, indicating that it was DNA from just one
8 person.

9 Q. All right. And for that presumed blood from the driver's
10 seat and the foam, tell us what your results were.

11 A. So, as I explained earlier, we calculate a likelihood
12 ratio when we do these comparisons. So the profile itself is
13 what we're generating this likelihood ratio value for. The
14 two possible explanations for this given profile are, first,
15 that it is Allon Adams -- or, excuse me. Each individual is
16 compared separately. So, for this particular comparison,
17 first, Tony Etheredge was compared.

18 So the two possible explanations would be that, first,
19 Tony Etheredge is the contributor of this single source
20 profile, with the second possible explanation being that it is
21 an unidentified, unrelated individual, who has contributed the
22 DNA profile. And for both of these cuttings, it was
23 determined that the DNA profile is approximately 3.2
24 septillion times more likely if Tony Etheredge contributed to
25 the profile than if an unidentified, unrelated individual

1 contributed.

2 So we also use what we refer to as a verbal equivalent
3 scale. So that just helps give some weight to the different
4 types of numbers that we may see during this calculation. And
5 with our scale at SLED, any value of 1 million or greater is
6 considered very strong support. And that is the strongest
7 verbal equivalent we will provide for an item.

8 Q. All right. So your highest level of support for any DNA
9 finding within your lab is 1 million.

10 A. Correct. That is the strongest verbal equivalent that we
11 provide.

12 Q. One million times more likely that it's someone's DNA, as
13 opposed to a random person.

14 A. Well, it would be 1 million times more likely that we
15 would see this profile if that individual contributed than if
16 it's someone else contributed.

17 Q. All right. And so understanding that 1 million is your
18 highest level -- and you indicated that's very strong support.

19 A. Correct.

20 Q. The results indicating that this is the blood of Tony
21 Etheredge were what?

22 A. The likelihood ratio for the this profile would be that
23 the profile is approximately 3.2 septillion times more likely
24 if it is Tony Etheredge contributing than an unidentified,
25 unrelated individual.

1 Q. 3.2 septillion. All right. Now, what about the results
2 for the foam?

3 A. The result is actually the same for both of those
4 cuttings. So, again, the single source profile developed, and
5 in calculating the likelihood ratio in comparison to Tony
6 Etheredge, it was determined that the profile is approximately
7 3.2 septillion times more likely if it's Tony Etheredge
8 contributing than an unidentified, unrelated individual.

9 Q. Now, I'm going to ask you also about blood from the
10 tailgate. The blood from the tailgate, I believe, was
11 submitted to you as item A from the Lexington County Sheriff's
12 Department, looking down the overhead. The swab that they
13 created from the marker, which is A. And, again, based upon
14 the results of the blood testing, what was discovered?

15 A. With this sample, there was also a positive presumptive
16 result for the possible presence of blood.

17 Q. All right. And once that is determined, what efforts do
18 you undertake to try and match the blood from the tailgate to
19 the DNA profiles that were submitted to you?

20 A. So the same process was undertaken for this particular
21 item. Again, a single source DNA profile was developed. And
22 the DNA profile is approximately 3.2 septillion times more
23 likely if Tony Etheredge contributed the profile than if an
24 unidentified, unrelated individual contributed.

25 Q. All right. Once again, 3.2 septillion is the number as

1 it relates to Tony Etheredge's blood.

2 A. That's correct.

3 Q. Now, we're looking at the steering wheel from inside the
4 Toyota Tacoma truck. And you're aware that the steering wheel
5 of this truck is the same truck in which the blood was found
6 in the driver's seat.

7 A. That is consistent with the information provided to me,
8 yes.

9 Q. And the blood on the tailgate?

10 A. The swabs from the tailgate -- that's correct.

11 Q. So, looking here at the steering wheel, I think you spoke
12 before about DNA potentially being left behind, even by having
13 contact with an item, such as touching it.

14 A. That's correct.

15 Q. How is it that DNA is left behind on a steering wheel,
16 for example.

17 A. So you would expect to see some level of transfer when
18 you are in physical contact with that steering wheel. So as
19 you're driving the car and gripping the wheel, you would
20 expect some level of transfer. Now, whether or not that
21 transfer is detectable depends on quite a few different
22 factors, including something as simple as some people shed
23 cells more readily than others do.

24 You also have to worry, here in South Carolina -- it's a
25 nice, warm, sunny day -- the heat and the sunlight works to

1 break down that DNA that may be present on the steering wheel.
2 So there are different factors that can contribute to whether
3 or not you can develop a profile. But contact, the physical
4 touch -- if you're in the vehicle and you sneeze, there could
5 be saliva or other types of bodily transfer to that steering
6 wheel. But physical contact or bodily fluid transfer could
7 potentially result in (indiscernible).

8 Q. All right. Are you also aware that, in this case, there
9 was evidence of substantial cleaning residue left behind in
10 this vehicle?

11 A. I am familiar that there was some type of residue left
12 behind. I can't speak to exactly what it was, but having seen
13 the photos, there was some material left on the interior, in
14 the cab of the vehicle.

15 Q. All right. despite that, were you able to develop a DNA
16 profile from swab K that was submitted to you by the Lexington
17 County Sheriff's Department?

18 A. Yes, I was.

19 Q. Was that swab one person or a mixture?

20 A. The DNA profile developed from the swab from the serum
21 was interpreted as a mixture of DNA from three individuals.

22 Q. So it was a mixture?

23 A. That's correct.

24 Q. Now, when you have a mixture, are you still able to match
25 certain DNA from that mixture to an individual?

1 A. We can still do comparisons. Again, assuming that
2 profile meets our protocol and our standards for quality and
3 the amount of information present, we perform the same type of
4 likelihood ratio comparison.

5 But now that we're dealing with a three-person mixture,
6 my two possible explanations would be that the person of
7 interest or the individual I'm comparing and two unidentified,
8 unrelated individuals contributing to this three-person
9 mixture, or that it is three unidentified, unrelated
10 individuals comparing -- contributing. So each explanation
11 has to be consist with a total of three people contributing to
12 the mixture.

13 Q. All right. Well, I'm going to ask you about that now,
14 regarding the results of your analysis as it relates to the
15 Defendant in this case, Allon Adams. What likelihood ratio
16 was reached when you compared the known DNA of Allon Adams to
17 the DNA profile developed for the that steering wheel?

18 A. The DNA profile developed from the steering wheel is
19 approximately 330 billion times more likely if Allon Adams and
20 two unidentified, unrelated individuals contributed to the
21 mixture, than if three unidentified, unrelated individuals
22 contributed. So, again, that would provide very strong
23 support that we are seeing this profile because Allon Adams is
24 one of our contributors.

25 Q. All right. So 330 billion times more likely that Allon

1 Adams is a contributor.

2 A. Again, it's 330 billion times more likely we would see
3 this particular profile, if Allon Adams was a contributor than
4 if he were not.

5 Q. And you indicated very strong support. Is that your
6 highest level of support within the lab?

7 A. Yes, it is.

8 Q. And, again, I think you indicated 1 million is the
9 threshold for the very strong support.

10 A. Correct. Any LR value of 1 million or greater meets our
11 very strong support.

12 Q. All right. And if the current world population is 8.1
13 billion, is 330 billion greater than that?

14 A. It is.

15 Q. And so we're talking about 330 billion times likelihood
16 as it relates to the Defendant, Allon Adams?

17 A. Correct. The LR is 330 billion, providing very strong
18 support. We're seeing this profile because Mr. Adams is one
19 of our contributors.

20 Q. Now there were two items that were submitted to you from
21 the open field. Are you familiar with those items?

22 A. Yes, I am.

23 Q. As well as cuttings from those items?

24 A. Correct.

25 Q. I'm going to ask you to take a look at both of these.

1 Were both of those items submitted to you from an outline
2 analysis?

3 A. Based on the SLED case numbers, the item numbers,
4 descriptions, and presence of the initials of Rachel Nguyen, I
5 can say that these items are consistent with being the towel
6 and the sweatshirt that were submitted in this case. I was
7 not in physical custody of these items. They would go through
8 our processing. And Ms. Nguyen was the one to processes and
9 take (indiscernible) from the items.

10 Q. All right. And those are the items in which the cuttings
11 were taken from.

12 A. Again, based on the information on the outer packaging,
13 it is consistent with those items.

14 Q. All right. I'm going to show you now the cuttings that
15 came from State's 138 being the black hoodie, Yellowstone,
16 from the ground near the tree line of the woods in the field.
17 And also State's 137 being the black bath towel from the
18 ground near the tree line of the woods from the field. Do you
19 see your initials on those cuttings?

20 A. My initials are present on the outer heat seal package.
21 And the heat seal package contains the SLED case number
22 submitting information. And you can see the heat seals along
23 the top and sides have been dated and initials by the
24 individual who sealed them back up after testing. As far as
25 individual envelopes, I would have to open the heat seal pouch

1 if you'd like me to look at this further.

2 Q. Yes. And I'm going to ask you specifically about the
3 cutting, which is 6.2, from the hoodie.

4 A. I do recognize this phone envelope. It contains the SLED
5 case number, the specific item number to SLED item 6.2.,
6 cutting from the hoodie. And my initials are present on the
7 envelope, indicating they were -- it was in my custody.

8 Q. All right. How did you describe item 6.2 from the
9 hoodie?

10 A. Item 6.2 was reported as a cutting from the majority of
11 the front pocket of the black hoodie. And it was described as
12 a Yellowstone hoodie.

13 Q. 6.2, it's from the front pocket area.

14 A. That's correct.

15 Q. As to item 6.2, did you have an opportunity to determine
16 if it's a mixture or a single source profile?

17 A. The profile that was developed from this cutting was
18 determined to be a mixture of three individuals. And this
19 particular profile was a partial profile, indicating that I
20 was not able to develop information at all of the locations
21 tested. But it did still meet our protocol and our
22 requirements for comparison.

23 Q. And I think you're aware of presumptive blood testing
24 that was conducted within the lab Prior to your DNA analysis?

25 A. That's correct. And that testing was positive,

1 presumptively, for the possible presence of blood.

2 Q. At multiple locations?

3 A. That's correct. There were several areas on the
4 sweatshirt that tested positive.

5 Q. Looking there on the overhead, you're familiar of the
6 markings left behind by a serologist within the lab.

7 A. That's correct.

8 Q. And so having -- knowing that there is blood present on
9 this item and having examined 6.2 for a DNA profile, what was
10 the likelihood ratio, as it relates to both the victim in this
11 case, Tony Etheredge and the Defendant in this case, Allon
12 Adams leaving behind DNA or on the front pocket of that
13 hoodie?

14 A. So the DNA profile developed is approximately 10 million
15 times more likely if Tony Etheredge and two unidentified,
16 unrelated individuals contributed than if three unidentified,
17 unrelated individuals contributed. And in comparing to Mr.
18 Adams, it was determined that the DNA profile is approximately
19 130 million times more likely if it is Allon Adams and two
20 unidentified, unrelated individuals contributing, than if
21 three unidentified, unrelated individuals contributing.

22 Q. What is the likelihood ratio developed from that?

23 A. In -- do you mean when compared together, or ---

24 Q. Yes.

25 A. Once we develop what we consider potentially inclusionary

1 likelihood ratio values, as we have for Mr. Etheredge and Mr.
2 Adams, we then run a comparison, including both of those
3 individuals together compared against this evidence profile.
4 And that comparison determined that the profile is
5 approximately 46 quadrillion times more likely to be Tony
6 Etheredge, Allon Adams, and an unidentified, unrelated
7 individual contributed, than if three unidentified, unrelated
8 individuals contributed. And that would indicate very strong
9 support for us seeing this profile, if both Mr. Adams and Mr.
10 Etheredge were contributing.

11 Q. All right. You're aware that Tony Etheredge is the
12 victim in this case?

13 A. That's correct.

14 Q. And that Allon Adams is the Defendant in this case?

15 A. Correct.

16 Q. And so the results of your finding in that mixture is
17 that it's 46 quadrillion times more likely to be that both
18 Allon Adams and Tony Etheredge, the victim and the Defendant,
19 have DNA from the front pocket of that hoodie?

20 A. Correct. Again, it's approximately 46 quadrillion times
21 more likely we would see this specific profile if both of
22 those individuals are contributing, along with one other
23 individual.

24 Q. And, once again, is that the highest level of support
25 within your lab?

1 A. Yes, it is.

2 Q. Is 46 quadrillion even a greater number than the 330
3 billion that you told us about before?

4 A. It is.

5 Q. Now. I want to go back to the towel, the towel from the
6 open field. Did you also receive cuttings from that towel?

7 A. Yes, I did.

8 Q. Are you also aware that that towel was tested within your
9 lab for the possible presence of blood?

10 A. I am. And, again, there were several areas on the towel
11 that were presumptively positive, indicating the possible
12 presence of blood.

13 Q. Multiple locations on that towel were presumptively
14 positive for blood?

15 A. They were.

16 Q. And cuttings were made to you -- made and submitted to
17 you.

18 A. Correct.

19 Q. I want to ask you specifically about a cutting from the
20 towel, which is cutting 5.3 from the center area of that black
21 bath towel. Did you have an opportunity to conduct DNA
22 analysis on item 5.3, that cutting from the towel?

23 A. I did.

24 Q. How -- can you tell us whether or not it was a single
25 source, or was it a mixture?

1 A. The DNA profile developed from what is 5.3, cutting from
2 the towel, was interpreted as a mixture of two individuals.

3 Q. Two people?

4 A. Correct.

5 Q. There's only two people in this mixture on the towel?

6 A. Correct. Based on the interpretation of the profile
7 developed, there are two contributors to the profile.

8 Q. Did you have an opportunity to compare that DNA from the
9 towel to the known DNA standard from Allon Adams and the known
10 DNA standard from Tony Etheredge?

11 A. I did perform comparisons to both individuals, yes.

12 Q. What was the likelihood ratio regarding your proposition
13 set 2 in your DNA results?

14 A. Well, I feel I need to go through proposition set 1
15 briefly before I move on to the second comparison.

16 Q. Okay.

17 A. So, again, with this particular item, I did individual
18 comparisons, first, with Mr. Etheredge and Mr. Adams. And it
19 was determined that the DNA profile is approximately 160
20 quintillion times more likely if Tony Etheredge and an
21 unidentified, unrelated individual contributed than if two
22 unidentified, unrelated individuals contributed. And the
23 profile is approximately 1.7 quadrillion times more likely if
24 Allon Adams and an unidentified unrelated individual
25 contributed, than if two unidentified, unrelated individuals

1 contributed.

2 And in running those two individuals together against
3 this particular profile, it was determined that the DNA
4 profile is approximately 3.7 duodecillion times more likely,
5 if Tony Etheredge and Allon Adams contributed to the profile
6 than if two unidentified, unrelated individuals contributed.

7 Q. All right. You're going to have to break this down --
8 3.7 duodecillion.

9 A. Correct.

10 Q. Now, for those of us who are not math professors, what is
11 a duodecillion?

12 A. A duodecillion would be a one with 39 zeros behind it.

13 Q. 39 zeroes behind that?

14 A. Correct.

15 Q. And that's the likelihood that the two people in this
16 mixture are the Defendant, Allon Adams, and the victim, Tony
17 Etheredge.

18 A. That is the likelihood that this particular profile would
19 be developed if those two individuals are contributing, versus
20 two unidentified, unrelated individuals.

21 Q. That's an astronomical number. Would you agree?

22 A. I would say it is significantly larger than our threshold
23 of 1 million. I would agree.

24 Q. Once again, the highest level of support within your lab.

25 A. Correct.

1 Q. Now, finally, I want to ask you about a quilt that was
2 submitted -- looking here, that State's 211. Are you aware of
3 whether or not there was a presumptive testing for blood on
4 this quilt?

5 A. There were several areas on the quilt tested for possible
6 presence of blood, with one being positive presumptive blood.

7 Q. All right. And, despite there being the presumptive
8 indication of blood on that quilt, were you able to actually
9 develop a DNA profile to match it to?

10 A. I was not. I did take this cutting through the same
11 different steps and tests that I did with all the other items
12 in the case. But there was no DNA profile developed,
13 indicating there just wasn't any present. There wasn't enough
14 present to develop the profile. Or anything that was present
15 had been degraded or broken down through environmental factors
16 preventing the development of the profile.

17 Q. Okay. And when you talk about these DNA profiles being
18 compared against unidentified, unrelated individual. You're
19 talking about just some random person out there?

20 A. Correct. It's just a random -- if you selected an
21 individual at random in comparison, we're basically just
22 saying we're not considering close relatives. It's just this
23 person versus anyone else you might pick off the street.

24 Q. Any other person off the street.

25 A. Correct.

1 Q. And that mixture of two people on the towel is such a
2 great number that there's 39 zeros behind it, that it's this
3 Defendant and the victim, Tony Etheredge, with DNA on that
4 towel.

5 A. Again, the likelihood ratio, we have to be careful with
6 how we word it. It is that it is that many times more likely
7 we could see the profile, if those individuals contributed,
8 versus it being someone else.

9 Q. Someone else, such as a random person.

10 A. Correct.

11 MS. MAYES: Beg the Court's indulgence. Nothing
12 further of Agent Leisy at this time.

13 THE COURT: Cross-examination?

14 MR. STORY: Thank you.

15 CROSS-EXAMINATION

16 BY MR. STORY:

17 Q. So you stated that many different things can leave behind
18 DNA, correct?

19 A. Correct. You can have transfer through physical contact,
20 through the transfer of bonding fluids. It could be saliva,
21 sweat, blood, semen. Those are typically what we test.

22 Q. And you've stated some people shed more DNA than others,
23 correct?

24 A. That's correct.

25 Q. Because you can get DNA from sweat.

1 A. Yes.

2 Q. You can get DNA from dead skin cells that you leave
3 behind, correct?

4 A. You can. That's correct.

5 Q. And that's dead skin cells is often how you get touch
6 DNA, correct?

7 A. It is.

8 Q. And some people shed those dead skin cells more than
9 others, correct?

10 A. That's correct. There have actually been studies where
11 people can be put into categories, either light, moderate, or
12 heavy shedder, just depending on how readily you lose those
13 cells and how likely it is to see a profile developed through
14 the physical contact.

15 Q. Now it's even possible that you could have physical
16 contact with a surface and not leave any material for DNA
17 behind as well, correct?

18 A. I would say it's possible to have that physical contact
19 and not leave enough DNA behind. Anytime you're in direct
20 contact with an item, you expect there to be some level of
21 transfer. It just becomes a question of, is there enough
22 there for us to detect.

23 Q. And, as you stated, some people may shed more than
24 others, correct?

25 A. That's correct.

1 Q. There's a wide variety in the population of DNA shedders,
2 to put it bluntly, correct?

3 A. Absolutely.

4 Q. Okay. I want to go back. You did write a forensic
5 report in this case, correct?

6 A. Yes.

7 Q. Okay. I want to go back to the steering wheel. You
8 developed, as you've stated, a very likely comparison to
9 Allon Adams' DNA being on the steering wheel, correct.

10 A. Again, very likely we would see this profile if Allon
11 Adams was contributing. That's correct.

12 Q. More likely that Allon Adams was contributing than an
13 unidentified, unrelated individual, correct?

14 A. It does show very strong support that that would be the
15 most likely explanation for that.

16 Q. To an unidentified, unrelated individual.

17 A. Correct.

18 Q. Right. But you also developed a comparison to another
19 known profile on that, correct? Didn't you?

20 A. I did. Actually, all four of the individuals that I had
21 standards for were compared to that mixture.

22 Q. And you did find some support for Maki Grey as well,
23 correct?

24 A. In comparison -- comparing Maki Grey to this profile, it
25 was determined that the profile is approximately 76 times more

1 likely if it is three unidentified, unrelated individuals
2 contributing, than if Maki Grey and two unidentified,
3 unrelated individuals contributed. And that actually provides
4 support for the explanation that we're seeing this profile
5 because he did not contribute and that it is more likely we're
6 seeing it because it is three unidentified, unrelated
7 individuals.

8 Q. Okay. But you found it was 76 times more likely that
9 Maki Grey contributed than another unidentified, unrelated
10 individual on that, correct?

11 A. No. With that comparison, it actually supports that
12 second possible explanation. So the likelihood ratio value,
13 again, with two possible explanations. In everything we've
14 discussed up to this point, the LR has provided support for
15 the first explanation, that it is a given individual who is
16 helping to contribute to this profile.

17 With the comparison between Maki Grey and the mixture
18 from the steering wheel, it actually supports that we're
19 seeing this profile because he did not contribute, that it is
20 more likely the profile would have been developed from three
21 unidentified, unrelated individuals, versus Maki Grey and two
22 on unidentified, unrelated individuals.

23 So once we reach an LR of 100, when it's supporting that
24 second explanation, we consider it to be an exclusion, meaning
25 we consider that person not to have contributed. There's just

1 no chance. So we're not quite that strong in that direction.
2 But I would say we are trending towards exclusion, in terms of
3 Maki Grey to mixture from this (indiscernible).

4 Q. You said you're trending towards exclusion, correct?

5 A. That's correct.

6 Q. Okay.

7 MR. STORY: If I may approach the witness, Your
8 Honor.

9 THE COURT: Yes, sir.

10 BY MR. STORY:

11 Q. You recognize what I'm showing you here, correct?

12 A. Yes, sir.

13 Q. That's a page from your report.

14 A. That's correct. (Indiscernible).

15 Q. Okay. And on, I guess that would be bullet point 20,
16 that says swabs from steering wheel, Tacoma pickup K, correct?

17 A. Correct. So under that heading would be all of the
18 results and conclusions that I drew to the testing from that
19 one.

20 Q. And it does say Cady Keener was excluded in the mixture,
21 correct?

22 A. That's correct.

23 Q. And Tony Ethers was excluded in that mixture, correct?

24 A. He was.

25 Q. It does say the DNA profile is approximately 76 times

1 more likely if an unidentified, unrelated, than if Maki Grey
2 and two unidentified, unrelated individuals contribute to the
3 mixture. Correct?

4 A. Correct. So again, it's providing support. This profile
5 is more likely if it is three unidentified, unrelated
6 individuals. So we're trending towards exclusion for Maki
7 Grey.

8 Q. Okay. Trending towards exclusion, but you did find 76
9 times more likely.

10 A. Again, it's 76 times more likely the profile would occur,
11 if he did not contribute.

12 Q. It's the same language as the one for Allon Adams is
13 approximately 330 times more likely it's Allon Adams than two
14 unidentified, unrelated individuals, correct.

15 A. It's the same basic language. It depends on how we word,
16 whether it's the unidentified unrelated individuals first in
17 that result statement or the known individual. So, with this
18 particular comparison, again, it's more likely we're going to
19 see this profile if it's from DNA from three unidentified,
20 unrelated people, than if it's from Maki Grey and to one of
21 the unidentified, unrelated individuals. So the wording is
22 constructed based on the LR value that's developed.

23 Q. Okay. And the LR value for the Maki Grey profile would
24 be weak support, correct?

25 A. When we're supporting that second possible explanation,

1 using that equivalent, the verbal equivalent for that scale,
2 it would actually be moderate support for exclusion for Maki
3 Grey.

4 Q. But, of course, you eliminate other profiles, which would
5 mean no support, correct?

6 A. Correct. You can just have what we consider a straight
7 exclusion. There's just no possible explanation for a
8 particular individual contributing to a mixture. And, again,
9 we are not quite that strong with the result on Maki Grey, but
10 it does trend towards exclusion.

11 Q. And this might be an obvious question, but you have
12 absolutely no knowledge of how the DNA may have arrived on a
13 certain swab or sample, correct?

14 A. Correct. I can't testify to exactly how or when DNA is
15 contributed. I can just testify that it was present when I
16 tested a particular item.

17 Q. And again, these levels of support, they're to unrelated
18 unidentified individuals: as you stated, the random person on
19 the street, correct?

20 A. Correct.

21 MR. STORY: Brief indulgence. No questions, Your
22 Honor.

23 THE COURT: Redirect?

24 MS. MAYES: Yes, Your Honor.

25 //

REDIRECT EXAMINATION

BY MS. MAYES:

Q. All right. Can you explain what you're referring to when you say that there is greater support that it's not Maki Grey on the steering wheel mixture, than if Maki Grey were present.

A. So again, when we construct these likelihood ratio comparisons, we have to develop two possible explanations. So our first possible explanation will always be that the person of interest, the individual that we're comparing, is included as a contributor to this profile. And the second possible explanation is always going to be that it is strictly unidentified, unrelated individuals and that person did not contribute.

So in the case of Maki Grey, in comparison to the steering wheel, the likelihood ratio value that was generated supports that second possible explanation, that it is actually more likely that we would see this profile if it's three unidentified, unrelated individuals, than if Maki Grey were one of our contributors.

Q. Okay. So the strongest explanation is that Maki Grey is not a contributor.

A. I would say stronger. Again, it's not a definitive. But we're measuring how likely it is we're going to see this profile given this explanation.

Q. All right. And the stronger explanation is that it's

1 three other people.

2 A. That's correct.

3 Q. And among those would be all on Adams, where the
4 likelihood is 330 billion times more likely that he's in that
5 mixture as a contributor.

6 A. That's correct. Again, the profile is more likely, or,
7 we do have very strong support that we're seeing the profile
8 because Allon Adams is one of our contributors.

9 Q. All right. Now, the Defense was asking you about
10 exclusions. Do you also have the ability, along with
11 identifying DNA profiles on an item, to potentially exclude
12 other people because their DNA just is not present?

13 A. We do. So in doing these comparisons, as I believe I
14 mentioned, when we have a likelihood ratio of 100 or greater
15 supporting that second possible explanation, we report that as
16 an exclusion. It is conservative to indicate at that level
17 that we don't believe that that individual has contributed.
18 And it makes more sense that we would see that profile if they
19 are not contributing to it. We can also just have essentially
20 what we call a straight exclusion, meaning, when we run the
21 comparison, we get a zero. There's no value generated. And
22 that basically shows that there's no way that individual can
23 fit in that profile, given the interpretation that we have
24 made.

25 Q. And as a result, were you able to exclude the

1 codefendant, Cady Keener, from having DNA on that steering
2 wheel?

3 A. I was, yes.

4 Q. When it comes to the hoodie, were you able to exclude
5 Maki Grey?

6 A. I was, yes.

7 Q. No Maki Grey DNA on that hoodie?

8 A. That's correct.

9 Q. What about the codefendant in this case, Cady Keener, did
10 she have any DNA on that hoodie?

11 A. No. Cady Keener was also excluded as a contributor to
12 profile developed from the hoodie.

13 Q. And about the towel, were you able to exclude Maki Grey
14 from leaving any DNA behind on that towel?

15 A. Yes, I was.

16 Q. Were you able to exclude the codefendant in this case,
17 Cady Keener, from having any DNA left behind on that towel?

18 A. I was, yes.

19 Q. And only two DNA profiles were present on that towel?

20 A. There were only two contributors identified to the
21 cutting 5.3 from the towel. Again, it was interpreted as a
22 two-person mixture. So that's all I was able to detect from
23 that cutting.

24 Q. And that was the two-person mixture, consistent with
25 Allon Adams and Tony Etheredge being the contributors.