

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

Appeal from Richland County
Honorable Jocelyn J. Newman, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JEROD GOODWIN,

APPELLANT

APPELLATE CASE NO 2025-000260

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1 THE COURT: All right. This is the State vs. Jerod
2 Goodwin, 2022-GS-40-3132, 3313 and 3134. Counsel is
3 present, so is the Defendant. Let me go ahead and hear
4 the motion regarding restraints, Mr. Brady.

5 MR. BRADY: Thank you, Your Honor. May it please the
6 Court.

7 THE COURT: Yes, sir.

8 MR. BRADY: So, Your Honor, this morning a motion
9 regarding shackling in front of the jurors; there has been
10 a series of recent cases that has really emphasized the
11 need to have defendants unshackled so that there is not
12 this prejudicial effect about the jurors potentially
13 seeing or hearing the shackles, and therefore creating an
14 inference that that person is dangerous and can't be in
15 the courtroom without that type of apparatus around them.

16 Your Honor, I'll make that an exhibit of that. I'll
17 get it to you with the rest of the motions we will have in
18 these hearings. Mr. Goodwin is currently wearing the leg
19 shackles that have been taken off, the belt that they have
20 that goes around him. We're objecting to all forms of
21 shackling throughout the trial.

22 THE COURT: And that's just based on the potential
23 that jurors may see it?

24 MR. BRADY: Yes, Your Honor. I just never quite know
25 how this goes. In a little bit that jury is going to come

1 in here. We're all going to be asked to stand. At that
2 point, you know, if we can't control that, when they start
3 hearing that clinking and they realize that person may be
4 in shackles.

5 So again, we're asking since we can't really control
6 when that happens, it's based on people moving around,
7 leaning over talking to counsel, we are asking that you
8 order the shackles to be removed whenever the jury is
9 present.

10 THE COURT: Okay. What's the State's position?

11 MR. SCOTT: Your Honor, I can sit down and introduce
12 myself, if need be, but I heard from courtroom security
13 it's a concern of theirs. So I'd defer to the
14 professionals in that regard.

15 THE COURT: I tend to defer to the professionals, as
16 well. I had spoken to Deputy Kelly this morning, actually
17 prior to the Court even being aware that there was a
18 motion pending.

19 We tend to discuss security matters, and so I defer
20 to security for security matters to the extent that it
21 does not trample on the Defendant's Constitutional Rights.

22 The solution worked out for this particular phase of
23 voir dire is to remove the belly chain, keep the leg
24 shackles, and I suggested to counsel that perhaps the
25 entire defense team move their chairs to the opposite side

1 of counsel table to face the jury panel. That would
2 require less movement on the part of the defendant if he
3 were to stand.

4 I'm happy not to ask anyone to stand, and that
5 includes the prosecution to solve that issue. I think
6 throughout the trial, it would be inappropriate for the
7 defendant to randomly without warning stand or make too
8 many sudden movements anyway.

9 So the belly chains will be placed back on the
10 defendant for the duration of the trial with the exception
11 of his dominant hand so that he can write, move, touch,
12 communicate, but that hand will be unshackled so that he
13 can make whatever movements necessary.

14 I've not had a problem with it in the past. I don't
15 foresee a problem in this trial, and so the State or the
16 Defense motion is denied.

17 MR. SCOTT: Your Honor, I just ask, we are going to
18 move around to this side of the table. Can the State do
19 the same thing, so it doesn't look at odds in any way?

20 THE COURT: I wouldn't require that just because I've
21 tried a number of cases and many, many times one side
22 stands and the other doesn't when the jury comes and goes.
23 One side moves their chairs and the other doesn't, et
24 cetera, et cetera.

25 So I would think as a team, as a defense team, it's

1 appropriate for you all to do the same thing but not
2 necessarily the State.

3 MR. BRADY: And Ms. Pinnock just pointed out to me
4 that we can't move to that side because as soon as they're
5 selected and seated, they'll see him in shackles.

6 THE COURT: That's a good point. I hadn't thought of
7 that.

8 MS. PINNOCK: No problem.

9 MR. BRADY: I would just as soon we don't stand.

10 THE COURT: That's fine with me.

11 MR. BRADY: In terms of the belly chains
12 specifically, throughout the trial, it's going to limit
13 his ability to kind of gather our attention without
14 probably exposing the chains to the jury.

15 He's probably going to reach over to Ms. Pinnock or
16 Ms. Eigenbrot or myself. In doing that, the rattling
17 chains, as well as probably exposing it to the jury
18 whenever he needs to talk to us, needs to in any way
19 communicate with us, that's usually how it goes but
20 physically alerting first. I think that will physically
21 alert the jury to what's going on.

22 THE COURT: That's the reason that his dominant hand
23 will remain unshackled throughout the duration of the
24 trial, so that he can use that hand to reach, if
25 necessary, but he is in custody.

1 He is charged with murder, and as I said I tend to
2 defer to security for security matters. I'm not going to
3 instruct them that he remain totally unshackled if they're
4 not comfortable with that because that makes me
5 uncomfortable with that because that is their job here.

6 So I think that having the one hand unshackled is a
7 reasonable solution. The jury will be all the way across
8 the courtroom at that point not seated behind him or near
9 him in any way, so that should remedy that.

10 MR. BRADY: Thank you, Your Honor. Just to pass up
11 to Your Honor, I have our witness list, as well, as the
12 voir dire that I e-mailed if you need a hard copy.

13 THE COURT: I have printed those, so I am good to go
14 unless there are any amendments. Is there any objection
15 -- does the defense have any objection to the State's
16 proposed voir dire?

17 MR. BRADY: No objections, Your Honor.

18 THE COURT: Does the State have any objection to the
19 Defendant's proposed voir dire?

20 MR. SCOTT: Your Honor, number four I would object to
21 that voir dire in the form that it's written in. I do
22 believe that will probably be covered with the standard
23 voir dire instructions.

24 It starts off, "Here are some fundamental principles
25 of law" and it names five statements of law that Your

1 MR. SCOTT: Subject to any statements, any
2 inconsistent statements used for impeachment, should he
3 testify, take the stand, I need to impeach him with
4 anything on his interview, will I be allowed to do that?

5 THE COURT: Of course.

6 MR. BRADY: Your Honor, I guess the first motion we
7 can start with is the motion to exclude any description of
8 the firearms as stolen. He is not charged with possessing
9 the stolen firearm.

10 He's never given any statements about knowledge of
11 the firearms being stolen. We received a number of
12 reports and other hearsay documents and confrontation
13 clause issue documents.

14 The State has let us know that they do want to get
15 into the fact that these firearms that were recovered came
16 back as reported stolen. I think as an initial matter,
17 you know, even getting the fact that it is stolen, we need
18 the witnesses who are saying that it was stolen here.

19 We don't have any information on those people.
20 Certainly, it's a very long witness list. We can't get
21 into the fact than these are stolen, and that's before we
22 get into the 404 and 403 evidence, this motion.

23 The -- describing other bad crimes acts as it relates
24 to this case, I think, would be extremely prejudicial.
25 The only issue here is whether or not Mr. Goodwin was

1 justified in using the force that he used when he shot and
2 killed Genesis Williams then going into a collateral issue
3 that we don't have any sort of foundation for, and to make
4 that what the trial is about, whether or not he possessed
5 stolen firearms, is going to be extremely prejudicial
6 while having zero relevance to the charges of murder,
7 possession of a firearm during a violent offense, as well
8 as the grand larceny charge of the automobile.

9 So again, Your Honor, I think that especially when
10 he's not even charged here or in Lexington County where
11 the firearms were recovered with possessing a stolen
12 firearm, our motion is under 403, 401, 404 and the hearsay
13 and confrontation problems that are going to come with
14 calling those firearms stolen.

15 THE COURT: Gentlemen?

16 MR. SCOTT: Thank you, Your Honor. The allegations
17 the State showed at trial is August 15th, 2021, Jerod
18 Goodwin did unlawfully kill Genesis Williams. He then
19 took Mr. Williams' car, fled the scene with the pistol
20 that he killed him with.

21 He was on the run for two months. The fugitive --
22 three months, rather. Fugitive Task Force located him in
23 another county at a relative's house where he didn't live,
24 so he was on the run hiding out at a relative's house the
25 whole time.

1 Once they breached his bedroom, there was a stolen AR
2 assault rifle, type rifle, at the foot of his bed, it was
3 immediately seized as part of his arrest, officer's safety
4 and collecting evidence whatnot.

5 The weapon used to kill Mr. Williams was on his bed
6 on top of his blankets. These are the circumstances
7 surrounding his arrest, and immediately as they're
8 required to do, run it through NCIC, and it comes back as
9 both weapons being stolen. As part of this case, the
10 presentation of the case those are the facts, Your Honor.

11 The motions as, Your Honor, read mention self-defense
12 in almost every one of them. The first prong of
13 self-defense, as Your Honor knows, is the defendant has to
14 be without fault in bringing on the difficulty.

15 The allegations, even the defense will admit to that,
16 is that he was unlawfully carrying a pistol the night of
17 this incident, and the pistol was stolen. Okay. So that
18 goes to him being at fault in bringing on the difficulty.

19 It's just wholly relevant. You know, if somebody was
20 arrested in a stolen car, that would come out the car he
21 was arrested in was stolen is part of the case, Your
22 Honor, and it's relevant. That's just the facts.

23 THE COURT: Mr. Brady?

24 MR. BRADY: Your Honor, again, I don't see how it is
25 in any way relevant. I think in terms of whether or not

1 there is an issue with the lawful carrying, that's
2 mentioned, too, in your instruction between the unlawful
3 act and the actual causation of the difficulty.

4 I don't think that him possessing the stolen firearm
5 would in any way -- and I don't think they would
6 allege -- is part of the nexus that would have caused the
7 difficulty.

8 I don't think they're saying that Genesis Williams
9 knew the car was stolen, and that caused the issue that
10 led to this. There's absolutely no relevance and no nexus
11 between it.

12 If someone who is completely uncharged with these
13 allegations haven't even met the clear and convincing
14 standard under 404(b) to get there, there's no evidence
15 whatsoever that these firearms are stolen. And again,
16 you're going to run into these hearsay confrontation
17 clause issues.

18 On a collateral matter, that's only going to exact
19 prejudice in this trial regarding charges that are not
20 here. These are simply charges that are not here. They
21 weren't even brought in Lexington County where the
22 firearms were collected, so again, I stand by the 404,
23 403, 401 hearsay confrontation clause issue.

24 THE COURT: I will allow discussion of the weapon
25 involved in the incident as being stolen. I don't know

1 what the assault rifle has to do with anything.
2 Obviously, those are the circumstances surrounding the
3 arrest, but I just don't know the necessity.

4 MR. SCOTT: Yeah. That rifle wasn't linked in the
5 homicide. It was just found in his room upon arrest, Your
6 Honor.

7 THE COURT: So there's no need to mention that being
8 stolen. It doesn't have anything to do with anything.

9 MR. SCOTT: Okay.

10 THE COURT: So the motion is granted in part and
11 denied in part.

12 MR. BRADY: I'm adding this as a Court's Exhibit,
13 Your Honor.

14 THE COURT: What's that?

15 MR. BRADY: The motion.

16 THE COURT: Sure.

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

19 THE COURT: Go ahead, Mr. Brady.

20 MR. BRADY: That leads us to the next motion which is
21 to exclude the possession of the non-incident related
22 firearm. That's the AR-15 that has nothing to do with
23 this case. It's not linked to this case.

24 It's simply a firearm that was found three months
25 later in a different county. At this time, Your Honor,

1 I'd ask that this also be marked as a Court's Exhibit and
2 that be excluded.

3 THE COURT: Why haven't you just filed the motions?
4 I'm just curious.

5 MR. BRADY: Your Honor, I did not finish writing
6 these until over the weekend. I had another murder trial
7 earlier this month, so this is one thing I finished. I
8 thought it would be easier from a paper standpoint to
9 making them a Court's Exhibit.

10 THE COURT: Let me hear from the State on that
11 motion.

12 MR. SCOTT: Just the surrounding circumstances of his
13 arrest. It is relevant. Just because it's found at the
14 foot of his bed. He's fully armed laying in his bed.
15 He's a fugitive wanted for murder who is on the run three
16 months. It is what it is. That's the only kind of
17 argument I have for it.

18 It's just the circumstances surrounding his arrest,
19 and we would ask for there will be testimony, just that
20 limited purpose, just the circumstances surrounding it.
21 We won't mention that, too, was stolen.

22 MR. BRADY: And, Your Honor, again, this is only for
23 prejudice. I think that's the reason they're
24 acknowledging it has nothing to do with this case.
25 They're just trying to introduce this as quote, unquote,

1 circumstances. They're not every saying res gestae. That
2 has nothing to do with this case.

3 MR. SCOTT: I think it is res gestae. I'll talk
4 about him being at his aunt's house. I'll talk about the
5 address at his aunt's house. I'll talk about him being
6 asleep in his bed.

7 Why should by prohibited from talking about that?
8 I'll talk about him being asleep. I'll talk about the
9 people who breached the room to go in there. These are
10 all just facts pertaining to his arrest. I don't see any
11 reason for that to be prohibited.

12 MR. BRADY: Your Honor, just to kind of go off of
13 that, it sounds like when he says the people that went in
14 there and breached it, he's talking about the Fugitive
15 Task Force.

16 This has nothing to do with whether or not he's
17 guilty, and of course, used at the time of the incident.
18 Three months later, they're trying to just paint him as a
19 dangerous person when they say things like Fugitive Task
20 Force.

21 They put on tactical gear. You come in the middle of
22 the night. Like you said, breached the door. They have
23 firearms immediately pointed. It has zero relevance to
24 the actual issues in this case. The whole purpose of it
25 is to try to paint danger on something that is immaterial.

1 THE COURT: The defense motion is denied.

2 MR. BRADY: Court's Exhibit, Your Honor?

3 THE COURT: Yes, sir.

4 (WHEREUPON, Court's Exhibit No. 3 was marked for
5 identification only.)

6 THE COURT: Next, Mr. Brady?

7 MR. BRADY: Your Honor, this is again to exclude any
8 non-incident related ballistics reports and non-reports
9 and non-hits. This is a motion that is based on, again,
10 401, 403, 404, hearsay and confrontation clause.

11 As with the stolen firearm, they will not have the
12 witnesses that are needed to come into court for
13 cross-examination to say yes, this firearm was stolen from
14 me. I reported this firearm stolen. That is why they can
15 establish the essential elements by clear and convincing
16 evidence on a trial on the trial of that actual charge is
17 they bring those witnesses.

18 Again, they're not going to be here for this. He's
19 not going to specifically stay on them for full
20 investigative purposes. They're not meant to be used in
21 court.

22 These are all related to the two firearms seized.
23 They're through an ATF database. This is how they're
24 produced under Rolandez Diaz (phonetic) and Fulcumbings vs
25 New Mexico (phonetic), the people who are actually

1 entering in the casings that matched the firearms or the
2 reports that matched the firearms are constitutionally
3 required to appear as mandatory as to the stolen firearms.

4 I think it's important to say that. It's a Sixth
5 Amendment violation not to. They simply will not be here.
6 Again, that will violate 401, 403, 404, the ruling against
7 hearsay and the confrontation clause.

8 THE COURT: Mr. Scott?

9 MR. SCOTT: If I understand that motion correctly,
10 it's seeking to exclude evidence that the gun was involved
11 in a shooting unrelated to this particular case.

12 MR. BRADY: And any other items material to this.

13 MR. SCOTT: Okay. I'm going to talk about the gun
14 being stolen. I don't intend to talk about it being used
15 in any unrelated shootings.

16 MR. BRADY: No non-related materials: Stolen,
17 shootings, the reports themselves together are hearsay,
18 and the violation of the confrontation clause.

19 THE COURT: Well, I've already ruled on whether the
20 weapon used in incident can be referred to as stolen. So
21 that takes care of that portion of this motion. If you'll
22 clarify for Mr. Scott and the Court the rest of the
23 motion.

24 MR. BRADY: The people that created the reports will
25 not be here, and again, as Mr. Scott mentioned, some of

1 the reports link it to other shootings, not to shots fired
2 from the reports.

3 MR. SCOTT: I'm not going to get into that.

4 THE COURT: All right. Then it's granted by consent.

5 MR. BRADY: Okay. And that is to exclude all of the
6 indictment reports.

7 MR. SCOTT: This is where I'm getting confused
8 because he keeps talking about the physical reports.
9 Okay. I'm not going to introduce any physical report.
10 What I do intend to have law enforcement say was when they
11 seized these weapons, they run them through a database --
12 the pistol, not rifle, it came back as stolen.

13 So if that's what you're saying, I am going to talk
14 about it being stolen, but I'm not going to introduce any
15 physical reports. Is that what you're saying?

16 MR. BRADY: I think it violates it.

17 THE COURT: Let's talk about the portion I've not
18 ruled on.

19 MR. BRADY: Okay. I think they've consented to that.

20 THE COURT: Okay. Then let's move on.

21 MR. BRADY: Court's Exhibit, Your Honor?

22 THE COURT: Yes, sir.

23 (WHEREUPON, Court's Exhibit No. 4 was marked for
24 identification only.)
25

1 (WHEREUPON, Court's Exhibit No. 8 was marked for
2 identification only.)

3 THE COURT: Mr. Brady?

4 MR. BRADY: State has told me they do not intend to
5 introduce any autopsy photos. We have a motion for them
6 not to introduce autopsy photos.

7 MR. SCOTT: That's correct, Your Honor.

8 THE COURT: Okay. I don't think I have a copy of
9 that one, but that's granted by consent.

10 MR. BRADY: May I approach to provide the Court?

11 THE COURT: Yes, sir.

12 MR. BRADY: And to make the other a Court's Exhibit.

13 THE COURT: Yes, sir.

14 (WHEREUPON, Court's Exhibit No. 9 was marked for
15 identification only.)

16 THE COURT: Mr. Brady?

17 MR. BRADY: Your Honor, if we could briefly revisit
18 the shackling motion. My co-counsel has informed me that
19 you can see Mr. Goodwin's shackles from the jury box
20 whenever he reaches over to Ms. Pinnock.

21 He sat through all jury selection without issues,
22 without having the belts and the chains. I think it's
23 going to become inevitable that the jury sees that he is
24 shackled throughout the course of the trial.

25 MS. EIGENBROT: Your Honor, the way Jerod sits in the

1 chair, it's high enough that if he is backed up at all
2 while he is at rest sitting on his lap, you can see the
3 top part of his shackles from the jury box.

4 THE COURT: I can't see anything from here.

5 MS. EIGENBROT: He's sitting closer. He's further
6 back at this time. I have noticed a few times as we've
7 been doing these motions that he's accidentally hit the
8 table with his shackle, as well, and has always raised his
9 wrist.

10 It's going to take a force of a lot of will to make
11 sure he doesn't lift it if he backs it up at all. I know
12 when I stood in the jury box, and he backed up a little
13 bit sitting in his lap, I could see the shackles.

14 THE COURT: Would you stand up, Mr. Goodwin?

15 (Complies).

16 Okay. Since you can't use that left hand, what is
17 the necessity of moving the left hand?

18 THE DEFENDANT: I just hit it on my left hand.

19 THE COURT: And then the other -- you have a right
20 handcuff that is not around your wrist. Can that not be
21 tucked? I mean, the sweater covers the chain.

22 (Complies).

23 I believe that solves the problem. I'm sure counsel
24 disagrees, but I mean, I can't see it as I sit here. Let
25 me make sure.

1 (Putting on glasses).

2 (Pause).

3 Lift your right arm. I mean, I can see a little bit
4 of a chain, but it doesn't look any different than like a
5 wallet chain or a -- I mean, not that you look
6 particularly like an emo kind of guy but -- or a biker,
7 necessarily, but I can barely see it, and that's with him
8 standing. Within him seated, Ms. Pinnock?

9 MS. PINNOCK: I think the portion of the shackles
10 that Ms. Eigenbrot is talking about is his wrist. These
11 chairs sit higher than the old ones that were in here.

12 As he scoots back from the table, his lap -- you can
13 see his arm if he makes any sort of movement. I think
14 that's what she's referring to, this part. As we're
15 sitting here with Mr. Brady going through the motions, he
16 was just trying to take the cap off, you know, on and off
17 his pen. He's hitting the bottom of the table.

18 THE COURT: Well, he needs to leave it off then. I
19 mean seriously.

20 Yes, ma'am?

21 MS. PINNOCK: But my concern is any movement that he
22 makes, he's going to be touching the bottom of this table.
23 There's not a whole bunch of room for those of us with
24 longer legs with the height of the chair, and I think
25 that's what the concern is.

1 MR. BRADY: I think this will probably be the
2 clearest advantage point for him.

3 Can you see it over here?

4 MS. EIGENBROT: You can see it over there.

5 THE COURT: Listen I -- right. He's pushed back from
6 the table, but also -- and I can see something --
7 obviously, my vision isn't the best. I've had to put my
8 glasses on.

9 I can -- with him pushed back, I can see something
10 around his wrist, but I could not tell you whether that
11 was a watch or a bracelet of some kind. It is not clear
12 to me that it's a handcuff.

13 I certainly wouldn't think that it was a handcuff
14 when his right arm is free, so I think he has got to make
15 sure not to push back too far from the table. And this is
16 on the back row where the alternates would sit --

17 THE BAILIFF: That's correct, Your Honor.

18 THE COURT: -- if I'm further down, I can't see
19 anything.

20 I mean, I do see some metal near his wrist, but it
21 does not appear any different to me than the metal of
22 Ms. Pinnock's Apple watch.

23 MS. PINNOCK: I wish I had an Apple watch.

24 THE COURT: Well, whatever that is. I can see like a
25 rose gold on your wrist from here, and I can see a bit of

1 silver on Mr. Goodwin's wrist. That's with him pushed
2 back from the table.

3 I'll go back to the microphone, but it's designed not
4 for him to have complete freedom of movement, right. So
5 any amount of shackling would be evident if he shows it to
6 the jury. He's got to take care not to show it to the
7 jury.

8 There is a way that he can maneuver, sit at that
9 table, be shackled without the jury being aware of that.
10 If he tries to lift his wrist and wave it around, that
11 would be him showing the handcuff to the jury or, you
12 know, they may hear the shackles around his ankles.
13 That's only if he has got nervous legs and is shaking his
14 legs around or otherwise not being still.

15 So there's a mechanism here I think that we solved
16 the issue as long as Mr. Goodwin does what he needs to do.

17 MR. BRADY: Yes.

18 THE COURT: You want to make that a Court's Exhibit?
19 Yes, sir.

20 (WHEREUPON, Court's Exhibit No. 10 was marked for
21 identification only.)

22 THE COURT: What happened to the old chairs? Are
23 there any remaining?

24 THE CLERK: I can check.

25 THE COURT: Yes, sir.

1 MR. BRADY: This is a motion of character evidence in
2 self-defense cases. I just hand that up, may have to
3 object at some point. That would be the arguments
4 regarding that.

5 May I make it a Court's Exhibit, Your Honor?

6 THE COURT: I don't know the necessity of making it a
7 Court's Exhibit now. Is it a pre-emptive strike?

8 MR. BRADY: It would just shorten up any issue if it
9 does come up, and that way we don't have to have a
10 potential conference or send the jury out.

11 THE COURT: Well, I think you're still required to
12 make contemporaneous objections. You can't just make a
13 blanket.

14 MR. BRADY: This is us talking about character
15 evidence. This will be the defense. I think the State
16 will object.

17 THE COURT: I see. So this is -- I got you.

18 Go ahead, Court's Exhibit.

19 MR. BRADY: Thank you.

20 (WHEREUPON, Court's Exhibit No. 11 was marked for
21 identification only.)

22 THE COURT: Anything else, Mr. Brady?

23 MR. BRADY: We do have our stipulations. Mr. Scott
24 has added one extra piece of language in the stipulation.
25 We originally wrote it as the shell casing in this case

1 THE COURT: I'll just quickly put on the record that
2 the defendant has been brought a different chair that sits
3 a little bit lower than the previous one.

4 (Whereupon, the jury entered the courtroom at 3:22
5 PM).

6 THE BAILIFF: The jury has been seated, Your Honor.

7 THE COURT: Thank you. We are now ready to begin the
8 trial of the case. Before we begin the trial, though,
9 I'll address the note that was sent out by one of the
10 jurors, I believe one of the alternates, about their
11 workplace having the flu going around.

12 I'm sure many of you have children. Many of you have
13 the flu going around your work places, as well. The Clerk
14 of Court has face masks if you choose to wear one. It's
15 totally up to you, but to protect you from any germs -- I
16 don't know if it's going around the courthouse. It's
17 probably going around here too.

18 It's probably going around everywhere, but if you
19 have concerns about potentially contracting the flu or a
20 cold or something like that, then just ask one of the
21 bailiffs, and they'll make sure you have a face mask or
22 you can bring your own tomorrow.

23 In fact, raise your hand right now if you'd like a
24 face mask.

25 (There was no response.)

1 Everyone is okay. Good, good.

2 We will hear from the attorneys. I'll give you some
3 preliminary remarks, but before we do that, I'll have the
4 Clerk place you under oath one more time.

5 THE CLERK: Ladies and Gentlemen of the jury, please
6 stand and raise your right hand to be sworn.

7 You shall well and truly try and true deliverance
8 make, between the State of South Carolina, and the
9 defendant at bar, whom you shall have in charge, and a
10 true verdict give, according to the law and the evidence,
11 so help you God.

12 THE COURT: Thank you. Have a seat.

13 PRETRIAL CHARGE:

14 THE COURT: Ladies and gentlemen of the jury, the
15 case we are about to try is the case of the State of South
16 Carolina vs. Jerod De'Quin Goodwin who is the defendant.

17 Before we begin this trial, I want to tell you that
18 this trial will probably be different than what you might
19 expect. Many people do not have a chance to attend actual
20 court sessions as you're doing now and may think from
21 watching television or movies or reading books that trials
22 are always full of high drama, intense action and
23 rivetting circumstances, while all of these things may be
24 true at times, this trial is not for entertainment.

25 It is a fundamental part of our democracy, an effort

1 to make sure that justice is done is between the parties
2 before the Court. Making sure that justice is done is
3 often slow, deliberate and repetitive, the opposite of
4 what you may have seen on television or in movies or read
5 in books.

6 This courtroom is a place of honor dedicated to the
7 protection and preservation of citizen's rights through
8 what many have called the greatest justice system ever
9 created.

10 The attorneys appearing before you are advocates for
11 the parties they represent, but first and foremost, they
12 are officers of the court sworn to uphold the integrity
13 and fairness of our judicial system and to help you in
14 understanding the evidence.

15 You should expect them to be professional, competent
16 and ethical in the representation of their client's
17 interest. Remember that you have just taken an oath to
18 try this case and to reach a fair and just verdict, so you
19 are also expected to be professional, reasonable, and
20 ethical.

21 Thank you for accepting the important responsibility
22 of jury service and for your contribution today to our
23 justice system. What I will now say is intended to serve
24 as an introduction to the trial of this case.

25 These remarks are not a charge on the law in this

1 case. I will instruct you on the law applicable to this
2 case at the end of the end of the trial before you retire
3 to consider your verdict.

4 This is merely an explanation of the procedure that
5 we will follow in the trial so that you can better
6 understand what may be happening. You may not take notes
7 during the trial of this case. You are to listen to the
8 evidence and use your collective recollections when you
9 begin to deliberate.

10 The defendant is charged in three indictments filed
11 in this court with the crimes of murder, possession of a
12 weapon during the commission of a violent crime, and grand
13 larceny valued \$10,000 or more. I'll explain the elements
14 of those crimes to you later.

15 The indictments are simply the charges by which this
16 case is brought into this court. They are not in any
17 sense evidence of any of the allegations that they
18 contain.

19 The defendant has pled not guilty to each of these
20 indictments. The State, therefore, has the burden of
21 proving each of the elements of each of the indictments
22 beyond a reasonable doubt.

23 It will be your duty, ladies and gentlemen, to decide
24 whether the State has met that burden. Your purpose as
25 jurors is to determine the facts. You are the sole judges

1 of the facts.

2 If at any time I make any comment regarding the
3 facts, you must disregard it. You are to determine the
4 facts from the testimony you hear and the other evidence
5 introduced into court.

6 It is up to you to determine the inferences which you
7 feel may properly be drawn from the evidence. It is
8 especially important that you perform your duty of
9 determining the facts diligently and contentiously because
10 ordinarily, there is no way to correct an erroneous
11 determination of the facts by a jury.

12 On the other hand and with equal emphasis, the same
13 law that makes you the judges of the facts makes me the
14 judge of the law. The law as given by the court is the
15 only law you may consider. You must accept and it follow
16 it even though you disagree with it.

17 I cannot tell you what the facts are, and you cannot
18 disagree with me about what the law is or what the law
19 should be. Your job is to take the law as I give it to
20 you and apply it to the facts as you find them and any
21 other evidence that is introduced.

22 After doing that, you will render your verdict under
23 the solemn oath that you just took as jurors. Until I
24 advise you to begin your deliberations, you must not
25 discuss the case with anyone, including your fellow

1 jurors, friends, family members and anyone involved in the
2 case. This includes discussions face-to-face and those by
3 telephone, email, text, blogs or any other method of
4 communication.

5 You may not use a computer, cell phone or other
6 electronic device with communication capabilities at any
7 time while in the courtroom or during deliberations.

8 During your breaks for meals or overnight, of course,
9 you may use your devices. However, you may not at any
10 time use those devices to get or send information about
11 the case. This includes information about a party, a
12 witness, an attorney or a court officer, news accounts
13 about the case, research on any topics raised, any topics
14 you think would be helpful in deciding the case or any
15 testimony presented by any witness.

16 During the trial, do not read, listen to or watch any
17 news reports about the case. This includes anything that
18 may be in the newspapers or on the internet, radio or
19 television.

20 You must not consider anything you may have read or
21 heard about the case outside the courtroom either before
22 or during the trial. After the case is submitted to you,
23 you must discuss it only in the jury room with your fellow
24 jurors.

25 The attorneys and parties in this case have been

1 advised that they are not to talk to you at all. So if
2 you see anybody involved in the case and they do not even
3 say hello, they are not being unfriendlily. They are
4 simply following my instructions.

5 It is important that you keep an open mind and not
6 decide any issue in the case until all of the evidence has
7 been presented, the parties have made their closing
8 arguments, and I've instructed you on the law in this
9 case.

10 It is your solemn responsibility to determine the
11 guilt or innocence of the defendant, and your verdict must
12 be biased solely on the evidence as it is presented to you
13 in this trial and on the law as I instruct you during and
14 at the close of the trial.

15 In just a moment, the Solicitor will make what is
16 called an opening statement in which the solicitor will
17 explain to you what the issues are in this case, or at
18 least what the Solicitor thinks the issues are in this
19 case.

20 The attorney for the defendant may also make an open
21 statement. What the attorneys tell you during their
22 opening statements is not in evidence this case. It is
23 only their contention as to what the issues are.

24 The evidence in this case will be presented to you by
25 the testimony of sworn witnesses from this witness stand

1 and by any exhibits that may be introduced into evidence.

2 Now from time to time during the trial, you may hear
3 one of the lawyers say something like, "Your Honor, I
4 believe we have a question of law or a matter of law" or
5 "Your Honor, may we approach the bench?"

6 Sometimes I myself might find it necessary to excuse
7 you from the courtroom a short while so that the attorneys
8 and I can discuss certain matters of law.

9 The reason for this is because you are the judges of
10 the facts in this case. Sometimes when I'm discussing
11 matters of law with the attorneys, it becomes necessary
12 for me to make some comment as to the facts in connection
13 with ruling whether a particular law applies or does not
14 apply.

15 I'm not supposed to tell you what I think the facts
16 are, so I'll excuse you from the courtroom for a short
17 while those discussions take place so that you will not be
18 influenced by anything that I might say or do in
19 connection with the facts.

20 In determining what the facts are in this case, you
21 must decide whether or not the testimony of the witnesses
22 is believable. It will be my responsibility to rule as a
23 matter of law as to whether certain testimony is
24 admissible or once the testimony is admitted, whether or
25 not you believe it is solely for you to determine.

1 In deciding whether to believe a witness, you have
2 the right to consider the interest of any witness, the
3 bias of any witness, the prejudice of any witness, the
4 opportunity for the witness to have seen the matters and
5 things about which the witness may testify and the way the
6 witness acts on the witness stand.

7 You have a right to consider anything that is in the
8 record that will help you to evaluate the testimony of the
9 witnesses. That means that it is your duty to pay close
10 attention to the witnesses, to observe the witnesses, to
11 listen to them and pay close attention to the attorneys
12 and to the Court.

13 Do not let your thought wander but give strict
14 attention to the testimony in this case, so that at the
15 end of the trial after the arguments of counsel and after
16 the charge on the law by the Court you will then be in a
17 position to determine what the facts are, apply the law to
18 those facts and thus render a verdict.

19 It will be the added duty of the foreperson to
20 preside in the jury room and be the jury spokesperson here
21 in court, but we'll talk about that more at the conclusion
22 of the case.

23 Now, before we begin the trial, in order to preserve
24 everyone's rights, I'll give the attorneys an opportunity
25 to object to anything that I have said to you.

1 Any objections from the State?

2 MR. SCOTT: No, Your Honor.

3 THE COURT: From the defense?

4 MR. BRADY: No, Your Honor.

5 THE COURT: We will now begin the trial of the case.

6 I'll ask that you give Mr. Fowler your undivided attention
7 for his opening statement.

8 OPENING STATEMENT:

9 MR. FOWLER: Thank you, Your Honor. May it please
10 the Court.

11 THE COURT: Yes, sir.

12 MR. SCOTT: Good afternoon, ladies and gentlemen.
13 Before I start to tell you what this case is about, I have
14 to ask something of you. We've already asked so much of
15 you being here the week before Christmas, but I need you
16 to remember that when you came through the courthouse
17 doors this morning, you didn't leave your common sense
18 outside. You didn't check it at the door.

19 So the judge just told you that you were the judges
20 of the facts, and while you judge these facts as you hear
21 testimony, I want you to use that common sense. Ask
22 yourselves is this reasonable, is this logical? Does this
23 make sense? Continue to do this throughout all the
24 testimony that you hear.

25 Now, what is this case about? Artiz Gibson-Adeyinka,

1 Genesis Williams and Jerod Goodwin, they're all riding
2 around one night going from location to location. They're
3 in a car that belongs to Genesis Williams' girlfriend.
4 She loaned to it him for the night he's using it.

5 In the early morning hours of August 15th, 2021,
6 Mr. Gibson Adeyinka and Mr. Williams decide to call it a
7 night being almost sunrise. So they get ready to leave
8 Jerod Goodwin's mother's house.

9 As they're about to leave, Jerod Goodwin gets in the
10 backseat of the car. They're riding down from Greene
11 Street to where Mr. Gibson-Adeyinka lives on Garners Ferry
12 Road, and an argument starts between Jerod Goodwin, the
13 defendant, and the deceased victim, Genesis Williams.

14 This argument continues all the way until they make
15 it almost to Mr. Gibson-Adeyinka's house. He being the
16 driver and not wanting to pull into his mother's driveway
17 with two men arguing stops about three houses away from
18 where he lives with his mother.

19 He says, "I'm going to walk. I don't want you guys
20 fighting in my mother's driveway. It's almost six o'clock
21 in the morning." So Mr. Gibson-Adeyinka gets out.
22 Genesis tells Jerod, "Hey, get out of my car. I don't
23 want you in my car anymore."

24 Jerod refuses. Genesis gets out of the car, tries to
25 pull Jerod out by his shirt. This persists for a few

1 minutes, and then Jerod Goodwin shoots Genesis Williams
2 three times and takes off. He gets in the driver's seat
3 and takes off in the car, leaves Genesis laying there in
4 the roadway. Then he's arrested after being on the run
5 about three months. He's arrested on November 30th, 2021.

6 Now, I started this by asking you to use your common
7 sense throughout this case. When you go back into the
8 jury room at the end of this trial, you're going to take
9 with you the information that you learned from the
10 testimony, the physical evidence and your common sense.

11 When you judge those facts back in that jury room,
12 ask yourselves does this make sense? Is this reasonable?
13 And I think with common sense and reason as your guidepost
14 through this trial, you'll be able to find Jerod guilty
15 beyond a reasonable doubt for grand larceny for taking the
16 car belonging to Genesis Williams' girlfriend, guilty of
17 possession of a weapon during the commission of a violent
18 crime and guilty of the murder of Genesis Williams.

19 Thank you.

20 THE COURT: Ms. Eigenbrot?

21 MS. EIGENBROT: Thank you, Your Honor. May it please
22 the Court.

23 OPENING STATEMENT:

24 MS. EIGENBROT: In the early morning hours of
25 August 15th, 2021, Jerod Goodwin found himself in a

1 terrifying situation, a situation that unfolded rapidly
2 and unexpectedly.

3 You see, that night started out as a fun night with
4 his friends but unfortunately turned into a situation
5 where he had to defend himself and defend for his life.

6 That happened after Genesis became grossly aggressive
7 in a drunken state. He began engaging him out of the
8 vehicle but also attempting to disarm him, take a gun off
9 his person.

10 On August 15th, 2021, Jerod acted in self-defense.
11 Now, again, the night started a typical night out.
12 Genesis calls Jerod as they're hanging out, start hanging
13 out at Jerod's house, go to a few clubs.

14 At some point, they pick up Artiz who is actually a
15 friend of Genesis, probably didn't know him that well,
16 kind of knew him around, but they weren't friends.

17 And ultimately, the night ends at Jerod's house, this
18 is his mom's house, lived at [REDACTED] Greene Street with his
19 mom. At the end of Greene Street, downtown Columbia, it's
20 a vacant lot connected to the home.

21 It's kind of a hang out spot where people congregate,
22 play music, drink, chill. That's what they were doing
23 that night. Other friends showed up, friends that Jerod
24 and Genesis both knew and had. Kind of changed, though,
25 when one guy showed up, Danny Sims.

1 Now, Danny is a friend of Jerod's. He's somebody
2 that Genesis also knows. Jerod had no issues with him.
3 He had no problems with him being there but Genesis did.

4 They had some kind of prior beef, some kind of issue.
5 When Danny gets there, they start going at it with words,
6 yelling, screaming although each other. Before anyone
7 knows it, it gets physical.

8 Now, the rest of the group that's there, including,
9 Jerod is only trying to calm things down. They don't want
10 things to escalate. They're drinking. They know how
11 Genesis can get.

12 They're trying to separate everybody. In fact, Jerod
13 even carries Danny back to his car trying to get him away
14 from the situation. Jerod's mom, who is home at the time,
15 comes out, "What's going on? Please stop this."

16 He tells her, "I got it. I got it," but Genesis
17 won't calm down. He's still in the yard yelling and
18 screaming. He's still in his car in that lot making a
19 bunch of noise, so Jerod tells him, "You know, man. This
20 is my mom's house. Calm down. Just be reasonable."

21 They have some words. Genesis punches him in the
22 face, a little bit of back and forth, but ultimately after
23 that, things kind of calmed down. Everyone finally chills
24 out. Everyone goes back to having a good time drinking
25 hanging out.

1 Some time passes, and it is early morning hours.
2 Everyone is gabbing each other up saying their goodbyes.
3 There's no problems. So Artiz wants to go home.

4 Genesis throws him the car keys, and all three,
5 Jerod, Artiz, and Genesis get in the car. Now, again had
6 that beef that happened at the house, it has been done,
7 squashed.

8 While they're riding in the car. He starts going in
9 on Jerod. He is angry again. His anger is all focused on
10 Jerod because he felt Jerod didn't have his back, taking
11 Danny's side. There were issues there.

12 He just kept going and going. Jerod is not arguing
13 back with him. He's sitting in the back of the car
14 playing on his phone. He's not trying to engage, but
15 Genesis gets more and more angry.

16 By the time they turn onto Artiz's street, he's at
17 his boiling point. He yells at Artiz to stop the car and
18 turns around and looks at Jerod and tells him to get the
19 fuck out of his car.

20 It wasn't a plea. It wasn't a please exit my
21 vehicle. No. It was a get out, get out now. When Jerod
22 doesn't move because he is shirtless about 20 minutes from
23 his house. It is early morning house. He's in a
24 neighborhood he doesn't know. He doesn't move.

25 Genesis jumps out of the car and tries to yank him

1 and pull him out of the vehicle. This isn't a one-time
2 thing. In fact, it's multiple times.

3 On one of these instances, he checks. Jerod is
4 armed, and at that moment is when Jerod realizes this is
5 more serious. This is more serious than it's ever been.
6 This is a problem.

7 He knows that Genesis has a reputation. He cannot
8 let him get this gun. On that time, Jerod gets in the
9 car, closes the door and locks -- or tries to lock it, but
10 Genesis is right there.

11 There is no time to lock the door. He is back there
12 pulling him back out of the car. This time he is going
13 for the gun. He is touching the gun.

14 Jerod knows he cannot get this gun, or he will use it
15 on him. Jerod has to defend himself. He has no absolute
16 choice. It was him or Genesis. When you hear all the
17 evidence in this case and listen to all the witnesses and
18 do everything, we trust that you all will come to the same
19 conclusion. That is that Jerod acted in self-defense on
20 the night or early morning hours of August 15th, 2021.

21 Thank you.

22 THE COURT: State can call its first witness.

23 MR. MCGLOTHLIN: The State calls Beau Gabriel, yes,
24 ma'am.

25 BEAU GABRIEL, after being duly sworn,

1 testified as follows:

2 THE CLERK: Please have a seat in the witness stand.
3 Spell your first name for the record.

4 THE WITNESS: It's Beau Gabriel, B-E-A-U.

5 MR. MCGLOTHLIN: May it please the Court, Your Honor.

6 THE COURT: Yes, sir.

7 DIRECT EXAMINATION:

8 BY MR. MCGLOTHLIN:

9 Q Deputy Gabriel, what should I call you?

10 A Right now it's Special Agent Gabriel.

11 Q Special Agent Gabriel, I guess could you tell the
12 jury where you're currently employed?

13 A I'm a Special Agent with the Drug Enforce
14 Administration.

15 Q Is that here in South Carolina?

16 A It's in Mississippi.

17 Q Prior to that, where were you working?

18 A Richland County Sheriff's Department.

19 Q Okay. And about how long did you work there?

20 A Approximately four years.

21 Q On the early morning hours of August 15th, 2021, were
22 you working for the Richland County Sheriff's Department?

23 A I was.

24 Q Okay. Did you respond to [REDACTED] Dominion Drive for a
25 call for service?

1 A Yes, sir.

2 Q Okay. What was that for?

3 A It was for a possible shooting victim.

4 Q And did you respond?

5 A I did.

6 Q Okay. Let me start is that scene where you responded
7 to in Richland County?

8 A Yes.

9 Q And what part of Richland County is that?

10 A I consider it the southern part, but if you go on 378
11 towards Sumter, it's in that area.

12 Q Okay. And then when you arrived on the scene, what
13 did you seek?

14 A As I arrived, I noticed an individual who was laying
15 towards the intersection of Dominion Drive and Prince
16 Edwards towards the interaction just laying in the street.

17 Q Okay. I'm going to show you what's been marked as
18 State's 1 and 2. Do those look familiar to you?

19 A Yes, sir.

20 Q Okay. And what do those show?

21 A This is a sky view of the area where I responded to.

22 Q Both of them are?

23 A Yes, sir.

24 Q Okay. Does that fairly and accurately depict the
25 location of the scene?

1 A It does.

2 MR. MCGLOTHLIN: The State would move State's 1 and 2
3 into evidence.

4 THE COURT: Any objection?

5 MS. EIGENBROT: No objection.

6 THE COURT: State's 1 and 2 are admitted into
7 evidence without objection.

8 (WHEREUPON, State's Exhibits Nos. 1, 2 were admitted
9 into evidence.)

10 MR. MCGLOTHLIN: Permission to publish those?

11 THE COURT: Yes, sir.

12 BY MR. MCGLOTHLIN:

13 Q Is that State's 1 you're looking at? Did you see
14 that already?

15 A Yes, it is.

16 Q Okay. And so you were saying you responded to the
17 intersection of Prince Edward and Dominion?

18 A Correct.

19 Q Okay. And so this is -- this road here across the
20 bottom, is that Dominion Drive?

21 A That's correct.

22 Q And this would be Prince Edward?

23 A Correct.

24 Q Okay. So you mentioned you saw an individual laying
25 in the street when you arrived?

1 A Yes.

2 Q Okay. And if don't mind coming down, kind of show me
3 where that was.

4 THE COURT: If you'll stand on the right side there
5 with your voice projecting this way. No, I'm sorry, the
6 left. Yes, that far side.

7 BY MR. MCGLOTHLIN:

8 Q If you don't mind, don't touch it.

9 A Yeah. As I got there, I saw the individual lying in
10 the road. He was on Prince Edwards towards the corner of
11 this intersection.

12 Q And what did you observe about the individual as you
13 came up?

14 A He was laying on the ground and appeared to have
15 blood in the groin area, the lower stomach of him.

16 Q Was there anybody else present there at the scene?

17 A There was.

18 Q Okay. Did you speak with any of those individuals?

19 A I did.

20 Q Okay. Was -- did anybody else there at the scene
21 seem to have any injuries that you could tell?

22 A They did not.

23 Q Okay. And as a sheriff's deputy at that point, what
24 was kind of your duty arriving on the scene?

25 A Figure out what we had and then make sure the scene

1 was safe.

2 Q Okay. And how do you make a scene safe?

3 A You examine the surrounding areas, and then you mark
4 it off with what we used was caution tape.

5 Q Okay. And would you typically check for firearms,
6 any sort of evidence?

7 A Yes.

8 Q Okay. Did you see anything of that nature when you
9 arrived?

10 A We did. There was a shell casing on Prince Edward,
11 and I believe we marked one or two cigarette butts that
12 were laying in the road, as well.

13 Q Okay. Did you find a firearm there at the scene?

14 A I did not.

15 Q Can you briefly describe what a shell casing is?

16 A It's the fired casing that comes outside of a firearm
17 once you shoot it.

18 Q So it's not the projectile?

19 A Correct.

20 Q Okay. And I'm going to show you -- if you could go
21 ahead and have a seat by the jury panel.

22 This is State's 2. That's kind of -- it's just a
23 different angle of the same street; is that correct?

24 A That's correct.

25 Q Okay. I'm going to show you State's 3, 4 and 5.

1 What do the first two, State's 3 and 4 show?

2 A Three is the individual that I previously mentioned
3 laying in the roadway and two witnesses.

4 Q Okay. And what was 4?

5 A Four was the individual laying in the roadway and a
6 witness who was on the scene.

7 Q Okay. And then what does State's 5 show?

8 A It is the secured crime scene.

9 Q Okay. And do those accurately reflect the
10 condition -- fairly and accurately reflect the condition
11 of the scene when you arrived and then subsequently after
12 it was secured?

13 A Yes.

14 Q Okay. The State would move 3, 4 and 5.

15 THE COURT: Any objection?

16 MS. EIGENBROT: No objection.

17 THE COURT: Three, 4 and 5 are admitted without
18 objection.

19 (WHEREUPON, State's Exhibits Nos. 3 - 5 were admitted
20 into evidence.)

21 BY MR. MCGLOTHLIN:

22 Q I'm showing you State's 3. Can you kind of describe
23 what we're looking at here again?

24 A This is my body cam.

25 Q Okay. And what -- let me start here. This is here

1 in the bottom kind of left sector. That's the individual
2 you found laying on the ground; is that correct?

3 A Correct.

4 Q And what condition was he in when you arrived?

5 A He was going and out of consciousness.

6 Q Okay. So he was alive at that point?

7 A Yes.

8 Q Okay. Did fire and EMS arrive on the scene, as well?

9 A They did.

10 Q Okay. And did they provide medical treatment for the
11 individual?

12 A Yes.

13 Q Did you learn this individual's name?

14 A Yes, we did.

15 Q Okay. And what was that?

16 A Jerod Goodwin -- excuse me, I'm sorry. It's Genesis
17 Williams.

18 Q Was it Genesis Williams?

19 A Yes.

20 Q Okay. Did you yourself provide any medical care to
21 Mr. Williams?

22 A I did not.

23 Q And again, you mentioned speaking to several others
24 at the scene; is that correct?

25 A Yes.

1 Q And are these two individuals we see in State's 3,
2 did you speak with them while they were there?

3 A I did.

4 Q I'm going to show you State's 4, and again is that
5 just a different angle of State's 3 possibly either prior
6 or just after that previous still?

7 A Yes.

8 Q Okay. Did you learn about any vehicle related to
9 this incident while you were there on the scene?

10 A Yes.

11 Q Okay. What exactly did you learn or do once you
12 learned that information?

13 A During the investigation, we learned that a possible
14 white sedan was involved in this. Once I learned that, I
15 put it over the radio so that everyone else could hear it.

16 Q Okay. Is that what's commonly referred to as a
17 be-on-the-lookout or BOLO?

18 A That's correct.

19 Q Okay. And so what else related to this incident did
20 you do while you were there on the scene?

21 A After everything was secured, we would notify the
22 proper individuals who needed to be notified.

23 Q Okay. Who would that be?

24 A More investigators in crime scene.

25 Q Okay. Did crime scene eventually come and process

1 the scene?

2 A They did.

3 Q And they would -- is that who would collect the
4 actual evidence itself?

5 A Yes.

6 MR. MCGLOTHLIN: Okay. Beg the Court's indulgence
7 for just a moment.

8 (Pause.)

9 Thank you. Please answer any questions that the
10 defense may have for you.

11 MS. EIGENBROT: Beg the Court's indulgence, Your
12 Honor.

13 (Pause.)

14 CROSS-EXAMINATION:

15 BY MS. EIGENBROT:

16 Q Mr. Gabriel, you mentioned being a first responder;
17 is that right?

18 A That's correct.

19 Q And you were, I think, actually the first officer on
20 the scene; is that correct?

21 A Yes, ma'am.

22 Q I think we saw some clips from your body worn camera.
23 There were two people present aside from Mr. Williams; is
24 that right?

25 A I believe so, yes.

1 Q And you identified one of those individuals as Artiz
2 Gibson-Adeyinka?

3 A Yes, ma'am.

4 Q And the other person was Tim Jones?

5 A I don't remember that, but if that's what the report
6 reflects.

7 Q Well, let me ask. It was a neighbor though, right?

8 A Yes, ma'am.

9 Q And you would have had your body worn camera
10 available and on during those interactions?

11 A Yes, ma'am.

12 Q And when investigation arrived on the scene at that
13 time, you did not have a name of a suspect based on your
14 communications with any of these people?

15 A I can't recall getting that information.

16 Q And when investigations arrived on scene, they also
17 canvassed the neighborhood, right?

18 A I'm not aware of what exactly they did.

19 Q Well, you stayed on scene and like you said, secured
20 the scene while investigations showed up; is that right?

21 A Yes, ma'am.

22 Q So you would have been present when everyone arrived
23 including crime scene?

24 A Yes, ma'am.

25 Q Including the other investigators?

1 A I don't know. Some investigators went one place and
2 some went to the location, but yes, I was there whenever
3 the investigators got there.

4 Q And while you were also on the scene, another person
5 showed up, a young lady by the name of J'Maiya Wilson; is
6 that right?

7 A I don't recall.

8 MS. EIGENBROT: Beg the Court's indulgence.

9 (Pause.)

10 Thank you. I don't have any further questions.

11 THE COURT: Any redirect, Mr. McGlothlin?

12 MR. MCGLOTHLIN: No, Your Honor.

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

14 MR. SCOTT: Your Honor, may we approach briefly.

15 (Whereupon, there was a bench conference.)

16 THE COURT: All right. Ladies and gentlemen, the
17 attorneys tell me that the next witness may be a little
18 lengthy. So it's probably a good idea to go ahead and
19 break for day.

20 We're not going to finish this case until Thursday
21 whether we do this witness this afternoon or tomorrow
22 morning. We'll be here until Thursday, so I'm going to
23 excuse you for day and have you be back in your jury room
24 tomorrow morning at 9:30.

25 Do not discuss the case amongst yourselves or with

1 little longer than I anticipated. I assure you we were
2 all here at 9:30.

3 It wasn't an issue of anybody running late or
4 anything like that. We had a little work to do before you
5 came into the courtroom. That sometimes happens
6 throughout the trial. So with that said, we're still on
7 the State's case. They're going to call their next
8 witness.

9 MR. SCOTT: Thank you, Your Honor. The State calls
10 Artiz Gibson Adeyinka.

11 THE CLERK: Can you just raise your right hand?

12 THE COURT: Yes, sir.

13 ARTIZ ADEYINKA, after being duly
14 sworn, testified as follows:

15 THE CLERK: Please state your first name for record
16 spell your last name.

17 THE WITNESS: Artiz Adeyinka, A-R-T-I-Z
18 A-D-E-Y-I-N-K-A.

19 DIRECT EXAMINATION:

20 BY MR. SCOTT:

21 Q Okay. Artiz, do you remember the night of
22 August 14th, early morning hours of August 15th of 2021?

23 A Yes, sir.

24 Q You do remember that?

25 A Yes, sir.

1 Q Are you ever going to forget that?

2 A No, sir.

3 Q Okay.

4 THE COURT: Pull that microphone closer.

5 THE WITNESS: This one?

6 THE COURT: I'm not sure.

7 COURT REPORTER: It is, that one.

8 BY MR. SCOTT:

9 Q All right. What was the name of the road you lived
10 on at that time?

11 A Dominion Drive.

12 Q Dominion?

13 A Uh-huh.

14 Q Okay. Is it fair to say that you would get there by
15 taking Garners Ferry out towards Sumter? Is that where
16 that is, out that way?

17 A Yes, sir.

18 Q Who was Genesis Williams?

19 A My best friend.

20 Q Okay. Somebody you had known a long time at that
21 point in 2021?

22 A Yes, sir.

23 Q And somebody you hung out with regularly?

24 A Yes, sir.

25 Q Okay. At some point I guess August 14th of 2021, do

1 you remember getting a phone call from Genesis Williams?

2 A Yes, sir.

3 Q Okay. And did the two of you guys agree to get
4 together at some point that night?

5 A Yes, sir.

6 Q Okay. And who lived at the home with you back then?

7 A Me and my mom.

8 Q Okay. And was it common for Genesis to get together
9 with you to hang out or just get together?

10 A Yes, sir.

11 Q Okay. So was it any surprise to you that he called
12 you wanting to hang out that particular night?

13 A No, sir.

14 Q Okay. At some point, did he arrive at your house?

15 A Yes, sir.

16 Q Was he driving?

17 A Yes, sir.

18 Q Do you remember what he was driving?

19 A A white Chrysler, I think.

20 Q Okay. Had you seen him in that car before?

21 A Yes, sir.

22 Q Okay. Had you -- had you ridden with him in that car
23 before?

24 A Yes, sir.

25 Q Okay. I'm showing you State's 9, 10 and 11, ask you

1 if you recognize those?

2 A Yes, sir.

3 Q Okay. What are those pictures of?

4 MR. BRADY: Your Honor, if I could just see those
5 before we get into them.

6 BY MR. SCOTT:

7 Q And for the record, these pictures have all been
8 provided to the defense prior to trial.

9 What are they pictures of?

10 A The Chrysler, the white Chrysler.

11 Q Okay. The one you had been in before?

12 A Yes, sir.

13 Q The one that Genesis was driving on this particular
14 night?

15 A Yes, sir.

16 Q Okay. Your Honor, the State offers nine, ten, 11 for
17 admission into evidence.

18 MR. BRADY: No objection.

19 THE COURT: State's nine, ten and 11 are admitted
20 without objection.

21 (WHEREUPON, State's Exhibits Nos. 9 - 11 were
22 admitted into evidence.)

23 BY MR. SCOTT:

24 Q How would you describe the windows on that particular
25 car?

1 A Tinted.

2 Q Okay. Did it make it difficult to see inside the car
3 from the outside?

4 MR. BRADY: Objection.

5 THE COURT: Sustained.

6 BY MR. SCOTT:

7 Q How do tinted windows affect your perception of
8 somebody inside car?

9 A Hard to see.

10 Q Okay. And whenever Genesis pulled up that particular
11 night, tell me what you did. Did you go to the
12 passenger's side? Did you go to rear?

13 A I came out of the house. I went to the passenger's
14 side door trying to get in, and somebody was sitting in
15 the front seat.

16 Q Okay. Did you -- you opened the door, and you were
17 surprised to see somebody sitting there?

18 A Yes, sir.

19 Q Okay. Who was sitting in the passenger's side?

20 A Jerod.

21 Q Okay. Let me ask you, what was your understanding
22 when you went out there to meet with Genesis? What did
23 you think you guys were going to do that night?

24 A I mean just chill, you know.

25 Q How were you dressed?

1 A I had flip flops on, some shorts and I think a tank
2 top.

3 Q Okay. So you weren't dressed to go out to any clubs
4 or anything?

5 A No, sir.

6 Q Okay. And were you expecting to go out to clubs that
7 night?

8 A No, sir.

9 Q You just -- your intention was what?

10 A Just to, you know, ride around, just chill.

11 Q Okay. And was that something you guys did from time
12 to time?

13 A Yes, sir.

14 Q When you got in the car, did Genesis and Jerod, do
15 you remember whether or not they had any alcohol in the
16 car?

17 A It was a bottle of Hennessey's.

18 Q A bottle of Hennessey's?

19 A Yes, sir.

20 Q Okay. Do you remember whether the two of them were
21 drinking that night?

22 A Yes, sir.

23 Q Okay. All right. So you've got -- you testified
24 Genesis was driving the car?

25 A Yes.

1 Q Do you know who that car belonged to?

2 A Jamiah.

3 Q Jamiah is who?

4 A Genesis' girlfriend.

5 Q Genesis' girlfriend?

6 A Yes, sir.

7 Q Okay. And you're saying it was common for him to
8 borrow her car and drive around in it?

9 A Yes, sir.

10 MR. BRADY: Objection, leading.

11 THE COURT: Sustained.

12 BY MR. SCOTT:

13 Q How many times had you seen Genesis in that car?

14 A Months. We used to go fill out applications and
15 stuff.

16 Q I mean, approximately how many times was it?

17 A More than -- more than what, five times, ten times.

18 Q All right. You testified Genesis was driving. You
19 testified Jerod Goodwin was in the passenger, front
20 passenger's seat?

21 A Yes, sir.

22 Q And so where did you get in the car?

23 A I got behind Jerod.

24 Q Okay. So you were in the rear passenger's side of
25 the car?

1 A Yes, sir.

2 Q All right. Do you remember -- where did you guys go
3 after you left your house?

4 A We was just riding around.

5 Q Okay. Did you --

6 A We made a pit stop. Well, we went to a gas station.

7 Q Okay. And what did y'all do at the gas station?

8 A Jerod got out and went in the store.

9 Q Okay. Do you remember if he purchased anything?

10 A No, sir.

11 Q Okay. After the gas station, did you ever -- did
12 Genesis ever drive y'all to a club?

13 A Yes, sir, we went to Two Notch Bar and Grill.

14 Q All right. What happened there?

15 A We just pulled up, talked with a couple of friends
16 and left.

17 Q So nobody went inside the club?

18 A No, sir.

19 Q Okay. What about Felicities? Is that a place you
20 all went?

21 A Yes, sir.

22 Q All right. Did anybody go in the club there?

23 A No, sir, but they were like at the door like a
24 balcony. We just all were there in front of the door.

25 Q Okay. Who got out of the car at Felicities?

1 A Genesis and Jerod.

2 Q Nobody got -- did you know -- you stayed in the car?

3 A Yes, sir.

4 Q Okay. And I know we've talked before, but tell me

5 why did you not go in the club? Why did you not get out

6 of the car and go in the club if they did?

7 A I mean, I got flip flops on, tank top. I don't have

8 clothes on me. I'm not trying to be seen like that.

9 Q Is that something embarrassing to be seen in a club

10 with flip flops and a tank top?

11 A Yeah. Yes, sir.

12 Q Is that something you would catch grief for if you

13 show up to the club with flip flops on or something?

14 A Yes, sir.

15 Q Okay. So you stayed in the car. Do you know whether

16 Genesis and Jerod went inside the club?

17 A No, sir. They didn't go inside the club.

18 Q How did you know that?

19 A I could see from where I was.

20 Q Do you remember other people in the parking lot that

21 you recognized? Were they talking with other people in

22 the parking lot?

23 A I recognized a couple people who I know, but I mean,

24 they was just out there.

25 Q I mean, did it seem like they recognized other

1 people? Were they talking with other people in the
2 parking lot?

3 A Yeah.

4 Q They were?

5 A Yeah.

6 Q Well, I guess there's two places: Two Notch Bar and
7 Grill, and you talked about Felicities. Are those places
8 you would go and see a bunch of people you're familiar
9 with?

10 A Yes, sir.

11 Q Okay. So you said they didn't go in. At some point,
12 I guess they come pack to the Chrysler?

13 A Yes, sir.

14 Q And who is driving at that point?

15 A Jerod.

16 Q Jerod is driving now?

17 A Yeah.

18 Q Or Genesis is driving now?

19 A Jerod.

20 Q Why did Jerod take the driver's seat at this point?

21 A I'm not sure.

22 Q Okay. Did Genesis get in the front passenger?

23 A Yes, sir.

24 Q And you were still the rear back passenger?

25 A Yes, sir.

- 1 Q Do you remember where you went after that?
- 2 A Went to Greene Street.
- 3 Q All right. Tell me about Greene Street. Did you
- 4 know who lived at the Greene Street address you went to?
- 5 A Jerod.
- 6 Q Okay. Had you ever been there before?
- 7 A No, sir.
- 8 Q Okay. Tell me -- all right. You testified that when
- 9 you got picked up, you thought y'all were just going to
- 10 ride around?
- 11 A Yes, sir.
- 12 Q Okay. You testified you were surprised to see Jerod
- 13 Goodwin in the passenger's seat when you got in?
- 14 A Yes, sir.
- 15 Q At this point in the night, you testified you had
- 16 been to a gas station. You had been to a bar on Two
- 17 Notch, and then you had been to Felicities which is where?
- 18 A Fairfield Road.
- 19 Q Fairfield Road, all right. And you're in a tank top
- 20 and flip flops?
- 21 A Yes, sir.
- 22 Q How were you kind of feeling at this point about how
- 23 the night is progressing?
- 24 A I mean, kind of off.
- 25 Q Off?

1 A Yes, sir.

2 Q Okay. Was there anything Mr. Goodwin was doing to
3 make you feel off that particular night?

4 A I seen his gun.

5 Q Okay. At what point did you first see him with a
6 gun?

7 A At the gas station off Fontaine and Two Notch.

8 Q Okay. Tell me where he had his gun.

9 A While he was driving?

10 Q Yeah.

11 A He had it in his lap.

12 Q Okay. When he was sitting down, did he ever have it
13 in his waistband or in his lap as far as your
14 observations?

15 A He just kept it in his lap.

16 Q Okay. How did that make you feel that he's signature
17 there with a gun in his lap?

18 A Awkward. Just felt like, you know, something off.

19 Q Something is off?

20 A Yeah.

21 Q All right. Had you seen Jerod Goodwin before this
22 night?

23 A No, sir.

24 Q Did you not tell me before you had seen him around?

25 A I had seen him around but I...

1 Q I'm not asking you if you were really tight with him.
2 A Okay.
3 Q Were you familiar with him?
4 A Oh yes, sir. I had seen his face a couple of times.
5 Q Okay. And you had seen him in places that you would
6 frequent from time to time?
7 A Yes, sir.
8 Q Okay. And so were you friends with him at this
9 point, or was he just somebody you recognized?
10 A Just somebody I recognized.
11 Q Okay. How is this making you feel, this guy that you
12 didn't really know that you weren't expecting to be out
13 that night was openly holding a gun in his lap?
14 A It threw me off.
15 Q Okay. You said he's drinking.
16 A Yes, sir.
17 Q And what else is he doing?
18 A Smoking.
19 Q Smoking what?
20 A Weed.
21 Q Okay. He's drinking alcohol. He's smoking weed?
22 A Yeah.
23 Q Let's be clear. Genesis was drinking, too?
24 A Yes.
25 Q Did you notice Genesis and Jerod maybe feeling the

1 effects of that Hennessey and that weed?

2 A Yes, sir.

3 Q And did you see some evidence of that when y'all got
4 to the Greene Street address?

5 A Yes, sir.

6 Q Who lived at that Greene Street address?

7 A Jerod.

8 Q Okay. Did you ever go inside the residence at the
9 Greene Street address?

10 A No, sir.

11 Q Who is the person who would go inside that house?
12 Who did you see going in that house when you were there?

13 A Jerod.

14 Q And it was indicated to you that he lived there?

15 A Yes, sir.

16 Q So if you didn't go in the house, where were you and
17 Genesis kind of hanging out at Jerod's home?

18 A I was staying by the car, but when we first pulled
19 up, everybody was standing in like the street area.

20 Q Uh-huh.

21 A Then there was a lot of commotion. I stood by the
22 car.

23 Q What kind of commotion went on?

24 A Like arguing, you know, people pulling out guns.

25 Q People pulling out guns at the place, and there was

1 an argument going on?

2 A Yes, sir.

3 Q At some point, did you see Genesis involved in some

4 kind of argument with some people out there?

5 A Yes, sir.

6 Q Okay. And do you know what the argument was about?

7 Could you hear what was going on?

8 A Yes, sir.

9 Q Did you hear people calling Genesis names or anything

10 like that?

11 A Yes, sir.

12 Q And these were all grown ups. You're not going to

13 hurt anyone's feelings. What were the people saying?

14 What do you remember?

15 A He used the "B word".

16 Q What's the "B word"?

17 A You know, bitch. You know what I'm saying, pussy,

18 like that, stuff like that.

19 Q And guns were involved while they're saying this now?

20 A Yes, sir.

21 Q Let me ask you this under oath. Did you ever see

22 Genesis Williams with a gun that night?

23 A No, sir.

24 Q Never. All right. So he is now at Jerod Goodwin's

25 house and people who were hanging out at Jerod Goodwin's

1 house get in an argument with him, you said. They pull
2 guns out. Did you ever see guns point at Genesis?

3 A Yes, sir.

4 Q Okay. At some point, did Jerod Goodwin join in with
5 the name calling and accusations against Genesis Williams?

6 A Yes, sir.

7 Q And what was Jerod Goodwin saying to Genesis
8 Williams?

9 A Like fight. We could do this, and you're a bitch.

10 Q You're a bitch. We can fight?

11 A Yeah.

12 Q And do you know -- what was it that Genesis did that
13 night where he was being called a bitch?

14 A I mean nothing. He was just being Genesis talking
15 stuff, but he wasn't being physical.

16 Q Did it get physical? Was there any pushing or
17 tussling or anything like that?

18 A Yeah. It was -- no. It was just that really and
19 back and forth talking.

20 Q Okay. And you said Jerod joins in at some point?

21 A Yes, sir.

22 Q And again, all these people out here are drinking and
23 smoking?

24 A Yes, sir.

25 Q Okay. Is it fair to say you saw a bunch of

1 intoxicated people out there?

2 A Yes, sir.

3 Q How are you feeling now? I mean, you said you're
4 still in your flip flops and your tank top. How far away
5 are you from home? I mean, out from Greene Street?

6 A I'm on Greene Street, you know. I take Millwood to
7 go on Leesburg. I would say about what, 20 -- I would say
8 about 15 minutes, 15, 16 minutes.

9 Q Now, you're at the dude's house. You don't know. A
10 bunch of intoxicated people. Guns are being pointed left
11 and right. You're in your flip flops and tank top.
12 You're far from home. How are you feeling at this point?

13 A Really I'm feeling like, you know, terrified. You
14 know what I'm saying. I'm telling Genesis like, "Take me
15 home."

16 Q You told Genesis to take you home?

17 A Yeah.

18 Q I guess that's what I'm getting at. At this point
19 you're kind of fed up like I'm ready to go home?

20 MR. BRADY: Objection, leading.

21 THE COURT: Sustained.

22 THE WITNESS: Yes, sir.

23 MR. BRADY: Objection, move to strike.

24 THE COURT: Yes.

25 Ladies and gentlemen, disregard that last question

1 and answer. Rephrase your question.

2 BY MR. SCOTT:

3 Q I want you to explain drunk people pulling guns.

4 You're not really dressed to go out, strangers around.

5 What are you wanting to do at this point of the night?

6 A I want to go home.

7 Q Okay. And what did you say to Genesis about that?

8 A "Take me home".

9 Q Okay. So you testified Genesis, is he intoxicated at
10 that point or can you say?

11 A Yes. But that's why I told him to let me drive.

12 Q Let you drive?

13 A Yes.

14 Q Okay. And did he agree to that?

15 A Yes, sir.

16 Q Okay. Did he give you the keys to the car?

17 A Yes, sir.

18 Q And okay. So you agreed to drive.

19 A Yes, sir.

20 Q Where did Genesis sit in the car?

21 A Passenger's seat.

22 Q Okay. What happened before y'all left the Greene
23 Street address, the home of Jerod Goodwin?

24 A Happened before?

25 Q What happened right before y'all left?

1 A He gave me the keys. I got a key to open the door.
2 Got in the car. Well, I see Jerod opening the back door
3 behind the driver's seat. So I'm really confused, like
4 what's going on.

5 Nobody said anything, if we're already at your house
6 why are you getting back in the car, driving down
7 Leesburg?

8 Q Say that again. I just want to make sure they heard
9 what you said. I think what I heard was you get in the
10 driver's seat. Genesis gets in the passenger's seat of
11 his car. Jerod Goodwin jumps in the seat behind you?

12 A Yes, sir.

13 Q And you said you were thinking what now?

14 A I'm kind of terrified because if we're already at
15 your residence, why are you getting back in the car if I'm
16 going home.

17 Q And you had just seen this whole confrontation
18 between Genesis, Jerod, and Jerod's friends?

19 A Yes, sir.

20 Q Did you say anything to Jerod about getting the heck
21 back out the car or anything like that?

22 A No, sir.

23 Q Did Genesis say anything about him getting in?

24 A No, sir.

25 Q Okay. All right. And did you make it clear that

1 when you left the Greene Street address, you're driving
2 towards Sumter back to your house 15, 20 minutes away?

3 A Yes, sir.

4 Q Did you ask him like why are you driving?

5 MR. BRADY: Objection, leading.

6 THE COURT: Sustained.

7 BY MR. SCOTT:

8 Q Did you ask him anything about what he was doing in
9 the car?

10 A No, sir.

11 Q Okay. Did he explain to you why he decided to leave
12 his house and ride with you back out towards Sumter to
13 your house?

14 A No, sir.

15 Q Okay. What was -- was Jerod Goodwin dressed?

16 A Yes, sir.

17 Q Okay. Was he wearing pants?

18 A Fully dressed yes, sir.

19 Q Okay. Fully dressed. Was he wearing a shirt?

20 A Yes, sir.

21 Q Okay. And he jumped back in the car. Did you see
22 the gun? Did he still have the gun when he got back in
23 the car?

24 A Yes, sir.

25 Q Okay. Well, how are you feeling now? You're

1 driving. He's sitting behind you, and he's fully armed.

2 A I'm scared. I'm looking at him the whole -- I'm
3 looking at him in the rearview the whole time. He's
4 quiet. He's not saying nothing.

5 Q Okay. How does this make you feel?

6 A I'm just looking in the rearview mirror. I'm not
7 even paying attention to the road.

8 Q Okay. So you're just steady watching him while
9 you're driving?

10 A Yes, sir.

11 Q This is -- I think this is kind of how you described
12 it. The car is pointing this way, right? And so this is
13 you in the driver's seat. Genesis in the front passenger,
14 and Jerod is sitting behind you?

15 A Yes, sir.

16 Q And obviously, nobody is in the rear passenger; is
17 that correct?

18 A Yes, sir.

19 Q All right. On the ride back to your house, what's
20 going on between Genesis and Jerod?

21 A Well, it was quiet for a minute like until we got
22 close to my home, to my house.

23 Q And what happened then?

24 A It was steady name calling, you know, saying I'm not
25 a bitch. You're a bitch. I'm not a bitch. You know,

1 just going back and forth. When we got to my street, I
2 was like man, I'm fed up with this. I'm getting out and
3 walking the rest of the way because I don't want no, you
4 know, conflict on my mama's driveway.

5 Q Let me show you -- I want to do something real quick.
6 Hold that thought. I want to real quick show you
7 something. I'm going to show you an aerial we've already
8 introduced. I guess it's State's number 2.

9 I'm going to pull this up for the jury. It's State's
10 number 2 already admitted into evidence. Do you recognize
11 where everything is in that picture?

12 A Yes, sir.

13 Q I'll see if I can do this. Can you all see that?
14 This Road? What's this road? What's this road?

15 A That's Prince Edward.

16 Q Prince Edward?

17 A Yeah.

18 Q Is that Dominion?

19 A Yes, that's Dominion.

20 Q So you're coming off this main highway. That's
21 Dominion, and you can turn onto Prince Edward. Do you
22 kind of see here where you ended up stopping the car?

23 A Yes, sir.

24 Q Okay. I'll show you on that, and I'll see if you
25 can...

- 1 A Right there.
- 2 Q Okay. So you're saying you stopped the car pretty
- 3 much right here?
- 4 A Yes, sir.
- 5 Q Okay. And tell me why you finally stopped the car
- 6 instead pulling in your own driveway?
- 7 A Because I'm staying with my mom, and they was
- 8 arguing. You know, I wasn't trying to get kicked out of
- 9 the house.
- 10 Q Okay. Well, they were both arguing with one another.
- 11 It was still more of the same kind of argument that was
- 12 going on Greene Street?
- 13 A Yes, sir.
- 14 Q Okay. And you're saying it was you're a bitch. No,
- 15 I'm not a bitch, that kind of stuff?
- 16 A Yes, sir.
- 17 Q You didn't want that to go into your driveway?
- 18 A No, sir.
- 19 Q With your mom coming out?
- 20 A No, sir.
- 21 Q You said you were driving. Once you stopped the car
- 22 and get out, there's nobody in the driver's seat, right?
- 23 A Right.
- 24 MR. BRADY: Objection, leading.
- 25 THE COURT: Overruled.

1 BY MR. BRADY:

2 Q If you got out of the driver's seat, the seat was
3 empty, right?

4 A Yes, sir.

5 Q Okay. Was Genesis still in the passenger's seat?

6 A When I got up?

7 Q Yeah.

8 A Yes, sir.

9 Q Okay. What happened once you got out and vacated the
10 driver's seat?

11 A He told Jerod to exit his vehicle.

12 Q He told Jerod to get out of his vehicle?

13 A Yes.

14 Q Okay. Did Jerod get out?

15 A No, sir.

16 Q Okay. Your observation, did Jerod still have that
17 pistol?

18 A Yes, sir.

19 Q Okay. Do you remember what kind of pistol it was?

20 A Yes, sir.

21 Q What kind?

22 A It was a Glock.

23 Q And you saw it throughout the night?

24 A Yes, sir.

25 Q Okay. Do you remember him ever sitting with it

- 1 lodged in his waistband?
- 2 A No, sir.
- 3 Q Okay. Have you ever tried to sit down with a gun in
- 4 your waistband?
- 5 A No, sir.
- 6 Q Okay. But it was on his lap whenever you saw him
- 7 with it?
- 8 A Yes, sir.
- 9 Q But you said at this point this argument was going
- 10 on. You get out of the car. You said Genesis was telling
- 11 Jerod to get out?
- 12 A Yes, sir.
- 13 Q Did Jerod get out?
- 14 A No, sir.
- 15 Q Okay. And what happened next?
- 16 A Genesis got out.
- 17 Q Okay.
- 18 A And came to -- over by this side where his door was
- 19 at. He opened the door, and he asked him, Jerod, to get
- 20 out of the car. He still wouldn't get out.
- 21 Q Was that Jerod Goodwin's car?
- 22 A No, sir.
- 23 Q Okay. And Genesis was asking him to get out, and
- 24 he's just not doing it?
- 25 A Yes, sir.

1 Q Did you see what he was doing with a gun at this
2 point?

3 A No, sir.

4 Q Do you remember where you were standing when all this
5 was going on?

6 A Yes, sir.

7 Q Where?

8 A Well, I went to get my belongings. I went to the
9 passenger's side to get my belongings like my cigarettes
10 and stuff.

11 Q Okay. You said Genesis was coming over here to
12 Jerod?

13 A Yes.

14 Q He asked him to get out. Jerod is not getting out.
15 What did Genesis do?

16 A He's like grabbing on his shirt, still asking him to
17 get out of the car or telling him to get out of the car.

18 Q All right. And what's Jerod doing?

19 A Holding a gun in his hand.

20 Q Okay. He had it in his hand at this point?

21 A Yes, sir.

22 Q Did you ever see Genesis going for the pistol?

23 A No, sir.

24 Q Did you ever see Genesis with a pistol that night?

25 A No, sir.

- 1 Q Okay. But Jerod had it?
- 2 A Yes, sir.
- 3 Q Genesis is trying to get him out of the car, and
- 4 Jerod has got the pistol and Jerod is not getting out of
- 5 the car?
- 6 A No, sir.
- 7 Q Did you ever see Genesis Williams put Jerod Goodwin
- 8 in a headlock?
- 9 A No, sir.
- 10 Q Okay. Did you -- you can clearly see the gun when
- 11 all this is going on?
- 12 A Yes, sir.
- 13 Q So your testimony is it was not in Jerod Goodwin's
- 14 waistband?
- 15 A No, sir.
- 16 Q Okay. How long do you think this goes on where
- 17 Genesis is trying to pull him out of the car, and he won't
- 18 get out?
- 19 A It went on for at least like five minutes. I would
- 20 say like five minutes.
- 21 Q Five minutes is a long time.
- 22 A Yeah.
- 23 Q You sure it went on that long?
- 24 A Yeah.
- 25 Q It did go on for awhile?

1 A Yeah.

2 Q What are you doing?

3 A I'm still trying to tell him like chill out. My mom
4 stays on this road. Y'all chill out.

5 Q Did you ever hear Genesis Williams threaten Jerod
6 Goodwin?

7 A No, sir.

8 Q Okay. But you're saying it was consistently just get
9 out of the car?

10 A Get out of car. Get out of the car.

11 Q Okay. What did all this lead up to?

12 A I guess he didn't trust him like when I got out of
13 the car.

14 MR. BRADY: Objection, speculation.

15 THE COURT: Overruled.

16 BY MR. SCOTT:

17 Q Go ahead.

18 A I guess he didn't trust Jerod when I was getting out
19 of the car. I was fixing to start walking back to my
20 mom's, but I guess he didn't feel comfortable riding back
21 to I guess wherever with Jerod, you know. He was telling
22 him get out of the car. And Jerod, I guess he got fed up
23 and he --

24 MR. BRADY: Objection to speculation.

25 THE COURT: Overruled.

1 THE WITNESS: He was saying, "You think I'm playing.
2 You think I'm playing with you."

3 BY MR. SCOTT:

4 Q Who is saying that?

5 A Jerod. "You think I'm playing. You think I'm
6 playing" and started shooting.

7 Q Started shooting?

8 A Yes, sir.

9 Q Okay. Okay. Yeah. Because I mean, I guess if you
10 get out and leave --

11 MR. BRADY: Objection to leading.

12 THE COURT: Sustained.

13 BY MR. SCOTT:

14 Q If you left, who would be left in the car?

15 A Jerod.

16 Q And who else?

17 A And the gun and Genesis.

18 Q If you left, it would just be the two of them in the
19 car?

20 A Yes, sir.

21 Q Okay. You were testifying that upon this
22 realization, that's when Genesis says, "You have to get
23 out."

24 A Yes, sir.

25 Q And Jerod wouldn't get out?

1 A No, sir.

2 Q This is not -- you said this is not Jerod Goodwin's
3 car?

4 A No, sir.

5 Q This is a car you said that Genesis Williams drove
6 regularly?

7 A Yes, sir.

8 Q Belong to his girlfriend?

9 A Yes, sir.

10 Q Did you know -- did you see how many times -- or how
11 many times do you remember Jerod Goodwin pulling the
12 trigger on that pistol?

13 A I know it was three times.

14 Q Do you remember three?

15 A Yes, sir.

16 Q Was it pow, pow, pow or was it -- do you remember was
17 it quick secession or was it --

18 A It was one shot and then the other two behind. So it
19 was one shot and the other two followed behind.

20 Q Did you ever hear Genesis Williams threaten the life
21 of Jerod Goodwin?

22 A No, sir.

23 Q Did you ever hear Genesis tell Jerod he was going to
24 hurt him or anything like that?

25 A No, sir.

1 Q Did you ever see a weapon of any kind in Genesis
2 Williams' hands?

3 A No, sir.

4 Q And the last thing you said Jerod Goodwin said before
5 he shot was, "Do you think I'm playing?"

6 A "Do you think I'm playing?" He said it twice. "Do
7 you think I'm playing? Do you think I'm playing?"

8 Q Okay. Now, after he shot Genesis Williams three
9 times, do you remember whether or not Jerod Goodwin picked
10 up the phone and called 9-1-1?

11 A No, sir.

12 Q Do you remember if he -- was Genesis still alive
13 while you were there?

14 A He was -- I think he was unconscious. He was just --

15 Q Do you remember whether he was --

16 A I believe he was like just blacked out. I mean...

17 Q Do you understand when you're dead, you're not --

18 MR. BRADY: Objection, leading.

19 THE COURT: Sustained.

20 BY MR. SCOTT:

21 Q Can you breathe when you're dead?

22 A No, sir.

23 Q Okay. Can you talk when you're dead?

24 A No, sir.

25 Q See, I have to ask questions like that. Was any of

1 that happening?

2 A No, sir.

3 Q Okay. Do you remember whether or not Genesis was

4 gasping or anything like that?

5 A Yes, sir. More than once.

6 Q All right. Can we conclude then that he was still

7 alive? He's gasping for breath?

8 A Yes, sir.

9 Q I'm not trying to trick you. I have to ask the

10 questions a certain way. You're saying he was gasping --

11 A Yes, sir.

12 Q -- which tells us he is still alive?

13 A Yes, sir.

14 Q Okay. And you never heard Jerod call 9-1-1?

15 A No, sir.

16 Q Did you ever hear him get on the phone and ask for an

17 ambulance?

18 A No, sir.

19 Q Did you ever hear him seek any kind of medical

20 attention from him for Genesis Williams at that point?

21 A No, sir.

22 Q Instead, what did Jerod Goodwin do?

23 A He jumps in the car. He drives down Prince Edward

24 Court.

25 Q Which way, because is the car facing this way?

1 A Yes. He drives down Prince Edward Court, turns
2 around in my mother's driveway, backed up, came back down.

3 Q This is your mother's house right here?

4 A Yes, sir.

5 Q Okay.

6 A Came back up, came back down, and he stopped when I
7 was like holding -- when I was holding Genesis, he stopped
8 right there. I'm thinking he's going to shoot me, too.

9 Q What did you do when he stopped right where you all
10 were?

11 A I'm just looking at him in his eyes, really.

12 Q What did you do?

13 A I just stood right there.

14 Q You didn't run when this dude shows back up with a
15 gun?

16 A No, sir.

17 Q Okay. Did he say anything?

18 A He was like, "Come on Gen, come on Gen," like I guess
19 he was scared. I mean, I don't know.

20 Q All right. Then what did he do?

21 A He takes off.

22 Q Leaving you and Genesis on the side of the road?

23 A Yes, sir.

24 Q Do you remember about what time it was then?

25 A It was like early morning. I mean, I really can't --

1 I don't know.

2 Q Did the sun come up yet?

3 A Yeah, the sun was up.

4 Q And it's August?

5 A Yes, sir.

6 Q And you're saying he left that man just laying in the

7 road like that, State's 3?

8 A Yes, sir.

9 Q He didn't pick him up, take him to the hospital or

10 anything like that, I guess?

11 A No, sir.

12 Q Okay. What are you thinking about? What are you

13 thinking about?

14 A Traumatized.

15 Q Are you trying to render aid or trying to make him

16 stay awake? What are you doing whenever Jerod is taking

17 off down this way, a dead end, turning around without

18 Genesis?

19 A I was holding him, but when he really came back up, I

20 really -- you know what I'm saying, my eyes were just on

21 him, but I was bent down still by Genesis. But I was just

22 looking up at him.

23 Q Okay.

24 A I just stood right there.

25 Q And then you're saying he just drove off?

- 1 A Yes, sir.
- 2 Q Do you remember him catching a wheel or anything?
- 3 Did he speed off? Do you remember anything about that?
- 4 A Sped off.
- 5 Q He sped off. Do you remember at any point him coming
- 6 back and trying to help --
- 7 A No, sir.
- 8 Q -- Genesis?
- 9 A No, sir.
- 10 Q And he didn't try to pick Genesis up, put him in the
- 11 car and take him to the hospital? You don't remember
- 12 anything like that?
- 13 A No, sir.
- 14 Q Just drove off?
- 15 A Just drove off.
- 16 Q And this was the first responder. This is State's 3
- 17 and 4. Do you see yourself in those?
- 18 A Yes, sir.
- 19 Q And that's how he left Genesis Williams?
- 20 A Yes, sir.
- 21 Q Laying on the hot asphalt like that?
- 22 A Yes, sir.
- 23 Q Okay. And then you remember law enforcement showing
- 24 up?
- 25 A Yes, sir.

1 Q At some point did your mom come to the scene?

2 A Yes, sir.

3 Q And how are you feeling at this point? How quick did
4 law enforcement get there?

5 A They got there pretty -- well, they got there quick.
6 I guess it took them a little minute, but they came like
7 right away.

8 Q They came pretty quick. And did you give them a
9 description of the car?

10 A Yes, sir.

11 Q Okay. Do you remember them asking you kind of what
12 happened?

13 A Yes, sir.

14 Q Okay. And did you tell them right away who did it?

15 A No, sir.

16 Q Why not?

17 A I didn't know his name.

18 Q Okay. And I don't want you to say it, but did you
19 know him by another nickname or something?

20 A Yes, sir.

21 Q Okay. And did you give law enforcement that
22 nickname?

23 A Yes, sir.

24 Q Okay. You told them, told law enforcement, who had
25 done the shooting?

1 A Yes, sir.

2 Q Okay. Artiz, give me one second. I want to make
3 sure I covered everything.

4 (Pause.)

5 I did leave out some things I wanted to ask you
6 about. All right. So do this, if you will. With the
7 Court's permission, could you step down.

8 I just want you to show the jury kind of what you
9 remember, the struggle that went on with Genesis trying to
10 get him out of the car, kind of how that happened. Don't
11 tear my shirt up or anything but just kind of...

12 A I got you.

13 Q All right. I'm Jerod, okay. You're at the rear
14 passenger's door, right. Show me kind of what you
15 witnessed yourself on that night on the early morning
16 hours of August 15th. Tell me how this is going. Show
17 me. You're Genesis, okay.

18 A We got out of car. He went out first, so he started
19 grabbing my shirt there.

20 Q Okay. Pulled him like that?

21 A Yeah.

22 Q All right. And now, the part where he says, "You
23 think I'm playing? You think I'm playing", was that while
24 he's sitting down, or did he get out of the car?

25 A No. He came out of the car saying that.

1 Q All right. He gets out of the car. He's pulled
2 fully out of the car where he's at?

3 MR. BRADY: Objection, leading, if we're going to do
4 this.

5 THE COURT: Sustained.

6 BY MR. SCOTT:

7 Q Okay. So he gets out. "You think I'm playing? You
8 think I'm playing?" That happens outside of the car?

9 MR. BRADY: Again, leading. I would like
10 Mr. Adeyinka to tell Mr. Scott how he reacted.

11 MR. SCOTT: A leading question is one that suggests
12 the answer.

13 THE COURT: Right.

14 (Pause.)

15 He's really rehashing his testimony. Your objection
16 is now overruled.

17 BY MR. SCOTT:

18 Q So he's out of the car when he says, "You think I'm
19 playing? You think I'm playing?" He shoots him when he's
20 out of car?

21 A Yes.

22 Q Genesis is not armed, you said?

23 A Not armed.

24 Q Did you ever see any kind of a headlock being --
25 Genesis putting on Jerod while he was by the car?

1 A No, sir.

2 Q And where is my gun at this point if I'm Jerod?

3 A Right hand.

4 Q Left hand?

5 A Right hand.

6 Q So he's jerking on it like you just described. Did

7 you see Genesis using any deadly force on Jerod?

8 A No, sir.

9 Q Did you see him doing anything that would lead to

10 great bodily injury on Jerod?

11 MR. BRADY: Objection, legal conclusion.

12 THE COURT: Overruled.

13 MR. BRADY: He hasn't given the definition.

14 THE COURT: I heard you. Overruled.

15 BY MR. SCOTT:

16 Q All right. Did you see anything that would have

17 created great bodily injury on Genesis --

18 A No, sir.

19 Q -- or Jerod? I'm sorry.

20 A No, sir.

21 Q Just tugging t-shirt?

22 A No, sir.

23 Q The shooting happens. He's standing up outside the

24 car.

25 A Yes, sir.

1 Q Did you see any other way for Jerod Goodwin to avoid
2 shooting Genesis? I mean, could he have run this way or
3 run that way?

4 A No.

5 Q Okay. Could he shut the door and lock it?

6 MR. BRADY: Objection, leading again.

7 THE COURT: Overruled.

8 BY MR. SCOTT:

9 Q Could he shut the door and lock it?

10 A Yes, sir.

11 Q I want to show you. You can take a seat. Thank you.

12 This is State's number 10.

13 A Yes, sir.

14 Q And where is that? Is that the rear drivers?

15 A Yes, sir.

16 Q This would be the seat that Jerod Goodwin was sitting
17 in?

18 A Yes, sir.

19 Q Do you see a locking mechanism on the door?

20 A Yes, sir.

21 Q Okay. So if that door locked, could you shut that
22 door and lock it?

23 A Yes, sir.

24 Q How big a guy was Genesis Williams?

25 A Small.

1 Q He was a little guy?

2 A Yes, sir.

3 Q What did you observe about Jerod Goodwin? Is he a

4 small guy?

5 A No, sir.

6 Q Did he look about like that?

7 A No, sir.

8 Q How did he look different?

9 A Who you talking about, Jerod?

10 Q Jerod Goodwin. Did he look the same way --

11 A Oh, yes, sir.

12 Q -- on August 15th?

13 A Bigger.

14 Q Was he bigger or smaller than Genesis Williams?

15 A Bigger.

16 Q Okay. Okay. All right. Do you see Jerod Goodwin,

17 do you see the guy who killed Genesis Williams that night?

18 A Yes, sir.

19 Q Where is he?

20 A Right there.

21 Q Black male who is staring at me right now?

22 A Yes, sir.

23 Q Okay. With the sweater vest on and the tie?

24 A Yes, sir.

25 MR. SCOTT: Okay. All right. I think that's all the

1 questions, Artiz. Answer any questions Mr. Brady has for
2 you, please.

3 THE COURT: Let's take a short break before
4 cross-examination.

5 Ladies and gentlemen, return to your jury room for
6 about ten minutes. Do not discuss the case amongst
7 yourselves. We'll bring you back shortly.

8 THE BAILIFF: Everyone remain seated until the jury
9 leaves.

10 (Whereupon, the jury left the courtroom at 11:31 AM).

11 THE COURT: Court will be in recess ten minutes.

12 Mr. Adeyinka, you can step down from the witness
13 stand, but you may not discuss your testimony with anyone.
14 Do you understand?

15 THE WITNESS: Yes, ma'am.

16 THE COURT: Okay.

17 (WHEREUPON, a short break was taken.)

18 THE COURT: Bring the jury, please.

19 MR. BRADY: Briefly I want to renew our motion for
20 Riddle or any information. We got a lot of testimony that
21 was very new for Mr. Adeyinka.

22 THE COURT: Okay.

23 MR. BRADY: If there is anything from the State.

24 THE COURT: Bring the jury, please.

25 (Whereupon, the jury entered the courtroom at 11:47

1 AM).

2 THE WITNESS: The jury is seated, Your Honor.

3 THE COURT: Thank you. Welcome back, ladies and
4 gentlemen. The witness is still under oath. It is now
5 time for cross-examination by Mr. Brady.

6 CROSS-EXAMINATION:

7 BY MR. BRADY:

8 Q Gibson Adeyinka?

9 A Yeah.

10 Q Nice to meet you. So it's fair to say that you,
11 Jerod, and Genesis are the only people that know what
12 happened at that street corner?

13 A Yes, sir.

14 Q It's just the three of you in that car?

15 A Yes, sir.

16 Q Okay. So the only people here that can actually tell
17 us what happened are you and Jerod?

18 A Correct.

19 Q And so you knew that when the police were
20 investigating this, that it was really important that you
21 talk to them?

22 A Yes.

23 Q All right. That what you told them matters?

24 A Sir?

25 Q That what you told them mattered? It was important,

1 right?

2 A Yes, sir.

3 Q And you wanted to be honest?

4 A Yes, sir.

5 Q Truthful?

6 A Yes, sir.

7 Q And you knew that they were relying on your
8 statements for what they were going to do in this case?

9 A Yes, sir.

10 Q They even recorded some of your statements on body
11 camera, right?

12 A Yes, sir.

13 Q Both on the scene and then I think just a few weeks
14 ago in November, right?

15 A Yes, sir.

16 Q But you weren't really honest with them at first,
17 correct?

18 A (There was no response).

19 Q You lied; is that right?

20 A I lied?

21 Q I'm asking you, did you lie to the police when they
22 came on the scene?

23 A No.

24 Q Okay. So you didn't lie to them about how people got
25 out of the car?

- 1 A They didn't ask me that.
- 2 Q You didn't lie to them about who was yelling to get
3 out of the car?
- 4 A They didn't ask me that.
- 5 Q You didn't lie to them about where they were in the
6 car?
- 7 A They didn't ask me that.
- 8 Q Now I know you talked to the police on the scene that
9 day, right? Is that correct?
- 10 A Yes, but they took me to the headquarters.
- 11 Q I'm talking about at the scene. Do you remember
12 talking to them while you were at the scene about three
13 hours?
- 14 A Okay.
- 15 Q Is that right?
- 16 A Yes, sir.
- 17 Q I know you met with the State a few times to talk
18 about what they're going to tell the jury today; is that
19 right?
- 20 A Yes, sir.
- 21 Q How many times did you meet with them?
- 22 A With who?
- 23 Q The prosecutors.
- 24 A Twice.
- 25 Q Twice. Yesterday?

1 A Yes, sir; and today.

2 Q And you're saying your story hasn't changed from when
3 you talked to the police on the scene until today?

4 A No, sir.

5 (Turning on the big screen in the courtroom).

6 Q Okay. So when you were on the scene, you didn't tell
7 the officers that they both got out of the car willingly,
8 right? You never said that?

9 A No.

10 MR. SCOTT: Now, Judge, this may be a novel issue,
11 but I have no precedent that he can admit a piece of
12 evidence that has not been ruled admissible by the Court.
13 Maybe he has some case law in mind.

14 MR. BRADY: Sure.

15 MR. SCOTT: What exhibit is this? It's not been
16 marked. It's not been authenticated. There's no
17 foundation whatsoever.

18 MR. BRADY: May I approach, Your Honor?

19 THE COURT: Yes, sir.

20 MR. BRADY: Your Honor, I've got one more thing to
21 hand up to the Court.

22 THE COURT: Would you turn off the screen, please?

23 MR. BRADY: Yes.

24 THE COURT: Mr. Scott?

25 MR. SCOTT: This has not what is typically done in

1 this Court. He has not been given a chance to review it.
2 What has typically been done in this courtroom is show
3 this either outside the presence of the jury or with the
4 aid of headphones and given a chance to either deny it or
5 admit it. If he admits it, he admits it. But if he
6 denies it, then some extrinsic evidence can be used.

7 MR. BRADY: Your Honor, I think we're already at that
8 point. I have asked repeatedly if he spoke to the
9 officers on the scene, if he lied to them.

10 THE COURT: All right. You've not advised him of
11 this statement, the substance of this statement, given him
12 the opportunity to review. Mr. Scott is correct. The
13 objection at this point is sustained.

14 MR. BRADY: Just be clear, Your Honor, it's just the
15 substance?

16 THE COURT: I'm sorry?

17 MR. BRADY: It's just the substance?

18 THE COURT: I'm sustaining his objection. I'm not
19 going to tell you how to present it. I am telling you
20 you're presenting it in an incorrect way.

21 BY MR. BRADY:

22 Q When you spoke with Officer Gibson on the scene, he
23 was one of the first officers to speak with you, correct,
24 and you told him that everyone got out of the car at the
25 same time voluntarily. Is that true?

1 A No.

2 THE COURT: Turn the screen off.

3 MR. BRADY: May we approach, Your Honor?

4 THE COURT: Okay, I'll tell you the same thing up
5 here. Come on.

6 (There was a bench conference in the presence of the
7 jury but out of the hearing of the jury.)

8 THE COURT: Ladies and gentlemen of the jury, I'm
9 going to send you on a lunch break. We'll finish this
10 testimony after lunch. Be back in your jury room at 1:30.
11 Don't discuss the case amongst yourselves or with anyone
12 else. Don't do any research about the case. Enjoy your
13 lunch.

14 (Whereupon, the jury left the courtroom at 11:56 AM).

15 THE COURT: At this point, Mr. Brady, I'd like you to
16 explain why upon hearing the Court's ruling on the State's
17 objection you disregarded that ruling and decided to do
18 what you wanted to do in any case.

19 MR. BRADY: Your Honor, the objection was under 613
20 regarding extrinsic evidence and what it can be produced
21 in order to impeach a witness. It can be produced after
22 they have made a statement, and then been confronted with
23 an inconsistent statement, they're asked about if they had
24 provided a previous inconsistent statement.

25 They're told where it happened and why it happened

1 finish your testimony, sir. You're still under oath.

2 (Whereupon, the jury entered the courtroom at 1:27
3 PM).

4 THE BAILIFF: The jury is seated, Your Honor.

5 THE COURT: Thank you. Welcome back, folks. Okay.
6 We've gotten our ducks in a row. We're still on the
7 cross-examination of this witness by Mr. Brady. We're
8 going to forge ahead. You may resume your
9 cross-examination Mr. Brady.

10 MR. BRADY: Thank you, Your Honor.

11 BY MR. BRADY:

12 Q Mr. Adeyinka, I think where we left off, we were
13 talking about you were the only witness besides
14 Mr. Goodwin that was there that day that's still here to
15 testify, correct?

16 A Yes, sir.

17 Q We were talking about how important it was for you to
18 be truthful with the police when you talked to them on the
19 scene, right?

20 A Yes.

21 Q We talked about how -- I don't think we actually did
22 talk about this, but you talked to maybe six, seven police
23 officers on the scene; is that about right?

24 A I can't remember.

25 Q More than one?

1 A Yes.

2 Q Multiple police officers, and you told all of them
3 different stories than what you told the jury here today;
4 is that right?

5 A Can you repeat that again?

6 Q The police, when they came on the scene, you told them
7 something very different than what you told the jury
8 today.

9 A At the time I was traumatized. So much was going on
10 so, you know.

11 Q Is that a yes? Is that a yes that you did tell the
12 police something different than what you told the jury
13 today?

14 A I'm not sure.

15 Q I think where we left off, we were talking about your
16 conversations with Officer Gibson, right?

17 A Correct.

18 Q So Officer Gibson -- he was one of the first people
19 on the scene; is that right?

20 A I don't believe so.

21 Q Okay. And one of the very first things that he asked
22 you was what happened, right?

23 A Yes, sir.

24 Q And you just testified after you talked with the
25 State yesterday and the day before -- I'm sorry, was it

1 the day before or also last week that you met with the
2 State?

3 A Who is the State, them?

4 Q Yeah, the prosecutors.

5 A Yes, sir.

6 Q All right. So after yesterday, you came here and you
7 testified that Jerod had stayed in the car, right, and
8 that Genesis went around and started trying to pull him
9 out of the car, right?

10 A Yeah.

11 Q Okay. But on the scene when you talked to Officer
12 Gibson you told him that everybody got out of the car,
13 right?

14 A At what time?

15 Q 7:18 a.m.

16 A You're saying at the time that he started shooting?

17 Q No. I'm talking about when you stopped the car you
18 told Officer Gibson that at time everybody got out of the
19 car; is that right?

20 A Can I see it?

21 Q Sure.

22 MR. SCOTT: Judge, I don't know that's a denial he
23 said it. It's akin to not remembering, so I think
24 refreshing his memory might be the proper way.

25 THE COURT: It's akin to a denial. Overruled.

1 MR. BRADY: Thank you, Your Honor.

2 The Court's indulgence. I don't have the fancy TV
3 the State has. I'm learning about it.

4 BY MR. BRADY:

5 Q So you agree with me when you got on the scene, you
6 originally told the police that you got out of the car,
7 and then both of them got out of the car, right?

8 A Yes, they did. Okay, okay. But I'm saying like it
9 didn't happen like that, sir. Do you know what I'm
10 saying? You would have to be there.

11 Q Okay. So I mean, it's not just that one time, but
12 you said that to make it sound like that, right? You told
13 Officer Gibson that, earlier, right? That was at 7:31
14 a.m. You said the exact same thing at 7:18 a.m.; is that
15 right?

16 A I'm confused.

17 Q I'm asking you did you say the exact same thing that
18 everybody got out of the car at the same time for the
19 purpose of fighting each other, that Mr. Goodwin and
20 Genesis got out of the car for the purpose of fighting
21 each other.

22 A They wasn't fighting.

23 Q But that is what you told the police that morning is
24 they both got out of the car for the purpose of fighting
25 each other?

- 1 A Can I see it?
- 2 Q Sure. You agreed they both got out of the car and
3 started shoving each other, right?
- 4 A There was so much going on. I was traumatized, sir.
- 5 Q But you agree with me that's what you told the
6 police. That's what you told Officer Gibson. That's what
7 you told Officer Mitchell; is that right?
- 8 A From seeing it yeah, but there's so much going on in
9 my head. You hit me where the exact story like there was
10 so much going on in my head.
- 11 Q You also told them that they were both yelling at
12 each other to get out of the car to fight; that they were
13 both saying get out, get out. Let's fight. Everybody was
14 yelling, "Get out. Get out. Let's fight"?
- 15 A Get out where?
- 16 Q Out of the car.
- 17 A That's not what happened.
- 18 Q I'm asking you if that's what you told the police?
- 19 A I don't remember.
- 20 (Pause).
- 21 (Playing video).
- 22 You said for fighting, right?
- 23 Q This time I'm asking you about -- we're done with
24 that. You told the jury and the State had you testify
25 that only Genesis had gotten out saying, "Get out of the

1 car. Get out of the car" but originally you told the
2 police that both of them were yelling at each to get out
3 of the car.

4 A I don't remember that, sir.

5 Q You don't remember that?

6 A No. I'm saying I don't remember.

7 Q And, you know, I think another thing is that when you
8 talked to the police, not just the first occasion with
9 officer Mitchell or Officer Gibson, but then with
10 Investigator Brown you went so far as to say that
11 everybody got out of the car -- make sure I get this
12 right. They were shoving each other, and then the shots
13 happened immediately, right?

14 A Can you repeat that?

15 Q You said both of them got out of the car, shoved and
16 then shots, right?

17 A It was -- it was -- it was...

18 I don't know.

19 Q Do you remember describing them facing each other
20 jabbing like this?

21 A It was none of that.

22 Q It was none of that now. It was zero shoving; is
23 that right? There was no shoving; is that correct?

24 A (There was no response).

25 THE COURT: Is that correct, sir?

1 THE WITNESS: There was no shoving.

2 BY MR. BRADY:

3 Q Okay. I see you looking at the State.

4 A No. I'm looking right here.

5 Q Okay. So today we've got Genesis gets out of the car
6 by himself. Jerod stays in the car, right? That's what
7 you told the jury today, correct?

8 A Yeah.

9 Q What you told the police on scene was that Adeyinka
10 [sic] got out of car at the same time, right?

11 A That's what?

12 Q That's what we just watched, right? For the purposes
13 of fighting each other, started shoving; is that right?

14 A Is this...

15 Q Is that correct? You have to say yes or no so the
16 court reporter can record it.

17 A Yes.

18 Q Okay. But today, it's a totally different story.
19 Now, we have Jerod staying in the car, and then we have
20 got Genesis reaching in and pulling him out, right?

21 A Yes, sir.

22 Q And again, that story has only come up for the first
23 time not with the police on the scene but after you have
24 met with the prosecutors, right?

25 A No.

1 Q That's the first time that you said that.

2 A No.

3 Q I'm sorry, Lieutenant Dauway on November 22, 2023.

4 That was the first time you said that.

5 A That was at headquarters?

6 Q No. That was at your house.

7 A Yeah. That's what I'm saying, not the first time.

8 Q Okay. It's the first time since November 22, 2023,

9 two years afterward that this story comes out?

10 A Okay. Yes.

11 Q Okay. We're going off your word that they both get

12 out and shove each other, and then Mr. Goodwin just draws

13 a pistol and shoots.

14 A No one asks me about shoving.

15 Q That's what you told them.

16 A Just that first time.

17 Q Just that one time you said it?

18 A Yeah.

19 Q So you didn't also say that to Officer Nations on the

20 scene?

21 A (There was no response).

22 Q You have to say yes or no.

23 A I'll wait and see.

24 (Video was played).

25 I said both of them said that.

1 Q Right. But that's not what you told the jury when
2 the State was directing you, right? At that point, you
3 acknowledged that's what Genesis was saying.

4 A Can you repeat that?

5 Q When you testified on direct examination, you said
6 something very different. You said that only Genesis was
7 yelling to get out of car, right?

8 A Yes.

9 Q And again, the police did not have that information
10 from you back when they said -- approached Mr. Goodwin.

11 A He was saying get out of his car.

12 Q Right. That's --

13 A Not get out of the car to fight. He was saying just
14 get out of his car, period.

15 Q That's not the reason they were saying it?

16 (Playing video).

17 So you made it seem like to the officers that they
18 were both trying to get out and fighting, right?

19 A Yeah.

20 Q And you made it seem like Jerod is getting out to
21 fight?

22 A I mean, I don't know what he was doing. I don't know
23 what he was thinking.

24 Q I'm not going to play it again, but you agree that's
25 what you told them.

1 Now, again, you met with the prosecutors a couple of
2 times, but the first time you said there were any delays
3 in the shots, that they weren't all rapid succession back
4 to back was today. That's the first time you ever said
5 that, correct?

6 A Yeah.

7 Q On the scene, you said that you don't know how many
8 times the gun was shot, right?

9 A It was like on and off.

10 Q Yeah, I can imagine.

11 A Yeah.

12 Q But you did describe it, right?

13 A Yeah.

14 Q You said pop, pop, pop, right?

15 A Uh-huh.

16 Q So today you've changed your testimony in front of
17 the jury, right? You said there's a delay now; is that
18 right?

19 A Listen man, it was -- listen, I mean, I'm not lying
20 or nothing that.

21 Q But you agree that back then you said pop, pop, pop,
22 and today you're saying there was a delay; is that right?

23 A Yes, sir.

24 Q Now, when you're on scene, you didn't mention Greene
25 Street one single time, right? When you talked to the

1 police at the scene of the shooting, you never once said
2 the word Greene Street; is that right?

3 A I wasn't asked that.

4 Q No, but they asked you what happened, right?

5 A They asked me what happened.

6 Q Okay. And you never said --

7 A They asked me what happened at the scene.

8 Q And they asked you where you're coming from, right?

9 A I'm not sure they asked me. I don't know.

10 Q You lied to them and told them you were coming from
11 the hookah lounge.

12 A I don't recall that.

13 Q Did you tell them that, help refresh your memory?

14 A I don't recall it.

15 Q Would seeing a video of you saying it help refresh
16 your memory?

17 A Yeah.

18 Q There's some headphones. There you go.

19 Let me know if it's too loud, or you can't hear it?

20 A You have to turn it up.

21 Q Is that good?

22 A Play it again.

23 Q All right. Sure. Is that right? You told them you
24 were coming from the hookah lounge on Broad River Road,
25 right?

1 A Yeah, we went -- yeah.

2 Q Okay. And they asked exactly where you're coming
3 from. You didn't say Greene Street; is that right?

4 A There were so many questions. At what time, do you
5 think?

6 Q At that time we just saw together. You told the
7 police that you were coming from hookah, right?

8 A Yeah, but if you -- I don't.

9 Q You never told the jury that, right? Today you're
10 not going to say that you went to the hookah lounge; is
11 that right?

12 A Do you know what he asked me before that?

13 Q So you never went to the hookah lounge?

14 A I'm asking do you know what he asked me before that?

15 Q Didn't go to the hookah lounge?

16 A Do you know what he asked me before that? I'm trying
17 to understand. Do you know what he asked me before that
18 question?

19 Q So one other thing I want to talk to you about is at
20 Greene Street. So you said you were terrified at Greene
21 Street, right? You said you were afraid of all these
22 guns; is that right?

23 A Of course.

24 Q Of course. You're afraid of guns?

25 A Right.

1 Q Okay. And also, the guns were pulled and pointed at
2 people?

3 A Right.

4 Q You would agree with me that's not played back?

5 A That was not played back, right.

6 Q But even just three weeks ago when you were talking
7 to Lieutenant Dauway, you told him -- I mean, you were
8 Greene Street. There was a little argument.

9 A I don't recall that. Can you show me proof of that?

10 Q You never once brought up guns at Greene Street,
11 never once before today?

12 A No, I told them the same thing.

13 Q You told them Jerod had a gun on him, right? He had
14 a gun on him at Greene Street, but you never once said
15 anyone pulled a firearm on Greene Street; is that right?

16 A Yes, sir.

17 Q You said that Jerod was at his house. He armed
18 himself. That was before any sort of difficulty, right?

19 A He armed himself at his house?

20 Q I'm asking you?

21 A No. He been armed when they came and picked me up
22 from the house, he was already armed.

23 Q Okay. The first thing that you told the
24 investigators is that you went and picked Jerod up, right,
25 and that's when you noticed he had a firearm?

- 1 A Who picked Jerod up, me?
- 2 Q That's what you told Lieutenant Dauway on
- 3 November 22nd, 2023?
- 4 A No. They came and picked me up, and I went with
- 5 them.
- 6 Q You also talked about how it would be odd for Jerod
- 7 to leave his house on Greene Street, right, to go with you
- 8 guys, right?
- 9 A Yes, sir.
- 10 Q And you said that car was Genesis' girlfriend's car?
- 11 A Yes, sir.
- 12 Q And what's her name?
- 13 A J'Maiya.
- 14 Q Ms. Wilson. She lives off Millwood?
- 15 A I'm not sure. She stayed on Rosewood at that time.
- 16 Q Okay.
- 17 A She stayed on Rosewood.
- 18 Q And you agreed with me that's not anywhere near your
- 19 house?
- 20 A What, Rosewood?
- 21 Q Yeah.
- 22 A My house is Prince Edward Court.
- 23 Q Okay. Not on Garners Ferry.
- 24 A Right.
- 25 Q That's not nearby?

1 A Rosewood closer to my house than Greene Street.
2 Q Than Greene Street?
3 A Yeah.
4 Q And you said that he was too drunk to drive his car,
5 right?
6 A Genesis?
7 Q Yeah.
8 A Right.
9 Q He's been too drunk to drive his car, right?
10 A Right.
11 Q Even at Felicities?
12 A Right.
13 Q So he was driving to your house.
14 A Where? At Felicities?
15 Q No. I'm saying after Greene Street.
16 A All right.
17 Q He said it's time for me to go home. Let me get a
18 ride, right? Then what happened?
19 A What happened?
20 Q No. I mean, how is Genesis going to get from your
21 house to where he's going if he's too drunk to drive?
22 A He's not driving. I'm driving.
23 Q But you're going to go to your house?
24 A I'm going to go to my house, going to get out. I'm
25 going to get out at the top of my mother's street because

1 the situation didn't die down or none of that, so I got
2 out.

3 Q You're going to leave Genesis who is too drunk to
4 drive in the car to drive himself home, not to have Jerod
5 drive him home?

6 A I don't know who was going to drive. I know I'm
7 going to get out of the car, and go to my mother's house.

8 Q It's not your problem. Now, you acknowledge that
9 your story is different than when you got out and you told
10 the police they were just shoving each other and boom,
11 boom, boom. Now it's very different.

12 Now you have Genesis who is reaching into the
13 backseat, right, trying to drag Jerod out of the car,
14 right, and Jerod is telling you, Hey, man. Tell him to
15 chill out. Tell him to chill out. Help," right?

16 A It wasn't help.

17 Q He said, "Hey man. Come get your bro. Tell him to
18 chill out. Tell him to chill out," right?

19 A Yes, sir.

20 Q So you knew that Genesis was out of control at that
21 point, right?

22 A Everything has been out of control from Greene
23 Street.

24 Q Well, we talked about that, too. So you acknowledge
25 Jerod was not responding to Genesis on the way back from

1 Greene Street, right?

2 A He was quiet like he had something on his mind.

3 Q But Genesis was continuing to bring up the old
4 argument, right?

5 A I'm not a bitch.

6 Q Right. He kept on saying, "I'm not a bitch. I'm not
7 a pussy. I'm not a bitch. I'm not a pussy," right?

8 A Both of them said that.

9 Q Both of them were silent.

10 A You just said he said, "Hey bro, chill out."

11 Q That's when Genesis started trying to yank him out of
12 car, right?

13 A Yeah.

14 Q That's when he was asking you to get him under
15 control, right?

16 A Yeah.

17 Q Even you were concerned at that point because Genesis
18 was reaching in the backseat out of control trying to drag
19 Jerod out of there, right?

20 A Right.

21 Q And you knew that Genesis knew that Jerod had a
22 firearm on him, right?

23 A We both knew.

24 Q And he's still reaching into the backseat grabbing at
25 him trying to drag him out of the car, and he's asking for

- 1 help to get him to stop, right?
- 2 A Right.
- 3 Q Do you know the police executed a search warrant on
- 4 your Facebook account?
- 5 A Okay.
- 6 Q Not a whole lot of time around the time of the
- 7 incident to see what was going on, right?
- 8 A Right.
- 9 Q Okay. So you told the jury that Genesis told Jerod
- 10 that he had to get out of car because you had to get out
- 11 of the car, right?
- 12 A No, because I got out of the car.
- 13 Q Because he got out of the car, and then he started
- 14 yelling, "My Top Shot. Adeyinka gets out of the car, you
- 15 have to get out of the car"?
- 16 A Right.
- 17 Q He's calling you Top Shot?
- 18 A Yeah.
- 19 Q That's the nickname for you?
- 20 A Not me. That's what he called me, a lot of
- 21 nicknames. It's never been a nickname.
- 22 Q Okay. That's just what he called you?
- 23 A Yeah.
- 24 Q Okay. Do you recognize this?
- 25 A Yeah.

1 Q I'm marking this Defendant's 1 [sic] for
2 identification purposes.

3 You agree this is a post you put up right after
4 Genesis passed, right?

5 A Yeah.

6 Q You're saying, "I wish I could hear him call me Top
7 Shot one more time"?

8 A Yes.

9 MR. SCOTT: It's not been admitted into evidence.

10 MR. BRADY: Your Honor, at this time, I'd like to
11 offer Defendant's 6 into evidence.

12 THE COURT: Any objection?

13 MR. SCOTT: Just relevance.

14 THE COURT: Overruled.

15 (WHEREUPON, Defendant's Exhibit No. 6 was marked for
16 identification and received into evidence.)

17 THE COURT: Defendant's 6 is admitted over the
18 State's objection.

19 MR. BRADY: May I publish, Your Honor?

20 THE COURT: Yes, sir.

21 BY MR. BRADY:

22 Q Now, Genesis was a lot of things. I know he was your
23 best friend, right?

24 A Yes, sir.

25 Q He was funny?

1 A Yes, sir.

2 Q Really a life-of-the-party kind of guy?

3 A Yes, sir.

4 Q He was also some other things when he drank, right?

5 He would get out of control?

6 A I've never seen him like that.

7 Q Never seen him out of control?

8 A No.

9 Q Never saw him reach in the backseat and try to grab

10 Jerod out of the backseat grabbing a firearm?

11 A I've seen them like --

12 Q Pulling him --

13 A -- before that incident.

14 Q Before that incident. And Genesis had a reputation,

15 right?

16 A As what?

17 Q He was somebody who would use a gun. He held himself

18 out that way, right?

19 A I'm not sur.

20 Q You held yourself out that way?

21 A What do you mean?

22 Q You, I think, held yourself out to the public as

23 somebody who would be shot, somebody who would shoot a

24 gun, right?

25 A No, sir.

1 Q And again, you were Genesis' right-hand man, right?

2 A My best friend.

3 Q We talked about how the police got your Facebook
4 records, right?

5 A Uh-huh.

6 Q From August 1st to August 20th, 2021, right? You
7 agree with me that's your name, Artiz Adeyinka?

8 A Right.

9 Q And it's got you as the author of this Facebook story
10 that you posted, right, and it's got all the viewers
11 listed down here, right?

12 Do you agree with me that's what this record shows?

13 A Right.

14 Q It's got a lot of viewers, right, from page 1286 and
15 we can see one, two, three, four, five, six, seven, eight,
16 nine, ten, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 -- you
17 agree there's more than 20 just on this first page, right?

18 A Uh-huh.

19 Q And then on the second page now we have a full page
20 of viewers, right? The third page, we have another full
21 page of viewers?

22 A Right.

23 Q Again, as the State told you before without saying
24 it, you do see Jerod's name as one of the Facebook viewers
25 of that post?

1 A Right. Can you name a name? Can you name a name.

2 Q I'll show you a post now.

3 A Let me see the name again.

4 Q So this is the video, right, that you attached
5 1628718316. You acknowledge that you posted on your
6 story; is that right?

7 A Right.

8 Q I'm going to show you that video without showing it
9 to the jury. I think I've got this on mute, so that's the
10 video that you posted that day, right?

11 A What day was it?

12 Q August 6th, 2021, right?

13 A Okay.

14 Q So that's nine days before this, right?

15 A Right.

16 Q And you told the jury you're afraid of guns, right?

17 A Right.

18 Q Not around them, correct?

19 A Correct.

20 Q And you told them never seen Gen with a gun, right?

21 A Right.

22 MR. BRADY: Your Honor, marking this as Defense 7.

23 (WHEREUPON, Defendant's Exhibit No. 7 was marked for
24 identification only.)

25 MR. BRADY: And at this point in time, we'd ask that

1 we move Defense 7 into evidence.

2 THE COURT: Any objection?

3 MR. SCOTT: It's the video, I guess?

4 THE COURT: That's my understanding.

5 Defense 7 is admitted without objection.

6 (WHEREUPON, Defendant's Exhibit No. 7 was admitted

7 into evidence.)

8 MR. BRADY: Permission to publish to the jury?

9 THE COURT: Yes, sir.

10 BY MR. BRADY:

11 Q Again, that's you and Genesis, right? That's Genesis

12 with the AK-47; is that right?

13 A Correct.

14 Q But you've never seen him with a gun before?

15 A That wasn't his.

16 Q The AK-47 wasn't his?

17 A No.

18 Q Someone borrowed it?

19 A No. We was at somebody's house.

20 Q At whose house?

21 A At somebody's house.

22 Q And again, that's that story you sent out just nine

23 days before this published to everybody, holding it out.

24 Again, what did the video say? Can you see it?

25 A Yeah.

1 Q My Top Shoota. Is that you?

2 A Yeah, that's me.

3 Q All right. So when he's saying, "My Top Shoota is
4 more accurate than yours, pussy," is that who he's talking
5 about?

6 A I guess.

7 Q So I think you told the jury that when you got out of
8 that car, after Genesis that guy is reaching in trying to
9 pull him out, drag him out while he knows there's a
10 firearm in there. You said that you were around him on
11 other side of the car getting your stuff?

12 A Yeah.

13 Q You didn't come back around?

14 A To the driver's side?

15 Q Yeah.

16 A No, I didn't make it.

17 Q You never made it around?

18 A No.

19 Q Okay. In fact, what you told the police on the scene
20 was that you actually started walking home, right?

21 A No.

22 Q Is that correct?

23 A I don't recall that.

24 Q So you told the police that you had started walking
25 down some towards your mom's house, right; is that

1 correct?

2 A Yes. It was so much going on in my head.

3 Q You also lied to the police and told them that you
4 weren't the person driving the car, right?

5 A It was so much going on in my head.

6 Q So you're saying yes you did lie to the police?

7 A I don't know.

8 Q You told them that you were in the backseat of the
9 car and that someone else was driving, right?

10 A May I can see it?

11 Q Right. That was the first thing you told the police,
12 right? Again, you're saying you're not driving the car.
13 You're not in control of the car. Walked down the street,
14 but today you're saying you're on the other side of the
15 car, right?

16 A Yes, sir.

17 Q And that's why you couldn't get involved and like
18 grab or help or do anything like that, right?

19 A I was trying to do that in the first place.

20 Q Right. You were trying to get as far away from that
21 as possible, correct?

22 A I wish I was, but I stayed there.

23 Q And you also told the police that you were close
24 enough that when the first shot was fired, that shell
25 casing hit you in the cheek, right?

1 A It felt like something hit me.

2 Q That's hot, right?

3 A Yes.

4 Q Shell casing come out of there, burns?

5 A Right.

6 Q It's just been an explosion. You can feel that. You

7 know it hit you, right?

8 A Yeah.

9 Q You're sure you told the police that on the scene,

10 and then you told Investigator Dauway that, as well,

11 right?

12 A Yeah, but it might have been that. I'm not sure.

13 Something hit me in the face. Something touched my face.

14 Q And again, you testified --

15 A It could have been a fragment. It could have been

16 anything. You know what I'm saying?

17 Q A fragment? Did you have any sort of entry wound or

18 anything like that?

19 A I'm not sure.

20 Q Do you mind coming down? Your Honor, permission for

21 the witness to come down and demonstrate?

22 THE COURT: Yes, sir. It's better if he faces

23 towards the Court Reporter or away.

24 BY MR. BRADY:

25 Q I'd like you to sit there. You can be Jerod.

- 1 A I don't want to be him.
- 2 Q Just have a seat. We're not going to have to
- 3 re-enact. So you're in the backseat, right? That's where
- 4 Jerod is in the backseat, behind the driver, right?
- 5 A Jerod is in the backseat.
- 6 Q Okay. And you agree with me the driver's seat is
- 7 right there?
- 8 A Right.
- 9 Q Okay. The door opens this way, right?
- 10 A Right.
- 11 Q Okay. And Genesis is back here, right, trying to
- 12 grab Jerod to pull him out of the car, right?
- 13 A Right.
- 14 Q Like this?
- 15 A By the t-shirt.
- 16 Q Okay. By the t-shirt, and then you say that you're
- 17 all the way around the other side of the car?
- 18 A Towards the end -- I was in the driver's side getting
- 19 my stuff. And I kept telling him to chill out and stuff.
- 20 I was moving my way back toward the end of the car.
- 21 Q Okay. All right. That's it. Thank you.
- 22 A You're welcome.
- 23 Q Again, you were close enough, though, for that shell
- 24 casing to hit you in the face?
- 25 A Probably so. You never know. Probably so.

1 Q You seem to know a lot about Glocks, right? You said
2 you could tell Jerod had a Glock, right?

3 A Yeah.

4 Q Do you know to how those shell casings discharge? Do
5 you know how they come out of the gun?

6 A Pulling the trigger.

7 Q Do you know what direction?

8 A No.

9 Q Okay. So I got to ask. You lied to the police
10 initially, right? You said that you weren't driving the
11 car, right? Is that correct?

12 A So much going on in my head.

13 Q You told them that you were in the backseat, right?

14 A There was so much stuff going on in my head.

15 Q You told them you walked down the street, right?

16 A There was so much going on in my head.

17 Q Today you said you went around the other side of the
18 car, right, getting your stuff out of the passenger's
19 door?

20 A Right.

21 Q And then all of this pulling is going on. Before
22 that it was just shove, shove, shoot, right?

23 A Can you repeat that again?

24 Q Your first story was they both got out to fight,
25 start shoving each other and that Jerod shoots them,

1 right? That's what you told the police on the scene, all
2 right, but if you're close enough for that shell casing to
3 hit you, I have got to ask you. Were you trying to rob
4 Jerod?

5 A Of course not.

6 Q Okay.

7 A I don't have a gun. Why would I try to rob somebody
8 with no gun, and he has a gun?

9 (A cellphone alarm goes off).

10 THE COURT: Can you pause right there, sir? Whose
11 phone was it?

12 UNIDENTIFIED WOMAN: Mine.

13 THE COURT: Hand it to the bailiff, please.

14 Proceed, Mr. Brady.

15 BY MR. BRADY:

16 Q Right now as we're talking to this jury, you're
17 charged with armed robbery, right?

18 A Excuse me?

19 Q Right now while we're talking to this jury, you're
20 charge with armed robbery, correct?

21 A I'm charged with armed robbery?

22 Q You don't know if you're charged with armed robbery?

23 A I'm not charged with nothing.

24 Q You're not charged with nothing. That's the
25 Prosecutor's Office prosecuting you at that table right

1 there, right? Isn't that correct?

2 (There was no response).

3 Now I'm not saying this is true. I'm not saying
4 you're guilty. I'm just saying that you're currently
5 charged with armed robbery in Richland County, and that
6 office is prosecuting you for it, right?

7 A Oh that, yeah. Yes, sir, let me see.

8 Q Sure. This is your arrest warrant for armed robbery,
9 right?

10 A Yes, sir.

11 Q That's from this year, 2023, right?

12 A Yes, sir.

13 Q Okay. This is your warrant for the kidnapping
14 charge, right?

15 A Yes, sir.

16 Q That's also this year 2023, right? Correct?

17 A Yes, sir.

18 Q And this is -- let's see what your warrant number is?
19 Could you read that off for me, see what the warrant
20 number is at the top?

21 A 20 --

22 Q Uh-huh.

23 A 23 --

24 Q Yep.

25 A A --

1 Q Uh-huh.

2 A 40 --

3 Q Yep.

4 A 10 --

5 Q Uh-huh.

6 A 50 --

7 Q Yep.

8 A 01 --

9 Q Uh-huh.

10 A -- 74.

11 Q Okay. How about this one? Is it the exact same but

12 it ends in 3? That one right there? This one.

13 A Oh, yeah, yeah.

14 Q So you agree this is court filing for this case,

15 right?

16 A Ending in 3?

17 Q Yeah.

18 A Yes, sir.

19 Q And that says it's a notice of enrollment, right? Is

20 that correct, up at the very top?

21 A Here?

22 Q Or Notice of Appearance, I'm sorry. Is that what

23 that says?

24 A Yes, sir.

25 Q And that says that Sam McGlothin is the prosecutor

1 that's prosecuting you?

2 A Yes, sir.

3 Q That's Mr. McGlothin right there?

4 A Where?

5 Q There.

6 A Where?

7 Q Right at the table from the State.

8 A What is he -- what color is he wearing?

9 Q The gray suit.

10 A Oh.

11 Q You said you met with the State yesterday, right?

12 A I didn't know -- I didn't know that was him.

13 Q Now, on the armed robbery charge alone, you're

14 looking at a minimum of ten years, correct?

15 A Correct, uh-huh.

16 Q Okay. So if you get convicted of that, you will go

17 to prison for ten years, correct?

18 A I believe so, yes, sir.

19 Q And the maximum is 30 years, right?

20 A Believe so.

21 Q All right. So you got ten to 30 on that. The

22 kidnapping charge is another 30 years, right? Is that

23 correct?

24 A Correct.

25 Q So you gave a statement that wasn't true at the

1 beginning of this case, right, when you talked to the
2 police. You gave one story, right?

3 A There was so much going on in my head.

4 Q Right. And then you met with the prosecutor since
5 then, but we don't have any of those statements recorded,
6 right?

7 A I'm not sure.

8 Q And you changed your story, right, for the jury,
9 right?

10 A I'm not sure.

11 Q You agree with me you didn't talk with the police
12 from August of 2021 until November this year, right?

13 A Right.

14 Q In the meantime, that's when all the evidence, all
15 the police work, everything is getting flushed out so they
16 can figure out what happened, right?

17 A I believe so.

18 Q And then you go meet with the prosecutors, right?

19 A Right.

20 Q And now you give this story to the jury, right, after
21 all the time has passed, and you know that they're totally
22 in control if you go to prison for a minimum of ten years,
23 right?

24 A Yes, sir.

25 Q Up to 60?

1 A Up to 60.

2 MR. BRADY: The Court's indulgence.

3 THE COURT: Yes, sir.

4 (Pause).

5 BY MR. BRADY:

6 Q I know there's a lot going on like you said, right?

7 A Yes, sir.

8 Q And you didn't call 911, right?

9 A I think a neighbor did.

10 Q But you told the police you had, right?

11 A What?

12 Q Called 9-1-1?

13 A I don't recall that.

14 Q Again, you said you're Genesis' best friend, right?

15 A Yes, sir.

16 Q The video that we played of the you and Gen together

17 with the Facebook post, that was from Gen's account,

18 right, and made it, shared from you, right?

19 A Right.

20 Q So you're familiar with Gen's account, right? Is

21 that correct? You're familiar with Gen's Facebook?

22 A Facebook.

23 Q Yeah.

24 A Yes.

25 Q Is it fair to say Genesis had gotten a little bit

1 paranoid over the month leading up to the shooting?

2 A Sure.

3 Q And Genesis expressed that he didn't trust his
4 friends, and he would kill them if he felt they were
5 betraying him, correct?

6 A I'm not sure.

7 MR. SCOTT: Objection as to hearsay, Your Honor;
8 foundation.

9 MR. BRADY: Foundation was taken care of by the
10 stipulation to the Facebook, but I do also have a case on
11 point, State v. Green. This is 405. It goes to the state
12 of mind, and it's also necessary for the defense in a
13 self-defense case under 405 and State v. Day.

14 THE COURT: Y'all approach. I want to understand
15 your objection, Mr. Scott.

16 (Whereupon, there was a bench conference.)

17 State's objection is sustained.

18 MR. BRADY: Beg the Court's indulgence. The State
19 wants me to check something out.

20 THE COURT: Yes, sir.

21 (Pause.)

22 MR. BRADY: That's all, Your Honor.

23 THE COURT: Redirect?

24 REDIRECT EXAMINATION:
25

1 BY MR. SCOTT:

2 Q Before August 15th, 2021 have you ever had somebody
3 as close to you as Genesis murdered in front of you?

4 A No, sir.

5 Q Okay. Have you seen people shot before?

6 A Yes, sir.

7 Q Okay. I guess what I'm asking is anybody as close to
8 you as Genesis ever been murdered within feet of you
9 before?

10 A No, sir.

11 Q I want to -- help us understand the state of mind.
12 Maybe -- I've never experience anything like that.

13 MR. BRADY: Objection to the narrative.

14 THE COURT: Sustained.

15 BY MR. SCOTT:

16 Q For those of us who have never seen a best friend
17 murdered within feet, would you help explain kind of what
18 runs through one's mind when something like that happens?

19 A It's picking his face, him laying there, blood,
20 everything like that.

21 MR. BRADY: Objection, outside the scope.

22 THE COURT: Overruled.

23 THE WITNESS: Seeing his blood, seeing him gasp for
24 air, seeing him --

25 MR. BRADY: 403, Your Honor.

1 THE COURT: Overruled.

2 THE WITNESS: You know, trying to hold his peace,
3 slouching and everything, really traumatizing.

4 BY MR. SCOTT:

5 Q What does that do to one's mind, I mean? Would you
6 be fit to -- I don't know, would you feel comfortable
7 going and speaking in front of your church after seeing
8 something like that? I guess what I'm asking is how clear
9 headed are you after something like that?

10 A Not that clear headed, really.

11 Q Is it traumatizing?

12 A Very.

13 Q Is it something that sticks with you in your mind?

14 A Yes, sir.

15 Q Are you thinking very clearly after seeing something
16 like that?

17 A No, sir.

18 Q Is there any other way -- just help us get into the
19 minds of somebody who experiences something like that? Is
20 there anything you can think of -- how is your mind
21 reacting after something like this?

22 A I think I need some help, you know, what I mean.

23 Q Have you gotten any help?

24 A No, sir.

25 Q You're talking about counseling?

1 A My mom keeps telling me to get some, but I'll never
2 get none.

3 Q Do you think you would benefit from some counseling
4 talking to somebody about this?

5 A Probably so.

6 MR. BRADY: Objection, relevant.

7 THE COURT: Overruled.

8 BY MR. SCOTT:

9 Q So the defense talked about you lying, okay.

10 A All right.

11 Q I guess that's the interpretation of what a lie is.
12 I want to go over some of the things he talked about that
13 he says you lied about.

14 A All right.

15 Q One of the instances on the video, you said -- you
16 said in the statement to police you got out and walked
17 down a little bit.

18 A Right.

19 Q Now, he said he had a little different part to it.
20 He said you walked down a little bit to the mom's house.

21 A Yes.

22 Q But in the video, you just said I walked down a
23 little bit.

24 A Right.

25 Q He said that is totally different than what you

1 testified to today.

2 A Right.

3 Q But you did testify during direct that you got out of
4 the car, and you walked around the car?

5 A Correct.

6 Q You walked down a little bit, didn't you?

7 A Correct, I had to walk down a little bit.

8 Q Did you lie to law enforcement?

9 A No.

10 Q Okay. He says it was a lie when you said everybody
11 got out of the car at the same time or everybody was
12 outside of the car at the same time. He said that was a
13 lie, but you testified during direct that when the
14 shooting happened, all three of y'all were outside of the
15 car?

16 A Correct.

17 Q So did you lie to law enforcement?

18 A No.

19 Q You were pretty shook up whatever you're talking to
20 law enforcement at the scene?

21 A Very.

22 Q You testified earlier they got there pretty dang
23 close to the shooting, is that what you testified to?

24 A Correct.

25 Q Let me ask you this, okay. Were you scared after

1 this happened?

2 A Yes, sir.

3 Q What were you scared of?

4 A Jerod.

5 Q Okay. Law enforcement asked you who did the

6 shooting, didn't they?

7 A Correct.

8 Q You didn't give them a name, did you?

9 MR. BRADY: Objection, leading.

10 MR. SCOTT: I'll rephrase.

11 THE COURT: Yeah, sustained.

12 BY MR. SCOTT:

13 Q Did you tell them the name Jerod Goodwin when asked?

14 A No, sir. I didn't know his name.

15 Q Did you tell them any names at the scene with law

16 enforcement?

17 A At the scene, I didn't know his name.

18 Q I hear you.

19 MR. BRADY: Objection, Your Honor. Can we approach?

20 THE COURT: Sure.

21 (There was a bench conference in the presence of the

22 jury but out of the hearing of the jury.)

23 Continue, Mr. Scott.

24 MR. SCOTT: Thank you, Your Honor.

25

1 BY MR. SCOTT:

2 Q At the scene you didn't give any names?

3 A No, sir.

4 Q Okay. Your mother eventually talked to you?

5 A Correct.

6 MR. BRADY: Objection, outside the scope. We are not
7 talking about his mother.

8 THE COURT: Sustained.

9 BY MR. SCOTT:

10 Q Okay. At the scene, you were unwilling to give --
11 you knew -- I don't want you to say it, but you knew his
12 nickname, correct?

13 A Correct.

14 Q Okay. You didn't tell law enforcement that at the
15 scene, though?

16 A No, sir.

17 Q Okay. Somebody convinced you to talk to law
18 enforcement and come clean, didn't they?

19 A Yes, sir.

20 Q That somebody was your mother?

21 A Correct.

22 Q Okay. Why wouldn't you tell law enforcement at the
23 scene who did the shooting?

24 A Because people were saying -- giving death threats.

25 Q Okay. That's what I want to ask you about. What is

1 a snitch?

2 A Somebody who will tell on somebody.

3 Q All right. Where you live, is that something you
4 want to be labeled as?

5 A No, sir.

6 Q Okay. Are there ramifications for being a snitch
7 sometimes in your experience?

8 A Yes, sir.

9 Q Okay. Did that have any effect on your unwillingness
10 to tell law enforcement the identity of who just killed
11 your best friend?

12 A Correct.

13 Q Your mother talked some sense into you?

14 A Yes, sir.

15 Q Okay. Were you trying to distance yourself from the
16 situation when you were talking to law enforcement?

17 A Yes, sir.

18 Q Because he said you were in the backseat, and that's
19 not true, is it?

20 A No, sir.

21 Q You're scared?

22 A Yes, sir.

23 Q Do you remember Investigator Jordan, him and Dauway
24 coming to your house to speak to you?

25 A Yes, sir.

1 Q A couple weeks ago, and you told them what happened
2 that day, that night?

3 A Yes, sir.

4 Q Okay. And when Investigator Dauway and Investigator
5 Jordan were in your living room, you told them how this
6 things unfolded, did you not?

7 A Yes, sir.

8 Q Now, there was a video of -- was that your Facebook,
9 or was that Genesis' Facebook when you're posing with
10 guns?

11 A I'm not sure. You know I shared it. I'm not sure.

12 Q Amongst you and your peers, okay, is that something
13 you're accustomed to seeing on social media, people posing
14 with guns? Is that a common thing?

15 A Yes, sir.

16 Q Okay. You see that a lot?

17 A Yes, sir.

18 Q Help us understand that. For those unfamiliar
19 culturally, what is it about posing with guns? I mean,
20 I've got guns. I don't know if you will find a picture of
21 me with my gun.

22 A Yeah.

23 Q What is it? Help us?

24 A It's just -- it's just a normal thing young people
25 do.

1 Q Is it cool?

2 A I mean, I guess it's cool.

3 Q Okay. Have you ever been on one of Goodwin's
4 Facebook page, Jerod Goodwin, have you ever been on his
5 Facebook page?

6 MR. BRADY: Objection, Your Honor. May we approach?

7 THE COURT: Overruled.

8 BY MR. SCOTT:

9 Q I'm just asking. Have you ever looked on his
10 Facebook page?

11 A Yes, sir.

12 Q Okay. And I mean, if he had pictures of guns --
13 that's kind of what everybody does, right, all your
14 friends?

15 MR. BRADY: Same objection.

16 THE COURT: Overruled.

17 MR. BRADY: Your Honor, can that be a continuing
18 objection for this issue, so I don't have to interrupt?

19 THE COURT: Yes, sir.

20 MR. BRADY: Thank you.

21 BY MR. SCOTT:

22 Q Okay. Do you remember the Defense put up a Facebook
23 page with a gun?

24 A Yes.

25 Q I just want to help everybody explain -- or to help

1 everybody understand, that's something -- if we look up
2 people and, you know, they take the stand. We ask them
3 about their Facebook page, if they have guns or not,
4 that's not necessarily a unique thing, is it?

5 A No.

6 Q Okay. I don't know, is there anything against the
7 law posing with a gun?

8 MR. BRADY: Leading, Your Honor.

9 MR. SCOTT: Is there?

10 THE WITNESS: I don't think so.

11 THE COURT: The objection is overruled.

12 BY MR. SCOTT:

13 Q Okay. So if they're asking us to draw a conclusion
14 for Genesis posing with a gun, your testimony is that
15 you've seen that all time with a lot of people?

16 A Yes, sir.

17 Q A lot of your friends?

18 A Yes, sir.

19 Q Have you ever seen a music video of people posing
20 with guns?

21 A Yes, sir.

22 Q That, too, is that common?

23 A Yes, sir.

24 Q And you said you have been on Jerod Goodwin's
25 Facebook page?

1 A Yes, sir.

2 Q And you actually -- there was kind of -- I won't talk
3 about nicknames, but that nickname was how you helped
4 identify him to law enforcement?

5 A Correct.

6 Q So you had looked through his Facebook page a number
7 of times, more than once, maybe.

8 A Not really. Like I see like -- not really.

9 Q Okay. Did y'all have mutual friends maybe that you
10 would see his Facebook page?

11 A Yeah, we have mutual friends.

12 Q Okay. Tell us where were you generally -- if this is
13 the car again, driver, passenger, rear passenger, empty
14 seat -- or rear passenger, rear driver, empty rear
15 passenger, where were you standing, generally, when the
16 shooting goes off?

17 A Where am I standing? I'm standing close by in.

18 Q Like the rear tail light?

19 A Yes, sir.

20 Q The shooting happens somewhere over here?

21 MR. BRADY: Objection, leading.

22 THE COURT: Overruled.

23 BY MR. SCOTT:

24 Q You've got pending charges for armed robbery?

25 A Correct.

1 Q Have we ever discussed that once?

2 A No, sir.

3 Q Has anybody ever said, "I tell you, you help me, I'll

4 help you?" Did anything like that ever come up?

5 A No, sir.

6 Q Did you even know who Sam was?

7 A No, sir.

8 Q Do you remember a couple weeks ago you met with Tye,

9 Tye Jordan and Sergeant Dauway in your living room?

10 A Yes, sir.

11 Q And you gave a statement?

12 A Yes, sir.

13 Q When you talked to them, had you ever even met me?

14 A No, sir.

15 Q When was the first time you saw me in person?

16 A Yesterday, I think.

17 Q Okay. First time you ever laid eyes on me was

18 yesterday when you were called to court, because we were

19 thinking you would testify yesterday?

20 A Yes, sir.

21 Q And during a break, we talked for the first time in

22 person?

23 A Yes, sir.

24 Q But you had already given a statement to law

25 enforcement at that point?

1 A Correct.

2 Q Is that correct?

3 A Correct.

4 Q Do you know the address on Rosewood of J'Maiya Wilson
5 by any chance?

6 A It's some apartments, some apartments. I can't
7 remember the name. It's apartments.

8 Q Is it closer on Rosewood towards Garners Ferry or
9 closer down towards Assembly Street?

10 A It's closer to Garners Ferry.

11 Q Okay. So you don't know the address?

12 A No, sir. I think it was -- I'm trying to remember.

13 Q Let me ask you this, your armed robbery case that's
14 pending they talked about, that's 2023?

15 A Yes, sir.

16 Q Does that have any connection to the murder, the
17 killing of August 2021, of Genesis Williams?

18 A No, sir.

19 Q And again, why did you stop the car at the top of
20 Prince Edward Court instead of driving all the way to your
21 house?

22 A To prevent getting kicked out of the house or causing
23 my mom any harm where she lives at.

24 Q Okay. Did you ever think about trying to rob a man a
25 couple houses down from your mother?

1 A No, sir.

2 Q Okay. That's what they're asking about. Did you try
3 to rob Jerod Goodwin?

4 A No, sir.

5 Q Okay. Has it ever occurred to you to try to rob
6 somebody in front of your mother's house?

7 A No, sir.

8 Q Okay. Did the police find you with a gun that night?

9 A No, sir; no, sir.

10 Q Do you know did they find one on Genesis that night?

11 A No, sir.

12 Q Are you testifying that neither you nor Genesis had a
13 gun?

14 A Correct.

15 Q Who was it that had a gun in their lap all through
16 the night?

17 A Jerod.

18 MR. SCOTT: Okay. I think that's all the questions I
19 have. Answer any questions the defense has.

20 RECROSS-EXAMINATION:

21 BY MR. BRADY:

22 Q You told the prosecutor just now that all the gun
23 stuff is juxtaposing, right?

24 A Right.

25 Q You've been in shootings before, right?

1 A Shootings, what do you mean?

2 Q You've been involved in shootings, right?

3 A Yeah, I've been shot before.

4 Q I'm showing you what's been -- going to be marked as
5 Defense 8 from the State. Do you recognize this post?

6 A Yes, sir.

7 Q That's a post that you made?

8 A That's a song, sir. That's a post I made. That's a
9 song, bro.

10 Q Okay. And that's you and Genesis together?

11 A Correct. That's a song, sir.

12 Q That's you and Genesis posing together, correct?

13 A Correct.

14 Q And you hold yourself out as saying you don't want to
15 get involved. We will lay you like a --

16 A That's a song, sir. You can look it up, Lil Boosie.

17 Q I think you tagged Genesis in that one, too, right?

18 A Yes.

19 MR. BRADY: Your Honor at this point I'd move
20 Defense's 8.

21 THE COURT: Any objection?

22 MR. SCOTT: Just relevance.

23 MR. BRADY: State said it was all posing, trying
24 to...

25 THE COURT: Overruled.

1 MR. BRADY: Thank you.

2 THE COURT: Defense 8 is admitted over the State's
3 objection.

4 (WHEREUPON, Defendant's Exhibit No. 8 was marked for
5 identification and received into evidence.)

6 BY MR. BRADY:

7 Q You also said the reason you didn't come forward is
8 you were afraid of Jerod, right?

9 A Correct.

10 Q Didn't want to be around him?

11 A Correct.

12 Q Scary?

13 A Sir?

14 Q He's scary, right?

15 A I can't hear you.

16 Q He's scary. You don't want to be around him, right?
17 That's what you said.

18 A Yeah.

19 Q You agree with me that this was -- as you testified
20 before, the biggest thing on your mind back in
21 August 2021, right?

22 A Correct.

23 Q This happened on August 15th in the early morning
24 hours, right?

25 A Correct.

1 Q Started talking to a lot of people about what
2 happened, right?

3 A Sir?

4 Q You start talking to a lot of people, right?

5 A Correct.

6 Q About what happened, about what to do next?

7 A What to do?

8 Q Yeah, what to do next? You know, what to do now that
9 this big thing in your life has happened, correct?

10 A Correct.

11 Q And you talked to a woman named Martika Edwards,
12 right?

13 I'm approaching with three pages. I'm going to mark
14 it as Defense 9. I'm only going to mark the second page
15 which has the relevant information.

16 (WHEREUPON, Defendant's Exhibit No. 9 was marked for
17 identification only.)

18 BY MR. BRADY:

19 Q You started communicating there on Facebook. Do you
20 recognize your name on here, again the same Facebook
21 records we talked about before?

22 A Okay.

23 Q Is that a yes?

24 A Yeah.

25 Q Okay. And that's you calling Ms. Edwards, right?

1 A Yeah.

2 Q Starting the day of the shooting, August 15th?

3 A Yes, sir.

4 Q Okay. Going up through the 16th, the next day, and
5 the next day -- actually, Your Honor, I may have to mark
6 this as defense I think, 9 and 10. That will be two pages
7 that has to be submitted that runs into that.

8 (WHEREUPON, Defendant's Exhibit No. 10 was marked for
9 identification only.)

10 BY MR. BRADY:

11 Q So you're talking to her, and then on August 16th
12 right on that date, she messages you, right? It says
13 author, Martika, right, and she says --

14 MR. SCOTT: Objection to hearsay.

15 MR. BRADY: Doesn't go to the truth of the matter
16 asserted.

17 THE COURT: Let me see it.

18 (Whereupon, there was a bench conference.)

19 Overruled.

20 MR. BRADY: Thank you.

21 BY MR. BRADY:

22 Q I'm not going to say all this, but she writes to you
23 after you've been talking about Jerod?

24 A Can I see it?

25 Q Sure. That N word Grandma stay and Cecil Saxon and

1 his aunt stays off Rosewood, right?

2 A Can you read all that, please?

3 Q Sure. And Ray and his aunt stays off Rosewood,
4 right?

5 A Okay.

6 Q That's because you were looking for Jerod after this.

7 A I was looking for Jerod?

8 Q Right. You were trying to find Jerod to kill him
9 after this.

10 A Negative.

11 Q Okay.

12 A Negative.

13 Q So August 16th, with this being the number one thing
14 on your mind, that's not what you and Ms. Edward are
15 talking about?

16 A Negative.

17 MR. BRADY: All right. Publish to the jury, Your
18 Honor.

19 THE COURT: Is that the one -- did you offer that?

20 MR. BRADY: Oh, I'm sorry. I offer that into
21 evidence.

22 MR. SCOTT: I don't know that there's a foundation
23 that has been laid as who lives there or whose aunt lives
24 there, what he doesn't --

25 THE COURT: I'm going to sustain the objection. We

1 don't have a number on -- is it 9?

2 COURT REPORTER: Yes.

3 THE COURT: So the State's objection was sustained.

4 Defense 9 is not admitted.

5 MR. BRADY: Court's indulgence, Your Honor.

6 THE COURT: Yes, sir.

7 (Pause.)

8 MR. BRADY: May I approach, Your Honor, to return
9 your stapler?

10 THE COURT: Yes.

11 MR. BRADY: Nothing else from the defense.

12 THE COURT: Okay. Thank you. You may step down.

13 THE WITNESS: Okay. Appreciate it.

14 Now is a good time to take an afternoon break.

15 Please turn to your jury panel. Do not discuss the case.

16 (Whereupon, the jury left the courtroom at 2:53 PM).

17 THE COURT: We'll take 15 minutes.

18 (WHEREUPON, a short break was taken.)

19 THE COURT: Mr. Scott, do you need something?

20 MR. SCOTT: No. We're ready. I'm sorry.

21 THE COURT: Did you need something? I just saw you
22 standing.

23 MR. SCOTT: No, sorry.

24 THE COURT: You were just standing there. I figured
25 I would ask.

1 Okay. Bring the jury, please.

2 (Whereupon, the jury entered the courtroom at 3:18
3 PM).

4 THE BAILIFF: The jury is seated, Your Honor.

5 THE COURT: Thank you. The State can call its next
6 witness.

7 MR. SCOTT: Thank you, Your Honor. The State calls
8 Dr. Darren Monroe.

9 THE CLERK: Please raise your right hand, place your
10 left hand on the Bible.

11 DARREN MONROE, after being duly sworn,
12 testified as follows:

13 THE CLERK: Please have a seat on the witness stand,
14 and spell your first name.

15 THE WITNESS: Darren Monroe, D-A-R-R-E-N.

16 DIRECT EXAMINATION:

17 BY MR. SCOTT:

18 Q Dr. Monroe, where are you employed?

19 A I'm employed by a private physician group here in
20 town called professional pathology services.

21 Q Okay. What does a pathologist do?

22 A A pathologist is a medical doctor that uses their
23 knowledge of medicine and science to determine the cause
24 and manner of death in autopsy cases.

25 Q Okay. And from the day-to-day basis, you perform

1 autopsies?

2 A Yes.

3 Q Okay. And what is forensic pathologist?

4 A So forensic pathologist is actually just what I said.
5 Pathology is a little broader field that just deals with
6 diagnosing disease. So forensic pathology is the part of
7 pathology that does autopsies to determine the cause of
8 death.

9 Q Okay. And approximately how many autopsies have you
10 performed in your career?

11 A Several thousand.

12 Q Okay. And how long have you been a -- employed as a
13 pathologist?

14 A About nine-and-a-half years now out of training.

15 Q So nine-and-a-half years. You've done thousands of
16 autopsies you said?

17 A Yes.

18 Q And how many times have you testified in state court?

19 A Fifteen or 20.

20 Q Okay. In General Sessions court like this right
21 here?

22 A Yes.

23 Q And how many times have you been qualified as an
24 expert?

25 A Each of those times.

1 Q Qualified as an expert in forensic pathology?

2 A Yes.

3 MR. SCOTT: Your Honor, the State offers Dr. Darren
4 Monroe as an expert in forensic pathology.

5 THE COURT: Any voir dire or objection?

6 MS. PINNOCK: No, Your Honor.

7 THE COURT: All right. Ladies and gentlemen of the
8 jury, typically a witness must testify as to what they
9 saw, smelled, touch or heard et cetera. However, when a
10 person by virtue of their education, training and
11 experience becomes expert in some field, they're permitted
12 to give you opinion testimony within their field of
13 expertise and the reasons for those opinions.

14 Dr. Monroe is qualified as an expert in forensic
15 pathology and will be permitted to testify to his opinions
16 within the field of forensic pathology. You should give
17 his testimony the weight and credibility you think it
18 deserves just like any other witness.

19 You may proceed, Mr. Scott.

20 MR. SCOTT: Thank you, Your Honor.

21 BY MR. SCOTT:

22 Q Did you have an occasion to perform an autopsy on
23 Genesis Williams on August 16th, 2021?

24 A Yes, I did.

25 Q Okay. And what were your initial observations about

1 Mr. Williams?

2 A Mr. Williams came, actually, from the hospital
3 emergency department and the upstairs floors. So he had a
4 lot of medical equipment on him, and it was fairly obvious
5 from the start that he had been shot.

6 Q Okay. And how many -- ultimately, how many gunshot
7 wounds did you observe on Mr. Williams?

8 A Mr. Williams was shot three different times, and
9 there were a total of five different gunshot wounds. So
10 three entrances, two exits.

11 Q Okay. So one bullet just lodged in him?

12 A Yes.

13 Q Okay. And so you said he comes to you from the
14 hospital. Were there signs of when he came to you --
15 signs of attempts to -- what's the word I'm looking for,
16 to revive him, I guess? Were there signs that people on
17 the hospital worked on him in an attempt to keep him
18 alive?

19 A Yes, there were.

20 Q You said three gunshot wounds. Do you typically
21 label those with letters of alphabet?

22 A Yes, I do.

23 Q And so I've got on your report a gunshot wound the
24 left lateral hip, and that is described as gunshot wound

25 A; is that correct?

1 A That's correct.

2 Q Okay. Can you describe that for us in a little bit

3 more detail?

4 A So gunshot wound A was on the left lateral hip. It

5 was of indeterminate range and just went through the soft

6 tissues of the left hip region and then went out the front

7 of the left hip there.

8 Q Okay. So that was an entry/exit?

9 A Yes, this was a so called through-and-through

10 gunshot.

11 Q And left hip?

12 A Yes.

13 Q Okay. You have an indeterminate range. Tell us what

14 are some of the ways you're able to determine range in

15 certain cases.

16 A So several ways we can determine gunshot range at

17 autopsy, and that's by examining any of the physical

18 evidence left behind from the gunshot itself. For

19 instance, a contact gunshot wound will have certain

20 characteristics that a more distant wound will not.

21 We separate the ranges into four different categories

22 broadly. There's contact, close range, intermediate, and

23 indeterminate.

24 Q Okay. And would you describe soot and stippling to

25 the jury, and how that can help determine range?

1 A Sure. Soot is a hallmark of a close range gunshot
2 wound, and that is after the projectile meets the barrel
3 of a gun, it all gets combusted, gases and gets deposited
4 either on the skin or out of the wound or even sometimes
5 inside the wound.

6 Q Okay. And what about soot?

7 A That was soot.

8 Q And typically, the range you might see soot is what?

9 A Anywhere from zero or contact up to about six inches.

10 Q Okay. So if you shoot me in my hand from six inches
11 to almost contact, you would expect to see soot in the
12 wound?

13 A If there was nothing in the way.

14 Q Well, okay but my bare hand, though?

15 A Yes.

16 Q Okay. You're holding the pistol somewhere right in
17 there. You expect to see soot in that wound around my
18 bare skin?

19 A I would expect to see soot at least.

20 Q If it's out here, maybe not. That's outside the
21 six-inch range?

22 A Correct.

23 Q Okay. Now, explain to the jury -- you shoot me in my
24 arm from six inches or less -- and that I'm wearing this
25 suit here, how would that affect soot being found on my

1 arm underneath my suit?

2 A So clothing can block soot. It can also block
3 stippling from hitting the skin. You won't see it on the
4 skin if it's been blocked.

5 Q Okay. So would you describe the wounds that you
6 observed on Mr. Genesis Williams as locations that would
7 typically be covered with clothing on a person?

8 A Yes, I would.

9 Q Okay. So his left hip, you saw no soot, and it was
10 indeterminate range?

11 A Correct.

12 Q Okay. Now, was this one of the wounds that had an
13 exit?

14 A Yes, it was.

15 Q Okay. And where was the exit?

16 A The exit was on the left anterior hip, so in the
17 front on the anterior hip.

18 Q Okay. Were you able to determine the trajectory of
19 this gunshot wound A?

20 A Yes.

21 Q Okay. What was it?

22 A It was back to front and left to right.

23 Q Okay. So you were able to look at the wound on
24 Genesis Williams left hip and determine that he was shot
25 from the back moving to the front?

1 A Correct.

2 Q And was that -- that particular wound, was that one
3 that would ever be fatal?

4 A This would not generally be a fatal wound injury.
5 This was a superficial, not very deep injury, just through
6 soft tissues.

7 Q I do have a mannequin. Hopefully we can kind of do
8 this. We talk about multiple wounds, but it's almost like
9 it goes in here and immediately exits, right? It's like a
10 superficial flesh wound?

11 A Correct, yes.

12 Q But at the end of the day, you're saying it went from
13 his back to the front?

14 A Correct.

15 Q This is State's 14. Is that a diagram you have done?

16 A Yes, it does.

17 MR. BRADY: No objection.

18 THE COURT: Okay. State's 14 is admitted.

19 (WHEREUPON, State's Exhibit No. 14 was admitted into
20 evidence.)

21 BY MR. SCOTT:

22 Q Do you do these general diagrams to mark the wounds
23 as you observed them?

24 A Yes, we do.

25 Q Okay. So A would be entry.

1 A Yes.

2 Q And just kind of immediately comes out front what you
3 testified to?

4 A Correct.

5 Q An indeterminate range. You were unable to tell
6 whether it was six inches or six feet?

7 A That's correct. We can't give a range.

8 Q Okay. Moving on -- I guess just in order, the next
9 one you have got listed is gunshot wound C. Can you
10 describe that?

11 A Gunshot wound C is another entrance wound. That
12 entered the left groin adjacent to the base of the penis.

13 Q Range indeterminate on that one, right?

14 A This was also an indeterminate range, so I can't say
15 anything else about the range.

16 Q Okay. And so that one is going in his groin area.
17 Did that one have an exit wound?

18 A This one had an exit through the right buttock.

19 Q So it's kind of going into here, I guess, and then
20 out his butt?

21 A Correct.

22 Q That trajectory -- do you agree that -- you have on
23 your notes that was a front to back, so that one enters in
24 through the front, and then you have the left to right?

25 A Yes. This was a front to back, left to right

1 trajectory.

2 Q Okay. I mean, would this have been a fatal injury?

3 A This was a fatal gunshot wound, yes.

4 Q Okay. Why -- what is it -- what happens when a
5 gunshot wound like that is going to kill you?

6 A So this projectile went through the skin going in.
7 It went through loops of small bowel, and it went through
8 large vessels in the pelvis, large blood vessels in the
9 pelvis, and then it exited through soft tissues again and
10 the damage to the blood vessels and the small bowel are
11 both fatal.

12 Q Okay. Is this a survivable injury, though, if you
13 get immediate medical attention?

14 A Potentially.

15 Q So if he was able to get to a hospital rather
16 quickly, he could have survived that in your professional
17 medical opinion?

18 A Potentially.

19 Q Gunshot wound, the -- well, let me do this. Let me
20 -- while we talk about them.

21 Your Honor, the state offers 13 for admission into
22 evidence.

23 MS. PINNOCK: No objection.

24 THE COURT: State's 13 is admitted.

25

1 (WHEREUPON, State's Exhibit No. 13 was admitted into
2 evidence.)

3 BY MR. SCOTT:

4 Q All right. Let's talk about gunshot wound D. We
5 just talked about there's C, and I guess this little dot
6 is where you marked the entry?

7 A Correct.

8 Q And is that where B would have exited?

9 A That's gunshot wound E. The letter is a little to
10 the right and down below his hand.

11 Q Other exit, I'm sorry. Okay. What I'm saying is C
12 would be your entry that we just described, and then E is
13 your exit?

14 A Yes.

15 Q Okay. So when C goes in here, you said the base of
16 the penis, I guess, and it comes out of his right
17 buttocks. That's the one we just went over?

18 A Yes.

19 Q And now we're moving onto D, describe D?

20 A So gunshot wound D is another entrance gunshot wound,
21 and this entered the right lower anterior abdomen.

22 Q Right there?

23 A That's it.

24 Q Okay. Did that one have an exit?

25 A No, it did not.

1 Q Okay. Where did that one lodge?

2 A So this projectile entered through the skin and again

3 hit small bowel and similar vessels, large vessels in the

4 pelvis, and it got lodged in the subcutaneous tissue of

5 the lower back. That's just below the skin on the back.

6 Q Let's see. Do you have kind of a general area of

7 where that would have lodged?

8 A Midline lower back, about here (indicating).

9 Q Okay. So you said D goes in, and is that a front to

10 back, as well?

11 A Yes, it is.

12 Q Okay. So C and D go in the front, and D you say does

13 not exit but instead lodges about right here in the back?

14 A That's correct.

15 Q And were you able to extract that bullet when you did

16 your autopsy?

17 A Yes.

18 Q Okay. I've had you do this before. Would you be

19 comfortable if I brought a mannequin just so the jury can

20 see. We've talked a lot about wounds, entrances and

21 exits, front to back, left to right. Would you be willing

22 to just mark on a mannequin generally what you just

23 testified to where entry would be just for demonstrative

24 purposes?

25 A Yes.

1 MR. SCOTT: Okay. Your Honor, with the Court's
2 permission, of course, we ask him to step down. We have a
3 mannequin that he just shows where the entrances and exits
4 would be.

5 THE COURT: Yes, sir.

6 BY MR. SCOTT:

7 Q All right. We have entry, exit one, and there's the
8 third. I guess this is how we do it in order from the
9 ones we just did, Doctor.

10 You testified that gunshot wound A would have been
11 the one on left lateral hip. That would have been a
12 superficial wound. It wouldn't have killed him, in your
13 expert opinion?

14 A Correct.

15 Q But it did enter from the rear and exit from the
16 front. That's helping you with the diagram. First of
17 all, would the entry stickers, would you just show the
18 jury where you observed that would wound from?

19 A About here.

20 Q Okay. And then generally where you saw the exit
21 wound or the first gunshot wound.

22 A About right there.

23 Q Just for the jury, you've got an entry that kind of
24 comes into the left upper hip and then an exit that comes
25 out the lower abdomen, rather. It only travels a short

1 way through Mr. Genesis Williams, but it is a back to
2 front wound?

3 A Yes.

4 Q Next one, let's do the other one that has an exit
5 wound. That's going to be wound C. There's a diagram.
6 This is another one that you described as a -- or this one
7 is the one you described as a front to back. Would you
8 show the jury where this particular wound entered
9 Mr. Williams?

10 A About right here.

11 Q Okay. And then approximately where did it exit?

12 A Right there.

13 Q Okay. So our second gunshot wound, which is C, you
14 have entering again his groin area and then exiting out
15 through his lower buttocks?

16 A Yes.

17 Q Okay. And I think the final one is labeled gunshot
18 wound D. Again, this is another front to back; is that
19 right?

20 A Correct.

21 Q And this one has no exit wounds, so where is the
22 entry wound?

23 A About right here.

24 Q All right. Again entry, entry, and back here is an
25 entry?

1 A That's correct.

2 Q Three gunshot wounds. This one that goes from the
3 back to the front, nonfatal. He would have survived this,
4 in your opinion?

5 A Yes.

6 Q These two, however, unless he got pretty quick
7 medical treatment would be fatal, and in fact, they were
8 fatal for Mr. Williams; is that correct?

9 A Yes, sir.

10 Q Okay. All right. And all indeterminate range as far
11 as what you observed with the autopsy of Mr. Williams'
12 body; is that correct?

13 A Yes. They were all indeterminate at autopsy.

14 Q Okay. You can take the stand. Thank you very much.
15 You talked about sooting, stippling, how it's helpful
16 in determining range, and you talked about how clothing
17 could affect the masking of soot or stippling on the skin.
18 Do you remember that?

19 A Yes.

20 Q Do you remember having an opportunity later on -- in
21 fact, that was last week or the week before that you were
22 able to observe the clothing worn by Mr. Williams?

23 A Yes.

24 Q Okay. Did you note the entry wounds for -- I have to
25 look at my numbers, for C and D, these two wounds, and

1 there was no -- you didn't see any soot or stippling on
2 his clothing for those particular wounds; is that correct?

3 A That's correct, I did not see any on those.

4 Q Okay. What about when you observed gunshot wound A,
5 the bullet hole that corresponds with the entry to bullet
6 hole A, what did you observe on Mr. Williams' clothing?

7 A There was some soot that corresponds to gunshot wound
8 A.

9 Q Okay. That would be this entry from the back?

10 A Yes.

11 Q So you said you observed soot from what range?

12 A Between zero to six inches.

13 Q So just tracking with that, and correct me if I'm
14 wrong, but would it be your professional medical opinion
15 that this wound was generated with a pistol being held six
16 inches or less away?

17 A Yes.

18 Q So this particular one was at a very close range from
19 back to front?

20 A Yes.

21 Q Okay. Do you generally get to review a toxicology
22 report?

23 A We perform toxicology on all the cases, and we review
24 the results and amend the report as necessary, yes.

25 Q Okay. What is this report?

1 A This is a toxicology report for Genesis Williams from
2 the South Carolina Law Enforcement Division lab.

3 Q Okay. And he had ethanol at the time of his death in
4 his body; is that correct, true?

5 A Yes, he did.

6 Q And what was the blood alcohol level that he had?

7 A A .177 gram per deciliter.

8 Q Okay, .177. I don't know. Can you say if somebody
9 is intoxicated at .177? Are you qualified to do that?

10 A The legal limit for driving, for instance, is .08, so
11 this is a little over twice that.

12 Q Okay. Have you seen higher?

13 A Yes.

14 Q Do you know the highest you've seen?

15 A Not off the top of my head.

16 Q And, of course, alcohol affects different people
17 differently. Is that safe to say?

18 A Yes.

19 Q But that is an elevated alcohol level, is it not?

20 A Yes, it is.

21 Q Okay. I believe he had marijuana in his system. Did
22 you find that?

23 A He had THC and two metabolites of that. THC is the
24 main active ingredient in marijuana.

25 Q Okay. What else did he have?

1 A Those were the only other findings.

2 Q Okay.

3 A In the toxicology.

4 Q Okay. So if somebody said he had been popping pills
5 all night, you didn't time any evidence of that?

6 A There's no evidence of that.

7 Q Okay. No cocaine?

8 A No cocaine.

9 Q No meth?

10 A No meth.

11 Q No crack? Did you find any heroin or anything like
12 that?

13 A No.

14 Q Oxycodone, anything like that?

15 A No.

16 Q Tramadol?

17 A No.

18 Q What about fentanyl?

19 A No.

20 Q Any amphetamines, any kind of pills that he might
21 popping that you saw evidence of?

22 A Nothing other than the alcohol and the THC and
23 metabolites.

24 Q Okay. If somebody else said he had been popping
25 pills all night, you didn't see any evidence of that?

1 A Correct.

2 Q Were you able to form an opinion as -- I know you
3 kind of testified to it -- to the cause of death for
4 Mr. Genesis Williams?

5 A My cause of death for Genesis Williams was gunshot
6 wounds of the lower torso.

7 Q Okay. Specifically that would be gunshot wound C and
8 gunshot wound D?

9 A Correct.

10 Q And you said had he gotten immediate medical
11 attention, he could have potentially survived that?

12 A Potentially, yes.

13 Q What about the manner of death?

14 A This is manner of death: Homicide.

15 MR. SCOTT: Okay. I think that's it.

16 THE COURT: Cross-examination?

17 MR. SCOTT: I'm done, Your Honor.

18 THE COURT: Okay. Cross-examination?

19 MS. PINNOCK: Thank you, Your Honor. May it please
20 the Court.

21 THE COURT: Yes.

22 CROSS-EXAMINATION:

23 BY MS. PINNOCK:

24 Q Hi Doctor. How are you doing?

25 A Good.

1 Q I want to start by just talking just kind of
2 generally about what happens during your autopsies, okay.

3 A Uh-huh.

4 Q A lot of times you're not the only one in the, I
5 guess examination room, while you're conducting the
6 autopsy?

7 A Correct.

8 Q Okay. Law enforcement will be in there with you?

9 A Yes.

10 Q They're in there because they're documenting stuff
11 just like you are?

12 A Yes.

13 Q Sometimes they take their own pictures?

14 A Yes.

15 Q You know, they're trying to collect evidence as
16 you're doing your job in performing the autopsy?

17 A Yes.

18 Q And even sometimes you'll assist in them collecting
19 evidence, right?

20 A Yes.

21 Q Sometimes you clip fingernails?

22 A I do not do that.

23 Q But law enforcement will do that during the autopsy
24 sometimes?

25 A Occasionally.

1 Q Okay. Sometimes they'll do, I guess, scrapings of
2 fingernails if there's not enough to clip?

3 A Yes.

4 Q Sometimes blood is drawn, right?

5 A The law enforcement people don't draw the blood. I
6 draw the blood.

7 Q Okay.

8 A In autopsies.

9 Q And then that can be passed onto law enforcement for
10 further testing and stuff like that, right?

11 A Yes.

12 Q And you testified when Mr. Williams was brought to
13 you he had already been in the hospital receiving medical
14 treatment?

15 A That's correct.

16 Q Okay. And either EMS or the emergency room people,
17 they removed his clothing so you did not get that, right?

18 A Correct.

19 Q And so that's why you were not able to view it at the
20 time of the autopsy?

21 A Right, it was not received with the body.

22 Q Got it.

23 Now I'm going to back up. You're not the one --
24 going back to the things done during the autopsy, you're
25 not the one that does any sort of testing, right? You

1 just assist or see people collecting the evidence, and
2 then it's handed off to law enforcement?

3 A Depends on the evidence.

4 Q You don't do the DNA testing?

5 A No.

6 Q You don't do gunshot residue testing?

7 A No.

8 Q You don't do fingerprint analysis?

9 A No.

10 Q And there was law enforcement present in the
11 examination room with you at the -- during the autopsy of
12 Mr. Williams?

13 A Yes, there was.

14 Q Okay. Now, you have your report up there, right?

15 A Yes.

16 Q Okay. So you did the examination of Mr. Williams on
17 August 16th, 2021, right?

18 A That's correct.

19 Q And were you aware at that point that clothing had
20 been collected by law enforcement?

21 A No.

22 Q No, okay. But the first time you were able to view
23 it was last week in the Solicitor's Office last Wednesday,
24 correct?

25 A It was last week. What day it was I forget but yes.

1 Q But it was when you met with the prosecutors in
2 preparation for the trial this week?

3 A Yes.

4 Q Now, I want to talk a little bit about your gunshot
5 wounds, your entries, your exits. I don't want to pick it
6 up and break it. If you could just move it here. Thank
7 you. Well, I don't want to knock it over either. That
8 works. Does it swivel?

9 MR. SCOTT: Kind of. There? 2016 yes, thank you.

10 BY MS. PINNOCK:

11 Q So you have three gunshot wounds listed that had
12 entrance wounds, right?

13 A Yes.

14 Q Okay. It's the wound A that's located here on the
15 back?

16 A Correct.

17 Q Lateral hip; is that correct?

18 A Yes.

19 Q The other two entrance wounds were in the left groin?

20 A Yes.

21 Q And then lower abdomen?

22 A Correct.

23 Q Okay. Now, you testified -- I just want to clarify
24 this. You testified with Mr. Scott that wound C which is
25 which one, the one in the groin?

1 A Yes.

2 Q Okay. You testified that that exited at the buttocks
3 area?

4 A Yes.

5 Q Okay. But in your report, just making sure I
6 understood what you wrote, you actually acknowledged that
7 you can't tell which entrance wound actually exited
8 Mr. Williams' body, right, because of all the damage that
9 was done?

10 A The pathways of two of the gunshot wounds,
11 specifically the two fatal gunshot wounds were very close
12 in cross. And so it's difficult to tell. One might have
13 gone out the other, exited, and the other exits and the
14 other one might have been recovered.

15 Q Okay. So we don't know. It's fair to say you can't
16 say with medical certainty which one exited the body,
17 right?

18 A It's possible that they're -- the exit and recovery
19 are switched on those two.

20 Q Okay. And you also can't say which entrance, which
21 gunshot wound happened first. You can't say that this is
22 shot A, shot one, shot two, and shot three, right? You
23 have no way of determining that?

24 A Correct, no.

25 Q Okay. Now, you did your examination of the body back

1 in 2021. You were not given the opportunity to view the
2 clothes, right?

3 A Not at the time.

4 Q And this -- I'm going to show you what's been
5 previously marked for ID as defense exhibit 1 through 5.
6 Just take a look at them, tell me if you recognize what
7 those are, okay.

8 A Yes, I do.

9 Q Okay.

10 MR. SCOTT: Without objection, Your Honor.

11 MS. PINNOCK: We're going to put them into evidence,
12 Defendant's 1 through 5.

13 THE COURT: Are admitted without objection.

14 MS. PINNOCK: Thank you, Your Honor.

15 (WHEREUPON, Defendant's Exhibits Nos. 1 - 5 were
16 admitted into evidence.)

17 BY MS. PINNOCK:

18 Q Would you please tell the jury what we are looking
19 for in -- what we are looking at in Exhibit 1.

20 A This.

21 MS. PINNOCK: I'm sorry, permission to publish while
22 he testifies?

23 THE COURT: Yes.

24 BY MS. PINNOCK:

25 Q If you can hold it up and explain what it is.

1 A This is a photograph of the white tank top that was
2 at some point cut from the body. So that's why it looks
3 the way it does. You can see blood on various parts of
4 it, and specifically on two parts of it you can see
5 gunshot wound defects which are probably difficult to tell
6 at this distance.

7 Q And Exhibit 2, is it easier to see one of the defects
8 in Exhibit 2?

9 A Yes.

10 Q And where on Mr. Williams' body would that defect
11 line up with?

12 A Putting together the shirt, again, when I examined
13 it, the shirt is on the correct way, not inside out. This
14 would line up with gunshot wound A.

15 Q So this one here?

16 A Yes.

17 Q Okay. And you would agree with me that this is just
18 a close up of that?

19 A Yep.

20 Q When we tell the jury you see the entrance wound,
21 that black circle, what is that?

22 A That's soot.

23 Q Sorry. There you go. You said it's soot?

24 A Yes.

25 Q And that's what caused you to change your opinion at

1 this point, correct, as far as the range that the shot was
2 made?

3 A Yes.

4 Q Okay. And so now since August of 2021 when you were
5 saying that the shots, all three were indeterminate range,
6 that would put them outside of six inches, right?

7 A No. Indeterminate means I can't give you a range.

8 Q Oh, I apologize, yep. You could not determine a
9 range, but that black circle now puts the gun within six
10 inches of Mr. Williams body if not touching it, right?

11 A Anywhere from zero to six inches, yes.

12 Q Okay. And when we talked on the phone, you told me
13 because of the size of the circle because of how small the
14 circle is, you would put it fairly close, if not touching?

15 A It's probably fairly close.

16 Q Okay. Very close to touching?

17 A Yes.

18 Q Okay. And so you're also -- when you're looking at
19 these injuries and these gunshot wounds, you can
20 determine -- like the trajectory -- so this one is going
21 back to front, gunshot wound A?

22 A Back to front, yes.

23 Q C is going front to back?

24 A Yes.

25 Q And D is going front to back?

1 A Yes.

2 Q But with the human body, you can't say where
3 Mr. Williams' arm was, right, if there's no injury for you
4 to look at? You can't say if it was up, if it was down,
5 if it was behind him, in front of him. You don't know,
6 right?

7 A I cannot say the position of the body at the time of
8 the shot.

9 Q Okay. And the person holding the weapon, you can't
10 say where that person's body was, correct?

11 A I can only tell you the relationship of the muzzle of
12 the gun -- that's where the bullet comes out -- to the
13 part of the body at the time the gun was fired.

14 Q Right.

15 A There's not any other relationship.

16 Q I apologize. So the best you could tell us is that
17 for gunshot wound A, the muzzle of the gun is facing this
18 way?

19 A Correct.

20 Q Right. And for the other two, the muzzle of the gun
21 is facing this direction?

22 A Approximately, yes.

23 Q Okay. And we're still using indeterminate for the
24 two gunshot wounds in the front because you didn't see
25 anything on Mr. Williams' body?

1 A Correct.

2 Q You didn't see any soot or stippling on the clothing?

3 A Correct.

4 Q You just know that there's defects in the clothing,
5 and he had wounds in those areas?

6 A Right.

7 Q But you can't say if it was done 20 yards or away,
8 and you can't say for sure if it was done as close as I'm
9 standing right now to this mannequin, right?

10 A That's right.

11 Q Now you testified that Mr. Scott asked you about, you
12 know, the toxicology report. You drew the blood and sent
13 that off for testing of it, right?

14 A Yes.

15 Q And you're aware that Mr. Williams received lots of
16 medical intervention?

17 A Yes.

18 Q And part of his medical treatment that he got
19 included blood transfusions, right?

20 A I don't remember if he received transfusions or not
21 in reviewing the record but that's a good possibility.

22 Q Okay. And still at the time of your exam of his
23 body, his blood alcohol level was two times the legal
24 limit?

25 A A little over two times the legal limit, and it

1 was -- actually, I did not draw this blood. It was
2 hospital admission blood that was obtained and tested, so
3 the blood that they had drawn immediately when he was
4 received into the emergency department.

5 Q Okay. Thank you for that, but it was still two times
6 higher?

7 A A little over two times, yes.

8 Q And you didn't know Mr. Williams at all personally
9 prior to doing his autopsy, right?

10 A No.

11 Q So you can't say how Mr. Williams would react to, you
12 know, substances being in his body whether it be
13 marijuana, alcohol or anything else. You don't know how
14 his behavior worked?

15 A No.

16 MS. PINNOCK: Begging the Court's indulgence.

17 THE COURT: Yes, ma'am.

18 (Pause.)

19 MS. PINNOCK: Thank you, Your Honor.

20 Thank you, Doctor.

21 THE COURT: Any redirect?

22 MR. SCOTT: No, Your Honor.

23 THE COURT: Okay. Thank you there. You may step
24 down. If you didn't bring it with you, don't take it with
25 you. In other words, leave the exhibits there.

1 Call your next witness.

2 MR. MCGLOTHLIN: The State calls Michelle sea.

3 THE CLERK: Please raise your right hand, will place
4 your left hand on the Bible.

5 MICHELLE SEAY, after being duly sworn,
6 testified as follows:

7 THE CLERK: Please have a seat on the witness stand.
8 State your name for the record, spell your last name.

9 THE WITNESS: Michelle Seay, spelled S E A Y.

10 DIRECT EXAMINATION:.

11 BY MR. MCGLOTHLIN:

12 Q Good afternoon is it Investigator Seay?

13 A Yes, sir.

14 Q Good afternoon, Investigator Seay. Can you please
15 tell the jury where you currently work?

16 A I currently work with the Richland County Sheriff's
17 Department as a full-time latent print examiner.

18 Q Okay. And how long have you been doing that?

19 A I've been a full-time latent print examiner since
20 July of 2021, I believe.

21 Q And can you kind of describe your duties in that
22 role?

23 A As a latents print examiner?

24 Q Yes. Well, I guess what were you prior to July 2021?

25 A Prior to that, I was a crime scene investigator

1 full-time for the Richland County Sheriff's Department.

2 Q And after you changed roles, did you still perform
3 those duties at times?

4 A I assist when needed.

5 Q Okay. Can you kind of describe what your duties are
6 back in that time as a crime scene analyst?

7 A As a crime scene investigator with the Sheriff's
8 Department, we work 12-hour shifts, portions of that shift
9 is you are the on-call crime scene investigator for the
10 whole county.

11 If anything from as simple as a larceny all the way
12 up to a homicide occurs, the road deputies notify us if
13 they need our assistance, and we respond out. We attend
14 autopsies, process evidence collected from simple scenes
15 that they feel they can handle.

16 When we are not on our on call-shift, we spend our
17 time studying, writing reports and processing additional
18 evidence.

19 Q All right. So you have big jobs?

20 A Yes, sir.

21 Q Back in August of 2021, did you respond, although you
22 had become a latent print analyst at that time, did you
23 respond to process the scene at [REDACTED] Dominion Drive?

24 A May I refer to my notes?

25 Q Absolutely if that will help refresh your

1 recollection.

2 A On August 15th, 2021, I responded to the incident
3 location and to Prisma Richland.

4 Q Okay. And when you refer to the incident location,
5 are you referring to Dominion Drive kind of at the
6 intersection of Prince Edward Court?

7 A Yes, sir.

8 Q What did you do when you responded to that location?

9 A When I responded to that location, I would have
10 initially made contact with the deputies on the scene. I
11 observed that the crime scene had been maintained with
12 crime scene tape and a crime scene log was being
13 maintained by road deputies.

14 I then would have taken overall photographs of the
15 incident location and collected any evidence that was
16 deemed necessary.

17 Q Okay. And as you go about observing evidence or
18 collecting it, do you use markers to show where it is?

19 A Yes, sir.

20 Q Okay. So those would appear in your photographs?

21 A Yes, sir.

22 Q I'm going to show you what's been marked as State's
23 Exhibit 7 and 8. Would you tell me if you recognize those
24 photographs?

25 A Yes, sir.

1 Q Okay. And what are they?

2 A Two of the photographs are overall photographs that I
3 took of the incident location, and one is a close up
4 photograph that I took.

5 MR. MCGLOTHLIN: At this point, the State would offer
6 State's 6, 7 and 8.

7 MR. BRADY: No objection.

8 THE COURT: State's 6, 7 and 8 are admitted.

9 (WHEREUPON, State's Exhibits Nos. 6 - 8 were admitted
10 into evidence.)

11 BY MR. MCGLOTHLIN:

12 Q Can you describe what an overall photograph is versus
13 a close up?

14 A So there's three types of photographs. You have your
15 overall which is trying to tie the scene to the location.
16 So it will -- there tends to be a lot of overall
17 photographs to really help the viewer of the photograph
18 understand where the scene is in reference to its
19 surroundings.

20 A midrange photograph is the next one where you kind
21 of focus in on a specific or a couple of specific pieces
22 of evidence, and you're trying to tie that into the
23 relationship of that piece of evidence to an area of the
24 scene. Then your next photograph is a close up where your
25 filling the frame of the photograph of nothing but that

1 evidence that you are trying to take a picture of.

2 MR. MCGLOTHLIN: Okay. Permission to publish State's
3 6, 7 and 8?

4 THE COURT: Yes, sir.

5 BY MR. MCGLOTHLIN:

6 Q Okay. We can move closer if you need to, but -- do
7 you want that in closer?

8 A I can see it.

9 Q Okay. And is that where you refer to -- that is
10 State's 6. Is that what you would consider an overall or
11 a midrange?

12 A It could technically be considered both, but I'm
13 trying to show all of the markers. But it is also showing
14 the background of the area to tie it in.

15 Q Okay. And then State's 7, is that just kind of the
16 same thing but a little different angle?

17 A Yes, sir.

18 Q Why do you do those separate angles?

19 A To make sure that you're getting everything possible
20 in photos.

21 Q Okay. And what did -- as far as evidence that you
22 collected there at the scene, what did you collect from
23 this?

24 A All I collected: A fired cartridge casing, a broken
25 cigarette -- two burnt cigarettes, swabs from reddish

1 brown stain that was in the roadway and a gunshot residue
2 kit from Mr. Artiz Gibson.

3 Q I'm going to show you State's 16.

4 (Pause).

5 (WHEREUPON, State's Exhibit No. 16 was marked for
6 identification only.)

7 BY MR. MCGLOTHLIN:

8 Q Tell me if you recognize that.

9 A I do. It is the fired cartridge casings that I
10 collected.

11 Q What's the process that you used to ensure that the
12 items you collect are secure and protected from fault or
13 decay and things so that they're not tampered with after
14 you collected it?

15 A All items -- the majority of the items that we
16 collected are placed in either cardboard boxes or paper
17 envelopes to allow for there not to be moisture retention,
18 decay of any potential evidence that might be on the item
19 we collected.

20 We also seal the box or envelope with packaging tape,
21 and then on top of that seal it with evidence tape that we
22 initial and tape.

23 Q All right. And was this State's 16 -- the fired
24 cartridge casing, was that properly sealed and secured
25 there at the scene?

1 A Yes, sir. At the scene, no.

2 Q Well, after it was collected, I guess.

3 A Yes.

4 Q Okay. We'd offer State's 16 into evidence.

5 MR. BRADY: Without objection.

6 THE COURT: State's 16 is admitted.

7 (WHEREUPON, State's Exhibit No. 16 was admitted into
8 evidence.)

9 BY MR. MCGLOTHLIN:

10 Q Thank you. I'm going to show you State's 8. What
11 does that picture show?

12 A That is a close up photograph of the fired cartridge
13 casing I collected.

14 Q Okay. And that's got marker A there?

15 A Yes, sir.

16 Q So if I go back to State's 7, is that marker A there
17 kind of at the bottom?

18 A Yes, sir.

19 Q Okay. As far as your other involvement in this case,
20 I think you already mentioned responding to the hospital;
21 is that correct?

22 A Yes, sir.

23 Q Okay. Did you collect evidence while you were there?

24 A I collected clothing from an operating room and from
25 the trauma room, and I also collected a gunshot residue

1 kit from Mr. Genesis Williams while I was there.

2 MR. MCGLOTHLIN: Okay. Thank you. Beg the Court's
3 indulgence.

4 (Pause.)

5 No further questions. Please answer any questions
6 Mr. Brady has for you.

7 CROSS-EXAMINATION:

8 BY MR. BRADY:

9 Q Hi, Ms. Seay. How are you?

10 A I'm good.

11 Q So you mentioned the shell casing that we talked
12 about, right?

13 A Yes, sir.

14 Q And that's marker A right here?

15 A Yes, sir.

16 Q You agree with me that's kind of more towards the
17 middle of the roadway compared to everything else?

18 A Yes, sir.

19 Q All the others are closer to the curb?

20 A Some is also in the middle but middle to the edge.

21 Q And you collect evidence because it's important to
22 try to reconstruct the scene, right?

23 A Potentially, yes.

24 Q Okay. And so something like a shell casing could
25 potentially tell you where people were standing?

- 1 A Potentially.
- 2 Q It was maybe outside your expertise of service. Let
- 3 me know, but the shell casing will eject from a firearm,
- 4 right?
- 5 A Yes.
- 6 Q It will travel a certain direction?
- 7 A Yes.
- 8 Q And it will land?
- 9 A Yes.
- 10 Q That shell casing is very light, right?
- 11 A It can be.
- 12 Q Brass, thin brass?
- 13 A Yes.
- 14 Q So it will have an arc when it's ejected from the
- 15 firearm, right?
- 16 A Yes.
- 17 Q And then it will hit the gun -- I'm sorry, hit the
- 18 ground, right?
- 19 A Yes.
- 20 Q And then it's so light it has to bounce and travel a
- 21 little bit?
- 22 A It could.
- 23 Q And it would go in, generally, the same direction?
- 24 A It could.
- 25 Q Again, you collect this evidence because it's

1 important, right?

2 A Yes, sir.

3 Q So some of the other evidence that you collected
4 would be those two gunshot residue kits that you talked
5 about?

6 A Yes, sir.

7 Q And you collect that because it helps you determine
8 if someone might have been handling a firearm earlier in
9 the night?

10 A Potentially, yes.

11 Q But the kit itself doesn't show that but it's not an
12 instant read?

13 A No, sir.

14 Q It has to be sent off to a lab?

15 A Yes, sir. Richland County does not process gunshot
16 residue kits in house.

17 Q Right. It has to go to SLED?

18 A Yes, sir.

19 Q And SLED would receive the request from either the
20 prosecutor or Richland County, right?

21 A Yes, sir.

22 Q And that would be what labs do, the testing?

23 A Yes, sir.

24 Q And the two kits that you collected in this case were
25 from Mr. Gibson Adeyinka, right?

1 A I collected one from Genesis Williams, and I have
2 Artiz Gibson.

3 Q Artiz Gibson and the second one, again, was Genesis
4 Williams?

5 A Yes, sir.

6 Q So if those kits were tested, we may be able to tell
7 if they had handled a firearm earlier in the night, right?

8 A Potentially. I do not know the results of the test
9 or if they were actually ran.

10 MR. BRADY: Nothing more from the defense.

11 THE COURT: Any redirect?

12 MR. MCGLOTHLIN: Briefly, Your Honor.

13 REDIRECT EXAMINATION:

14 BY MR. MCGLOTHLIN:

15 Q Mr. Brady just asked you some questions about
16 trajectory of fired cartridge casings. Is there any way
17 to know what may have happened to that cartridge casing
18 once it was ejected from the firearm based on where it's
19 located when you observed it?

20 A Aside from being there during the actual incident
21 itself, no.

22 Q Okay. Is it -- I guess would environmental effects
23 play a role in that?

24 A Potentially.

25 Q If a vehicle drove over a fired cartridge casing,

1 could it move it?

2 A Many things could move fired cartridge casings.

3 Q Any other issues with collecting evidence from a
4 roadway specifically that grows from say grass or another
5 surface?

6 A I've had an instance before where fired cartridge
7 casings have been kicked, have been actually picked up in
8 treads of deputy's boots because when road deputies first
9 respond to scenes, they're typically chaotic. They may
10 not know exactly what needs to be sectioned off. Also
11 EMS, Fire, if they show up, our own vehicles have ran over
12 fired cartridge casings.

13 MR. MCGLOTHLIN: Beg the Court's indulgence.

14 (Pause).

15 Nothing further, thank you so much.

16 THE COURT: Anything further?

17 MR. BRADY: Briefly.

18 THE COURT: Yes, sir.

19 RE CROSS-EXAMINATION:

20 BY MR. BRADY:

21 Q And with those vehicles going in and out of the
22 scene, they can not only move them, but they can get
23 picked up in the treads.

24 A Yes.

25 Q So you may have, for example, three shots fired but

1 only one casing that remains on the scene?

2 A Yes.

3 MR. BRADY: Okay.

4 THE COURT: All right. Thank you. You may step
5 down.

6 Call your next witness.

7 MR. FOWLER: Your Honor, the State calls Deputy
8 Dennys Colon.

9 DENNYS COLON, after being duly sworn,
10 testified as follows:

11 THE CLERK: Please have a seat in the witness stand.
12 State your full name for the record and spell it.

13 THE WITNESS: Full name is going to be Dennys Colon,
14 D-E-N-N-Y-S, C-O-L-O-N.

15 THE COURT: Your witness.

16 MR. FOWLER: Thank you, Your Honor. May it please
17 the Court.

18 DIRECT EXAMINATION:

19 BY MR. FOWLER:

20 Q I think we can all tell you work for the Richland
21 County Sheriff's Department?

22 A Yes, sir.

23 Q Tell us what you do for them.

24 A So I work with the Community Actions Team. We just
25 deal with the community problem solving, community events,

1 that sort of stuff.

2 Q Back in 2021, did you have a different role?

3 A No, sir. I was still assigned to the CAT Team around
4 that time.

5 Q But being on that team, do you conduct regular
6 patrols?

7 A Yes, sir. So we still conduct regular routine
8 patrols around Richland County. So I was in the Region 2
9 area which I was formerly assigned as a road deputy. Now
10 that I'm on the CAT Team, I still work that area but just
11 on the Community Access Team side.

12 Q Do you recall being on patrol August 19th, 2021?

13 A Yes, sir.

14 Q We are telling -- I mean, obviously I'm referring to
15 a specific incident. Would you tell us where you were at
16 that night?

17 A Yeah. Well, during that day, I was coming into work.
18 Our schedules are a little crazy, but I was coming into
19 work and was heading into Richland County. I was in the
20 like I-20, Alpine area. I was around that area before I
21 heard a vehicle chase that was in the Woodfield Park area.

22 Q And where is the Woodfield Park area?

23 A So the Woodfield Park area, it's a neighborhood
24 that's Woodfield Park. It's right near Decker, Percival
25 eastbound. It's not far away. It's that little -- it's

1 kind of like a little square, but the name of the
2 neighborhood is Woodfield Park.

3 Q And you said you were responding to a vehicle chase?

4 A Yes. So it was a vehicle pursuit, heard it on the
5 radio and the last information I was given out was that
6 they were in the Woodfield Park area.

7 Q Do you remember what kind of vehicle was called out
8 over the radio?

9 A So it was a white Chrysler sedan, and that it was
10 last seen around that area, Woodfield Park.

11 Q So at that point, the chase had terminated?

12 A They were still circulating that neighborhood, so
13 that's when I -- I just got off on Alpine, I-20 to Alpine
14 and got on Faraway Drive which is heading towards that
15 Woodfield Park area.

16 Q So while you're helping them circulate, was your
17 attention drawn to a white Chrysler sedan?

18 A Yes, sir. So I was looking for a white Chrysler
19 sedan just circulating the area on Faraway. I actually
20 located one at the corner of the apartments that was
21 backed into a parking spot in one of the parking lots
22 there.

23 Q When you located that white Chrysler sedan, what did
24 you do?

25 A Just notified the units on the radio, said, "Hey, I

1 see a white Chrysler. I'm going to go check it out." So
2 I went into the apartment complex. The vehicle was backed
3 in, so I pulled into the parking lot.

4 It had the tinted windows, so I drove up. I could
5 see inside the vehicle, realized it was unoccupied but
6 wanted to get the tag number, so I stepped out and got
7 that information.

8 Q What did you do with that information once you
9 gathered it?

10 A Once I got the tag for that vehicle, we have a system
11 called NCIC. It's a national database where we can run
12 tags, see if they're stolen or if they're involved in any
13 crime and also check the DMV return. So I ran the tag and
14 immediately discovered that the vehicle was stolen and
15 involved in a homicide, so that's what I got on my
16 computer.

17 Q After you ran the tag and realized it had been
18 involved in a homicide investigation, was stolen, what did
19 you do next?

20 A Yeah. So immediately after running that information,
21 it was -- it's during the day. So we actually had some
22 investigators from our fugitive task force working. I
23 advised that, "Hey, this vehicle is stolen and involved in
24 a homicide."

25 They were working the investigation, just due to the

1 information I was providing, they advised me to hey, keep
2 eyes on it so we could get a surveillance plan over the
3 vehicle to just monitor these activities.

4 Q To your knowledge, did anybody return to that vehicle
5 before it was seized by the sheriff's department?

6 A No, sir. Nobody returned to the vehicle.

7 Q And just one more question. I'm going to show you
8 what's already been admitted into evidence State's 9. Is
9 this the white Chrysler sedan that you observed that
10 evening?

11 A Yes, sir.

12 MR. FOWLER: Thank you, Your Honor. No further
13 questions.

14 THE COURT: Cross-examination?

15 MS. EIGENBROT: Thank you, Your Honor. May it please
16 the Court.

17 CROSS-EXAMINATION:

18 BY MS. EIGENBROT:

19 Q Deputy Colon, when you got the call out about the
20 white Chrysler sedan, that was the only information you
21 were given, correct?

22 A Yes, ma'am. To my knowledge, what I can remember is
23 just a white Chrysler that ran from a deputy that went
24 into that neighborhood area.

25 Q You didn't have a tag number or anything like that?

1 A No, ma'am. I don't believe so.

2 Q So when you came across this vehicle, you decided to
3 check it out because it fit the description.

4 A Yes, ma'am.

5 Q But you had additional evidence at that particular
6 time that that vehicle was involved in a chase, right?

7 A No, no evidence, just the description I was given.

8 Q And you checked the car out, right?

9 A Yes, ma'am.

10 Q Did you happen to notice if the doors were unlocked?

11 A I didn't check any doors. I just looked in from the
12 front windshield. It had tinted windows and just went
13 around back, trying to be as ninja as I could to get the
14 tag and get back to my car.

15 Q And that's when you ran the tag, right?

16 A Yes, ma'am.

17 Q And you there was nobody around the vehicle when you
18 ran the tag either?

19 A No, ma'am. Just there's regular foot traffic around
20 that area just because there is kind of like a little gas
21 station that I go into, but nobody that drew my attention
22 that I would be like hey, that guy is leaving that car or
23 something like that.

24 Q And I think you mentioned that the windows were
25 tinted, right?

1 A Yes, ma'am.

2 Q And the car was actually backed into the space?

3 A Yes, ma'am.

4 Q Wasn't -- didn't appear to be driven really fast or

5 anything?

6 A No, ma'am.

7 MS. EIGENBROT: Beg the Court's indulgence.

8 THE COURT: Yes, ma'am.

9 BY MS. EIGENBROT:

10 Q You mentioned you did not see anyone driving that

11 vehicle, correct?

12 A No. I didn't see anyone driving it. I just saw it

13 parked.

14 Q And to your knowledge, that apartment complex has

15 video surveillance?

16 A I haven't had a case in that apartment complex where

17 there's cameras that were used, so I'm not sure if they

18 did or not.

19 Q But had there been video surveillance, investigations

20 would have likely requested that based on an investigation

21 of the vehicle?

22 A Yeah. I'm sure they would have tried to get in

23 contact with the property manager, and you know, asked if

24 they had any video surveillance or anything.

25 MS. EIGENBROT: Thank you. No further questions.

1 THE COURT: Yes, ma'am.

2 Any redirect?

3 MR. FOWLER: No, Your Honor.

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

5 THE WITNESS: Thank you.

6 MR. SCOTT: Judge, our next witness is at Manning and
7 Calhoun. Maybe just a brief bathroom break. He's right
8 down the street.

9 THE COURT: I thought you said in Calhoun.

10 MR. SCOTT: No Manning and Calhoun. He's just about
11 here.

12 THE COURT: Okay. Yes. Let's take a short break,
13 ladies and gentlemen. Return to your jury room. Don't
14 discuss the case.

15 (Whereupon, the jury left the courtroom at 4:27 PM).

16 We'll take about ten minutes or so. Is that
17 sufficient?

18 MR. FOWLER: Yes, Your Honor. These are all the
19 quick witnesses that we have left.

20 (WHEREUPON, a short break was taken.)

21 MR. FOWLER: We're ready to proceed when you are.

22 THE COURT: All right. You can bring the jury.

23 THE BAILIFF: Yes, Your Honor.

24 MR. BRADY: Your Honor, this is the witness with all
25 the pretrial objections that I made.

1 THE COURT: Okay.

2 MR. BRADY: So those will be the objections when they
3 come up.

4 THE COURT: Yes, sir.

5 (Whereupon, the jury entered the courtroom at 4:40
6 PM).

7 THE BAILIFF: The jury is seated, Your Honor.

8 THE COURT: Thank you, sir. The State would call its
9 next witness.

10 MR. FOWLER: May it please the Court. The state
11 calls Investigator Sean Kilcoyne.

12 SEAN KILCOYNE, after being duly sworn,
13 testified as follows:

14 THE CLERK: Thank you. Please have a seat on the
15 witness stand. Thank you, Your Honor, spell your last
16 name.

17 THE WITNESS: Sean Kilcoyne, last name is
18 K-I-L-C-O-Y-N-E.

19 DIRECT EXAMINATION:

20 BY MR. FOWLER:

21 Q Investigator Kilcoyne, as you said sheriff's
22 department. What do you do there?

23 A I'm an investigator with the Richland County
24 Sheriff's Department on our Fugitive Task Force.

25 Q What is the Fugitive Task Force?

1 A We're -- in investigations, we're assigned to go find
2 and locate wanted individuals. Mostly the individuals we
3 deal with are wanted for violent felonies.

4 Q So assisting effectuating arrest warrants?

5 A Yes, sir.

6 Q Were you doing that back in 2021, as well?

7 A Yes, sir.

8 Q Do you recall executing an arrest warrant or
9 effectuating an arrest warrant on November 30th of 2021?

10 A Yes, sir.

11 Q Do you recall where you went?

12 A Yes, sir. We went to a trailer park in Lexington
13 County.

14 Q I'm going to ask you the address. Would your report
15 help refresh your recollection?

16 A Yes, sir.

17 Q If you would just give me the address of that trailer
18 park.

19 A Yes, sir, it's [REDACTED] Hidden Valley Road, and the actual
20 address is trailer Lot [REDACTED] in Lexington County.

21 MR. BRADY: Your Honor, can I get a copy of that
22 report? I have not received it.

23 (Complies.)

24 BY MR. FOWLER:

25 Q So [REDACTED] Hidden Valley Road Lot [REDACTED]. Tell me what

1 happened when you got there?

2 A Yes, sir, our team approached the trailer, knocked on
3 the trailer. We were met by a female relative. She
4 allowed us inside, allowed us to check the residence for
5 the defendant. Myself and two other officers started to
6 clear the residence, went down a hallway, opened the first
7 door on the left on the hallway, opened the door.

8 There was a twin bed or a smaller bed, not a queen,
9 not a full I'll say that was sitting adjacent when you
10 opened the door right here. You could see the defendant
11 was laying in the bed feet towards us. He sat up.

12 We approached him. As we approached him, there was a
13 pistol kind of where his foot or leg would be in the bed
14 on top of the covers. There was also a rifle in the room,
15 as well.

16 MR. BRADY: Objection, Your Honor. Pretrial, the
17 same.

18 THE COURT: Overruled.

19 MR. BRADY: Is that a continuing objection so we
20 don't interrupt?

21 THE COURT: Yes, sir.

22 MR. BRADY: Thank you.

23 BY MR. FOWLER:

24 Q You said there was a pistol near his legs, what did
25 you do when you saw that pistol?

1 A Myself and the other two officers that went in the
2 room, we -- as securing him, I was closest to the pistol
3 so I grabbed it to get it out of the way and basically get
4 it out of his way where he couldn't reach it as we secured
5 him.

6 Q Your Honor, I'm going to show him a pistol. I'll
7 give my assurances to the Court it's been made safe.

8 I'm going to show you what's been premarked State's
9 15. Is that the pistol that you collected?

10 A Yes, sir.

11 Q Would you mind just holding that up in a safe way
12 maybe facing that direction?

13 A Yes, sir. I'll hold it down.

14 Q So that is the pistol that you collected?

15 A Yes, sir.

16 Q And it was laying beside the defendant, Jerod
17 Goodwin; is that correct?

18 A Yes, sir.

19 MR. FOWLER: Your Honor, at this time I would move to
20 have State's 15 moved into evidence, admitted into
21 evidence.

22 MR. BRADY: No objection.

23 THE COURT: State's 15 is admitted without objection.

24 (WHEREUPON, State's Exhibit No. 15 was admitted into
25 evidence.)

1 BY MR. FOWLER:

2 Q So you grabbed it, and you said you cleared it?

3 A Yes, sir.

4 Q And I can't remember if you said this already, but
5 tell the jury what you mean by clearing it.

6 A Basically, I took it and put it out of way. I didn't
7 make it safe or anything like that. I just picked it up
8 and set it where the defendant could not grab it. We made
9 -- placed the defendant in handcuff restraints and removed
10 him from the room, and then I turned the scene over to our
11 investigators.

12 Q Did you make the gun safe after --

13 A Yes, sir.

14 Q -- Mr. Goodwin was secured?

15 A Yes, sir. After he was secured and he was out of the
16 room, we made sure it was safe.

17 Q And tell him what you mean by making it safe?

18 A Took the magazine out, took a round out of the
19 chamber, set it there to make sure it can't go off. If
20 somebody grabs it, it won't go off.

21 Q And I believe what happened next after that firearm
22 is it was collected by somebody and taken to evidence lock
23 up at the sheriff's department?

24 A Yes, sir.

25 Q Investigator Kilcoyne, could you just one more

1 time -- I don't quite understand where you described,
2 where the two firearms you located were in position to the
3 defendant, Jerod Goodwin?

4 A Yes, sir. If -- so if you were me coming in the
5 door, and I'm the defendant laying in the bed, the bed
6 lays this way. He was laying in the bed with his head
7 against the wall, feet this way. The pistol was at his
8 feet on the bed -- on or near here.

9 When we opened the door, he sat up. It was right
10 there. When I approached, I just went right in and
11 grabbed it just like that, kind of set it out of the way
12 and dealt with him.

13 Then the rifle -- I can't remember if the rifle was
14 on the bed or on the floor or not.

15 Q But in --

16 A But the pistol was the closest thing where he could
17 have sat up. He could have grabbed it, so I just got it
18 out of the way.

19 Q But that rifle was also in very close proximity to
20 Jerod Goodwin?

21 A Yes, sir.

22 MR. FOWLER: No further questions at this time.

23 THE COURT: Cross-examination?

24 MR. BRADY: Thank you, Your Honor.

25 CROSS-EXAMINATION:.

1 BY MR. BRADY:

2 Q Investigator Kilcoyne.

3 A Yes, sir.

4 Q Your job in terms of the charges or the things we're
5 here for in front of the jury, right, your job is to find
6 people, right?

7 A Yes, sir.

8 Q So that's the extent of your role in this case,
9 really?

10 A Yes, sir.

11 Q I just wanted to clear up one thing. You know, it
12 sounded like you testified that Jerod kind of like shot up
13 when you guys came into the room, right?

14 A Yes, sir.

15 Q But that's not really true, is it? He was sleeping
16 when you guys came in the room, right?

17 A I don't know what he was doing before.

18 Q And the officers had to say, "Hey, Jerod, hey,
19 Jerod." And he really wouldn't wake up at first, right?

20 A No, sir, not from what I recall.

21 Q Would it refresh your memory to watch the video? Let
22 me know if the volume is any issue.

23 (Pause).

24 A Okay.

25 Q So you would agree with me you said his name three or

1 four times, right?

2 A I don't know if he was asleep or not. We said his
3 name three or four times.

4 Q Okay. And he didn't really move?

5 A No, sir. He didn't appear he moved.

6 Q Okay. So he didn't shoot up to get the gun or
7 anything?

8 A No, sir.

9 MR. BRADY: Nothing else from the defense. Thank
10 you.

11 THE COURT: Any redirect?

12 MR. FOWLER: Yes.

13 REDIRECT EXAMINATION:

14 BY MR. FOWLER:

15 Q What did you say was in arms reach of Mr. Goodwin?

16 A The pistol.

17 Q This pistol right here?

18 A Yes, sir.

19 Q So regardless of whether Jerod shot up or was awoken
20 by you guys, that pistol presented a threat to you guys
21 being in that room?

22 A Yes.

23 Q And that would be why you grabbed it?

24 A Yes, sir. On the video we talked about making sure
25 we secured that when we came in first.

1 MR. FOWLER: No more redirect, Your Honor.

2 THE COURT: Anything further from this witness?

3 MR. BRADY: No.

4 THE COURT: Okay. Thank you, Investigator Kilcoyne.

5 THE WITNESS: Thank you.

6 THE COURT: Call your next witness.

7 MR. MCGLOTHLIN: The State calls Carey Roberts.

8 CAREY ROBERTS, after being duly sworn,
9 testified as follows:

10 THE CLERK: Have a seat on the witness stand.

11 THE WITNESS: Carey Roberts.

12 DIRECT EXAMINATION:

13 BY MR. MCGLOTHLIN:

14 Q Investigator Roberts?

15 A Yes.

16 Q Are you familiar with how stolen firearms are run
17 into NCIC, this database that you have heard Deputy Colon
18 testify to just a few minutes ago?

19 A Yes.

20 MS. EIGENBROT: Your Honor, I just want to address,
21 we're renewing our objection from pretrial. It would be a
22 continuing objection throughout this testimony.

23 THE COURT: Yes, ma'am, overruled.

24 THE WITNESS: Yes, ma'am.

25

1 BY MR. MCGLOTHLIN:

2 Q Can you briefly describe how you -- can you review
3 the policy for how you enter a firearm in when it's
4 reported stolen?

5 A So with the Richland County Sheriff's Department,
6 when we have firearms that have been reported stolen
7 through any sort of report we would go see our desk
8 sergeant who runs our NCIC terminal, and we would provide
9 them with the make, model, the serial number and the
10 caliber of the firearm.

11 They would then enter it into NCIC, and they would
12 provide us, the deputies or investigators, with a specific
13 NIC number that's assigned to the firearm. That way if
14 it's recovered anywhere else in the country or if it's
15 recovered anywhere else within South Carolina, then we'll
16 know that that's our firearm that was reported stolen or
17 any other law enforcement agency.

18 Q And I apologize. I meant to ask you, how long have
19 you been with the Richland County Sheriff's Department?

20 A I've been with the Richland County Sheriff's
21 Department for about eight-and-a-half years.

22 Q Okay. Has that procedure that you used been the same
23 the entire time you've been there?

24 A Yes.

25 Q Okay. And as to your involvement in this case, kind

1 of -- can you describe your involvement as it relates to
2 the firearm, the State -- what's previously been admitted
3 as State's 15 into evidence, if any?

4 A I received a firearm and packaged it for evidence and
5 requested a records check from the desk sergeant to
6 confirm if it was stolen or not.

7 Q Okay. And did you find out whether it was or not?

8 A Yes.

9 Q Okay. And what did you find out?

10 A The firearm had been reported stolen to the Columbia
11 Police Department.

12 MR. MCGLOTHLIN: Okay. Beg the Court's indulgence
13 for a moment.

14 (Pause.)

15 No further questions, thank you so much. Please
16 answer any questions the Defense may have.

17 MS. EIGENBROT: May it please the Court.

18 THE COURT: Yes, ma'am.

19 MS. EIGENBROT: Thank you.

20 CROSS-EXAMINATION:.

21 BY MS. EIGENBROT:

22 Q Investigator Roberts, when you place a gun into NCIC
23 or do an NCIC check, generally, you do that with the
24 serial number on the weapon, correct?

25 A Yes.

1 Q So in order to do that, the serial number would have
2 to be visible on a weapon, right?

3 A Yes.

4 Q And this serial number was clearly visible allowing
5 you to run the gun?

6 A That's correct.

7 Q And there's no damage done to the gun, correct? .

8 A That's correct.

9 Q And when you received this, you had no evidence that
10 Mr. Goodwin knew the weapon was stolen. You just ran the
11 weapon?

12 A That's correct.

13 Q And as to your knowledge, he is not currently charged
14 with possession of a stolen weapon?

15 A Not to my knowledge.

16 MS. EIGENBROT: Thank you. I have no further
17 questions.

18 THE COURT: Anything further from this witness?

19 MR. MCGLOTHLIN: No, Your Honor.

20 THE COURT: Okay. Thank you. You may step down.
21 Call your next witness.

22 MR. SCOTT: Your Honor, the State, as we stand, has
23 prepared one more witness that will be available first
24 thing tomorrow morning. Childcare issues it's been a week
25 to schedule a trial, for sure. We have people on

1 vacation. We have people sick and everything, but we have
2 a firearms expert in the morning, should be pretty brief,
3 and that will be that.

4 THE COURT: Okay. Well, ladies and gentlemen, we're
5 going to break for the day. Be back in your jury room
6 tomorrow morning at 9:30. Do not discuss the case amongst
7 yourselves or with anyone else. Don't do any research
8 about the case, just have a good night. We'll see you at
9 9:30 tomorrow morning.

10 (Whereupon, the jury left the courtroom at 4:56 PM).

11 All right. Let's return to the issue of Lieutenant
12 Dauway. I have reviewed the Defense submission, and I
13 just don't see anything in there that would contradict or
14 sort of square it for me in my brain that he is a
15 necessary witness; that is not necessary as long as Carey
16 Roberts didn't say what she just said. That just does not
17 make sense to me.

18 There's many of these topics that have been elicited
19 it in some way from other witnesses. It's also difficult
20 for me to enforce a subpoena, and I know that there's a
21 procedure just for everyone's convenience, but it's
22 difficult for me to enforce a subpoena where the person
23 wasn't personally served.

24 I understand why that didn't happen, but he wasn't
25 personally served. My understanding is that he didn't

1 know anything about the subpoena until he received a phone
2 call from a colleague about the subpoena.

3 So the Court declines to find that Lieutenant Dauway
4 is a necessary witness and will take no action in
5 enforcing the subpoena.

6 Now, can I go ahead and advise Mr. Goodwin of his
7 rights now or do you need to wait until after the State
8 rests?

9 MR. BRADY: That's fine, Your Honor.

10 THE COURT: I'd just rather do what we can do to keep
11 this case on track.

12 So would you -- Madam Clerk, would you place the
13 defendant under oath?

14 THE CLERK: Would you raise your right hand, please.

15 JEROD GOODWIN, after being duly sworn,
16 testified as follows:

17 THE COURT: Okay. Mr. Jerod Goodwin, at this time,
18 I'm going to explain to you certain of your rights. If
19 you do not understand anything I say, please let me know.
20 If you want me to explain anything in more detail, please
21 let me know. Do you understand?

22 THE DEFENDANT: Yes, ma'am.

23 THE COURT: Okay. We've now reached the stage of the
24 trial -- or we will tomorrow morning where you may present
25 your defense. You have the right to claim the protections

1 given to you by the Fifth Amendment to the Constitution of
2 the United States.

3 This amendment states in part, "No person shall be
4 compelled in any criminal case to be a witness against
5 himself." This means that you cannot be required to
6 testify in this case.

7 You have the right to testify on your own behalf.
8 However, no one can make you testify. This a personal
9 right, and no one can waive this right except you. If you
10 decide to testify, you'll be subject to the same rules
11 that govern other witnesses and yet you may be examined
12 and cross-examined on any relevant issue in this case.

13 In addition, if you have any convictions involving
14 dishonesty or false statement or for crimes punishable by
15 imprisonment for more than one year, and this Court
16 determines that the probative value of admitting this
17 evidence outweighs its prejudicial effect to you, the
18 Solicitor will be able to introduce your criminal record
19 to attack your credibility.

20 If you decide to testify, this decision on your part
21 must be freely, voluntarily and intelligently made with
22 knowledge of the protections given to you by at the Fifth
23 Amendment and the consequences of your decision to
24 testify.

25 If you decide not to testify, I will instruct the

1 jurors that they cannot give the fact that you did not
2 testify any consideration whatsoever and that there is to
3 be absolutely no prejudice to you because you did not
4 testify.

5 It is left entirely up to you -- I lost my place,
6 whether you testify or not. You may talk with your
7 attorney, your family and friends or anyone else, but the
8 final decision will be left entirely up to you. Do you
9 understand what I've explained to you?

10 THE DEFENDANT: Yes, ma'am.

11 THE COURT: Okay. Do you have any questions about
12 what I've explained to you?

13 THE DEFENDANT: No.

14 THE COURT: All right. I'm not going to ask you at
15 this time whether you're going to testify. I just wanted
16 to tell you that you have the right to, you have the right
17 not to.

18 I'll ask you about that tomorrow, so whoever you need
19 to speak to tonight, overnight or first thing in the
20 morning or whatever, make sure you do that because we will
21 reach that stage tomorrow morning when I will ask you.

22 THE DEFENDANT: Yes, ma'am.

23 THE COURT: Thank you. Have a seat.

24 Anything else we need to discuss before we break for
25 evening? Yes?

1 are still on the State's case. I hope you had a good
2 evening and are rested and ready for testimony. The State
3 is going to call their next witness.

4 MR. SCOTT: The State calls J'Maiya Wilson.

5 THE COURT: Come forward and be sworn.

6 J'MAIYA WILSON, after being duly
7 sworn, testified as follows:

8 THE CLERK: Thank you. Have a seat in the witness
9 box. State your name for the record and spell your last
10 name.

11 THE WITNESS: J'Maiya Wilson, W-I-L-S-O-N.

12 DIRECT EXAMINATION:

13 BY MR. SCOTT:

14 Q Okay. J'Maiya, August 15th, 2021, who were you
15 dating?

16 A Genesis Williams.

17 Q Genesis Williams. What was your boyfriend?

18 A Yes, sir.

19 Q Did you two live together?

20 A Yes, sir.

21 Q Okay. Let me ask you this: At that time, did you
22 own a car?

23 A Yes, sir.

24 Q What kind of car was it?

25 A It was a 2016 Chrysler 200.

1 Q Okay. And this is State's number 9. Was this the
2 car you owned?

3 A Yes, sir.

4 Q Okay. And do you know what the sales price on that
5 was when you bought it?

6 A It was right under 15,000.

7 Q Okay. Would \$14,998 sound right?

8 A Yes, sir.

9 Q That's what the sales price was for that?

10 A Yes, sir.

11 Q And August 15th, 2021, how long had you owned this
12 automobile?

13 A For about a year and a couple of months.

14 Q Okay. Now who was allowed to drive that car?

15 A Genesis.

16 Q Okay. And you, obviously?

17 A Yes.

18 Q Do you know Jerod Goodwin?

19 A No, sir.

20 Q Have you ever given him permission to drive your car?

21 A No, sir.

22 Q Okay. Do you even know him?

23 A No, sir.

24 Q Okay. But on the night of August 14th, did you allow
25 Genesis Williams to use the car?

1 A Yes, sir.

2 Q And he had full access to the car?

3 A Yes, sir.

4 MR. SCOTT: Okay. J'Maiya, answer any questions the
5 Defense has for you.

6 THE COURT: Cross-examination?

7 MS. EIGENBROT: Thank you, Your Honor. May it please
8 the Court.

9 CROSS-EXAMINATION:

10 BY MS. EIGENBROT:

11 Q Good morning, Ms. Wilson.

12 A Good morning.

13 Q Now, back in August of 2021, you lived at [REDACTED]
14 Plowden Road; is that right?

15 A Yes.

16 Q That's where you still live to this day?

17 A Yes.

18 Q That's the place Genesis was staying with you?

19 A Yes.

20 Q And can you tell the jury Plowden Road is right off
21 of Rosewood and Millwood, right?

22 A Yes.

23 Q So pretty close to downtown Columbia?

24 A Yes.

25 Q Now, Ms. Wilson I believe you arrived at the scene

1 that morning; isn't that right?

2 A Yes.

3 Q And I think the State established you were dating

4 Genesis at the time, right?

5 A Yes.

6 Q How long had you two been together?

7 A For about six, seven months.

8 Q So you knew him pretty well then, right?

9 A Yes.

10 Q And he had a reputation to be a little bit of a hot

11 head sometimes, right?

12 A No, not that I know of.

13 Q No? What about guns? He carried guns, right?

14 A No, not around me.

15 Q You never seen him with a gun?

16 A No, ma'am.

17 Q Now, we've heard that you let him borrow the car that

18 night, right?

19 A Yes.

20 Q And that was not unusual?

21 A No.

22 Q He did that regularly, go hang out with the boys,

23 right?

24 A Yes.

25 Q And so when you woke up that morning and the car

1 wasn't there, you got concerned?

2 A Yes.

3 Q And I think you called Genesis, right?

4 A Yes.

5 Q But it went to his voice mail?

6 A Yes.

7 Q And then at that point, you must have received some

8 type of information because you ended up calling Artiz?

9 A I didn't know Artiz.

10 Q Okay. Put you called Artiz?

11 A Yes.

12 Q And that's when you end up showing up at Artiz's

13 neighborhood?

14 A Yes.

15 Q And the police kind of talk to you about your

16 vehicle, right?

17 A Yes.

18 Q And I mean, you expected -- part of the reason you

19 called and got concerned is that you expected Genesis to

20 come back to your house in the morning, right?

21 A Yes.

22 Q And it was typical for him to stay out all night?

23 A No, not all night.

24 Q Not all night?

25 A No.

1 Q On occasion, though?

2 A Yes.

3 MS. EIGENBROT: Okay. Beg the Court's indulgence?

4 THE COURT: Yes, ma'am.

5 MS. EIGENBROT: Thank you, I have nothing further.

6 THE COURT: Ms. Wilson, you may step down.

7 THE BAILIFF: Watch your step down.

8 THE COURT: Call your next witness.

9 MR. FOWLER: Thank you, Your Honor. May it please
10 the Court. The State called Amanda Metz of the Richland
11 County Sheriff's Department.

12 AMANDA METZ, after being duly sworn,
13 testified as follows:

14 THE WITNESS: Amanda Metz, M-E-T-Z.

15 THE COURT: Your witness.

16 MR. FOWLER: Thank you, Your Honor.

17 DIRECT EXAMINATION:

18 BY MR. FOWLER:

19 Q Ms. Metz, would you tell the jury what it is you do
20 for the sheriff's department.

21 A I work at Richland County Sheriff's Department in the
22 Firearm and Tool Marks section in the forensic laboratory.
23 My primary duty is to examine firearms and ammunition
24 components, as well as other tools and their markings for
25 forensic evidence and report my findings to the Court.

1 Q So when you say tool marks, can you tell us little
2 bit about what that means for the Court?

3 A Sure. Firearms identification is a forensic
4 discipline that focuses primarily on determining whether a
5 bullet, cartridge case or other ammunition component was
6 fired by a particular firearm. That means that we
7 sometimes do bullet-to-bullet comparison,
8 cartridge-case-to-cartridge-case comparison,
9 bullet-to-firearm comparison, cartridge-case-to-firearms
10 comparison, as well as any other ammunition components and
11 compare that with wadding and things for shotguns. We
12 also do distance determination and serial number
13 restoration.

14 Q This is part of State's 15. It's already been
15 admitted. If you could show the jury what you're talking
16 about with cartridge casings and bullet analysis.

17 A Sure. So this is an unfired cartridge. This is an
18 unfired piece of ammunition. This is for a semi-automatic
19 weapon, 9-millimeter Luger.

20 The copper here -- it's kind of hard to see, but
21 copper is the projectile or bullet. This is what travels
22 down and out the barrel of the firearm and hits the
23 target.

24 The kind of silver gray part is the cartridge case.
25 This is what holds the gun powder, as well as the bottom

1 here you'll see another part of the brassy copper that's
2 the primer. That's what ignites the gunpowder which is
3 what causes the propulsion that pushes the projectile down
4 and out the barrel.

5 This is unfired, so when we're talking about bullet
6 or projectile, it's this copper part not the hole. So
7 this hole is referred to as a cartridge, and the copper
8 only is the projectile or bullet. Silver is the cartridge
9 casing.

10 This is mostly what you'll see at scene, recovered at
11 scenes. As for semiautomatic pistols, it's what's
12 extracted and ejected from the firearm. So this is what
13 you'll find at scene if you're not finding projectiles as
14 they travel great distances and very quickly. So
15 sometimes you'll find cartridge cases at scenes but not
16 projectiles.

17 Q Can you tell us about tool marks in relation to the
18 demonstration you have right there.

19 A Do I need to be qualified?

20 Q I'm going. I'm going.

21 A Okay. So for projectiles, the markings that I would
22 be talking about are the rifling that's imparted on the
23 projectile. So when a firearm is made, a manufacturer
24 determines the number, twist and direction of twist for
25 rifling.

1 Rifling is inside of a barrel of the firearm. What
2 that does is it imparts a spin on a projectile. So it's
3 like throwing a football. If you could throw the football
4 well, it spins and hits its target, it wobbles everywhere
5 and doesn't go where you throw it.

6 So rifling is what would impart marks on the
7 projectile, the copper part. Every firearm has unique
8 individual characteristics, and that's what I look at
9 under a microscope.

10 The cartridge case is marked with several different
11 components of the firearm as there are several different
12 parts that mark it. So on the brass here -- you have the
13 brassy copper here, the primer, you'll end up with the
14 firing pin impression.

15 So the firing pin is what hits your primer which is
16 what causes the ammunition of the gun powder inside, and
17 then you'll also get when that happens, an explosion of
18 gases. The cartridge case will slam against the back of
19 what we call the bridge face of the firearm and impart its
20 individual markings.

21 Then you'll also get an ejector mark, so when it --
22 when it cycles itself and pulls itself out of the chamber,
23 so you'll get an extractor mark which is like a little
24 claw that pulls it out.

25 You'll also get an ejector mark which throws it out

1 of the firearm so that the next ammunition, piece of
2 ammunition, can be fed into the chamber for firing. So
3 there's a number of markings that we look at on the
4 cartridge case itself. You can get also chamber markings,
5 but that's really delving a lot into it for you.

6 Q Thank you. You sounded pretty knowledgeable about
7 that. I forgot to ask what kind of training do you have
8 in this area.

9 A Yes. I have a Bachelor of Arts in both anthropology
10 and art history from Oakland University and a Masters in
11 Forensic Archeology and International Crime Scene
12 Investigation from Formoth University.

13 After that I came to Richland County, worked the road
14 for about at that year and then went to the Bureau of
15 Alcohol, Tobacco, Firearms and Explosives. They are a
16 Firearm and Tool Mark Examiner Academy. That is a
17 year-long training program in which you spend the entirety
18 living there in Maryland, and you do your training there,
19 as well as a thesis.

20 After that you then come back to your agency, and you
21 still have two more years in training in house. So it's a
22 process to do the firearms and tool mark examination.

23 After I successfully completed both of those
24 trainings, I've completed roughly 2,000 cases. I've
25 testified approximately a dozen times as an expert witness

1 in the courts of South Carolina. I'm also a member of our
2 professional organization, the Association of Firearm and
3 Tool Mark Examiners.

4 Q And these methods of examination, are they reliable?

5 A Yes, for 100 years plus, firearm identification has
6 been a forensic science with no change because firearm
7 identification is based on when two objects come in
8 contact with each other, the harder object imparts its
9 markings on the softer object.

10 So in this instance, we're talking about firearms,
11 the harder object made of steel. Your ammunition is made
12 of softer metals: Copper, lead, nickel, so the individual
13 characteristics of that firearm.

14 So every time a piece of the firearm goes through a
15 machining process, individual characteristics in the form
16 of mixed burs and cuts transfer their markings onto the
17 ammunition component.

18 Q And these methods are pervasive in the law
19 enforcement community throughout the nation?

20 A Yes.

21 Q And these are the methods you used in this case?

22 A Correct. I follow the -- our professional
23 organization, the Association of Firearm and Tool Mark
24 Identification. I follow their theory of identification
25 which is what every firearm and tool mark examiner follows

1 is that theory of identification.

2 MR. FOWLER: Your Honor, at this point, I'd like to
3 offer Amanda Metz as an expert in the field of firearm and
4 tool mark examination.

5 MR. BRADY: No voir dire, no objection.

6 THE COURT: Firearms and tool mark examination?

7 MR. FOWLER: Examination, yes, ma'am.

8 THE COURT: All right. Ladies and gentlemen, as I
9 told you yesterday, witnesses generally must testify as to
10 their own observations and not give opinion testimony.
11 However, when a person is qualified by virtue of their
12 training and education, art or science, they may become an
13 expert in that field.

14 Amanda Metz is qualified as an expert in the area of
15 firearms and tool mark examination and will be permitted
16 to give you her opinion testimony within her field of
17 expertise and the reasons for those opinions. However,
18 like any other witness, you give her testimony the weight
19 and credibility you think it deserves.

20 You may proceed.

21 BY MR. FOWLER:

22 Q Thank you, Your Honor.

23 Ms. Metz, I'm going to jump right in this case
24 focused on what is listed in your report as item nine and
25 item 50. I know you'll have to open these, but I believe

1 they are State's 16 and 15. I'll hand those to you. If
2 you would take a look at that, tell me if you recognize
3 that and if you performed any analysis on it.

4 A Yes. I recognize and identify State's Exhibit 15 as
5 actually both of my -- or all three of my items 50, 51 and
6 52. Fifty is the Glock model, 17 Gen 4 .9-millimeter,
7 serial number is BFCW193 and then some unfired cartridges
8 as well as the magazine assembly.

9 Q And this will be State's 16 for reference.

10 A Yes. I recognize and identify State's Exhibit 16 as
11 my item 9 which is one fired .9-millimeter Luger caliber
12 cartridge case.

13 Q And did you perform any analysis like you told us
14 about earlier on these two items?

15 A Yes.

16 Q What was the conclusion that you came to?

17 A I concluded that item -- State's Exhibit 15, the
18 Glock firearm fired item State's Exhibit 16 of the
19 cartridge case.

20 Q And you also determined that item 15, the Glock
21 .9-millimeter was a functioning firearm?

22 A Yes, correct. So to come to my conclusion, I have
23 to: A, first determine whether the firearm is safe for me
24 to fire and then that it functions properly because I have
25 to create my own standards.

1 I have to have cartridge cases that I know come from
2 that firearm. So once I look at the firearm, I test it
3 mechanically, make sure that it's safe for me to fire. I
4 shoot it into a water tank that also has a net to catch
5 the cartridge cases.

6 The water slows and stops the bullets and doesn't
7 impart any other markings on them. That's important so
8 that we know that nothing else other than that firearm
9 marked that projectile. Then a little net catches the
10 cartridge cases as they're extracted and ejected.

11 So I have to create my own standards so that I know
12 that they come from that specific firearm, and then that
13 firearm marks it in a manner that's reproducible. So if
14 the firearm is not marking it in a way that I can ID
15 test-to-test, then I can't compare it to an unknown. So
16 that's -- I have to make sure that it functions properly.

17 Q Just to kind of round this out and put it more
18 succinctly, State's item 16 which is found at the crime
19 scene and State's item 15 which was found in possession of
20 the defendant, this gun fired this cartridge casing?

21 A Correct.

22 MR. FOWLER: No further questions, Your Honor.

23 THE COURT: Cross-examination?

24 MR. BRADY: Thank you, Your Honor.

25 CROSS-EXAMINATION:

1 BY MR. BRADY:

2 Q Hi, Ms. Metz. So it's just as efficient a way to
3 identify that gun fired that cartridge casing would be for
4 the person to say, "Yes, I fired that gun and that
5 cartridge casings came out after the shooting"?

6 A I'm sorry, I don't know that I understand. You're
7 asking if the suspect or whoever said, "Yes, I shot the
8 firearm"?

9 Q Right, if that would be reliable.

10 A I mean, it can but people sometimes don't tell the
11 truth. I've actually had somebody tell me they have shot
12 that specific firearm, and it turns out not to be that
13 specific firearm. It turns out not to be true, at least
14 what I receive and what I put up on the microscope did not
15 lead to that conclusion. But in this case, what led to my
16 current conclusion is the gun I received fired the
17 cartridge case I received.

18 Q Okay. I think that the short of that answer is most
19 of the time if people, if they admit to shooting the gun,
20 they probably did.

21 A I only deal with forensic evidence so...

22 Q Now we talked -- about you said it was a Glock that
23 was recovered?

24 A That's correct.

25 Q I know this isn't an exact replica. I don't want to

1 waive the Glock around, but this is a similar style
2 handgun.

3 A Uh no, actually. It is a semiautomatic pistol.

4 Q Right.

5 A But that firearm has a hammer. It's completely
6 different mechanics.

7 Q I'm not going to get into the mechanics of it but
8 right side of the barrel, left side of the barrel?

9 A Correct, from shooter's position, yes.

10 Q From shooter's position. With this Glock
11 particularly, this 17th Gen model you talked about, you
12 mention the ejection pin, right?

13 A Correct.

14 Q And that's going to eject the cartridge right and
15 rear?

16 A Typically, yes. However, we do -- can do ejection
17 pattern analysis. We were not asked to do that in this
18 case mainly because ejection pattern analysis will tell
19 you whether that firearm is ejecting properly, and it also
20 determines whether or not the ammunition used alters that.

21 Generally speaking, a Glock will fire or eject right
22 and rear ward of the shooter. Obviously, you have to take
23 into consideration where they were shooting. Were they
24 inside in closed spaces, was there a wall nearby, anything
25 impeding that could bounce the cartridge case because they

1 do bounce quite frequently.

2 They also get kicked, moved, stuck in tires, stuck in
3 somebody's shoe actually happened one time. They walked
4 it home, so yes. Generally speaking, Glock will eject
5 right and rearward of the shooter.

6 Q So up on the wall there is kind of a diagram that
7 we've been using for this vehicle that's involved in this
8 case. Up here you have got Artiz Gibson Adeyinka who is
9 in the front driver's seat. Here is the rear behind the
10 driver, and then this is passenger's seat, car facing this
11 way towards the wall. So let's pretend that I am
12 Mr. Goodwin in the back passenger's seat.

13 A Okay.

14 Q And if I'm being tugged out of the car, so I'm going
15 out the passenger's seat. The car is facing this
16 direction. I'm being yanked out. I swung around. I fire
17 as I get out. You're going to expect that to eject, most
18 likely, as you said right and rear?

19 A I mean, if what -- how you're reenacting yes;
20 however, it all depends on when the trigger is pulled.
21 Like I said, when you're dealing with vehicles, movement,
22 enclosed spaces, ejection pattern is very, very unreliable
23 which is why we rarely do ejection pattern analysis.

24 In closed spaces, cartridge cases bounce everywhere.
25 If you're in movement when you pull the trigger and when

1 it's extracted and ejected can happen at different times.

2 It's just -- I mean, I cannot --

3 Q I know you haven't performed ejection pattern
4 analysis in this case. Have you performed it before?

5 A I have, yes.

6 Q Okay. So you're not saying it's not so unreliable
7 that you don't use it?

8 A No. It's not unreliable that we don't use it.
9 Generally speaking, that helps as an investigative tool.

10 Q Right.

11 A Not as this is exactly what happened.

12 Q So if you wouldn't mind -- would it be okay if she
13 steps down, Your Honor?

14 THE COURT: Yes.

15 BY MR. BRADY:

16 Q Thank you.

17 I'm holding State's 7 and State's 5. So if you could
18 with me -- so again, let's pretend that the car is parked
19 kind of here along this curve, right. It's facing down
20 that street, right. So you got the front of the car nose
21 towards this sheriff's department vehicle parked on the
22 right side.

23 A Okay.

24 Q Would you pass that around so everybody can see it?

25 Now, this is State's 7. This is that same curve that

1 we have right here, right where we hypothetically have the
2 vehicle parked, okay, and then we've got A, the marker
3 which is where the shell casing came from, and you would
4 agree with me that this shell casing is more towards the
5 middle of the street than closer to the curb?

6 A Yes. I would say that. I mean from this picture.

7 Q Okay. I'm looking at State's 7 and 8.

8 A Okay.

9 Q Would you mind passing this around?

10 So again, if that's the street we're facing down and
11 that's where that sheriff's department vehicle is parked,
12 we're on the right side, and as we did the hypothetical
13 before, if I were to swing out and shoot, we would expect
14 it to go right and rear?

15 A Yes, that seemed...

16 Q The middle of the street.

17 A Do you have a picture of -- did they take a picture
18 of the cartridge casings with the vehicle still there?

19 Q No. The vehicle is not still there.

20 A I see. So we don't know the exact parking spot.

21 Q No, but theoretically the right side of the road
22 where people get...

23 A Sure, that is -- I mean, if you're facing towards the
24 trunk of the car.

25 Q Yes, yes.

1 A This is this case, you're facing towards the trunk.
2 Then you would be facing right and rear, but without the
3 vehicle in position that's kind of hard to be...

4 Q Right. But you're acknowledging that's where it
5 would be, more toward the middle of the road where the
6 cartridge casing would be found.

7 A Yes. Do you have one to like show the whole street?

8 THE COURT: Let me interrupt. Can she go back on the
9 stand in front of the microphone?

10 MR. BRADY: Yes.

11 THE COURT: Okay. I didn't know if you were done
12 with your demonstration.

13 BY MR. BRADY:

14 Q So I have an aerial. Would that work?

15 A It would work better if you had the markers and then
16 a picture of the whole street. I mean, depth perception.
17 You're asking me if it's in the middle like taking
18 pictures from where the markers start. So it's...

19 Q I think this is what we have in evidence right now.
20 I'm not aware of a better picture than what about we have?

21 A Okay. I mean, if you're saying it's in the middle of
22 the street, then I will have to take your word for it.

23 Q I know that you said that you matched the cartridge
24 and the firearm based on the markings, right?

25 A Yes, based on the individual characteristics.

1 Q Okay. And are the groove patterns part of that?

2 A I'm sorry?

3 Q The groove patterns from inside the barrel, are they
4 part of that?

5 A No, I'm sorry. So the groove is part of the barrel.
6 You have the lands and grooves inside the barrel. That
7 would be the markings on projectile, on the bullet. The
8 cartridge case is what we're currently talking about.
9 That's not going to be lands and grooves.

10 Are you asking what regions of interest I used to
11 make my identification?

12 Q Did you analyze any projectiles in this case?

13 A I did, yes.

14 Q Okay. And the projectile that you analyzed, are you
15 able to also match that?

16 A No. I reached a conclusion of inconclusive. What
17 that means is I can neither identify it. I can't say it
18 is a gun, and I can't eliminate it which means that the --
19 what we call class characteristics of the projectile, the
20 rifling.

21 So the type of rifling, there are different types of
22 rifling. You have conventional which look very much like
23 plateaus and baffles. Then you have fliglel which is more
24 like hills.

25 So the class characteristics, the directional twist,

1 whether it's going right or left, how many lands and
2 grooves you have. So sometimes manufacturers decide they
3 want three, five, six.

4 So the class characteristics that were on the
5 projectile are similar to the firearm, the Glock that I
6 received. So I can't eliminate it. I couldn't identify
7 it because the bullet that I received -- I'm sorry, can I
8 speak to it because it's -- I don't believe it's in
9 evidence.

10 Q I think you can speak to the work that you performed.
11 I do believe -- isn't the projectile in evidence at this
12 point?

13 MR. FOWLER: The projectile is not in evidence, Your
14 Honor.

15 THE COURT: Is there an objection to her continuing?

16 MR. FOWLER: I don't see how it's relevant, but I
17 don't have an objection.

18 THE COURT: Okay. Continue.

19 THE WITNESS: Okay. The projectile I received is
20 made by the Federal brand of ammunition. It's their line
21 of Syntech ammunition. They coat it -- I have a picture.
22 Can I show them?

23 BY MR. BRADY:

24 Q I do have all your materials.

25 A Okay, yes.

1 Q I reviewed them. We can't show them to the jury
2 panel without permission from the Court, but it helps you.

3 A Well, it looks like lipstick. The cartridge looks
4 like bright red lipstick, so the cartridge case is a brass
5 color. Then the projectile has been coated in a red
6 polymer.

7 So the bullet looks like reds lipstick, and what that
8 polymer does is it makes it pretty difficult due to
9 melting because when you fire a gun, it's very hot. So it
10 melts and it doesn't quite mark as well as metal does. So
11 metal touching metal you get kind of hard markings but
12 plastic kind of just like -- it's like a little gooey.
13 Then on top of that...

14 Q I'm sorry. Do you mind if I pause you right there?

15 A Sure, go ahead.

16 Q That's kind of where I was trying to get to was that
17 heat exchange and the two items, the projectile.

18 A Okay.

19 Q And the brass and the primer and the gunpowder.

20 A Okay. Well, the primer and the gunpowder, that's
21 cartridge case.

22 Q Right.

23 A You asked me about projectile.

24 Q I'm sorry, but I guess going back to how they
25 actually got the cartridge casing, right.

1 A Okay.

2 Q Then you're going to have the firing pin that strikes

3 that on the primer on the back.

4 A Do you want me to launch it to that?

5 Q Just is that correct?

6 A Yes, it hits the primer of the cartridge, yes.

7 Q Okay. And then that's what ignites the gunpowder?

8 A Correct, yes.

9 Q And that's what shoots out that projectile?

10 A Yes. So the expansion of going from a solid and a

11 rapid expansion of it turning into a gas is what slams the

12 cartridge case and pushes the projectile down and out of

13 the barrel.

14 Q Let me put you on pause again one more time, sorry.

15 I promise to come back to it. So going back again to the

16 ejection of this --

17 A Yes.

18 Q -- when that's coming out right and rear, are you

19 familiar with the range that that's usually going to come

20 out?

21 A No.

22 Q Okay.

23 A So that's why we do ejection pattern analysis, if

24 asked, because depending on the type of ammunition used,

25 the actual firearm, how tall the shooter is, how short the

1 shooter is, whether you're in movement, it all determines
2 also what surface the cartridge cases are hitting all
3 determine how far it travels, rear ward, right ward,
4 whether it bounces a lot. It all, really, just depends on
5 the specific firearm, the specific ammunition with the
6 specific kind of shooter height.

7 Q Okay. And so do you have a range for generally?

8 A No.

9 Q You can't tell me if it goes from zero to 50 feet?

10 A I can't, no.

11 Q 50 feet would be extreme, would you agree?

12 A 50 feet would be extreme, so would zero. But I mean,
13 then we're talking anywhere from two to 15, 20 feet.

14 Q Okay. So two to 15 feet on average?

15 A Again, that's...

16 Q Probably an average, ballpark?

17 A Sure.

18 Q Okay.

19 A I mean, literally it depends on the firearm, depends
20 on the ammunition, depends on the shooter's height,
21 depends on how the shooter is holding the firearm. So if
22 you're holding it this way, it's not going to go 15 feet
23 right and rearward.

24 It's going to right in your face and then bounce off
25 you and then drop right where you're standing. So if

1 you're shooting it properly, it could go right and
2 rearward anywhere to 15. It also depends on what
3 ammunition you're using, so it -- I'm going to retract
4 what I said of the short, no. I can't say what an average
5 is. It's very dependent on firearm, ammunition, shooter,
6 shooter position, how they're holding the firearm.

7 Q Okay. Well, we can go back to what we put on
8 pause --

9 A Sure.

10 Q -- which was that heat exchange, right?

11 A Okay.

12 Q So that makes a very hot cartridge casing that's
13 going to be popping out of the gun, right?

14 A Yes, it's warm. Yes, it's hot.

15 Q Okay. You can feel that when that hits your skin?

16 A Yes.

17 Q So you know if that's actually there. That would be
18 helpful. You feel it if that actually made contact. You
19 feel that heat?

20 A Yes. I mean, if I hits you in the face, you'll
21 probably know it. You'll know it more if it goes down
22 your shirt. If it just maybe touches you, you'll know
23 something hit you in the face.

24 Q It will burn your shirt?

25 A It will be hot. A burn, I mean, if you have

1 sensitive skin, you might get a burn.

2 Q And y'all wear PPE for this same reason, right?

3 A You mean while shooting?

4 Q Right.

5 A Yes.

6 Q That's because that explosion is very kind of hot,
7 loud?

8 A No. We wear PPE in case there's an issue, so that
9 means --

10 Q Well, you wear earmuffs, right?

11 A Well, that's loud, yes.

12 Q Right. That's because of the noise.

13 A Yes.

14 Q And if you wear it without the earmuffs, it's very,
15 very loud. It's an explosion in front of your face.

16 A Yes. You asked about heat, though, so can I answer
17 about...

18 Q Yes.

19 A Because that's what you asked me.

20 Q Yeah.

21 A Okay. So we generally wear PPE for safety purposes.
22 Not because something is hot. We wear ear protection
23 because it is very loud, and if you shoot enough without
24 ear protection, you'll damage your hearing. We wear eye
25 protection because it can come back and hit you in the

1 face, and you don't want to lose an eye, but also if there
2 were perchance a malfunction with the firearm and
3 something catastrophic happens where the barrel explodes
4 or it doesn't chamber properly and your cartridge
5 explodes, you don't want any of that shrapnel hitting you
6 in the eyes. Same thing with why we wear a vest is if
7 you're shooting, and you don't know there's something down
8 range that could ricochet your bullet back and hit you,
9 that's why I wear a vest, not for heat protection. I
10 mean, you definitely don't want it going down your shirt.
11 It's not fun, but it's not because of heat.

12 Q And again, so the earmuffs, that's because it's
13 extremely loud.

14 A Yes.

15 Q It can cause hearing damage.

16 A Right, over repetitive use. So for me, it's my job
17 to shoot firearms frequently, so I have to wear PPE.

18 Q So when you shoot it off, it actually can make it so
19 your hearing right at that moment, it's stunned a little
20 bit, right?

21 A It can, yes. I mean, I'm not an expert. It depends,
22 too, if you're adrenaline is up maybe not because you kind
23 of get this tunnel vision. Like shooters don't
24 necessarily --

25 Q I heard you say tunnel vision. So that's -- are you

1 familiar with the science behind people remembering
2 shooting?

3 A Yes, but I'm not an expert in that.

4 Q Okay. So --

5 A I only know a brief amount because I was on the road,
6 but I'm not an expert.

7 Q Just --

8 A You were asking me about hearing protection and why
9 we wear it. I wear it because I do it repetitively, and I
10 don't want --

11 Q In your experience when -- you mentioned that kind of
12 tunnel vision.

13 MR. FOWLER: Your Honor --

14 MR. BRADY: -- other senses.

15 THE COURT: Pause.

16 MR. FOWLER: I'm going to object. This is outside
17 the area that she qualifies as an expert in.

18 THE COURT: Sustained.

19 BY MR. BRADY:

20 Q So going back to Adeyinka, you agreed that if that
21 hit your skin on your cheek, you would certainly know it.

22 A Yes. Either the actual item hitting your face, so
23 the feel of it or it's hot. Either one would make you
24 know that something hit you in the face.

25 Q Okay. And you agree this is generally going to

1 determine rear or right?

2 A Again, if held in a correct shooting position, the
3 Glock will extract and eject right and rearward of the
4 shooter. But that's if you're holding a firearm in the
5 correct shooting position.

6 Q Uh-huh. And then you also mentioned travel distance
7 which seems like you're not comfortable answering about
8 general travel distances.

9 A Right, no, I'm not going. I have and there are --

10 Q Is it outside your expertise.

11 A It is not outside of my expertise. You will not find
12 a firearm and tool mark examiner who will get up here and
13 tell you a generality of how a firearm extracts and ejects
14 how far it will go.

15 They will tell you the exact same thing that I've
16 already mentioned which is dependent on the firearm. It
17 is dependent on the ammunition used, and it is dependent
18 on how the shooter holds the firearm as well as height and
19 surrounding surfaces.

20 Q Are you familiar with studies on that issue?

21 A I mean, yes. I'm pretty familiar with ejection
22 pattern.

23 Q So there have been studies that develop the science
24 on ejection pattern?

25 MR. FOWLER: Your Honor, again I'm going to object.

1 I'm giving him food bit of leeway. She has answered this
2 question already, but he's trying to force something.

3 MR. BRADY: I think that -- you know, we're trying to
4 get to -- if she says this is in her expertise. I think
5 welcome established that. We're now, for the first time,
6 talking about the science and the studies of it.

7 THE COURT: Overruled.

8 THE WITNESS: Can you repeat your question?

9 BY MR. BRADY:

10 Q So you're familiar with the science and the studies
11 of it?

12 A Yes.

13 Q And what they do is they take a firearm, for example,

14 A Glock Gen 17, correct?

15 A Correct.

16 Q And then they'll fire it repeatedly, correct?

17 A Correct, yes.

18 Q And then they'll take the measurement of how far that
19 travels generally, right?

20 A Generally, yes.

21 Q And they'll create a scientific finding and make a
22 report.

23 A They'll publish their findings, yes.

24 Q And then that can provide a general range within
25 their publications?

1 A Again, on that specific firearm using that specific
2 ammunition with a certain shooter height shooting in the
3 correct shooter's position, yes.

4 Q So that likely exists for a Gen 17 with the
5 ammunition you're talking about?

6 A Unless you can cite a specific research paper, I
7 don't know that I can speak to that specific make and
8 model, but there has been ejection pattern done on that
9 one. I haven't memorized all of the journal articles
10 written.

11 Q The last thing I wanted to ask you about was these
12 are all your materials in your report, correct? You can
13 just look them over. I think it's 41 pages. This is what
14 you relied on to create your report?

15 A I mean -- what do you mean relied on to create my
16 report? Are you asking if these are my bench notes?

17 Q Yes.

18 A Yes.

19 Q Sorry, take your time.

20 A Yes. It's missing what I would also have had, which
21 is the property report, at the time of it being in my
22 custody.

23 Q Let me get that for you.

24 A I have a copy. This is printed today.

25 Q Okay. Perfect. So that's your current copy report?

1 A No, this is mine.

2 Q Yours?

3 A My case jacket that goes through Tech and Admin.

4 review, so we have people review it to make sure people

5 review.

6 Q Would you mind if I take a look at it?

7 A Sure. Now, it's only going to have the -- show what

8 pages came into my custody and when and verify it, and

9 came back to me. So that is not an up to date.

10 Q This is from maybe August of this year. Do you know

11 when you made your report?

12 A When I made my -- it was August of this year. So

13 yes, it was August -- I started this analysis August 3rd

14 and ended on August 7th. So sometime between then is when

15 I printed this.

16 We only used this for my reviewer to know what came

17 into my custody that it came into my custody that I

18 actually had it checked out to me. We have a verifier so

19 all conclusions that I reach are reached by an independent

20 examiner.

21 Q So you agree with me that this contains all of the

22 evidence that's collected out of the Richland County

23 Sheriff's Department?

24 A No.

25 Q As far as you know?

1 A At that time, yes.

2 Q At that time. In August of this year?

3 A So it's not going to show -- I actually make -- well,
4 actually it might show the test fires I make. I create
5 test fires.

6 Q Okay.

7 A It should show that as I gave them to my verifier.

8 Q And it will show other evidence that was collected,
9 as well?

10 A Yes.

11 Q For example, the gunshot residue kits in this case?

12 A Yes.

13 Q And come look with me. I think that's items .10, is
14 that right? Item 10, gunshot residue kit from Artiz
15 Gibson?

16 A Yes.

17 Q Okay. And then I think .15 to item --

18 A So it looks like Richland County, item ten.

19 Q Right.

20 A Richland County item 15, Richland County item 26,
21 item 27, item 28.

22 Q I'm sorry. I'm just looking at ten and 15.

23 A Okay.

24 Q So you acknowledge those are the gunshot residue
25 kits?

1 A Yes. However, I don't collect those, nor do I do
2 analysis on gunshot residue. That's not firearm and tool
3 mark identification.

4 Q The report also shows you where that item was in
5 August, right?

6 A Yes.

7 Q So right now in August, at least, we can see those
8 items were in SLED's custody?

9 A That's what ACISS says, correct; that's correct.

10 Q So that would mean that the sheriff's department sent
11 those tests to SLED?

12 A I did not, but what ACISS, the property report, is
13 showing but that was in August 7th-ish.

14 Q And if they're tested, once they're tested, they
15 usually go back to the sheriff's department?

16 A I have no idea. That one is outside of my expertise.
17 I don't know what happens to our GSR kits. That's not in
18 my expertise.

19 Q Well, going back to what you do know in your
20 expertise. In this case, you did test firing, right?

21 A Correct.

22 Q Okay. And when you shot those shells out of that
23 Glock, the shell casings fell fairly close to you?

24 A So yes, but the reason for that is we have a net. So
25 when I create my test fires, I'm shooting into a water

1 tank. There is a net that we have there so we're not
2 crawling around on the tank floor looking for them.

3 So when I shoot them, the net is probably this big,
4 so when I shoot them, it stays in that two-foot radius
5 net. So when I create my test fires, I'm in an enclosed
6 space with the net around where I'm shooting.

7 MR. BRADY: All right. Thank you very much.

8 THE COURT: Any redirect?

9 MR. FOWLER: Very briefly, Your Honor.

10 REDIRECT EXAMINATION:

11 BY MR. FOWLER:

12 Q You said there's a variety of factors that determine
13 where a shell casing ends up?

14 A Correct.

15 Q Can I borrow this?

16 And the general pattern of the ejection of the
17 cartridge casing --

18 THE COURT: Pause?

19 (Juror indicates in the affirmative).

20 Need a break? Yes? Juror needs a break?

21 THE BAILIFF: Yes.

22 THE COURT: Can we break right here?

23 MR. FOWLER: I mean we can. We can be fast.

24 THE COURT: Yeah, let's break. Lawyers don't know
25 what fast means.

1 Let's take a ten, 15-minute break. Return to your
2 jury room. Do not discuss the case.

3 (Whereupon, the jury left the courtroom at 10:35 AM).

4 Court will be in recess five minutes.

5 You can step down from the witness stand if you like,
6 but do not discuss your testimony with anyone.

7 THE WITNESS: I'm okay.

8 THE COURT: Okay. You're going to stay there? Okay.
9 Thank you.

10 (WHEREUPON, a short break was taken.)

11 THE COURT: Okay. Bring the jury, please.

12 (Whereupon, the jury entered the courtroom at 10:58
13 AM).

14 You may resume your questioning.

15 MR. FOWLER: Thank you, Your Honor.

16 BY MR. FOWLER:

17 Q So we were talking about ejecting patterns. Those
18 are done in a lab; is that correct?

19 A Yes, correct. So ideal circumstances, when we do
20 ejection pattern analysis, we have a grid laid out. We
21 face a certain direction. We record our height. We
22 record the firearm. We record the ammunition used, and
23 then we hold the firearm in a normal shooting stance and
24 then record where the cartridge case first hits, not its
25 final, final resting position. So where it first hits.

1 So that is slightly different than what happens in
2 the real world where you, at the scene, see where it
3 finally rests, and we follow that same procedure that
4 everybody else in the science does that produces those
5 research papers and journal articles and things about
6 generalities of specific firearms.

7 Q And like you said, those are done in an ideal
8 condition?

9 A Ideal conditions, yes.

10 Q And there are a variety of factors in the real world
11 which could affect the final resting place of a cartridge
12 casing?

13 A Correct, yes.

14 Q So for instance, as Mr. Brady was trying to
15 demonstrate -- and I believe you said if the firearm was
16 moving, so if somebody swings out, that would affect at
17 that ejection pattern, wouldn't it?

18 A Yes. Also, as well as -- I can't really speak to as
19 the vehicle is not there anymore, so the picture doesn't
20 really help me determine where the person started and then
21 where the cartridge case finished.

22 So without the vehicle there, it's kind of hard to
23 give scenarios, possibilities. I mean, possibilities are
24 endless where the car actually was plays a lot into it.

25 Q Right. Something like bouncing off a window play

1 into --

2 A Bouncing off a window. Bouncing off a door, bouncing
3 off a person.

4 Q If somebody is holding a gun sideways?

5 A Correct, holding it a different way than normal.

6 Q I mean, even theoretically, if Jerod Goodwin, the
7 defendant in this case, steps out when he's facing the
8 front of the car, it could shoot back toward the trunk or
9 bounce off the car?

10 A It could bounce off the car, yes. There's an
11 infinite number of possibilities, and it makes it even
12 harder without the actual vehicle at the scene for me to
13 even give my expert opinion on what may or may not have
14 happened with where the cartridge case landed.

15 Q So it's really impossible to know in the real world?

16 A I mean, it's -- you can have theories, but it's
17 making it extremely difficult because there is no vehicle.
18 Everything plays a part, where the vehicle is, where the
19 door is in relation to. Was it opened, was it closed. It
20 all comes into where the cartridge case might land, and so
21 to theorize is exactly that.

22 Q Like if somebody could have kicked it at a scene
23 trying to revive a person?

24 A Somebody could have kicked it. Like I said, we've
25 had it in tires. We've had it in somebody's shoe. I mean

1 especially with the vehicle no longer being there, I'm
2 assuming that means it drove off. I mean, that could
3 have -- people running, kicking it, anything could have
4 happened to explain where that cartridge case finally
5 landed.

6 We use ejection pattern analysis, generally speaking,
7 to help our investigators. So more as an investigative
8 tool than a, you know, forensic answer to why did this
9 cartridge case land here. There's an infinite number of
10 possibilities.

11 We give them a generality of that firearm, that
12 ammunition, maybe possible circumstances, and that helps
13 them for scene reconstruction as really -- and then who to
14 question, possible suspects, possible victims, whether a
15 suspect is saying something happens a certain way. But
16 again, I didn't perform that analysis with this specific
17 firearm, with this specific ammunition. So...

18 Q Just to recap, just a variety of factors in the real
19 world that would be entirely different than ideal
20 conditions in a lab?

21 A Correct.

22 MR. FOWLER: No further questions.

23 MR. BRADY: Briefly?

24 THE COURT: Yes, sir.

25 RECROSS-EXAMINATION: _

1 BY MR. BRADY:

2 Q The whole reason you do have these tests in these
3 labs is to try to apply that science to the real world?

4 A I mean yes. That's the whole point of when you do
5 research projects is how a general firearm is going to
6 generally act, but again, if you're doing that, it's for a
7 specific reason.

8 So most of those research projects is because that
9 person did it for case work. Everybody -- if every
10 firearm and tool mark examiner will do their own
11 firearm -- or their own ejection pattern analysis with
12 that specific firearm, that specific ammunition, if -- at
13 the time of the examination that question had been asked,
14 again, it's theorizing here in the courtroom as to yes, we
15 could apply generalities to it.

16 Then in that case a Glock generally ejects and
17 extracts right and rearward of the shooter if held in
18 ideal circumstances.

19 MR. BRADY: Thank you.

20 THE COURT: All right. Thank you. You may it please
21 the Court step down.

22 All right, there are some matters of law I need to
23 discuss outside of your presence. Please return to the
24 jury room. Please don't discuss the case.

25 (Whereupon, the jury left the courtroom at 11:04 AM).

1 Any motions?

2 MR. BRADY: Yes, Your Honor. At this time, we move
3 for a directed verdict. We think looking at all the
4 evidence in the light most favorable to the State, they
5 have the burden of proving the case against self-defense.
6 So we do make a directed verdict motion on that charge.

7 We also make a directed verdict motion on the charge
8 of the grand larceny. I think that there's been no
9 evidence of that intent or permanent deprivation of a
10 charge of use of vehicle without permission since it was
11 later abandoned has to be established but not to permanent
12 deprivation under grand larceny, and the directed verdict
13 motion, if granted, for the murder charge would also apply
14 to the use of a weapon charge.

15 THE COURT: Solicitor?

16 MR. SCOTT: Thank you, Your Honor. First of all,
17 there has been no evidence of self-defense at this
18 juncture. The evidence taken in the light most favorable
19 to the State and judging the existence of the evidence not
20 the weight of the evidence, the evidence so far is that
21 Mr. Goodwin was an invited person into the car.

22 He was asked to leave. He became upset being asked
23 to leave. He got out. His last words, "You think I'm
24 playing? You think I'm playing?" before shooting Genesis
25 Williams three times.

1 Clearly, an unjust killing. The State's presentation
2 thus far did not seek any kind of medical help for the
3 victim, did not call law enforcement. In fact, fled the
4 scene and was on the lam for three months.

5 The evidence was that he had no right, no permission,
6 to use the automobile. He did flee in the automobile
7 without permission. The vehicle was valued at just under
8 \$15,000.

9 The possession of a weapon during a violent crime,
10 Your Honor. As you heard, the murder weapon was found on
11 the defendant when he was arrested. Amanda Metz testified
12 that the casing found at the scene matched the gun that
13 was found on Mr. Goodwin.

14 It was taken all in all. We ask you to deny that
15 directed verdict motion. There has been sufficient
16 evidence to get all three charges to the jury: The unjust
17 killing, the unlawful killing with malice aforethought of
18 Genesis Williams, the possession of a firearm in order to
19 perform the killing. Then the theft, the larceny of the
20 automobile, fleeing the scene.

21 Thank you, Your Honor.

22 THE COURT: Motion is denied.

23 Any additional motions?

24 MR. BRADY: Yes, Your Honor. At this time, we just
25 renew all our previous motions and objections.

1 THE COURT: Of course, my rulings remain the same.

2 Mr. Goodwin, stand.

3 (Complies.)

4 Have you now had sufficient time to talk to your
5 attorneys about whether you will testify in this case?

6 THE DEFENDANT: Yes, ma'am.

7 THE COURT: Do you have any questions for me about
8 your right to testify or your right not to testify?

9 THE DEFENDANT: No, ma'am.

10 THE COURT: Do you need any more time to discuss your
11 decision whether to testify with anyone else?

12 THE DEFENDANT: No, ma'am.

13 THE COURT: Do you wish to testify in this case?

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: Okay. Thank you. Have a seat.

16 Is he going to be your first witness?

17 MR. BRADY: No, Your Honor, we have two quick ones we
18 can do before lunch.

19 THE COURT: Let's just take five to seven minutes
20 since we just sent them out.

21 (WHEREUPON, a short break was taken.)

22 THE COURT: Bring the jury, please, Mr. Bowen.

23 (Whereupon, the jury entered the courtroom at 11:16
24 AM).

25 THE BAILIFF: The jury is seated, Your Honor.

1 THE COURT: Thank you. Welcome back, folks.

2 As you heard before you stepped out of the courtroom,
3 the State has rested its case. It's now time for the
4 defense to present their case. So I'm going to call them,
5 ask you to give them your undivided attention as they call
6 their first witness.

7 MR. BRADY: The defense calls Phillip Adeyinka.

8 THE CLERK: Come forward. Be sworn, please. Face
9 the clerk for me. Right here. Right here. Right here.

10 Face the clerk for me. Place your left hand on the
11 Bible, raise your right --

12 THE WITNESS: I got to touch that? I ain't -- I
13 don't --

14 THE BAILIFF: No problem, no problem.

15 PHILLIP ADEYINKA, after being duly
16 sworn, testified as follows:

17 THE BAILIFF: Have a seat in the witness stand.
18 State your full name and spell it.

19 THE WITNESS: Phillip Adeyinka, P-H-I-L-L-I-P,
20 A-D-E-Y-I-N-K-A.

21 DIRECT EXAMINATION:

22 BY MR. BRADY:

23 Q All right. Good morning Mr. Adeyinka.

24 A Good morning.

25 Q Can you please introduce yourself to the jury?

1 A Phillip Adeyinka.

2 Q And how are you related to Artiz Gibson.

3 A That's my brother.

4 Q You say you two are fairly close?

5 A Yes.

6 Q Do you remember the morning of August 15th, 2021?

7 A Not necessarily.

8 Q Do you remember talking to your brother about this

9 case when it happened?

10 A I mean I probably remember talking to him. I'm not

11 sure what the conversation was about.

12 Q Do you recall how you found out that Genesis had been

13 shot?

14 A I was going to my mama's house, and I saw the yellow

15 tape and stuff. So I figured something was going on.

16 That's pretty much how I found out.

17 Q Okay. And then at that point, did you see your

18 brother there?

19 A I did.

20 Q Do you remember talking to him?

21 A Yeah.

22 Q Do you remember what your reaction was when you had

23 found out that Genesis had been shot?

24 A I was hurt that Genesis was shot. I was kind of glad

25 that my brother wasn't shot, so mixed emotions.

1 Q And you knew Genesis pretty well too, right?

2 A Yes.

3 Q And it's fair to say that he was close to both you
4 and your brother?

5 A Yes, you could say that.

6 Q Do you remember what you told the police when you had
7 found out your first reaction initially --

8 A No.

9 Q -- when Genesis was shot?

10 A No.

11 Q Would it help to listen to a body worn camera
12 reaction of your reaction?

13 A Sure.

14 (Pause.)

15 Q Did you hear that?

16 A Yeah, I hear it.

17 Q Does that refresh your memory?

18 A Yes.

19 Q And what was your reaction when you found out that
20 Genesis had been shot? What did you tell the police?

21 A What do you mean what I told police?

22 Q You told them that Gen argues with everybody, right?

23 A That's what the tape said.

24 Q That he always tries to --

25 MR. SCOTT: Objection to leading, Your Honor. This

1 is his witness.

2 MR. BRADY: It's more of a party association than the
3 State's witness.

4 THE COURT: Yeah. Overruled.

5 BY MR. BRADY:

6 Q You said he always tries to flex on people and shit;
7 is that correct?

8 A Yes, sir.

9 Q You said that he always tries to beat people up and
10 shit?

11 A No. I don't remember saying that.

12 Q Would it help to listen to it again?

13 A No.

14 MR. BRADY: Your Honor, at this time, I'd ask to
15 impeach and publish to the jury.

16 THE COURT: Any objection?

17 MR. SCOTT: Your Honor, he has admitted to the
18 statement. I believe State v. Glenn, as well as the Rules
19 of Evidence if he has admitted to the statement, which he
20 has on the record, extrinsic evidence is not...

21 THE COURT: He's admitted portions of the statement
22 and not others. Over the State's objection, you may
23 proceed, Mr. Brady.

24 BY MR. BRADY:

25 Q Thank you.

1 I don't have the Jumbotron, if you have trouble
2 hearing this just give me a signal.

3 (The video was played for the jury.)

4 Were you able to hear that? You agree with me that
5 was right when you got to the scene and found out Genesis
6 had been shot?

7 A Yeah.

8 Q And that was your reaction?

9 A Yeah.

10 MR. BRADY: Thank you. Please answer any questions
11 the State may have for you.

12 CROSS-EXAMINATION:

13 BY MR. SCOTT:

14 Q Phillip, do you know Jerod Goodwin?

15 A No.

16 Q You don't. So you don't know anything about his
17 personality or anything like that?

18 A No.

19 MR. BRADY: Objection. Objection 404.

20 THE COURT: Overruled.

21 MR. BRADY: Objection. May we approach, Your Honor?

22 THE COURT: No.

23 Proceed.

24 BY MR. SCOTT:

25 Q Phillip, sir, you knew that -- how long had you known

1 Genesis?

2 A Going on about 12 years.

3 Q Okay. So were he and your brother close?

4 A Yeah, they were closer.

5 Q They were closer, okay. And you said he would argue

6 with people sometimes?

7 A Yes.

8 Q Do you argue with people?

9 A Yes.

10 Q Do a lot of people find themselves in arguments from

11 time to time?

12 A Yes.

13 Q Do you think people should be killed for being

14 argumentative?

15 A No, sir.

16 MR. BRADY: Objection.

17 THE COURT: Sustained.

18 BY MR. SCOTT:

19 Q Okay. But you haven't seen Genesis point a gun at

20 anybody, have you?

21 A I've never seen him with a gun.

22 Q Okay. And have you ever seen him do something that

23 you felt he deserved to die for?

24 A No, sir.

25 Q Okay. You said he flex on people. What does that

1 mean? Just...

2 A Just not really even -- I never even saw him violent.
3 He's just a tough guy. You know, zero tolerance,
4 basically what I mean by that, like zero tolerance.
5 You're not just going to walk over him type of person.

6 Q Okay. So like people like call him a bitch and
7 everything, he wouldn't like that, would he?

8 A No.

9 Q Would you like that?

10 A No, sir.

11 Q Okay. But you have never seen him with a gun,
12 though, correct?

13 A No, sir.

14 Q Okay. And he had other friends you would describe,
15 macho?

16 A I don't like to hang around pushovers, so if I hang
17 around somebody, then they're probably not going to be
18 somebody that you can just...

19 Q Roll over.

20 A Right.

21 MR. SCOTT: Okay. That makes sense. I think that's
22 all. Thank you, Phillip.

23 THE COURT: Any redirect?

24 MR. BRADY: Yes.

25 REDIRECT EXAMINATION:

1 BY MR. BRADY:

2 Q So you weren't aware of Genesis Williams' previous
3 armed robbery charge?

4 A No.

5 Q You're aware of your brother's armed robbery charges?

6 A After the fact of Genesis' situation, my brother
7 didn't have any armed robbery charges.

8 Q You're not aware of pending armed robbery charges
9 now?

10 A Am I aware of it now, I mean, yeah.

11 MR. SCOTT: Nothing from the State, Your Honor.

12 THE COURT: Okay. Thank you. You may step down.

13 Call your next witness.

14 MR. BRADY: The defense calls Kevin Selinsky.

15 KEVIN SELINSKY, after being duly
16 sworn, testified as follows:

17 THE CLERK: Please have a seat in the witness box.
18 State your name for the record and spell your last name.

19 THE WITNESS: Kevin Selinsky, S-E-L-I-N-S-K-Y.

20 DIRECT EXAMINATION:

21 BY MR. BRADY:

22 Q Mr. Kevin Selinsky, what's your job?

23 A I work with the South Carolina Law Enforcement
24 Division commonly referred to as SLED. I work in the
25 forensics laboratory and more specifically in the

1 toxicology department.

2 Q Can you tell me a little bit about what your training
3 and experience is as it relates to the toxicology
4 department.

5 A Yes. I have my Bachelors in Forensics and
6 Toxicological Chemistry, and I have my Masters in forensic
7 science. I've been at SLED for about ten years now.

8 Q What kind of work do you usually do in the SLED
9 toxicology lab?

10 A We work on three main types of cases. We do human
11 performance, DUI, blood testing. We looked for presence
12 or absence of drugs, looking for the presence or absence,
13 and we also do criminal sexual conduct cases, as well.

14 Q And did you perform any work in this case?

15 A Yes.

16 Q In the past, have you testified in court before?

17 A I have.

18 Q Do you know around how many times?

19 A Ballpark 12, 15.

20 Q And you've been qualified as an expert each time?

21 A Correct.

22 MR. BRADY: At this time I'd move to qualify
23 Mr. Selinsky as an expert in the field of toxicology.

24 MR. SCOTT: Without objection, Your Honor.

25 THE COURT: All right. Ladies and gentlemen, the

1 same rules I gave you earlier today apply to this expert
2 witness, as well. He's qualified as an expert in the
3 field of toxicology and will be permitted to give you
4 testimony within that field of expertise. You give his
5 testimony the weight and credibility you think it
6 deserves.

7 You may proceed, Mr. Brady.

8 (WHEREUPON, Defendant's Exhibit No. 17 was marked for
9 identification only.)

10 BY MR. BRADY:

11 Q Thank you. I'm showing you what's been premarked as
12 Defense 17. Are you familiar with this?

13 A Yes.

14 Q And what is that?

15 A That is a laboratory report from SLED in the
16 forensics laboratory in our department for Genesis
17 Williams.

18 Q Thank you. Do you have a copy up there with you?

19 A Yes, I do.

20 Q Have you received materials in this case in order to
21 test them?

22 A Yes, that's correct.

23 Q What did you receive?

24 A If I can look here, we have blood serum, ocular
25 fluid, which is fluid from the eye, brain, liver, kidney

1 tissues, then more blood. Two reasons for the blood, one
2 came from the hospital, and the other being came from the
3 autopsy.

4 Q And the blood that you tested to determine if there
5 was substances present, what was that labeled?

6 A For what we put on a report for when it comes in,
7 what we do is we open up one case at a time. We'll kind
8 of take pictures of it if they have any markings on it, if
9 there's any times.

10 We have admissions blood labeled TR2021, Tennessee
11 190; that was in the evidence bag labeled Genesis Williams
12 with the Richland County Coroner's Office case number.

13 Q You said that it's labeled admissions blood. What
14 does that usually mean?

15 A For us, it just means it came from the hospital
16 before an autopsy because it is just better because it's
17 more closer to the incident whether it was -- somebody was
18 driving or at the hospital or some postmortem reason. It
19 was just closer to the incident as opposed to one longer
20 time from when the autopsy was taken.

21 Q Do you know why it's usually called admissions blood?

22 A Just because when they were admitted to the hospital.

23 Q Is that actually an accurate title for this sample,
24 though?

25 A I believe it was transfusion blood which is when

1 they're given transfusions in the hospital for life saving
2 measures.

3 Q And so you had an opportunity to review the Coroner's
4 report in order to help you review and testify in this
5 case?

6 A I mean, I possibly could have. I generally don't
7 look at the Coroner's report because it doesn't have much
8 affect on mine. I kind of like to keep it in mind and
9 look at the numbers and see what we generated.

10 Q You don't recall reviewing the Coroner's report this
11 morning that?

12 A Or the hospital?

13 Q Right.

14 A Sorry; yes, sorry.

15 Q So in this case, was that blood sample actually taken
16 at admission or was it taken later on after admission to
17 the hospital?

18 A According to that, it was at some point -- I don't
19 have exact -- the only time I have in my records are the
20 time are the two. So I don't know how that relates.
21 According to that, it was taken later.

22 Q Do you still have those materials?

23 A I believe I should, two pages.

24 Q Could you do me a favor and just go ahead and review
25 those again.

1 A Okay.

2 Q So in a normal case, the blood is taken when they
3 arrive at the hospital; is that right?

4 A Yeah. I don't know their protocols because a lot of
5 times, it's tested in the hospital for drugs, alcohol,
6 depending on what they're meeting for. They're --

7 Q Did that happen in this case?

8 A It says the ER did not test for cocaine, nor did they
9 draw admission blood. Blood drawn for Williams was in the
10 OR.

11 Q OR meaning operating room?

12 A I would assume so, that's correct.

13 Q And before that, are you aware of any records that
14 you reviewed that might affect the toxicology?

15 A Just that he had a massive transfusion.

16 Q By transfusion, you mean blood transition?

17 A I would think that would be safe to assume, yes.

18 Q So normally, again, you're getting this admissions
19 blood, and that's kind of a good marker of what someone's
20 substance levels would be when they come in?

21 A Uh-huh.

22 Q And that be affected by transfusions when you get new
23 blood pumped into you?

24 A To some extent. There's some studies that say in
25 massive cases maybe, but for our purposes when we're

1 testifying to it, it was slightly higher if not for all
2 the reasons that whatever happened, the incident happened
3 before. So likely he was -- given the time, his blood
4 alcohol was probably on the way down, and then you could
5 probably add a little bit from the transfusion.

6 With all that said, even at five or 10 percent, it
7 might seem like a lot of difference if, for our
8 interpretation purposes, if you have five or 10 percent
9 higher when you're already at a decently high level, it's
10 not going to change your interpretation to go from -- I
11 don't think it's that number.

12 Q Please.

13 A It was a .177. So if you take ten percent of that,
14 you're at a .19 and a .2. It's not drastically different
15 than you would say at the level we have.

16 Q You also mentioned another factor which is time,
17 right?

18 A Uh-huh.

19 Q Can you explain to the jury how time affects the
20 alcohol coming out?

21 A Yes. In order to do any sort of -- talking about
22 that one -- the first thing you have to assume is they
23 haven't consumed anymore alcohol after the accident and
24 that they were already at the repeat level.

25 Most people when they drink, they drink more casually

1 here. A couple build up their blood alcohol as they go.
2 Most people, it's not common to drink a mega dose of
3 alcohol. You assume that and you could assume it would go
4 down like .015 percent per hour, give or take, with
5 varying degrees of uncertainty.

6 Q And you test for other substances, as well, is that,
7 right?

8 A Yes.

9 Q But not all substances?

10 A No.

11 Q So there's a number of pills, for example, that you
12 probably would not test for?

13 A Yeah, probably a lot of the pharmaceuticals.
14 Depending on how the case comes in is depending on what we
15 do in our testing. Everything that's a blood alcohol, and
16 then we are going to do some kind of drug screen on it to
17 get kind of a -- I guess what we call commonly used and
18 abused drugs.

19 There's papers that say what we should look for in
20 that case should be on that and we to with that. There's
21 other tests you can do to get more, but even with those
22 you're never going to find everything.

23 Q As far as testing for those, do you have kind of a
24 minimum that has to be met before that would actually show
25 up on a test?

1 A Yes. Because first initially we'll run some sort of
2 drug screen, and that's going to come back simply a
3 positive or negative. If it's negative -- say we're
4 testing for drug A. It's negative for drug A. We're done
5 looking for drug A because it's below that.

6 Q Let me pause you real quick.

7 A Sorry.

8 Q So even to get a negative test, that doesn't
9 necessarily themselves mean that the drugs weren't present
10 in some amount. There's a threshold level?

11 A That's always possible, but in terms of levels that
12 we would ever report, it's considered negative for our
13 purposes.

14 Q And again, timing plays a big factor in looking for
15 that; is that right?

16 A Yeah, because ultimately it's going to -- the purpose
17 of the body when you take a drug or a foreign substance,
18 the body is doing its best to metabolize it and get it out
19 of the body.

20 Q Now, as far as alcohol goes, are you familiar with
21 how alcohol can affect someone's personality and
22 characteristics, how they're interacting with people?

23 A Yes.

24 Q And can you explain that a little bit?

25 A At lower levels, people that drink usually socially

1 drink, they're doing it for the euphoria, talk, chatty
2 just generally having a good time, but alcohol at higher
3 levels, you're going to have depressing issues.

4 As you build up, some people -- you can have
5 increased ranges of emotions. You can have -- you're also
6 going to have obvious impairment, decreased reaction time,
7 things along that line.

8 Q And as far as those emotions go, do those usually
9 relate to that person from beforehand?

10 A Yeah. It can a lot of times. It might make it more
11 true of yourself. I mean, I wasn't there, so all I simply
12 have is just we get a blood sample coming in. We test it;
13 we have a number, and that's ultimately what we're
14 testifying to is that number on the paper but you can have
15 a wide range of things.

16 Q How is the average person going to react and feel
17 when they're coming down from alcohol?

18 A I believe it's called melamine effects is when you're
19 on the way up, you feel more impaired versus after you hit
20 your peak. Then you're on your way down, it's proven that
21 you feel less impaired. That could be dangerous for a
22 number of reasons.

23 Some people think they're hitting their peak and
24 coming down. They're starting to feel good. There's an
25 accident and then there's that whole boat to live with.

1 Some people you just feel differently on the way down.
2 You might think you're not as impaired but you are.
3 You're still at whatever level you're at.

4 Q Sounds like it affects your decision making?

5 A Yeah. Alcohol would affect it regardless of it going
6 up or down. Like I said, whether you're at .17 on the way
7 up or the way down, it's still going to affect your
8 decision making for sure.

9 Q And on the way down, can it cause agitation?

10 A Yeah. It possibly could depending on the person for
11 sure, yes.

12 MR. BRADY: Thank you. Please answer any questions
13 the State may have.

14 THE COURT: Cross-examination?

15 CROSS-EXAMINATION:

16 BY MR. SCOTT:

17 Q Agent, alcohol affects all people differently; is
18 that correct?

19 A Yes.

20 Q That would be dependent upon body mass, correct?

21 A It will take more -- generally, a large person more
22 or a heavier drinking because they're going to metabolize
23 it so much faster, but generally speaking, once you're at
24 -- when you're at a level, you're kind of at that level.

25 Some people can hide it better. You might be

1 something as leaning on a wall to kind of support
2 themselves, little things like that, but on a more
3 advanced testing you would probably realize that.

4 Q Metabolic rates, too, would affect how quickly you're
5 going to --

6 A Yes. Like I said, heavier drinkers are going to
7 metabolize that a lot faster.

8 Q And as far as personality traits, isn't it true that
9 you might see somebody who drinks and they kind of --
10 they're drunk and they're not too fun to be around because
11 they're an aggressive person?

12 A You can definitely have that.

13 Q And there's people, too, that kind of are a little
14 more friendly, chummy?

15 A Uh-huh.

16 Q Isn't that true?

17 A Correct, yes.

18 Q Okay. Was there anybody else in this case you had
19 the opportunity to test the blood alcohol?

20 A Not to my knowledge, no.

21 Q So just Genesis Williams, the deceased?

22 A Yes.

23 Q And you said you had some findings on the alcohol,
24 the .177? That was admission blood? Is that what you
25 testified to?

1 A According to my report, that's what we have it as,
2 yes.

3 Q That would be when he was admitted to the hospital.
4 They drew a blood sample and that's what you tested?

5 A When he was out of the hospital. Like I said, I
6 don't know hospital protocol per se, but I can just go by
7 what we have and what Mr. Brady we have on the report.

8 Q So admission would be when they're admitted, isn't
9 that true?

10 A I would think so, yes. I don't know how -- sometimes
11 if they need to know if somebody is overdosing, they might
12 want to know what's there and what they might want to do
13 for life-saving measures, what might be there.

14 Q Okay. So admission blood would be when he's
15 admitted, they draw the blood. Is that the common sense
16 interpretation?

17 A I would think so, yes.

18 Q Okay. So you tested his admission blood, and it was
19 a .177?

20 A Yes, that's correct.

21 Q Then I see marijuana he tested positive.

22 A That's correct.

23 Q So if he was with some people, and they were out
24 drinking Hennessy and smoking weed that night, this would
25 be consistent with your findings, correct?

1 A Yes.

2 Q Okay. And then I see a methanol is negative?

3 A Uh-huh.

4 Q Acetone is negative?

5 A Uh-huh.

6 Q Isopropanol is negative. Amphetamine negative? He's

7 negative for barbiturates?

8 A Uh-huh.

9 Q Benzodiazepine one, two and three?

10 A Uh-huh.

11 Q Morphine?

12 A Uh-huh.

13 Q No cocaine in his system?

14 A Uh-huh.

15 Q Dextromethorphan?

16 A Uh-huh.

17 Q Okay. That was negative?

18 A Uh-huh.

19 Q Fentanyl is negative, correct?

20 A Yes.

21 Q All right. Then generic opioids he was negative?

22 A Uh-huh.

23 Q Nepro---

24 A Nepanmate (phonetic) that's a metabolite of Parazacol

25 which is a muscle relaxant.

1 Q Okay. So he didn't have any muscle relaxants.
2 Methadone was negative. Methamphetamine was negative,
3 correct?
4 A Correct.
5 Q No opiates?
6 A Correct.
7 Q Okay. Opiates would be heroin, and there's a big
8 class of them?
9 A Yeah, yeah. That would be heroin, morphines, things
10 along that line. It's broken down several levels,
11 Oxycodone. It's just cross-reacts with what.
12 Q You do a lot of tests when you see people with
13 Oxycodone in their system?
14 A Yes.
15 Q He was negative with Oxycodone one and --
16 A Uh-huh.
17 Q What is this word (indicating)?
18 A It's Phencyclidine, but PCP.
19 Q Tramadol, that was negative.
20 A Uh-huh.
21 Q Tricyclic antidepressant was negative.
22 A Yes.
23 Q And then Zolpidem.
24 A Uh-huh.
25 Q Those are all things you typically test for. He was

1 negative on all those, but there has been testimony that
2 he was in a car. There was some weed smoke.

3 A Uh-huh.

4 Q There was some Hennessey drinking. That's consistent
5 with your findings?

6 A Yes, correct.

7 Q Let me ask you this: Isn't it true that we -- you
8 already said alcohol is a depressant. Is marijuana
9 likewise a depressant?

10 A Yeah, hallucinogen, depressant. Really if I could
11 expound upon that a little bit. The numbers are pretty
12 much how the field is going. They don't really say even
13 positives in blood. Some states have per se limits, but
14 we do not as a state here, but the marijuana likes to be
15 in the fat in the system. So it slowly leaches out over
16 time. The numbers are more or less irrelevant for what it
17 actually means other than the fact that it was smoked at
18 some point.

19 Q Okay.

20 A So again, it's hard to talk to say. It would
21 basically just be a positive finding, essentially.

22 Q Well, you know, I guess the stereotypical weed smoker
23 just sort of lays on the couch and eats, snacks and stuff
24 and kind of veges out, right? Is that what marijuana does
25 to somebody typically? It shows your reactions, I guess.

1 A Yeah, some people do that. Some people get paranoid
2 all sort of things.

3 Q Some people experience euphoria?

4 A Uh-huh.

5 Q Does it make you faster or more agile, quicker?

6 A I wouldn't think so, no.

7 Q Okay. What about alcohol at that level? Would you
8 expect somebody to be performing at their peak level
9 physically?

10 A No.

11 Q You certainly don't get stronger when you smoke weed
12 and drink alcohol, right?

13 A Huh-uh.

14 Q You get sleepy?

15 A Yes.

16 Q Isn't that common?

17 A Ultimately at certain levels.

18 Q I'm sorry, say that again.

19 A At certain higher levels, you certainly start to get
20 sluggish depending upon how much of a drinker you are.

21 Q You are to a quantify a level of .177. Is that a
22 higher level?

23 A Fairly high, yes.

24 Q Do you expect to see somebody getting sluggish at
25 that level?

1 A Probably not necessarily. If they're a naive
2 drinker, a more naive drinker, an 18-year-old kid, you're
3 probably going to be passed out than somebody that drinks
4 more regularly is. You just have to learn behaviors.

5 Q I thought you said at higher levels you saw
6 sluggishness?

7 A Well, I said higher levels, but then I followed up
8 and said it's all relative to the person to publish. I
9 mean, we see some incredibly high levels that are
10 downright frightening.

11 Q Tell them about the higher levels you see sometimes?

12 A .3s you see people driving.

13 Q I guess .177 would be low?

14 A Yeah, it's all relative. It's still a lot.

15 Q .3?

16 A Yeah.

17 Q And they're conscious and functioning?

18 A Obviously an alcoholic but yes.

19 Q So it's just a wide range. Let me -- I'm set
20 tomorrow. I'm going, you know, to run the best 40-yard
21 dash I've ever run --

22 A Uh-huh.

23 Q -- would it be ideal for me to be at a .177? Do you
24 think I would be performing at my peak level?

25 A No.

1 Q Okay. So it decreases your performance physically,
2 correct?

3 A Yes.

4 Q And it does make you sluggish, correct?

5 A Yes. It is classified as a depressant, yes.

6 Q All right. But and this is what -- your findings
7 .177, which is consistent if he had been drinking
8 Hennessey that night --

9 A Uh-huh.

10 Q -- and marijuana in the system?

11 A Correct.

12 Q Which is consistent if he and others were smoking
13 marijuana that night?

14 A Uh-huh; that's correct.

15 Q Okay. Thank you.

16 THE COURT: Redirect.

17 REDIRECT EXAMINATION:

18 BY MR. BRADY:

19 Q Very briefly, is there a time on the samples that you
20 collected and tested? Do you know what time that was
21 gathered?

22 A Yes. Give me one moment to find the pictures.

23 (Pause).

24 It is August 15th of '21 at 08:18.

25 Q 8:18. Okay, and then looking back to the medical

1 records, can you see when Mr. Williams was actually
2 admitted?

3 A 7:25.

4 Q Okay. So this was not admissions draw like we
5 normally have, is that fair to say?

6 A Yes.

7 Q And among the things that you, I guess, are less
8 likely to test for, those would be in the field of
9 designer drugs because they're harder to test?

10 A Yes.

11 Q And those are more recreational drug usage?

12 A Generally speaking, yes.

13 Q And those would be like the pills that people pop to
14 go out and party, that kind of thing?

15 A Yeah, there's a whole host of designer. We test for
16 a fair number of them. There's always more. There's
17 always others.

18 MR. BRADY: Thank you.

19 THE COURT: Anything further from this witness?

20 MR. SCOTT: No.

21 THE COURT: Okay. Thank you. You may step down.

22 THE WITNESS: Thank you.

23 THE BAILIFF: Watch your step down. It's kind of
24 high.

25 THE COURT: Does the defense have another witness?

1 MS. EIGENBROT: Your Honor, may we approach?

2 THE COURT: Yes.

3 (There was a bench conference in the presence of the
4 jury but out of the hearing of the jury.)

5 Ladies and gentlemen, I'm told that the next witness
6 is lengthy. So rather than doing the testimony piecemeal,
7 we're going to break for lunch. I know it's a little bit
8 early, but we're trying to do our best to get testimony
9 finished today.

10 I just think it will flow more smoothly if we go
11 ahead and break for lunch, so be back in your jury room at
12 1:30. Don't discuss the case amongst yourselves or with
13 anyone else. Don't do any research about the case, have a
14 good lunch. Be back at 1:30. Thank you.

15 (Whereupon, the jury left the courtroom at 11:50 AM).

16 THE COURT: Anything from the State?

17 MR. SCOTT: No.

18 MS. EIGENBROT: Briefly. At this point, I would ask
19 that Mr. Goodwin be allowed to testify without the belly
20 chain and shackles.

21 THE COURT: Yes, ma'am. I actually confirmed with
22 Deputy Kelly this morning. He does plan to remove the
23 belly chain for his testimony. The leg shackles will
24 remain, so we'll just swear him and get him on the witness
25 stand before the jury comes into the courtroom.

1 Just everyone keep that in mind. There be have been
2 a lot of demonstrations, so you'll not want to ask
3 Mr. Goodwin to step down from the witness stand, his
4 leg -- or to turn his body fully. He can turn his torso,
5 of course, and sort of swivel in the chair to face the
6 jury, but be careful of asking to turn his full body to
7 face the jury because, of course, the entrance and exit to
8 the witness stand, you know, has a gap there where jurors
9 would be able to see the leg shackles, but as long as he
10 keeps his feet still, keeps his feet tucked under that
11 desk we'll be fine. But the belly chain will come off for
12 testimony.

13 MS. EIGENBROT: Thank you, Your Honor.

14 THE COURT: Yes, sir.

15 MR. BRADY: One thing that the State had mentioned,
16 and I think it's starting to come out was that they
17 believed that discussing the decedent's character has
18 opened the door to start to get into Mr. Goodwin's
19 character.

20 I submitted that memorandum at the beginning of this
21 trial and that very last section of the memorandum. It's
22 State vs. Swilley. It makes it clear that is not how the
23 door opens.

24 We would have to put Mr. Goodwin's character at
25 issue. I would object to character evidence, the Facebook

1 stuff, guns we already talked about that pretrial.

2 THE COURT: Absolutely. Thank you for reminding me.
3 I was going to address that in this instance. The answer
4 had already gotten out, and the answer was no, I don't
5 know anything about his character. So it was innocuous
6 and so it's not to, you know, really interrupt the flow of
7 the questioning. The objection was overruled.

8 Certainly, had the answer already come out or had the
9 witness said something to the contrary, some affirmative
10 comment on the defendant's character, we may have had an
11 issue.

12 But because the Court found it to be harmless because
13 that witness just didn't know anything, I don't believe
14 it's opened the door to talk about the defendant's
15 character, but I agree with Mr. Brady. The door has not
16 been opened. It would have to be opened by the defense in
17 some form or fashion.

18 MR. BRADY: Thank you, Your Honor.

19 THE COURT: Anything else?

20 (There was no response).

21 See you at 1:30.

22 (WHEREUPON, a lunch break was taken.)

23 THE BAILIFF: Don't post.

24 THE COURT: I agree with the bailiff. I will take
25 your phone. I don't want that to happen, but you're not

1 permitted to take photos, video, have your phone out, do
2 anything with your phone. He's right.

3 UNIDENTIFIED WOMAN: No one had a phone out.

4 THE COURT: I'm sorry?

5 UNIDENTIFIED WOMAN: No one had their phone out.

6 THE COURT: Okay. I mean, he's just saying it's a
7 warning, and I can't see y'all back there. So I've got to
8 rely on the bailiffs to patrol it. If they see your phone
9 out, they are going to take it with my permission.

10 UNIDENTIFIED WOMAN: Thank you.

11 THE COURT: It's just one of those things, you know.
12 We don't want any problems.

13 UNIDENTIFIED WOMAN: We understand.

14 THE COURT: And I don't want to take your phone, and
15 I don't want them to. Thank you, thank you.

16 (WHEREUPON, a lunch break was taken.)

17 THE COURT: All right. I understand the next defense
18 witness is the defendant, correct?

19 MS. EIGENBROT: That's correct, Your Honor. I failed
20 to briefly mention earlier, Mr. Goodwin has two prior
21 convictions, one for possession with intent to distribute
22 marijuana and the other for UCP.

23 It's our contention that neither of those would be
24 probative to his truthfulness. Therefore, the prejudicial
25 value would significantly outweigh unless we open door in

1 some way, shape or form.

2 Any disagreement on behalf of the State?

3 MR. SCOTT: No, but I will probably ask him if he's
4 legally prohibited from having a firearm period without
5 mentioning the conviction. I do intend on asking him if
6 he has a legal right to possess a gun period. That goes
7 to the first prong of self-defense, Your Honor.

8 I predict this is going to be a self-defense case.
9 That's kind of been projecting throughout the trial. If
10 he has knowledge that he is legally prohibited from
11 carrying a gun and yet he is riding around at night
12 drinking alcohol, smoking, I think that would be something
13 to be taken into account whatever the time comes to decide
14 on something else.

15 THE COURT: Ms. Eigenbrot?

16 MS. EIGENBROT: Your Honor, I would at this time
17 argue that the State has been able to present evidence
18 that weapon was stolen; therefore, making it an unlawful
19 carrying situation. I think they have established at this
20 point he was not supposed to have -- or there were issues
21 with the gun.

22 I think essentially what they're trying to do is kind
23 of back door a way into discussing a conviction when
24 they've already elicited testimony and evidence that would
25 suggest carrying a weapon was a problem is what they're

1 basing it on and what they're trying to do.

2 MR. SCOTT: So --

3 MS. EIGENBROT: So therefore, again I think that
4 would be prejudicial under 403. Also I think at this time
5 there's been no testimony about how bad is the nexus
6 between the situation and his conviction. There's no
7 nexus between his conviction and carrying a weapon on him
8 that night and how it led to the situation.

9 THE COURT: Mr. Scott?

10 MR. SCOTT: I just want to ask him about his
11 knowledge. If he has a gun that's stolen, carrying it
12 unlawfully, and he is prohibited from having any gun
13 whatsoever, period.

14 So he is acting illegally thrice in that particular
15 situation, so you know, I only intend on asking him in
16 that situation if he's legally able to carry a gun period.

17 THE COURT: So I will not allow the conviction to be
18 introduced. I also want the question about it to be much
19 more innocuous: Are you legally allowed to carry a gun.

20 MR. SCOTT: That's all. I don't intend to ask him
21 why he's prohibited.

22 THE COURT: Right. But otherwise, that element
23 hinges completely on the credibility of that single
24 witness and if for whatever reason the jury were to not
25 find that witness, I believe it was Carey Roberts, to be

1 credible then --

2 MS. EIGENBROT: Your Honor, may I make a suggestion
3 on the question itself?

4 THE COURT: Sure.

5 MS. EIGENBROT: As Mr. Scott just stated, there is no
6 evidence that Mr. Goodwin at the time had a Concealed
7 Weapons Permit to carry at that point. I think the
8 question could be phrased: "Do you have a Concealed
9 Weapons Permit?" That would be more relevant to the
10 situation, thus trying to establish the element they're
11 trying to establish.

12 MR. SCOTT: Since he's prohibited from having,
13 possessing a firearm period, end of story.

14 MS. EIGENBROT: Again, I think that goes toward the
15 prejudice they're trying to obtain by asking the question
16 that way.

17 THE COURT: Could even be much more vanilla. Are you
18 allowed to have a gun?

19 MR. SCOTT: That's find.

20 THE COURT: Not even using the word "legally". I
21 mean, you could make that argument.

22 MR. SCOTT: I'll write that down, Your Honor.

23 THE COURT: "Are you allowed to carry a weapon"
24 because even without a Concealed Weapons Permit, I mean,
25 there's no allegation that it was at his house or anything

1 like that but there are ways. I don't want to get into
2 the law of, you know, Concealed Weapons Permits and an
3 unlawful carrying. That's not the charge, but if he knows
4 he's not supposed to have a weapon, that's a different
5 story.

6 MS. EIGENBROT: Again, my concern I think becomes the
7 way the question is phrased, it suggests there is some
8 underlying reason he's not been told to not carry a
9 firearm which creates more prejudice in that situation. I
10 would be objecting to it.

11 MR. SCOTT: I've got the duty to disprove
12 self-defense --

13 THE COURT: Right.

14 MR. SCOTT: -- which they're saying is the justified
15 killing of another.

16 THE COURT: And that's the problem. I think with --
17 you know, I don't know which is worse. I thought watering
18 down the question makes it better because, I mean, the
19 average citizen does not necessarily know the parameters
20 of who is allowed to have a gun. You know a child can't,
21 but beyond that, you know, does a convicted felon lose his
22 right or do you have to have a permit or not?

23 I think that's a little bit more nebulous in the
24 average person's mind, so just simply asking are you
25 allowed to have a gun. It might be, "No, my mama doesn't

1 let me have guns" or something like that. I mean, I know
2 that's a stretch, but I almost think it's better to leave
3 it in a watered down, much less specific format because
4 there could be a lot of explanations.

5 It leaves room for counsel to suggest other
6 explanations or something like that, you know. I mean, to
7 the extent that you could, so I'll allow that question in
8 that format but not the introduction of the conviction and
9 certainly not the possession with intent to distribute.

10 MS. EIGENBROT: And may my objection be noted for the
11 record at this time?

12 THE COURT: Absolutely.

13 MS. EIGENBROT: Your Honor, they did remove the
14 handcuffs. He still has the belly chain on. I think
15 they're waiting on a key.

16 THE COURT: Okay, okay.

17 (Pause).

18 (The belly chains were removed.)

19 While we're doing that, I did receive both the
20 initial request to charge from Ms. Pinnock, as well as the
21 supplementary request via email over the lunch break.

22 I've not received anything from the State. You're
23 not required to submit anything. I only mention that in
24 case it was error or went to the wrong email address.

25 MR. SCOTT: No. We have -- we've been discussing a

1 couple. We'll do that just as soon as we get a break,
2 Your Honor.

3 THE COURT: Okay. All right.

4 MS. EIGENBROT: Can we go ahead and put Mr. Goodwin
5 on the stand?

6 THE COURT: Ms. Eigenbrot, do you want him sworn now
7 or in front of the jury?

8 MS. EIGENBROT: I want him sworn in front of the
9 jury, thank you.

10 THE COURT: All right. Are we good with situations?
11 I saw you looking.

12 MS. EIGENBROT: Just scoot the chair in just a tad
13 more. I think he has to stretch his legs.

14 THE COURT: Are you comfortable, as comfortable as
15 you can be in that setting?

16 THE DEFENDANT: Yes, ma'am.

17 THE COURT: Okay. And the belly chain is now off.
18 Leg shackles remain, but he is scooted into the witness
19 stand. Okay. Bring the jury, please.

20 (Whereupon, the jury entered the courtroom at 1:46
21 PM).

22 THE BAILIFF: The jury is seated, Your Honor.

23 THE COURT: Thank you.

24 Welcome back, folks. I was going to apologize for
25 keeping you waiting, but this is probably the shortest

1 time that I've kept you waiting. But as I said, we often
2 have matters to discuss outside of your presence which is
3 what we were doing since, you know, returning from the
4 lunch break which as a result has Mr. Goodwin on the
5 witness stand already, and we're going to proceed from
6 there.

7 So I understand -- I won't ask them to call their
8 next witness because clearly it's Mr. Goodwin.
9 Mr. Goodwin will be placed under oath, please.

10 THE BAILIFF: Place your left hand on the Bible,
11 raise your right, face the clerk for me.

12 JEROD GOODWIN, after being duly sworn,
13 testified as follows:

14 THE CLERK: Please state your name for me and spell
15 it for the record.

16 THE WITNESS: Jerod Goodwin, G-O-O-D-W-I-N.

17 THE COURT: Your witness.

18 DIRECT EXAMINATION:

19 BY MS. EIGENBROT:

20 Q Hey Jerod, are you a little nervous today?

21 A Yes, ma'am.

22 Q Let's start a little bit with some easy stuff. Can
23 you tell the jury a little bit about yourself? How old
24 are you?

25 A Twenty-two now.

1 Q And how old were you back in 2020?

2 A Nineteen.

3 Q Where did you grow up from?

4 A Greene Street area, downtown area.

5 Q Is that here in Columbia?

6 A Yes, ma'am.

7 Q What kind of schools did you go to?

8 A Hand Middle School, Dreher. I went to nice schools.

9 Q Do you have any children?

10 A Yes, ma'am, one, a little girl.

11 Q How old is she?

12 A Three now.

13 Q And what about other family in the area?

14 A My mom, sisters, family people, where we're from.

15 Q All right. Jerod, we all kind of know why we're here

16 today.

17 A Yes, ma'am.

18 Q Let's start with the evening of August 14th, 2021.

19 What were you doing that evening?

20 A At home chill.

21 Q And what happens when you're at home?

22 A I get a call from Genesis to come over.

23 Q Who is Genesis to you?

24 A He was a friend of mine.

25 Q How long had you known him at that point?

1 A I knew him longer than we started hanging around, but
2 we started hanging around four or five months prior to
3 this.

4 Q How often would you guys hang out?

5 A Three, four times a week.

6 Q What would you do when you get together?

7 A Chill. It was a good time with him.

8 Q So you get a call from Gen. What happens when you
9 get a call from him?

10 A He came over like immediately. He was right up the
11 street, pulled up, chilled for a little bit, relax in the
12 car. He got a call to go out, so I was already with him.
13 So he asked me to go out with him. That's what the night
14 was.

15 Q What did you guys do once he received that phone
16 call?

17 A We stayed for a little bit, got dressed. He got
18 himself together a little bit. He was too early to go
19 out, so we stayed for a little bit and rode around.

20 Q Where did you end up going?

21 A To a club off Two Notch.

22 Q What did you guys do when you go there?

23 A We chilled for a little bit. We didn't go in yet.
24 We knew people there, so we just pulled off.

25 Q What happened then?

1 A Rode around a little bit more, and we was riding
2 around. Genesis gets a call from Artiz. I guess he
3 wanted to go out with us, too, so we went to go get him.

4 Q Now, when Gen got that call, did you know Artiz?

5 A Yeah. I had been around him.

6 Q Would you call him a friend?

7 A Not as close as me and Gen but not -- no, I wouldn't
8 say.

9 Q What happens after Gen got that call from Artiz?

10 A We immediately went to go pick Artiz up.

11 Q Where did you go to do that?

12 A He stayed off of Leesburg at the time.

13 Q Had you been there before?

14 A No, ma'am.

15 Q What happens once you all pick up Artiz?

16 A Again, get in the car, rode around for a little bit.
17 The plan was to go to the club, but we didn't go
18 immediately.

19 Q Did you stop anywhere?

20 A To a little store, got more to drink. That was it.

21 Q Did you stop at any gas stations?

22 A Yes, ma'am, off Farrow Road.

23 MR. SCOTT: No objection, Your Honor.

24 BY MS. EIGENBROT:

25 Q Jerod, I'm going to show you what's been premarked as

1 Defendant's Exhibit 14, 15 and 16. Can you take a look at
2 those. What do those appear to be?

3 A Us at the store.

4 Q When would that have been?

5 A That night of.

6 Q And would that be a fair and accurate depiction of
7 you guys being at the store that night?

8 A Yes, ma'am.

9 MS. EIGENBROT: Your Honor, at this time, we would
10 move to admit into evidence Defense Exhibits 14 through
11 16.

12 THE COURT: Fourteen through 16 are admitted without
13 objection.

14 MS. EIGENBROT: Thank you.

15 (WHEREUPON, Defendant's Exhibits Nos. 14 - 16 were
16 admitted into evidence.)

17 BY MS. EIGENBROT:

18 Q Now, Jerod, I'm going to ask you who is this in this
19 photo?

20 A Artiz.

21 Q And what is he doing?

22 A He's talking to a girl.

23 Q Where is he at?

24 A In the store.

25 Q So at that store, you guys stopped at?

1 A Yes, ma'am.

2 Q And I'm going to show you Defense 14. What is that
3 one of?

4 A Picture of him talking to the girl outside the store.

5 Q And that's at the same store?

6 A Yes, ma'am.

7 Q And then what about this last one?

8 A That's me and him talking to the girls together.

9 Q And that's Defense Exhibit 15. So I guess at some
10 point while you're at the store, you guys talked to some
11 girls?

12 A Yes, ma'am.

13 Q You and Artiz?

14 A Yes, ma'am.

15 Q And where exactly were you guys talking to the
16 females based on that picture?

17 A We were in a doorway of the car.

18 Q Were you close to each other?

19 A Yes, ma'am, right beside.

20 Q Now, after you stopped there, where do you guys go?

21 A I think after that it was time to go to a club after
22 that.

23 Q Do you remember which one?

24 A Felicities.

25 Q And what happens when you went to Felicities?

1 A Well, we pulled up. It was packed. Artiz didn't get
2 out of the car. It was just me and Genesis at first. We
3 were about to go in just to see what was going on inside
4 but we never made it in.

5 Q Why not?

6 A Because Gen -- well, we were -- there's a dress code
7 going to Felicities. So I guess what we were wearing was
8 outside of the dress code.

9 Q What happens when you guys are not allowed into
10 Felicities?

11 MR. SCOTT: Objection to any hearsay, Your Honor.

12 THE COURT: I mean, don't tell us what anyone else
13 told you, but you can answer the question, tell us what
14 happened.

15 BY MS. EIGENBROT:

16 Q Jerod, what happened when you weren't allowed to get
17 into Felicities?

18 A That cause a little bit of commotion as far as not
19 being able to get in. So it caused the club manager to
20 come out. The club manager came out. Genesis and the
21 club manager had some words.

22 Q What happens after that?

23 A We weren't able to get in because Genesis cussed the
24 lady out, so we weren't able to get in. So we left, but
25 we didn't leave. We stayed in the parking lot for a

1 little bit.

2 Q What did you guys do in the parking lot?

3 A Just chill, talked to a couple of people we knew.

4 Q Were you the only two at Felicities that you met up
5 with?

6 A No, ma'am.

7 Q Who else was there?

8 A Some friends, Artiz was there, saw a couple people
9 that we knew.

10 Q So you guys kind of chilled in the parking lot a
11 little bit, aren't allowed in. Where do you guys go
12 from there?

13 A The commotion happened. As the commotion happened,
14 shots went off, so we had to leave.

15 Q At Felicities?

16 A Yes, ma'am.

17 Q Did any of you have anything to do with it?

18 A No, ma'am.

19 Q But you guys left because of that?

20 A Yes, ma'am.

21 Q Where were you go from there?

22 A We were planning on going to another club, but it was
23 just too late. So we ended up at my mom's house.

24 Q And where were you and your mom living at that time?

25 A On Greene Street.

1 Q Can you describe the house and the location a little
2 bit for us?

3 A It's a green brick house, gated, fenced in, a lot
4 beside it. That's it.

5 Q What kind of neighborhood is your house looked on
6 Greene Street?

7 A My neighborhood is a rough neighborhood, like a lot
8 of neighborhoods: Drugs, guns that was going on.

9 Q And you mentioned a lot next to your house. What
10 goes on there?

11 A The lot is free, so anybody can pull up, sit there,
12 park there, drink there.

13 Q Is that something typical that happens?

14 A Almost every day.

15 Q When you go back to your house, who is driving?

16 A Me.

17 Q Actually probably back up a little bit. When Gen
18 showed up at your house that night, what kind of vehicle
19 was he in?

20 A A white. I don't know the model of the car, but I
21 know it was a white tinted car.

22 Q Is that the same car you end up driving?

23 A Yes, ma'am.

24 Q And where do you with park the vehicle?

25 A Inside my mom's driveway.

1 Q And what's the first thing you do when you get home?

2 A We jumped out. We were talking, laughing. I went in
3 the house because I still had on my club clothes, so I
4 just get a little bit comfortable.

5 Q And when you say get comfortable, what do you mean by
6 that?

7 A Take my shoes off. Take my shoes off, put on my
8 slides, put on a different shirt.

9 Q And did you pick up anything and put it on you?

10 A When I got to the house I did arm myself.

11 Q And why was that?

12 A Just the neighborhood, we stand outside, just in case
13 anything was to go on.

14 Q Jerod, where did you get that weapon?

15 A Bought from it a friend.

16 Q All right. So you guys are at the house. Are you
17 three alone?

18 A No, ma'am.

19 Q Who else is there?

20 A A couple people we met at the club. So A couple
21 people met on Greene Street, and the other people were
22 there, too. It's an open lot where people were there
23 before we even got there.

24 Q So what are you guys doing?

25 A Chilling, relaxing, friends. We didn't immediately

1 go into the club. So we basically just sat there, parked
2 a little bit, drank, smoked.

3 Q What happens when you guys are doing all that?

4 A Me and them are still chilling out. Some of my
5 friends pulled up. The friend that pulled up, Genesis and
6 him had something going on prior to us being there that
7 day.

8 Q Who is that friend?

9 A Named Danny.

10 Q And if you know, does he have any relationships to
11 Gen?

12 A Such as? To my knowledge, I think they're cousins.
13 I know they're really close though.

14 Q So what happens when he pulls up?

15 A Him and Genesis get into a heated argument, a
16 scuffle.

17 Q Can you explain what you mean by heated argument?

18 A Yeah, cussing at each other, calling each other out,
19 calling each other names.

20 Q And what do you mean by scuffle?

21 A Basically put their hands on each other, wrapped up,
22 just for confirmation.

23 Q And I guess what does the group do in response to
24 seeing all of this?

25 A Try to calm everything down.

1 Q What did you do specifically?

2 A I had to go grab myself Gen and myself and pick him
3 up, take him to his car.

4 Q Where was his car?

5 A In the lot beside my mom's house.

6 Q When you picked Danny up and take him to the car,
7 what is Genesis doing at that time?

8 A He's still got it. He still wanted to fight. For
9 us, we tried to calm him down.

10 Q What is Danny doing?

11 A He's trying to calm him down. I'm trying to calm him
12 down, too. That was the problem.

13 Q So once you get Danny back to the car, what happens
14 from there?

15 A A couple of words were spoken. It got a little more
16 hyped. My mom told me to calm everything down, so that's
17 what I did. I tried to calm everything down, die it down.

18 Q What did you do to try to calm it down?

19 A I basically just walked up on Gen, asked him could he
20 be quiet, just have some respect for my mom's house and
21 me.

22 Q How did he react to you saying that to him?

23 A Well, he got mad because he thought I was trying to
24 take off with Danny, so me and him got into a little
25 argument.

1 Q What do you mean by that?

2 A We had words, calling each other names, putting hands
3 on each other. It wasn't too serious.

4 Q What do you mean by putting hands on each other?

5 A He mushed me. I mushed him back.

6 Q And why did you think that was not serious?

7 A It didn't go too far between us.

8 Q So did it go beyond mushing?

9 A No.

10 Q What did he do once that happen?

11 A We had a little bit more words spoke, but my mom came
12 out. Second time to that, I guess that's when it got real
13 loud. I told everybody to calm down, so stuff died down a
14 little bit. It died down, really.

15 Q So after your mom came out the second time, things
16 died down?

17 A Uh-huh.

18 Q What did you guys do after that?

19 A Still words were spoken. We were still handling it.
20 Eventually everything calmed down, continued laughing,
21 drinking, smoking around.

22 Q How long after you think you guys were hanging out
23 when it was calm?

24 A About 45 minutes to an hour.

25 Q What happens during the time you guys are calming

1 down and hanging out and I guess in a better place?

2 A I guess in the mix Artiz had got tired, so I guess --
3 I guess he wanted to go home. So he asked Gen, "Take me
4 home."

5 Q What do you do then?

6 A Genesis through Artiz the keys so basically like all
7 of us jumped back in the car.

8 Q When you say all of you, who are you referring to?

9 A Me, Genesis and Artiz.

10 Q Now, Jerod, I've got to ask. You're at home. Why
11 would you get in the car with them?

12 A Because, you know, it wasn't no problem. There
13 wasn't anything going on. Everything was calm.

14 Q And I guess when you're spending time with Genesis,
15 would that be a normal thing for you to do?

16 A We were holed up. It wasn't nothing out of the
17 ordinary.

18 Q Jerod, let me back up a little bit. During this
19 scuffle at the house, at any point in time, did anyone
20 point any guns at anybody?

21 A The guns -- the guns were around, but I don't -- me
22 personally, I don't remember guns pointed at people.

23 Q Who at that time had a gun on your property?

24 A There's a lot of it around. I would say out of ten
25 people, six people had a gun.

1 Q Did Genesis have a gun that night?

2 A To my knowledge, he pulled up, he had one.

3 Q And what happened to it, if you know?

4 A I think initially they were trying to break up, break

5 up the fight, and they took it away from him or something.

6 Q But you had nothing to do with that, right?

7 A I had nothing to do with that, no.

8 Q So you guys have gotten back into the car now, right,

9 you, Artiz and Genesis. Where is everybody sitting?

10 A Just like that on the board.

11 Q Just like that on the board? Where do you go?

12 A Artiz is on the route to drop himself at home.

13 Q And what happens while you're in the car?

14 A Going to Artiz's house, Genesis was bad, pretty

15 hyped, speaking about the conflict that had already been

16 sparred to.

17 Q How are you responding, or were you responding?

18 A At first I didn't really say nothing to it. I went

19 back to my phone so...

20 Q What does he do to your nonresponsiveness?

21 A I guess he got mad so he begins to dispute, calling

22 me the B word saying he's not a pussy, basically asking me

23 who am I with.

24 Q And how did you take that?

25 A I guess he was asking me who I'm with like who I'm

1 with in the world. We just got into it.

2 Q Now, while you're on the way to Artiz's house, did
3 you stop anywhere?

4 A We stopped at a store. I guess it's called Citgo.

5 Q And what happened when you got to the Citgo?

6 A As well pulled in, Genesis had asked me okay, you
7 know, have a cigarette with him. So I avoided him. So he
8 ended up jumping out any way, I guess buying a cigarette.
9 So as he gets back in the car, it's push back between me
10 and him.

11 Q What did you take that to mean?

12 A I just tell him, I guess he's saying he's not a
13 pussy. So I told him I'm not one either.

14 Q And what do you guys do from there?

15 A The ride continued to drop Artiz off.

16 Q So what happened there?

17 A As we pulled into Artiz's neighborhood, asking Artiz
18 to stop the car, and me to stop, stop. Genesis looked
19 back, told me, "Get the fuck out of the car. Get the fuck
20 out of the car."

21 Q How did that make you feel?

22 A I'm wondering why did he want me to get out of the
23 car because he could have told me not to get in.

24 Q And you get out of the car at that point?

25 A No, ma'am.

1 Q Why not?

2 A It was far from where I stayed. I stayed far, so I
3 couldn't walk. It's in the wee hours of the morning. I
4 don't have my shirt on. I am armed, so that's -- that's
5 uncomfortable.

6 Q What was Genesis demeanor when all of this was going
7 on?

8 A He was mad, mad.

9 Q What is Artiz doing during all of this?

10 A I couldn't focus the whole time, but as Genesis was
11 telling me to get out of the car, I mean, me to get out of
12 the car, he was standing in the driver -- the driver door,
13 using the driver's side of the door, staying.

14 Q So once Genesis turns to you and says that to you,
15 what does he do from there?

16 A Jumps out, jumps out of the passenger's side and
17 walks to the backseat of the passenger. I guess he slams
18 the door up against the top, tore me out.

19 Q Can you describe how he was tugging you?

20 A On my forearm, he pulled me towards the passenger's
21 way.

22 Q And what happens after he starts tugging on you?

23 A I guess he realizes he couldn't pull me out that way,
24 so he walked around to the back, the driver's back seat,
25 and opened my door from there.

1 Q Is that where you were sitting?

2 A Yes, ma'am.

3 Q What happens once he opens the door?

4 A When he opens the door, he immediately told me to get

5 the fuck out and he begins to pull me, pull me.

6 Q How is he tugging on you that time?

7 A Same way, same way, off the forearm of the shirt.

8 Q And what happens once he starts this tug on you the

9 second time?

10 A I basically -- I basically go with the tug, and I

11 push him off. So I ended up pushing him off. I jump out,

12 too, and I basically drew my attention to Artiz, I'm like,

13 "Could you drop me back off with this going back on?"

14 He didn't really say much. I guess he didn't take

15 what I was saying, so it was me getting back into the car.

16 Q What is Genesis doing when you get back into the car?

17 A He's pacing around the car, still telling me to, "Get

18 the fuck out. Get the fuck out."

19 Q Where is he?

20 A He's walking behind from the back of the car, walking

21 in the back of the car right there.

22 Q What happens once you get back into the car?

23 A That's when he comes back and begins tugging again.

24 Q And how did he do it that time?

25 A Same way, a little bit more aggressive.

- 1 Q What did you do?
- 2 A I jumped back out, and that's when I draw my
3 attention to both of them. I said, "If there's a problem,
4 why didn't you say anything on Greene Street?"
- 5 Q What do you do then?
- 6 A I got back in. This time I wasn't able to shut -- I
7 mean, this time I actually shut the door, shut it. It was
8 for me to, I guess, like tell him "Come on".
- 9 Q What is Genesis doing after that second or the third
10 now tugging, shoving interaction?
- 11 A I think he's getting more mad because I'm not getting
12 out of the car. He's still telling me to, "Get the fuck
13 out of the car. Get the fuck out of the car." So this
14 time he's opening the door again.
- 15 Q And Jerod, why are you not getting out of car?
- 16 A I really don't know where I'm at. I stay all the way
17 downtown area.
- 18 Q Now, this next time where it sounds like he opens the
19 door again, what happens this time?
- 20 A This time -- he knew I had a gun. So this time he
21 went for the gun. It was on my waistband, so he went for
22 it the first time, but he wasn't like grabbing it.
- 23 Q What exactly did he do?
- 24 A I call it like waist check, I guess feel for my gun.
- 25 Q What, at this time, is he saying to you?

1 A Telling me, "Get the fuck out. Get the fuck out.
2 Now, your homeboy is not with you now."
3 Q How did you take that?
4 A Like what's been going on, what's going on.
5 Q Did you say anything back?
6 A I told him I've been with him all night. I'm like
7 what is the problem now.
8 Q How does it make you feel when he tapped your gun
9 when he went for your waist?
10 A He alerted me. He alerted me. I'm like why did he
11 touch my gun.
12 Q What did you do then?
13 A So now I took all precautions like for next time I
14 basically like blocked my gun so he wouldn't be able to
15 grab it, try to snatch it out of my waist.
16 Q What did you do with the car door?
17 A This time I wasn't able -- this would be the fourth
18 time. I got back into the car. This would be the fourth
19 time I'm back into the car, so I wasn't able to shut the
20 door this time. It was too fast. This fourth time, he
21 came in, went straight to my waist.
22 Q How does he grab you or go for you at that point?
23 A He grabbed my upper body there, came under my arm,
24 tried to tug and went for the gun.
25 Q What was going through your head?

1 A Scared, I was scared he was going to grab my gun,
2 what would he have done.

3 Q What did you think he was going to do?

4 A Shoot me, kill me.

5 Q Why did you think that?

6 A I know what he do. He was already a hot head. He
7 was already mad at that time.

8 Q Jerod, you've known him for a little while. What is
9 his reputation?

10 A He has a bad reputation, not bad but especially with
11 me, I don't think he has a bad reputation, but I know he
12 does with other people.

13 Q Was that something you were thinking about?

14 A Yes, ma'am.

15 Q And at this moment, what do you do?

16 A It's him going for my gun. I'm trying to pull him
17 off of me, but in the meantime shots went from here.

18 Q How many times did you shoot?

19 A To my knowledge, I struggled. I only thought I
20 pulled -- I shot two times, but it was so fast. They said
21 it was three.

22 Q But you remember two?

23 A Yes, ma'am.

24 Q Where is Artiz when all of this is happening?

25 A He's on the passenger's side.

1 Q And how does that make you feel?

2 A He can't really try to stop me. I had told him
3 multiple times, "Could you get him? Could you help?" He
4 didn't try to help. He didn't come to him. He didn't try
5 nothing. He didn't try to kill or nothing. He didn't do
6 nothing.

7 Q Once you fired the weapon, what do you do?

8 A I jumped in the car. I turned the car around. My
9 first instinct was I pulled by Genesis. Artiz wasn't in
10 the picture at first. It was just Genesis and me, you
11 know, so...

12 I don't know where Artiz came from. I don't know
13 where he came from. My first thing was telling Artiz put
14 him in the car. Put him in the car.

15 Q Why did you jump into the car and drive away?

16 A Because I was panicked. I just kind of did it. I
17 shot a friend. I had never been in a situation like this.
18 I don't know what to think.

19 Q Why did you turn around?

20 A Because he's a friend. I did want to help. I just
21 didn't know how to help.

22 Q But you stopped; is that right? You said Artiz was
23 out of the picture. Where was he at that point?

24 A As I was pulling back in, he was coming -- I can't
25 really tell you'll where he's coming from, but as I was

1 pulling up, I seen him coming.

2 Q And what did you say to him at that time?

3 A I told Artiz, "Put him in the car. I'll take him to

4 the hospital."

5 Q When you pulled up, is Gen talking?

6 A He's talking. Me and him are talking. I'm talking

7 back to him (indicating).

8 Q And what was your understanding of what he said?

9 A You told me to leave him.

10 Q And said you told Artiz to put him in the car?

11 A Yes, ma'am.

12 Q What was his response?

13 A He didn't even try.

14 Q Why did you not get out and help?

15 A He's saying I couldn't even move, but I did open the

16 door enough. I pulled the car right beside him, opened

17 the door myself to tell him to put him in the car.

18 Q Once you do that, what do you do then?

19 A I guess -- I guess I'm panicking. He's just sitting

20 there, and Artiz is not doing nothing. I guess I

21 panicked, and I just pulled off.

22 Q Did you pull all the way off?

23 A At first I just pulled up to the beginning of the

24 road. I was saying, "Gen, come on. Come on. Gen, come

25 on, come on." Then I end up pulling off.

1 Q Where did you go?

2 A I went home.

3 Q Now, Jerod, when you drive home and you're away from
4 this whole thing, did you call 9-1-1?

5 A No, but I did get in touch with my lawyer. So at
6 that time, I asked the lawyer, I gave him things that was
7 going on with the case. I told them what was going on.
8 They read my name. They looked me up, and I didn't have
9 no warrant. I wasn't a person of interest at that time,
10 so at that time I went basically went -- I went to go hide
11 from people.

12 Q All right. Well, let's back up a second, okay. So
13 you went home. What did you do when you got home?

14 A When I got there the first time, I finally got myself
15 comfortable. I would slide in, so basically I had to get
16 myself together.

17 Q Where did you go from there?

18 A I went to a friend's house.

19 Q What did you do with the vehicle?

20 A I left it at the apartment, keys in, unlocked.

21 Q I think you mentioned people were saying stuff,
22 something to that effect. What was happening after this
23 whole thing after you had gone to a friend's house?

24 A I went all day and stuff was already -- threats were
25 already made. My mom's house had been was broken into

1 that same day.

2 Q What kind of threats were being made?

3 A They couldn't wait to catch him. They were going to

4 kill me.

5 Q What do you do in response to knowing some of those

6 threats were being made?

7 A Basically go somewhere where they don't know where to

8 find me.

9 Q Where was that?

10 A My Auntie.

11 Q Jerod, do you have family that lives in the Saxon

12 Homes area?

13 A Uh-huh.

14 Q Who is that?

15 A My grandma.

16 Q Did you speak to anyone during this whole situation

17 afterwards?

18 A Such as that day, I spoke to an ex. She was just a

19 little bit older than me. I talked to her to really try

20 to get my mind together.

21 Q And who was that?

22 A Janice.

23 Q What did you tell her?

24 A I told her it was an accident.

25 Q What did -- when you say accident, what do you mean

1 by that?

2 THE COURT: Pause real quick. Can you either sit up
3 in front of the microphone or pull the microphone down if
4 you're more comfortable sitting?

5 BY MS. EIGENBROT:

6 Q I think you said you finally went to your aunt's
7 house?

8 A Yes, ma'am.

9 Q What do you do, I guess during this time, when you're
10 not under arrest?

11 A I was just ready.

12 Q We've heard, you know, you got arrested November
13 30th. What happened after you got arrested?

14 A I immediately went to -- I immediately went to the
15 headquarters.

16 Q And did you talk to the police?

17 A Yes, ma'am.

18 Q What did you tell them?

19 A Same thing that happened.

20 Q Jerod, why did you shoot Genesis Williams on August
21 15th, 2021?

22 A I feared for my...

23 If he would have killed me, armed.

24 Q Do you regret firing your gun that day?

25 A I regret he is no longer with us, but I don't regret

1 shooting it. I didn't want anyone to be dead. He was a
2 friend of mine.

3 MS. EIGENBROT: Beg the Court's indulgence.

4 (Pause.)

5 Thanks, Jerod. I'm going to ask you answer any
6 questions the State is going to have for you.

7 THE WITNESS: Yes, ma'am.

8 CROSS-EXAMINATION:

9 BY MR. SCOTT:

10 Q Jerod, how old are you?

11 A Twenty-two.

12 Q Okay. So in 2021, you were how old?

13 A Twenty-two.

14 Q So 22 now, but two years ago you were 19?

15 A I was 19. This was going on -- my birthday was

16 [REDACTED].

17 Q Okay. How tall are you?

18 A 5'11".

19 Q 5'11"; is that right?

20 A Uh-huh.

21 Q How much do you weigh?

22 A Now, I think about 230.

23 Q 230 pounds?

24 A Uh-huh.

25 Q Do you remember Genesis to be about 5'7" about 150

1 pounds?

2 A I know he was a little guy.

3 Q Little guy?

4 A Yes, sir.

5 Q You said you went to Dreher. Did you play football

6 or anything there?

7 A Basketball.

8 Q Basketball. Anything else?

9 A No.

10 Q But you finished at Olympia?

11 A Uh-huh.

12 Q You didn't mention that earlier. What kind of school

13 is Olympia?

14 MS. EIGENBROT: Objection.

15 THE COURT: Overruled.

16 THE WITNESS: Alternative.

17 BY MR. SCOTT:

18 Q Why didn't you mention that earlier?

19 A No reason.

20 Q She asked you what school. You said C.A. Johnson,

21 Hand Middle School, Dreher. Did you get a degree at

22 Olympia?

23 A No, sir.

24 Q Why did you have to go there? Do you remember why?

25 MS. EIGENBROT: Objection, relevance.

1 THE COURT: Sustained --

2 THE WITNESS: I got in trouble.

3 THE COURT: Hold on. You don't have to answer that
4 question.

5 BY MR. SCOTT:

6 Q Okay. Did you get a degree?

7 A No.

8 Q Okay. All right. There was some talk -- let's get
9 this out of the way. Do you have a Concealed Weapons
10 Permit?

11 A No, sir.

12 Q Have you ever applied for one?

13 A No, sir.

14 Q Okay. Has it ever occurred to you that that might be
15 something that you ought to do?

16 A Yes, sir.

17 Q Okay. Why didn't you do it?

18 A I guess I never had.

19 Q Speak up.

20 A Around the age, around the age. I was too young.

21 Q During this time, you weren't, right?

22 A No.

23 Q Because if you're 19 you can get a CWP, right?

24 A I don't know nothing about that.

25 MS. EIGENBROT: Objection. Your Honor, may we

1 approach?

2 THE COURT: Yes.

3 (There was a bench conference in the presence of the
4 jury but out of the hearing of the jury.)

5 BY MR. SCOTT:

6 Q You're in the practice of carrying guns on you,
7 correct?

8 A I did have one with this.

9 Q I'm sorry?

10 A I did have a gun with this.

11 Q You did have a gun what?

12 A Within this situation.

13 Q Was that the only time you ever carried a gun on your
14 waist?

15 MS. EIGENBROT: Objection, Your Honor.

16 THE COURT: Overruled.

17 BY MR. SCOTT:

18 Q Okay. Are you in the practice of carrying guns in
19 your waistband?

20 A Can you explain that more --

21 Q Okay.

22 A -- to my knowledge?

23 Q This night was not the first night you walked around
24 with guns in your pants?

25 A That was the first time anybody had guns in their

1 pants.

2 Q Okay. That's all I'm asking you. It's not a trick
3 question, but you were in habit of carrying guns in your
4 waist?

5 A No. Not in the habit of it.

6 Q Let me show you this. Just look through these.

7 MS. EIGENBROT: Your Honor, I would object under 608.

8 THE COURT: I will sustain the objection.

9 MR. SCOTT: I'm not introducing anything into
10 evidence. Hold on until the judge makes a ruling.

11 THE COURT: I've sustained the objection. You all
12 approach.

13 (There was a bench conference in the presence of the
14 jury but out of the hearing of the jury.)

15 BY MR. SCOTT:

16 Q I just want you to look through these again.

17 (Pause.)

18 I also want to ask you again are you in the habit of
19 carrying guns in your waist?

20 A I do have these.

21 Q Speak up.

22 A I do have these in these.

23 Q So that was something you would do from time to time
24 was carry a gun in your waist?

25 A Yes, sir.

1 Q Okay. How many guns do you own?

2 A None.

3 Q None? How many guns have you owned?

4 A I don't know.

5 Q You've never owned a gun?

6 A I said I don't know.

7 Q Okay. More than the two you were found with?

8 A No.

9 Q No? Those were the only two you've ever owned?

10 A No, sir.

11 MS. EIGENBROT: Your Honor, again I think this --

12 THE WITNESS: Can you ask me to my knowledge?

13 MR. SCOTT: Okay. To your knowledge --

14 THE WITNESS: To my --

15 THE COURT: Hold up. Hold up. Pause. Everybody

16 stop. I mean, you all approach again.

17 (There was a bench conference in the presence of the

18 jury but out of the hearing of the jury.)

19 THE COURT: I think the objection is sustained.

20 BY MR. SCOTT:

21 Q Let me ask you this, when you do carry a gun, how do

22 you typically -- how do you typically carry?

23 A In my waistline.

24 Q In your waistline. Okay. Do you put it inside your

25 underwear or between your underwear and your waist?

1 A Inside my underwear.

2 Q Inside your underwear. And what keeps it up, just
3 your belt buckle?

4 A My draws.

5 Q Say what?

6 A Draws.

7 Q Draws?

8 A Draw, that's what holds it up.

9 Q Okay. Can I -- let me see. Do this again. Now,
10 you're right handed?

11 A Uh-huh.

12 Q So you keep it on your right side?

13 A Yes, sir.

14 Q And is it kind of like that?

15 A Uh-huh.

16 Q Okay. And when you sit down, what happens?

17 A All you have to do is adjust it.

18 Q How do you adjust it?

19 A Put it in the front.

20 Q You put it here?

21 A Yes, sir.

22 Q So you're sitting there with it digging into your
23 penis?

24 A Yes.

25 Q How do you do it?

1 A You don't know how to carry it.

2 Q No, I don't. Can you show me?

3 MS. EIGENBROT: Your Honor.

4 BY MR. SCOTT:

5 Q Tell me, tell me what to do.

6 A Put it in your waistband.

7 Q I'm significant down. It's digging into my side.

8 It's digging into my hip. That doesn't happen to you?

9 A You got it out too far.

10 Q How do you usually do it? You put it in deeper?

11 What keeps it from falling down to your pants?

12 A The draw line.

13 Q Do you keep it -- what, do you tighten the belt

14 tighter with you have a gun?

15 A No. You just put it in your draw. It's not going to

16 move.

17 Q Okay. What I'm saying is you see how it's on me,

18 right? Is that kind of how you usually have it, and do

19 you put your shirt over it so that you can't see it?

20 A Uh-huh.

21 Q Now, I'm sitting down. This is really uncomfortable

22 especially if I'm driving all the way over from Rose---

23 MS. EIGENBROT: Your Honor, I object at this point.

24 THE COURT: Sustained.

25 MS. EIGENBROT: Move to strike.

1 THE COURT: Yeah. Ladies and gentlemen, disregard
2 that. The attorneys have to ask a question, Mr. Scott.
3 BY MR. SCOTT:
4 Q You don't find this uncomfortable?
5 A No, sir.
6 Q Even when you're sitting in a car?
7 A No, sir.
8 Q Even when you're driving from Rosewood all the way
9 towards Sumter on Garners Ferry?
10 A I wasn't the driver. I wasn't driving.
11 Q You're not driving, sorry. You're sitting. It's
12 digging into your hip, and that's not uncomfortable?
13 A No, sir.
14 Q Okay. But what you -- you keep it with this handle
15 out?
16 A Uh-huh.
17 Q Do you usually keep one in the chamber?
18 A No telling.
19 Q Huh?
20 A No telling.
21 Q Well, on this particular night, do you remember if
22 you had a bullet chambered?
23 A Yes, sir.
24 Q You did?
25 A Yes, sir.

1 Q Okay. Do you remember why you had it on that
2 particular night, have a round chambered?

3 A That's where we stand. I never took a bullet out
4 ahead. When we left from my ma's house, I kept it like
5 that.

6 Q You kept one in the chamber. Okay. So that
7 particular night, you're hanging out at the house?

8 A Yes, sir.

9 Q Chilling at the house?

10 A Yes, sir.

11 Q And you get a call from Genesis to hang out. So you
12 hang out about three to four times a week, right?

13 A Yes, sir.

14 Q When he came over, y'all chill. You're relaxed in
15 the car?

16 A Uh-huh.

17 Q And I think y'all smoked some blunts?

18 A Yes, sir.

19 Q How many?

20 A Couldn't tell. Can't tell.

21 Q One?

22 A Probably two.

23 Q Two. We're going two blunts between the two of
24 y'all?

25 A Yes, sir.

1 Q Okay. What does that weed do to you?

2 A If you smoke a lot, it doesn't really do anything to

3 you, but if don't smoke a lot, it will make you sleepy or

4 hungry. It depends on the person.

5 Q How does it affect you?

6 A It really doesn't do too much to me.

7 Q Okay.

8 A Sometimes it makes me hungry.

9 Q What time was it when you share two blunts with

10 Genesis?

11 A About 8:30.

12 Q 8:30, and then it comes time to go get Artiz,

13 correct?

14 A You go around.

15 Q Just you and Genesis are riding around?

16 A Yes, sir.

17 Q Okay. Where did y'all riding around to?

18 A Just around the city, went to a club off of Two

19 Notch.

20 Q When did you get the bottle of Patrón?

21 A After we picked Artiz up.

22 Q What time was it then?

23 A About 11:30, 12.

24 Q Where did you get the Patrón from?

25 A A bootleg.

1 Q A bootleg?

2 A That's what we call it.

3 Q Is that like illegal liquor sales?

4 A Yeah.

5 Q Okay. Y'all were riding around. You're still

6 smoking. Were you still smoking in the car?

7 A I can't tell you. I don't know. I can't remember.

8 Q Okay. Smoked two blunts at the house, get in the

9 car, pick up Artiz, get a bottle of Patrón. Now y'all are

10 drinking Patrón in the car?

11 A Yes, sir.

12 Q Now, what are y'all just passing it back and forth

13 between y'all?

14 A Yeah.

15 Q And Patrón, those who don't know, is tequila; is that

16 correct?

17 A Yes, sir.

18 Q Okay. What does tequila do to you?

19 A Get drunk.

20 Q Get you intoxicated?

21 A That's what it's supposed to do to you.

22 Q Yeah. Okay. So you're riding around. You're

23 smoking weed. Now, you're trying to get intoxicated, and

24 you go to where first?

25 A After we pick Artiz up, we get the bottle and went to

1 Felicities.

2 Q Okay. And Felicities is a nightclub?

3 A Yes, sir.

4 Q Did you go there first or the other place on Two

5 Notch?

6 A Me and Genesis went to the place on Two Notch before

7 we went to go get him.

8 Q Okay. And when you get Artiz, do you go to the gas

9 station first or Felicities first?

10 A Gas station first.

11 Q What did you get at the gas station?

12 A Man, he was the only one who went in. I never went

13 into the store. I don't know where he's at.

14 Q Okay. Y'all are just talking to some girls?

15 A Uh-huh.

16 Q And you're wearing jeans, tennis shoes, and a black

17 t-shirt?

18 A Uh-huh.

19 Q That's what you were going to be wearing to the club?

20 A Yes, sir.

21 Q You talked about Felicities. You hang out in the

22 parking lot?

23 A Right.

24 Q Is that where shots are fired?

25 A Yes, sir.

1 Q Okay. Let me ask you this: The way the night has
2 gone so far, you get to the club, shots are fired. Did
3 you ever think about calling it a night?

4 A No, sir.

5 Q No?

6 A No, sir.

7 Q That didn't worry you that shots were fired outside
8 the club, and you were in close proximity?

9 A No, sir. It didn't have anything to do with us. All
10 we wanted to do was go find somewhere else.

11 Q Okay. Shots were fired at Felicities, so then where
12 did y'all go?

13 A We tried to find somewhere else to go. We never
14 ended up going. We ended up going to my mom's house.

15 Q Okay. And that's in the neighborhood. You said
16 there's a lot of drugs and guns?

17 A Yes, sir.

18 Q Your testimony is you've never had a gun earlier in
19 the night?

20 A No, sir.

21 Q Had you and Genesis already been at your house
22 earlier?

23 A Earlier that day?

24 Q Yeah.

25 A Yes, sir.

1 Q Okay. Why didn't you arm yourself then?

2 A Because it was already guns around.

3 Q Speak louder. What? I couldn't hear you.

4 A Because it was already guns around. We didn't want

5 to ride dirty like that in the car.

6 Q I thought you said you rode dirty later, though?

7 A Huh?

8 Q All right. You and Genesis are at your house smoking

9 blunts, right?

10 A Yes, sir.

11 Q Okay. And that's a dangerous neighborhood you said,

12 lots of drugs and guns there, correct?

13 A Yes, sir.

14 Q Okay. You didn't have a gun on you then?

15 A No, sir, went to my house and chill.

16 Q You normally don't need a gun at your house?

17 A Noting was going on with them then.

18 Q You were out in the car smoking weed, and you felt no

19 need to have a gun at your mom's house?

20 A He called me to go outside. We went outside.

21 Q You didn't feel a need to arm yourself is what I'm

22 asking.

23 A Not right then and there.

24 Q Okay. So later in the night after you pick up Artiz

25 and you come to your mother's house, you're hanging out

1 smoking some more weed?

2 A Yes, sir.

3 Q And y'all are drinking some more Patróns?

4 A Yes, sir, a lot more.

5 Q A lot of people are there?

6 A Yes, sir.

7 Q But people you know. You're friends, right?

8 A Yeah. A lot of people there, different people,

9 friends, when they came with people that we knew.

10 Q I thought earlier you testified that y'all were

11 hanging out with a bunch of people who were friends of

12 yours?

13 A When I testified, I said there's a lot beside my

14 house. People will be there sometimes we don't know.

15 It's an open lot.

16 Q Okay. So did you hang out with these people?

17 A There's plenty of people that pulled up. It's by the

18 street. Anybody can pull up.

19 Q Were you hanging out at the lot or your mother's

20 house?

21 A Some people in the lot. Me, Genesis, Artiz and a

22 couple of other friends hung out in my mama's yard.

23 Q Okay. Which is right next door to the lot?

24 A Uh-huh.

25 Q Do those people come over, hang out at your mom's

1 yard, too?

2 A Some stood in the street.

3 Q Standing in the street?

4 A Yes, sir. In the front of my mom's driveway.

5 Q Okay. So what did you do once you got there?

6 A We chill, a lot of people around. We just -- we just

7 kick it.

8 Q Okay. Nothing really out of the ordinary going on?

9 A Not right then and there.

10 Q Okay. At some point, it's Danny. Danny. What's his

11 name?

12 A Danny Sims.

13 Q Okay. And Genesis get into it?

14 A Yes, sir.

15 Q And then you broke it up, right?

16 A Yes, sir.

17 Q And y'all drank and smoked some more?

18 A We end up calmed down. So yes, sir, we end up there.

19 Q And then what time is it?

20 A I can't really tell you. I can't remember the exact

21 time.

22 Q Around about?

23 A About 4:30.

24 Q 4:30. I mean, did it ever occur to you after all

25 this now that maybe it's time to call it a night?

1 A Nobody really was calling it a night. Everybody was
2 still here.

3 Q You didn't feel -- I mean, nothing was so outrageous
4 to you that you felt uncomfortable hanging out with
5 everybody?

6 A No, sir.

7 Q Okay. You weren't scared of everybody?

8 A I wasn't scared of what was going on right then and
9 there.

10 Q And there was a scuffle between Danny and Genesis?

11 A Yes, sir.

12 Q And then there was a scuffle between you and Genesis?

13 A No, sir. Me and him just had words, mushing. I
14 wouldn't call that a scuffle.

15 Q You told -- do you remember you talked with an
16 Investigator Ty Jordan?

17 A Yes, sir.

18 Q And you said there was a scuffle then between you and
19 Genesis?

20 A Genesis? I said it wasn't -- didn't get too bad.

21 Q Okay. Well, there was a scuffle.

22 A Yes, sir.

23 Q Okay. And what's a mush? What is that? You press
24 your hand in somebody's face?

25 A Yes, sir.

1 Q Y'all did that to each other?

2 A Yes, sir.

3 Q And what other kind of scuffle was going on between

4 you and him?

5 A Pushing, shoving.

6 Q Okay. How about then? Isn't it -- I mean, did you

7 ever think like I ain't hanging out with this dude any

8 more tonight?

9 A No, sir.

10 Q Was he drunk?

11 A Yes, sir.

12 Q And now he's pushing on you. I mean, why not -- why

13 not just kind of disengage from Genesis?

14 A That's normal. That's normal for Genesis to want to

15 argue, don't want to stop, we keep friends, about to argue

16 again with him, be back friends.

17 Q So you like hanging out with people who argue a lot?

18 A I'm not a person to judge. He never really got

19 aggressive like that towards me.

20 Q I thought y'all just said you scuffled and pushed

21 hands in each other's faces.

22 A He did worse and did different.

23 Q Say what?

24 A I said he done did worser to me. He did different.

25 Q No, no. Listen, we're talking about Jerod Goodwin's

1 mindset. You're not scared of Genesis?

2 A Not right then and there. Why would I ever if he
3 didn't do nothing to make me scared.

4 Q Okay. So it's normal for you to push each other's
5 faces, right?

6 A Yes, sir.

7 Q That's normal?

8 A That's what we did.

9 Q He's drunk you said.

10 A Yes, sir.

11 Q He's being aggressive you said.

12 A Yes, sir.

13 Q He's putting hands on you, you said.

14 A Yes, sir.

15 Q Why are you still hanging out with the man that
16 night?

17 A Because everything -- we calmed everything down, so
18 all that was over with.

19 Q Okay. And so after that happens and you calm
20 everybody down, you put hands on each other. You have
21 words. You smoke and drink some more?

22 A Yes, sir, before then my mom came back out.

23 Q Okay. And what happened?

24 A I tried to calm everything back down. It didn't calm
25 back down, so that's when my mom came out at that time.

1 That's when everything calmed down.

2 Q Okay. Then y'all smoked and drank some more?

3 A Yes, sir, a little bit more.

4 Q Okay. And then you said Artiz -- now, he says, "I've

5 had enough of this. I'm ready to go home"?

6 A Uh-huh.

7 Q You're not ready to go home even though you are home,

8 right?

9 A Yes, sir.

10 Q You're ready to keep going, right?

11 A Yes, sir.

12 Q Right? Is that what you're saying, yes, sir?

13 A Me and Genesis -- me and Genesis didn't say it was

14 time for us to go to our house. Only Artiz wanted to go

15 home.

16 Q Okay. Well, there's still some of your other friends

17 there hanging out?

18 A It was dying down, so some people were pulling off.

19 People were leaving.

20 Q Okay. Because they were ready to go home.

21 A Yeah.

22 Q But you weren't?

23 A No, sir.

24 Q Why not?

25 A There wasn't a plan to go home right then.

1 Q At 4:30 in the morning?

2 A Yes, sir.

3 Q Okay. What are you wearing?

4 A I think I had on slides, pants. I don't think I had
5 on -- don't think I had a shirt right then and there.

6 Q Because you changed shirts, you said? You're wearing
7 like your club shirt earlier and you go home and change
8 into a different shirt?

9 A Yes, sir. I think I put on a wife beater.

10 Q A wife beater?

11 A Yes, sir.

12 Q And then you knew where Artiz lived. It was out at
13 Garners Ferry, right, because you had just been there
14 earlier in the night. So you knew they were going out
15 there, correct?

16 A Yes, sir.

17 Q Why was that something you needed to do? To ride
18 with him drunk when he had been arguing with you and push
19 you in the face and tussling with you? Why was that
20 something that Jerod Goodwin thought was a good idea to
21 do?

22 A Because we didn't have -- everything was fine. We
23 didn't have no problems with each other. Everything had
24 died down. Nobody had a problem with each other, so why
25 not ride around?

1 Q He just pushed your face. You said he's drunk, and
2 you said he's aggressive. And you said he has a
3 reputation.

4 A He didn't do nothing to me. After that everything
5 was squashed, so there was no problem.

6 Q Okay. But before you left, you said you know what, I
7 think I'm going to go get my gun.

8 A No, I already had it on me.

9 Q When did you --

10 A From pulling it out there.

11 Q When did you put it on you?

12 A When we pulled back up at home.

13 Q The first thing you did was run and get the gun?

14 A No. I told him I had to go get dressed. I had to
15 get out of what I was wearing.

16 Q Why did you get the gun then?

17 A Because where we were standing at, anything we did --
18 which I did after I come home after the club. So I did
19 take precautions, you know. Shots came out of nowhere.

20 Q Well, my point earlier, that didn't seem to bother
21 you, though, because you wanted to party more when shots
22 went off at the club.

23 A Not at the same club. Shots came back this way, so
24 why was he scared to go to another club?

25 Q I'm not talking about the clubs. I'm talking about

1 when you get home, why do you decide to arm yourself with
2 a gun?

3 A We are in a rough neighborhood in the middle of the
4 night. Anything is bound to go on.

5 Q That's what I'm getting at earlier because you and
6 Genesis are sitting out in the car smoking weed at your
7 mom's house, and you didn't feel the need to arm yourself
8 then?

9 A Genesis was already armed.

10 Q What happened to that gun? How come we don't have
11 that gun?

12 A I don't know.

13 Q Okay. We don't have the gun.

14 A I don't know. Do y'all?

15 Q Did you take it?

16 A No, sir.

17 Q Because you ended up stealing his car, so was the gun
18 in there and then you got rid of it? What did you do with
19 it?

20 A No, sir.

21 Q Because he didn't have a gun, did he?

22 A He did.

23 Q He did.

24 A Yes, sir.

25 Q Okay. What did the gun look like?

1 A It was a black -- I think it was a Colt four-five, D
2 cock on the back.

3 Q What's a D cock?

4 A The gun that you had earlier, that you was using
5 earlier, it looks like that.

6 Q Okay. A D cock is what you call it?

7 A I guess that's what it's called.

8 Q Where did you learn that term?

9 A I guess that's what it's called.

10 Q You guess that's what it's called?

11 A Yes, sir.

12 Q And what does a Colt .45 look like?

13 A Man, I can't really tell you.

14 Q How did you -- why did you just say it's a Colt .45
15 if you can't tell?

16 A That's what I -- most of the guns are D cock like
17 that.

18 Q Okay. But you were absolutely sure he had a gun?

19 A Yes, sir, I'm positive.

20 Q Tell me what it looked like.

21 A It was all black.

22 Q Where did he keep it?

23 A In his waistline.

24 Q He kept it in his waistline. Okay. So he went to
25 the club with a gun in his waistline?

1 A He didn't have a gun on him, on his person, when we
2 went to the club.

3 Q He was going to take it to the club with him?

4 A No.

5 Q You were going to try to get in the club, right?

6 A Right. He didn't have it on him when we went into
7 the club.

8 Q He didn't?

9 A I told you he had on his person when we went into the
10 club. When we got out of the car to go inside the club,
11 he didn't have it on him.

12 Q What did he do with it?

13 A I guess he left it in the car.

14 Q Okay. So you were 100 percent positive Genesis had a
15 gun on him that night.

16 A Positive.

17 Q Okay. So tell me why you felt the need to arm
18 yourself if you're just telling us that he had a gun so
19 you didn't need to arm yourself.

20 A It was earlier that day.

21 Q What changes between earlier that day and that night?

22 A It's daytime and then it's nighttime.

23 Q Earlier in the day you said, "I didn't need a gun
24 because Genesis had his."

25 A Okay.

1 Q Follow my logic. He still has the gun later, so why
2 do you -- maybe two guns are better than one, huh? Is
3 that what you're saying?

4 A Can you repeat that?

5 Q Well, help me understand. Everybody wants to know
6 why did you arm yourself when you get in the car with
7 Genesis --

8 MS. EIGENBROT: Your Honor, I'm going to object at
9 this time. I think he has done his best to answer that
10 question. I think we need to move forward.

11 THE COURT: I agree. Sustained.

12 BY MR. SCOTT:

13 Q Armed yourself in the car before you take Artiz home.
14 You were armed, correct?

15 A Yes, sir.

16 Q Okay. And you're not supposed to have a gun, right?

17 A No, sir.

18 Q No. And you don't have a Concealed Weapons Permit?

19 A No, sir.

20 Q Okay. And where did you get the gun?

21 A I bought it from a friend.

22 Q And what's that friend's name?

23 A I really don't know. I can't remember. It's a
24 little minute ago.

25 Q How much did you pay for it?

1 A Like 250, 300.

2 Q But you don't remember who you got it from?

3 A No, sir. It was a minute ago.

4 Q A minute. How long is a minute ago?

5 A A minute ago.

6 Q How long have you had that gun?

7 A Three years from then so I...

8 Q How long did you have it when this happened?

9 A I can't remember. I can't recall.

10 Q Okay. And we don't know who you got it from?

11 A No, sir.

12 Q And you're driving with a guy who has already tussled

13 with you, already mushed your face. He says he has a gun.

14 He's drunk and he has got a reputation for violence,

15 right?

16 A Yes, sir.

17 Q Okay. You see where I'm going here. Does this sound

18 like a good mix? You're armed. He's armed. He's drunk.

19 Y'all are fighting. Does that sound like a good idea?

20 A Not fighting, no fight. An argument had been going

21 on. Once we got in the car to take Artiz home, everything

22 was calm. Last minute plans was going about. So that's

23 what was going on.

24 Q Then you get to Citgo, right?

25 A Uh-huh.

1 Q And then -- you say he's hyped again?

2 A Yes, sir.

3 Q Why not just say, "I'm staying here, man. Y'all let
4 me out at Citgo. I thought it was cool. I gave you
5 chance after chance after chance, but apparently it ain't
6 cool. I'm staying here. I'm going to catch a ride"?

7 A Why would I get out at the store with a gun on me at
8 6:30, five o'clock in the morning?

9 Q I don't know. You don't go into stores with guns in
10 your waist?

11 A But you just said get dropped off at the store, me
12 stay here and then somebody come. I'm supposed to just
13 get dropped off, be stranded?

14 Q Why did you get in the car in the first place, man?
15 That's what I'm trying to get at.

16 MS. EIGENBROT: I'm going to object to badgering at
17 this point.

18 THE COURT: Overruled.

19 THE WITNESS: Because...

20 BY MR. SCOTT:

21 Q Help it make sense.

22 A There's no problem between me and him so...

23 Q Mushing somebody's face ain't a problem with you?
24 Calling somebody a bitch isn't a problem with you?

25 MS. EIGENBROT: Your Honor, can we approach?

1 THE WITNESS: Everything is squashed. It's no
2 problem.

3 BY MR. SCOTT:

4 Q Okay. So it's squashed, and it gets back to going
5 again, right?

6 A As I'm already in the car.

7 Q Yeah, at the store at Citgo.

8 A Almost 15, 20 minutes away from my house.

9 Q You thought it was a good idea to ride with him,
10 right?

11 A Yeah.

12 Q He's arguing again, okay.

13 A Okay.

14 Q Would it have been out of just the realm of
15 possibility for you to say, "This dude has got a gun.
16 He's arguing again. We're about to drop this dude off.
17 We are going 20 minutes from my house. I don't want
18 this"? Just extricate yourself from this situation.
19 Couldn't you have done that?

20 A The problem with me getting in the car, nobody said
21 nothing. They could have turned the car around if there's
22 a problem. Nobody tried to turn the car around. Nobody
23 tried to kill, no problems, none of that.

24 Q That's what I'm trying to figure. We don't
25 understand why you got in the car, period, because you

1 never said anybody invited you in. You said they were
2 taking Artiz home, and you jumped in the back.

3 A It was no problem with me getting inside the car.
4 When I got in the car -- when I got inside the car,
5 Genesis exact words to me was "You my son."

6 We laughed. I said it back to him. That lets you
7 know there was no problem between me and Genesis. There
8 was no problem between me and Artiz. Nobody said, "Get
9 the fuck out of the car at the house." It was no problem
10 with me getting.

11 Q But the Citgo gets to be a problem again, right?

12 A Yeah. Ten or 15 minutes after I had gotten in the
13 car.

14 Q Where is that Citgo?

15 A Down Leesburg almost five minutes away from his
16 house.

17 Q Have you ever hear of Uber?

18 A Yeah.

19 Q Ever heard of a taxi?

20 A Yeah.

21 Q You have two cell phones, right? Okay. "Let me off
22 at the Citgo. I'm catching a ride. I'm not hanging out
23 with you two"?

24 A In the mix of that, I was texting people.

25 Q Okay. But you didn't get out of car? So you weren't

1 scared. You're not scared of this guy, 5'7", 150 pounds
2 Genesis Williams, are you?

3 A Why would I be scared if he's just talking right then
4 and there?

5 Q Okay. But he's arguing with you again?

6 A Okay.

7 Q But you don't -- it doesn't bother you?

8 A We don't have to argue.

9 Q So they continue on to Artiz's house, and the arguing
10 continues, right? Correct?

11 A Yes, sir.

12 Q All right. Because he's arguing before the Citgo.
13 He gets in the car after the Citgo. He's still jawing
14 with you, right?

15 A Uh-huh.

16 Q But you don't think to get out. Y'all continue
17 driving, and apparently, it was so loud that Artiz said,
18 "I don't want y'all in my mom's driveway"?

19 A No.

20 Q Correct me. What happened?

21 A He never really said none of that.

22 Q He said it yesterday.

23 A Yesterday.

24 Q That's why y'all were so loud, he didn't want y'all
25 in his mom's driveway.

1 A I don't think that was this case.

2 Q You don't?

3 A No, sir, because if you didn't want us to come to
4 your mom's, why not get dropped off in your entrance or
5 wait until we get two houses down the street.

6 Q Top of the road, you said your mom. You had to tell
7 your mom you were going to calm people down. Apparently
8 he didn't want his mom hearing you two either, right?

9 A He said he was going to walk, jump out of the car,
10 never even tried to walk home.

11 Q Well, listen. You killed Genesis Williams at the top
12 of his street, right?

13 A I defended myself.

14 Q You killed Genesis Williams, right?

15 A I defended myself at the top of the street.

16 Q Do you have a problem saying you killed Genesis
17 Williams?

18 A Well...

19 Q He's dead, right?

20 A I defended myself.

21 Q He's dead, right?

22 A He's passed. He's no longer with us.

23 Q You killed him.

24 A I defended myself.

25 Q Do you have a problem saying that you killed a man?

1 MS. EIGENBROT: Your Honor, I --

2 THE WITNESS: Do you have a problem with me saying --

3 MS. EIGENBROT: -- object at this point.

4 THE WITNESS: I don't want to say that.

5 THE COURT: Sustained. Let's leave it alone. Move
6 on, Mr. Scott.

7 BY MR. SCOTT:

8 Q Genesis Williams was shot at top of the street that
9 Artiz Gibson Adeyinka lived at.

10 A Yes, sir.

11 Q Okay. Because Adeyinka got out of the car a whole
12 block from his house, the top of his street, right?
13 Right?

14 A It was almost -- it was almost two, three houses down
15 from me.

16 Q And that's a dead end, right?

17 A Uh-huh.

18 Q There's his house. There's where you killed Genesis
19 Williams.

20 A Well, I defended myself there.

21 Q Okay. Well, you said it was an accident before. Now
22 you're saying it's defense. I want to get to that.

23 A It was an accident. We have a passing.

24 Q So it --

25 A An accident is an accident. We have a passing.

1 Q Okay. It happened at the top of his street. He
2 lives all the way down here, so whether you disagree with
3 why he got out, the fact is he stopped the car there.

4 MS. EIGENBROT: Objection to the narrative.

5 THE COURT: Overruled. Ask it -- I mean, ask a
6 question.

7 BY MR. SCOTT:

8 Q He got out right there, correct?

9 A He got out because he wanted to. Genesis directed
10 him to stop the car.

11 Q Okay. You testified earlier, you said he stopped
12 there, and he got out. Genesis told you to get out, and
13 that wasn't your car, right?

14 A No, sir.

15 Q The Chrysler, I mean do you have any paperwork for
16 the car? Have you ever been given permission by the owner
17 to use the car or anything like that?

18 A No, sir.

19 Q Okay. So you have no right to be in there, do you?

20 A No, sir, but somebody did give permission to have the
21 car. That's why it's there.

22 Q Let me ask you this: Do you think if I invite you to
23 my house, I can't ever tell you to leave?

24 A No.

25 Q Okay. If I invite you to ride in my car, you don't

1 think I can ever tell you to get out?

2 A No, sir.

3 Q So that's how -- I mean, that's the way it works. If
4 somebody has the right to something, you're a guest. They
5 no longer want you on their property, you understand you
6 can't tell them, "No. I'm not getting out"?

7 A Can you put your hands on them physically? Can you
8 pull them out? Tug them out?

9 Q Yes.

10 A You can?

11 MS. EIGENBROT: Objection, Your Honor.

12 MR. SCOTT: He asked me.

13 THE COURT: Overruled.

14 BY MR. SCOTT:

15 Q Yes, you can. So if you're in my house and you won't
16 leave, I'm going to grab you and pull you out. Do you
17 understand? You'd do that to me, wouldn't you?

18 A (Indicates in the negative).

19 Q If I was in your house and I wouldn't leave, you
20 wouldn't make me leave?

21 A I would tell you to get out.

22 Q Okay. What if I wouldn't? What if I said no? What
23 if I kept coming back after you pushed me out the door?
24 What would you do?

25 A Then you would have to be forced out.

1 Q Huh?

2 A You would have to be forced out.

3 Q I just live with you?

4 A No. I said you would have to be forced out.

5 Q Okay. How would you force me out?

6 A Push you out.

7 Q Okay. And isn't that what he was trying to do with

8 you?

9 A I don't think so.

10 Q You just testified he was tugging on you?

11 A There's ways to go out.

12 Q Okay. He tried to tell you to get out, but that

13 didn't work, right?

14 A He didn't give me time to get out of the car before

15 he began to tug me.

16 Q You said he comes over to the passenger's side, tells

17 you to get out.

18 A No.

19 Q You would get out, right?

20 A No, sir. I'm in the driver backseat.

21 Q Yeah. He tells you to get out. You wouldn't get

22 out?

23 A No, sir.

24 Q Okay. He's trying to push you or pull you from the

25 passenger's side, right? That's what you testified to,

1 right?

2 A No, sir.

3 Q You still wouldn't get out. Okay. Then he has to

4 come around to your side, and does he open the door or do

5 you?

6 A He does.

7 Q Okay. "Get out", 5'7", 5'7", 150-pound Genesis, "Get

8 out Jerod," 240 pounds?

9 A Not then.

10 Q Huh?

11 A Not then. I'm 230 now.

12 Q Are you bigger or smaller now?

13 A I'm bigger.

14 Q Okay. "Get out, get out." You wouldn't get out,

15 right?

16 A No, sir.

17 Q Why not?

18 A I'm in a neighborhood I don't know nothing about the

19 gun. It's not smart for me to just get out.

20 Q Why not?

21 A Police can come or anybody can. I'm far away from

22 home, really. Couldn't just get out of car.

23 Q Just like you didn't want to get out at the Citgo?

24 A Get out at the Citgo? No, I didn't.

25 Q So at this point, I guess the gun is in your waist.

1 You're sitting down like you were showing me earlier with
2 the digging into your hip, and you keep it on the right?
3 A Yes, sir.
4 Q And you keep a bullet in the chamber, okay? Right?
5 A Yes, sir.
6 Q You got out of the car, what, three or four times; is
7 that right?
8 A Yes, sir.
9 Q And when you're out of the car, can't you just walk
10 away and say, "This has gone too far. This dude has got a
11 gun." You said he had a gun, right?
12 A I didn't see it personally right then and there.
13 Q But you knew he had a gun. You testified to that
14 earlier.
15 A Yes, sir.
16 Q Okay. Isn't now the time to say, "This dude is out
17 of control. I'm done"?
18 A That was already for me asking could he take me home,
19 telling Artiz to drive me home.
20 Q But nobody wanted to, did they? They wanted you out
21 of the car, and you were out of car three or four times?
22 A Right.
23 Q But you kept jumping back in, right?
24 A Yes, sir.
25 Q You had an opportunity to leave, correct?

1 A Yes, sir.

2 Q Okay. But you didn't?

3 A No, sir.

4 Q And then you get out of the car. "You think I'm
5 playing? You think I'm playing" and you shot him?

6 A No.

7 Q You didn't shoot him?

8 A I didn't say I did. It didn't go like that.

9 Q How did it do?

10 A As he went for my gun, that's when I shot him.

11 Q Okay.

12 A And the struggle of him getting -- the struggle of me
13 getting him off my gun, that's when I shot him.

14 Q The struggle for getting your gun, and you got out
15 and shot him?

16 A A mix of him going for my gun, and me trying to fight
17 him off. That's where shots were when it came about.

18 Q But you were outside the car when you shot him?

19 A No. I was getting outside the car when shots came
20 out.

21 Q So you were getting outside of the car. What does
22 that mean? You were outside of the car?

23 A My foot went out there, my whole body went out.

24 Q You said you have one foot out and you're shooting?

25 A I'm trying to get him off of me. That's when shots

1 came.

2 Q You pulled the gun out of your waistband and shoot
3 him?

4 A I had -- yes, sir.

5 Q Okay. So you're fighting him. You're digging in
6 your pants at the same time, and then you step out and
7 shoot him?

8 A Me and him are fighting for possession of the gun.

9 Q Okay. And if you're sitting right here, the gun is
10 over here, right, because you're on your right side. It
11 says -- is he reaching over your body trying to grab it?

12 A He's reaching around me.

13 Q Okay. But you have it tucked in your underwear,
14 right?

15 A As far as the gun, came out.

16 Q Okay. And how quick did you do it? Did you just
17 pull it and shoot it right there?

18 A No, sir. It's a tussle, struggle.

19 Q I'm apparently not doing a good job of describing
20 this. Tell us step by step what happened.

21 MS. EIGENBROT: Your Honor, I'm going to object at
22 this point. He's answered the question.

23 THE COURT: Overruled.

24 BY MR. SCOTT:

25 Q Okay. Because we know you shot him in the back six

1 inches or less away. Tell me how. Was that the first
2 shot?

3 A I can't tell you. I got out.

4 Q When you step out of the car, you shoot him right
5 here in the back first?

6 A Not really to the back, to the side.

7 Q Okay. Well, it went from back to front. You heard
8 the pathologist.

9 A Yeah, it's the side.

10 Q Okay.

11 A It's going to --

12 Q Okay.

13 THE COURT: Hold on. I need him to speak into the
14 microphone.

15 THE WITNESS: Okay. I said -- I said it was off to
16 the side. It wasn't really the back like you're trying to
17 make it seem.

18 BY MR. SCOTT:

19 Q You disagree with the pathologist? You said it went
20 from back to front?

21 A Yeah.

22 Q You do?

23 A No.

24 Q Okay. Well, he testified it went from --

25 (An alarm goes off).

1 -- back to front, and it's six inches or less away?

2 A Yes.

3 Q That was probably the first shot, right?

4 A Everything else was real close.

5 THE COURT: Let's pause here, because you know,
6 everybody's attention goes to the device including the
7 jury, which is the problem, as I mentioned earlier.
8 Silence your cellphones, watches, tablets, anything that
9 you have got.

10 Proceed, Mr. Scott.

11 MR. SCOTT: Thank you, Your Honor.

12 BY MR. SCOTT:

13 Q All right. So it's actually his left hip. That was
14 from six inches or less away. So that was probably the
15 first one right, correct?

16 A Yes, sir.

17 Q Okay. And then because these other ones are farther
18 than six inches when you're hitting them here, so when you
19 shot him in the back, maybe he --

20 MS. EIGENBROT: Your Honor --

21 MR. SCOTT: -- moved away from you?

22 MS. EIGENBROT: -- I'm going to object to the
23 mischaracterization. He said it was in his side.

24 THE COURT: Sustained.

25

1 BY MR. SCOTT:

2 Q Okay. When you shot him from the back to the front,
3 right? This one right here, that went from the back to
4 the front. You heard the pathologist, right?

5 A I heard what he said.

6 Q Did you think that was the first shot?

7 A I can't tell. I don't have any specialty. I can't
8 tell you if it was the first shot. I can't tell.

9 Q That was the one that -- were the other ones, you
10 were six inches or less away when you shot him?

11 A I can't tell exactly. All shots were close.

12 Q Okay. Help us figure out. The one that went from
13 back to front, how did that happen? Do you remember him
14 -- was he running from you or what?

15 A No, it was at his side, turned right. The first shot
16 came from the struggle of me trying to get him off of me.

17 Q Show me how it works. I'm grabbing, I'm trying to
18 get that gun from you. Come on, man.

19 MS. EIGENBROT: Your Honor, may we approach?

20 THE COURT: Yes.

21 (There was a bench conference in the presence of the
22 jury but out of the hearing of the jury.)

23 Okay. All right. Move on, Mr. Scott.

24 BY MR. SCOTT:

25 Q Do you remember he's reaching over. He's trying to

1 grab it. You're struggling when you pull it. Does he
2 fall immediately after that first shot?

3 A No, sir.

4 Q Did he run?

5 A No, sir.

6 Q What did he do?

7 A It was so fast. All three came immediately.

8 Q Bam, bam, bam?

9 A Yes, sir.

10 Q Okay. But you thought it was only two. You keep it
11 on safety?

12 A No, sir. I don't think Glocks have safety.

13 Q They don't?

14 A No, sir.

15 Q You keep that hanging down in your crotch with no
16 safety on it and a bullet in the chamber? Do you sit on
17 it?

18 A Yes, sir.

19 Q Does that seem dangerous to you?

20 A Yes, sir.

21 Q But that's what you do.

22 A Yes, sir.

23 Q But he's dead -- I mean, not dead yet. He's fatally
24 wounded, correct?

25 A All I know, to my knowledge, he was hit in a minute,

1 at that time.

2 Q Okay. And then you didn't render aid. You didn't
3 render any medical aid, right?

4 A I tried to take him to the hospital.

5 Q How did you try to take him to the hospital? Help me
6 understand that.

7 A Well, the car was stopped.

8 Q You pulled the car up beside him?

9 A Oh, I pulled up beside him, opened the door and told
10 him to put him inside the car.

11 Q Okay. You turned around to help him out?

12 A Uh-huh.

13 Q Okay. And Adeyinka said he was too heavy, right?

14 A Sir?

15 Q So did you get out to help him?

16 A No, sir.

17 Q You left him to die, right?

18 A I think about that every day. I wish I would have
19 did something different.

20 Q Well, it's done. I could have, would have, should
21 have. Maybe I should have stated at Greene Street.

22 MS. EIGENBROT: Objection. Your Honor.

23 THE COURT: Sustained. Save your commentary for
24 closing arguments.

25

1 BY MR. SCOTT:

2 Q Shoot him. Then you go up. You go all the way down

3 here, but then you go uh-oh, that's a dead end.

4 A I knew it was a dead end.

5 Q Then you had to turn around.

6 A I knew it was a dead end.

7 Q Okay. Come down here. You didn't pick him up out of

8 the goodness of your heart. You turned around. You had

9 to. Artiz is saying, "He's too heavy. I can't get him

10 in." Did you wave at him as you sped off or what did you

11 do?

12 A No, sir. I stopped the car and told him again,

13 "Genesis, get up. Genesis, get up".

14 Q Right. Artiz is saying, "He's too heavy. He's too

15 heavy." That means, "Come help me man," right?

16 A Yes, sir.

17 Q And you didn't?

18 A I didn't think about that right there.

19 Q Right.

20 A I couldn't help him right then.

21 Q You couldn't help him?

22 A No, sir.

23 Q Well, you heard the doctor say if he had gotten to

24 the hospital in time, he could have survived his injuries?

25 A If Artiz had put him in the car, I would have drove

1 him to the hospital.

2 Q Do you remember when you talk to the sheriff's
3 deputies and you told them when you stopped Artiz said,
4 "He's too heavy. He's too heavy." Why didn't you get out
5 and help unburden the load, man? Help Artiz out. Let's
6 get my best friend in the car. Why didn't you do that?

7 A I panicked, didn't know.

8 Q You didn't know to seek medical attention for a guy
9 you shot three times?

10 A No, I didn't think about that.

11 Q You didn't think about that?

12 A It happened too fast. That's what I'm saying.

13 Q You did think I'm going to take that car and ditch
14 it, correct?

15 A No, sir.

16 Q Correct?

17 A No, sir.

18 Q You didn't ditch the car?

19 A I left it where it could be found.

20 Q You even backed it into a spot. That's a good way to
21 keep law enforcement from using the tag readers.

22 MS. EIGENBROT: Objection, Your Honor.

23 THE COURT: Overruled.

24 BY MR. SCOTT:

25 Q Correct? Now, listen, you said you're not thinking

1 straight. You had the presence of mind to take this car
2 to the apartment complex. You don't know anybody in that
3 apartment complex, right? How did you find that apartment
4 complex?

5 A I used to stay off the northeast side, so I did know
6 about them apartments.

7 Q So you thought, "I know a good place to leave this
8 car," right?

9 A I just know that I was already on the Decker Side
10 going to my friend. I just left the car right then.

11 Q Okay. What friend's house were you going to?

12 A My friend Joseph Jacobs.

13 Q Did he pick you up from the apartment?

14 A Yes, sir.

15 Q Okay. Did you tell him what you had done?

16 A Yes, sir.

17 Q You said, "I just killed a man. Come get me"?

18 A I told him I just defended myself.

19 Q Okay. And then, of course, he said, "Let's go in,
20 man. Let's tell our side of the story"?

21 A No, sir.

22 Q No?

23 A He asked me -- told me to call a lawyer. That's when
24 he came by that morning.

25 Q Who was that lawyer?

1 A I can't remember her name.

2 Q How did you get -- well, how did you get the name to
3 begin with?

4 A A friend pointed me in her direction.

5 Q You don't remember the lawyer you talked to?

6 A No, sir.

7 Q You don't remember how you got the phone number or
8 anything?

9 A I got from it my cousin.

10 Q Did the lawyer suggest you go hide out somewhere?

11 A She told me -- I told her what was going on. She
12 told me in the mix of that I didn't have a warrant and
13 wasn't a person of interest, so just lay low until she
14 finds something out or I do have a warrant.

15 Q Did you ever talk to the lawyer again?

16 A No, sir.

17 Q You never thought -- you found out he died later that
18 day, right?

19 A Yes, sir.

20 Q What inspired you to back the car into the spot? I
21 heard the detective say that yesterday that he found a car
22 backed into the spot.

23 A I just pulled in.

24 Q Huh?

25 A I just pulled in right then.

1 Q Is that how you normally pull into a parking spot?

2 A I wasn't thinking about that. That's just how I

3 parked the car.

4 Q Okay. So this happens out Garners Ferry, and then

5 you drive straight to Decker. Do you remember how long it

6 took you to get to the address on Decker?

7 A No, sir.

8 Q Okay. Why not go home?

9 A I did go first.

10 Q You did go home first?

11 A Yes, sir.

12 Q Did you tell your mother what you did?

13 A I called her. She wasn't home when I got there, so I

14 called her.

15 Q Okay. So you went home and changed?

16 A I just really got myself together.

17 Q Did you change?

18 A Yes, sir.

19 Q Okay. Why did you do that?

20 A That was the truth, really didn't change everything I

21 had on. I just really put shoes on.

22 Q Earlier you said you changed clothes. Why did you do

23 that?

24 A I told you I changed clothes coming to the club.

25 Q When you went back after killing Genesis Williams to

1 your mother's house, you changed your clothes?

2 A I had the slides on. I had my shirt on, had to put
3 some shoes on.

4 Q You said you were wearing a wife beater. You put a
5 different shirt on top of that?

6 A I just took it off.

7 Q You took the wife beater off and put on a different
8 shirt, put some shoes on. What inspired you to do that?

9 A In the morning time I didn't get a chance to.

10 Q Okay. Greene Street is where you live at the time.
11 Why not stay there that night?

12 A Why would I?

13 Q Because that's your home. That's where I stay is my
14 home.

15 A Same day my home was broke into. Threats were made.
16 I didn't want to be home like that.

17 Q When you went there your house, it had already been
18 broken into?

19 A (Indicating in the negative).

20 Q Okay. Why didn't you stay there when you went there?

21 A Because I already knew what was going on, so I didn't
22 want to stay there.

23 Q What did you know was going on?

24 A I had to shoot a man.

25 Q Huh?

1 A I had to shoot a man.

2 Q So you knew you probably needed to be on the move,
3 and you needed to get rid of that car, correct?

4 A Yeah.

5 Q You didn't think you needed to get rid of the car?
6 Why not take it to your mom's?

7 A The car was parked at my mom's house.

8 Q Why not take to it Joe Jacob's house on Decker
9 Boulevard? Why leave it in the parking lot?

10 A I didn't want to take the car. I left it somewhere
11 for it to be found.

12 Q Why?

13 A Because it's not my car. I didn't want to take it.
14 I didn't do anything to it. I just left the keys in
15 there, car open.

16 Q Okay. You didn't want to be attached to the car
17 though, right? You didn't want to be caught with a stolen
18 car, did you?

19 A No.

20 Q No.

21 A No, sir; no.

22 Q And you went to your friend's house. Did you stay
23 there that night?

24 A Yes, sir.

25 Q Okay. And did it ever occur to you at any point, "I

1 need to call law enforcement and tell them what happened"?

2 A It did.

3 Q Did you make any attempt to do that?

4 A No, sir.

5 Q All right. At what point did you decide to go into
6 Lexington County and stay at your cousin's house?

7 A A couple days after.

8 Q A couple days. So you stayed at Joseph's house on
9 Decker for two days, and then did he make you leave or did
10 you decide it's getting hot over here?

11 A I just wanted to go somewhere I felt comfortable and
12 safe at.

13 Q Okay. And you decided Lexington County at your
14 cousin's house?

15 A Yes, sir.

16 Q Okay. And did you stay there the next three months?

17 A Yes, sir.

18 Q Did you have to periodically go to Greene Street to
19 get clothes and other items?

20 A No, sir.

21 Q Did you buy a whole new set of clothes, or how did
22 that work?

23 A No, sir. I always stayed with my Auntie. I never
24 stayed with my mom, so clothes are already there.

25 Q You told law enforcement your address was the Greene

1 Street address?

2 A I always stayed with my Auntie. Like I was always
3 was able to have a room at my Auntie's house, so clothes
4 and stuff was already there.

5 Q Okay. So you keep clothes at Greene Street and
6 Hidden Valley?

7 A Yeah.

8 Q Okay. So you had two homes, I guess.

9 A It's just another place I feel safe or would like to
10 lay.

11 Q Okay. So during the rest of the month of August,
12 August 15th to the end of the month, how many times did
13 you attempt to call law enforcement to talk about
14 self-defense?

15 A (There was no response.)

16 Q All right. What about September, all through
17 September? How many times did you go in and say, "Let me
18 tell you what happened here"?

19 A None, sir.

20 Q Okay. How about October?

21 A None, sir.

22 Q Okay. And you knew the man died that day, and you
23 didn't think that was something that you needed to come
24 and talk about ever? That never occurred to you?

25 A It did. It did occur to me. I just was scared. I

1 didn't know what to do. I didn't know how to go about the
2 situation.

3 Q You don't know how to call 9-1-1 or dispatch or walk
4 into the sheriff's department?

5 A I mean, I do know how to do that, but I'm saying I
6 didn't know what was going to go on, all that stuff.
7 That's what I was scared of the outcome of what would have
8 went on.

9 Q Did you think maybe you had gotten away with it?
10 Maybe they didn't know who you were?

11 A No, sir.

12 Q So you were just kind of waiting for them to come get
13 you?

14 A No, sir. I didn't say that.

15 Q Okay. Well, why not go to Greene Street? That's
16 where they were looking for you at, right?

17 A Because that's where people know to come find me at,
18 other people.

19 Q You just left your mom there though?

20 A No, she left. She had problems of her own.

21 Q Okay. Did y'all file police reports about the house
22 being like in danger or anything like that?

23 A I don't know if my mom did.

24 Q Did you?

25 A No, sir.

1 Q So you really weren't worried?

2 A I was but...

3 Q You didn't do anything about it?

4 A My mom was, so I think she did.

5 Q Okay. And so what you testified earlier, you told

6 your girlfriend it was an accident.

7 A Yes, sir.

8 Q So you didn't mean to shoot?

9 A No. I said it was an accident with him passing, not

10 me shooting.

11 Q How is it an accident him passing? I mean, you fired

12 three bullets into a person?

13 A I didn't shoot to kill him. I wanted just to defend

14 myself and get him off of me.

15 Q Okay. You don't think you could have taken Genesis

16 being 250 pounds six foot -- just under 6-foot tall and

17 him 5'7", 150?

18 A If you look at a gun, a gun doesn't have a weight on

19 it or a size or anything.

20 Q You're the one that has got it in your pants. He

21 never had it?

22 A So if he was able to get it, it doesn't have a size

23 or weigh or anything on there.

24 Q But he never got it?

25 A He could have got it. He would fight to get it.

1 Q So is that how you work? Could have? That's how you
2 operate, like it could have happened, so I just -- I'm
3 going to kill him so I don't have to even think about it?

4 A He could have got my gun.

5 Q How do you know?

6 A It was inevitable.

7 MS. EIGENBROT: Your Honor.

8 THE WITNESS: I can't --

9 BY MR. SCOTT:

10 Q That's what I said, how do you know he was going
11 to --

12 MS. EIGENBROT: I'm going to object to this. He's
13 answered the question.

14 THE COURT: Sustained.

15 BY MR. SCOTT:

16 Q You never said, "Give me the gun", right?

17 A No, sir.

18 Q Okay. And you never thought this dude is drunk, you
19 know. A stiff breeze will blow him over. You couldn't
20 have done that, huh?

21 A No way.

22 Q You had to kill him?

23 A He wasn't that drunk.

24 Q He wasn't drunk?

25 A He wasn't that drunk, so if it pushed him, he

1 wouldn't have fell or anything like that.

2 Q Okay. So you're taking --

3 A You're saying --

4 Q I'm sorry, go ahead. I don't mean to interrupt you.

5 A Go ahead. You finish.

6 Q You're saying he wasn't drunk?

7 A I said he wasn't that drunk.

8 Q Okay. Okay. So what the toxicologist said earlier

9 we can do away with all that?

10 A You just said you don't think that if I would have

11 pushed him over, he would have fell. I said I don't think

12 he was that drunk that if I had pushed him over he would

13 have fell.

14 Q Okay. I'm with you. That makes sense. Clearly, you

15 had a great size advantage over him, right?

16 A Yes, sir.

17 Q All right.

18 A Now I say.

19 Q I mean, 215 pounds back then; is that right?

20 A Uh-huh.

21 Q So you had 65 pounds on the man and two or three

22 inches on him, but you had to shoot him. That's what your

23 testimony is?

24 A I just told you, I just said at the beginning if he

25 was to get my gun, my gun doesn't have a size or weight,

1 so there's no telling what would have happened if he got
2 the gun.

3 Q Well, a gun does have a size and a weight.

4 A I'm just saying -- you're saying you just said I
5 couldn't take him being littler than me, but if he was to
6 get the gun, that means it would have made him bigger than
7 me because of a gun.

8 Q The point is this, you're saying he could have had
9 the gun, but you had the gun, right?

10 A He was fighting to get the gun.

11 Q That's what you assume.

12 A That's what I know.

13 Q You know that how?

14 A His hands was on my gun. He went for it two times.

15 Q You don't think him tussling, he's trying to pull you
16 out of the car. You don't think that could have been
17 inadvertent, did a waist check as you call it?

18 A No, because my gun is all the way over here. So why
19 would you even touch it two times?

20 Q You said he has his hands all over you. He's trying
21 to get you out of the car, and you won't get out.

22 A Such as you went for it. You just grabbed for the
23 gun the first time.

24 Q That's not what you said. You said he was pulling on
25 you, pulling on you.

1 A Okay.

2 Q Okay. You thought he did a waist check.

3 A I didn't say I think he did a waist check. I know he

4 did a waist check.

5 Q And he hit the gun?

6 A Yes, sir.

7 Q How could that have been inadvertent like he's trying

8 to grab you out? That would be inadvertent?

9 A No.

10 Q Okay. He accidentally touched the gun, but he's trying

11 to pull you out. Is that out of the realm of possibly to

12 you?

13 A Not the way that he touched me, grabbed it, no.

14 Q Okay. But he's trying to pull you out, could have

15 accidentally hit the gun. You just assume he's trying to

16 take it from you; is that right?

17 A Yes, sir.

18 Q So you've been drinking all night Patrón. You

19 polished off the bottle, right?

20 A Yes, sir.

21 Q Correct?

22 A Yes, sir.

23 Q Been smoking weed pretty much since 8:30, right?

24 A We started drinking a little bit later than that.

25 Q No, smoking weed at 8:30 because that's when y'all

1 are in the car chilling?

2 A Yes, sir.

3 Q Okay. Been in multiple arguments, seen multiple
4 arguments, right? Armed with a gun, correct?

5 A Yes, sir.

6 Q And you don't have a holster. You have it tucked in
7 your pants. You know you're not supposed to have a gun on
8 you?

9 A No, sir.

10 Q Okay. Isn't this all just a recipe for disaster?

11 A Not that I -- I wouldn't think that it might be or
12 anything like that.

13 Q Isn't it -- I mean, just looking at everything that
14 you put yourself in, isn't it just a recipe for disaster?

15 MS. EIGENBROT: Your Honor, he's answered the
16 question.

17 THE WITNESS: Again, I wouldn't think --

18 THE COURT: Sustained.

19 Hold on, wait.

20 That objection is sustained. Ask a new question,

21 Mr. Scott.

22 BY MR. SCOTT:

23 Q Do you think you handled that night everything the
24 right way?

25 A No, sir. It's just things that I wish I would have

1 did different that night. There's things that I still
2 think about I wish I would have did.

3 Q Well, think this and correct me if I'm wrong, Genesis
4 Williams would still be alive had you not illegally armed
5 yourself that night, correct?

6 A Say it again. If I didn't have the gun?

7 Q If you had not illegally armed yourself with that
8 pistol that night --

9 MS. EIGENBROT: Your Honor, I'm going to object.
10 This is a legal conclusion he could not testify to.

11 THE COURT: Overruled.

12 BY MR. SCOTT:

13 Q If you had not armed yourself before you got in the
14 car, Artiz is trying to get home, you would not have done
15 that. Genesis Williams would still be alive today?

16 A I guess.

17 Q You guess?

18 A Yes, sir.

19 MR. SCOTT: Thank you.

20 Nothing further, Your Honor.

21 THE COURT: Redirect?

22 MS. EIGENBROT: Thank you, Your Honor. May it please
23 the Court.

24 REDIRECT EXAMINATION:
25

1 BY MS. EIGENBROT:

2 Q Jerod, Mr. Scott had a lot of questions about
3 throughout the night kind of what kind of decision making
4 you were caught in. When you all were at Greene Street,
5 did Genesis make any threats to hurt you at Greene Street?

6 A We got into it. He did tell me where my people are
7 going to stay.

8 Q But did he threaten you with a gun at that point?

9 A No, sir -- no, ma'am.

10 Q What about when you got in the car when he's yelling
11 at you? Is he making threats?

12 A He's just telling me, he's asking me who was on it,
13 stuff like that.

14 Q When is the first time you felt threatened, genuinely
15 threatened, by Genesis that night?

16 A The first time he tried to go for my gun.

17 Q And why did you shoot your gun?

18 A I feared if he got my gun, he would have turned it on
19 me and killed me.

20 MS. EIGENBROT: Thank you, Jerod. I don't have any
21 further questions.

22 THE COURT: Anything further, Mr. Scott?

23 MR. SCOTT: Just a couple questions.

24 FURTHER RECROSS-EXAMINATION:
25

1 BY MR. SCOTT:

2 Q So he threatened you at Greene Street, but you still
3 decided you wanted to hang out with him, right?

4 A Yes, sir. That was a mix when we had our little
5 argument.

6 Q Just to be clear, you either get out or he pulls you
7 out of the backseat three or four times, right? And you
8 had every opportunity in the world to just take one, two,
9 three, four, five steps away and take yourself out of the
10 whole situation, correct?

11 A I would have still been there.

12 Q Yeah, but you wouldn't have been in the middle of a
13 struggle, correct?

14 A Still would have been going on.

15 Q You couldn't have taken yourself out of the situation
16 and him getting in the car and left?

17 A I don't think he would have did that.

18 Q You think, okay.

19 A I said I don't think he would have did that.

20 Q My question is could you have walked away from the
21 scene and avoided the whole conflict?

22 A Yes, sir.

23 Q Yeah, could have. You could have just left?

24 A But then again, I'm 45 minutes away from my home.

25 Q I'm saying that --

1 A So what do you expect? I'm supposed to walk home at
2 6:30 in the morning?

3 Q I'm not something that -- listen.

4 A You asked me did I have to walk, if I took five steps
5 away from the situation?

6 Q Right.

7 A I'm still on Adeyinka's street. I couldn't get out
8 at Adeyinka's house.

9 Q Why not?

10 A He already said when he had too much going on. He's
11 not a friend. I never slept at my friend's that time of
12 night, so I couldn't go to his house. Then I would -- he
13 would have just left in the middle of the road stranded.

14 Q That's when you take one of your two phones that you
15 had on you, and you call April Goodwin: "I need a ride.
16 I shouldn't have come out here, but here I am. I need a
17 ride," couldn't you?

18 A It's already early in morning. She had already just
19 cussed me out. I think she would have been mad if she had
20 to come get me.

21 Q She was already up, remember, because she had already
22 gone out to get coffee?

23 A That's what I'm saying. She had just had cussed me
24 out. I don't think she would have had to come all the way
25 down to Leesburg to come get me.

1 Q "Mom, this man is kicking me out of his car. I have
2 a gun on me. Come get me"?

3 "Uber, I'm at Dominion and Prince Edward Court"?

4 MS. EIGENBROT: Your Honor, I'm going to object.
5 One, let Mr. Goodwin answer the question; and two, he's
6 getting back into narrative and statements made by
7 counsel.

8 THE COURT: Sustained.

9 BY MR. SCOTT:

10 Q Could you have called Uber?

11 A I could have tried to call a ride at that time.

12 Q Yeah. That's my point. So you had a means of
13 avoiding the conflict. The way you avoid the conflict is
14 the one, two, three or fourth time you got out of the car
15 just say, "I'm walking away." You could have avoided the
16 conflict.

17 A Yes, sir.

18 Q Yes, sir. Is that what you said?

19 A Yes, sir.

20 Q But you didn't?

21 A No, sir.

22 MR. SCOTT: Correct. Thank you.

23 THE COURT: All right. Ladies and gentlemen, let's
24 go ahead and take a break. Please return to your jury
25 room. Don't discuss the case.

1 (Whereupon, the jury left the courtroom at 3:24 PM).

2 MS. EIGENBROT: May Mr. Goodwin step down from the
3 stand?

4 THE COURT: He can. We are going to take a break
5 anyway. Do you have additional witnesses?

6 MS. EIGENBROT: Yes, Your Honor.

7 THE COURT: Okay. We're going to take a 15-minute
8 break. You can get down, get right. We'll be back in 15.

9 (WHEREUPON, a short break was taken.)

10 THE COURT: State ready for the jury?

11 MR. SCOTT: Yes.

12 THE COURT: Defense ready?

13 MR. SCOTT: Yes.

14 THE COURT: Bring the jury, please.

15 (Whereupon, the jury entered the courtroom at 3:44
16 PM).

17 THE BAILIFF: The jury is seated, Your Honor.

18 THE COURT: Thank you. I neglected to get
19 Mr. Goodwin off the stand before you left, but his
20 testimony is complete. So the defense is going to call
21 their next witness.

22 MR. BRADY: Defense calls Laura Young.

23 LAURA YOUNG, after being duly sworn,
24 testified as follows:

25

1 THE CLERK: Please have a seat in the witness box,
2 state your name for the record.

3 THE WITNESS: My name is Laura Young.

4 DIRECT EXAMINATION:

5 BY MR. BRADY:

6 Q Ms. Young, can you please introduce yourself to the
7 jury?

8 A Sure. My name is Laura Young. I'm the Deputy Public
9 Defender in this building, so Nate and I actually work in
10 the same office. I'm an attorney here, and I've known
11 Nate for several years.

12 Q You're my boss?

13 A Yes, I am. I don't like to be called that, but yes.
14 I'm told I do have supervisory powers.

15 Q You know both of these gentlemen, as well?

16 A I do. I know all of the solicitors.

17 Q Okay. We all work here in the same building. Is
18 that fair to say?

19 A Yes. And we worked on cases all together, yes.

20 Q Have you found yourself in this situation before?

21 A Not here. I was a lawyer in Georgia before where I
22 testified in one other jury trial for a friend of mine, I
23 don't know, like 15 years ago in Georgia but otherwise no.

24 Q And again, you know, you know me here from work. You
25 let them know we're friends. Would you ever get on the

1 stand and make something up just because you know me and
2 we work together?

3 A Absolutely not.

4 Q You have a Bar license?

5 A I have a Bar license that I'm not willing to lose,
6 no.

7 Q And have you ever spoken to Jerod Goodwin before?

8 A That's your client and the person on trial, yes. I
9 did not at the time realize that was his name, but I did
10 speak to him on the phone and learned later that was his
11 name.

12 Q And do you know approximately when that would have
13 been?

14 A So I think Mr. Goodwin received my phone number from
15 someone he knew who I had represented prior on something
16 completely unrelated to this. His case was in May
17 of 2021, and I remember when I received this phone call,
18 the name, my client's name came up.

19 At first I thought that I was talking to my former
20 client. I remember being very upset with him. I was
21 like, "What do you mean? We just resolved your case.
22 What are you calling me for?"

23 I honestly do not remember the timeframe. I know
24 that my former client's case was resolved in May of 2021.
25 I don't remember. It was a few months later that I

1 received this phone call.

2 Q Okay. So it had to be after May of 2021, but you do
3 recall speaking to Mr. Goodwin?

4 A Yes, yes.

5 Q And what was the substance of that conversation?

6 A Mr. Goodwin called me. It was at home on my cell
7 phone, and I remember because I was in a specific room in
8 my house talking to him. It stood out to me because of my
9 former client and knowing his name, and then I -- after
10 dinner, I think it was dark outside.

11 I was looking out the window while he was talking,
12 and he was explaining that he was -- he thought there
13 might be a warrant out for his arrest; that he wasn't
14 sure.

15 He said that he -- or I guess I told him -- I looked.
16 I have something called the Central Index which is a big
17 website where you access the Clerk's Records here. I did
18 look to see.

19 Sometimes you can see if there's an outstanding
20 warrant for someone, so I did look that up. I looked up
21 his name. I saw that there was no outstanding warrant. I
22 told him that as far as I could tell, there wasn't a
23 warrant, but that wasn't the end all be all, right. There
24 could still be a warrant.

25 As a Public Defender, we have to wait and get

1 appointed by a judge before we're allowed to get involved
2 in a case. So I explained that to him that there was
3 nothing I could do to help him, but if he, in fact,
4 learned there was a warrant and he was wanted by the
5 police he could contact a private attorney and retain
6 their services if he was able to. I do remember providing
7 him two or three names of private attorneys that I know.

8 Q And you do recall that when you checked the Central
9 Index, there were no warrant entered in there; is that
10 correct?

11 A That's correct.

12 MR. SCOTT: Please answer any questions any of these
13 gentlemen have.

14 THE COURT: Any cross-examination?

15 CROSS-EXAMINATION:

16 BY MR. SCOTT:

17 Q Ms. Young, do you remember the day you received that
18 phone call?

19 A I don't.

20 Q Did he say his name was Jerod Goodwin?

21 A Yes. He must have because I do remember looking in
22 the Central Index. When -- I think it was -- Nate came to
23 me at some point after that and said, "I think my client
24 called you."

25 At the time I did not remember his name, but he did

1 give me his name while we were on the phone, yes.

2 Q I wonder why Nate thought it was you?

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

4 Q But you just heard the defendant -- were you in here
5 when the defendant testified?

6 A I was not, no.

7 Q Okay. Well, if he said he didn't know who the lady
8 he talked to was, would that surprise you?

9 A No, probably not because he just got my name from
10 Rose--- I'm sorry. I don't know if I'm supposed to say
11 his name or not but my former client, Roosevelt.

12 I'm assuming he got -- I think he's related to him
13 somehow or he's friends with him, so I assume he got my
14 name and number from him, but it doesn't surprise me that
15 he doesn't remember my name. We only talked very briefly
16 that night.

17 Q I don't want to get too way out, but if he doesn't
18 know who he talked with, I wonder how Nate, his lawyer,
19 finally said, "I think it must have been Laura Young." Do
20 you know what I'm saying?

21 A Yeah. Well, so I remember at the time when Nate
22 asked me about it, he had talked to one of Mr. Goodwin's
23 family members who remembered giving my name and number.

24 Q Okay. The family remembered it.

25 A Yeah, yeah.

1 Q So what was the date again?

2 A That I talked to him?

3 Q Yeah.

4 A I don't know. It was after May of 2021 and before

5 December of 2021 because that's when Mr. Brady, Nate, came

6 and asked me about it.

7 Q Okay. Well, you know some about the case.

8 A I don't.

9 Q Well, let me tell you this: August 15th, the killing

10 was alleged to have happened, and he's arrested

11 November 30th.

12 A Okay.

13 Q So we can say it was some time between August 15th --

14 wouldn't that be logical?

15 A I think that's fair, yes.

16 Q Okay. Could it have been the night of the killing

17 that he called you or the morning of?

18 A It certainly could have been.

19 Q Certainly?

20 A I honestly don't remember, but it certainly could

21 have been.

22 Q Okay.

23 A I don't know.

24 Q Okay. And you're certain it was Jerod Goodwin you

25 spoke with?

1 A I am -- yes, now I am certain. After talking with
2 Nate and piecing all of that together and knowing that he
3 knows Roosevelt, yes.

4 Q You feel certain. Do you recall -- was it -- to your
5 recollection, was it: "I just need to check to see if I
6 got a warrant." Was that kind of it?

7 A Yeah, you know, back to your former question, like I
8 can tell you this does not happen to me a lot. I do not
9 get calls on my cell phone at home at night with people
10 who are looking for help.

11 I get calls from my clients sometimes but not folks
12 in this situation. I remember him talking and saying that
13 he didn't know -- I remember advising him that if he had a
14 warrant, he certainly needed to turn himself in, but if he
15 didn't know that there was a warrant that there might not
16 be any need to contact law enforcement and that the best
17 route would be to try to retain a private attorney to help
18 facility that if he learned that there was a warrant.

19 Q And you gave him some numbers?

20 A I did.

21 Q Okay. Do you remember whether he told you he was
22 involved in a homicide?

23 A I don't. I don't remember.

24 Q You would remember that, wouldn't you?

25 A I want to say -- no. I do want to say, I don't know

1 if I knew anybody had been killed, but I do remember him
2 saying it was a shooting.

3 Q Okay. And did he indicate he had shot somebody?

4 A Yes.

5 Q Okay. And essentially, did he say, "What do I do?"
6 Or did he just say, "Check to see if I have warrants"?

7 A No. He was very much looking for advice on what to
8 do.

9 Q Okay. And you said -- certainly, you didn't say,
10 "Hide out. Go hide out"?

11 A I definitely did not do that, no.

12 Q And you didn't tell him to hid the car or get rid of
13 the stolen car?

14 A I don't -- I don't know anything about the case. He
15 did not talk to me about those sort of details, no.

16 Q You would not have advised him of that?

17 A I would not have advised him of that, no.

18 Q And again, you wouldn't have told him to not call the
19 police?

20 A I probably told him that if there was no warrant, he
21 was under no legal -- you know, he didn't know that there
22 was a warrant or didn't have any reason to believe the
23 police were looking for him, but he had no reason to
24 contact them.

25 Q Laura, what if this happens, okay.

1 A Okay.

2 Q I go home, catch somebody in my house, and I shoot
3 and kill them.

4 MR. BRADY: I'm going to object to Mr. Scott
5 soliciting legal advice.

6 MR. SCOTT: There's a lawyer.

7 THE COURT: What are we doing? I will sustain that
8 objection.

9 MR. SCOTT: I just asked her how she would advise
10 because that rarely happens. If I was in a position like
11 this, I just want to know generally how she would advise
12 me by claiming to justify killing.

13 THE COURT: The objection is sustained.

14 BY MR. SCOTT:

15 Q Okay. Do you remember him saying that he was
16 involved in a self-defense case?

17 A Yes, I do recall him using self-defense words.

18 Q You didn't remember him saying that.

19 A Yes.

20 Q And you didn't advise him to get his story out there
21 or anything like that?

22 A I advised -- I mean, here is the thing. I feel very
23 limited in what I can do as a Public Defender, right. I
24 can't just decide to take a case the way that private
25 attorneys can, and so I felt like in that position I

1 wanted him to try to reach out to a private attorney to
2 help kind of facilitate that and to help, yes.

3 Very much, if there is a warrant -- if you are wanted
4 for some sort of shooting and you were acting in
5 self-defense you should absolutely, you know, try to
6 retain a private attorney when you learn that there is a
7 warrant, if there is a warrant, and try to turn yourself
8 in safely, you know.

9 Q Try to turn yourself in?

10 A Yes.

11 Q And get your story out, right?

12 A Yes.

13 Q Because I don't want to get my story but you know, if
14 some other person is involved in a self-defense case
15 that's a legal killing, right?

16 A That's correct, yes.

17 Q And you needed to tell how it happened so you can
18 explain why you had to kill the person, right?

19 A I mean, eventually, yes. I don't --

20 Q The sooner the better, right, to get the information
21 out because -- do you agree with me is your memory fresher
22 nearer the time, or does your memory get better as time
23 goes on in your experience?

24 A I can speak from my own experience, memory does not
25 necessarily get better over time, but I would also say

1 that as a -- you know, as a defense attorney, the timing
2 of all of that gets very complicated, and law enforcement
3 is not always inclined to believe people right away when
4 they tell them what happened. So that's why retaining an
5 attorney to help you and assist you and advice you very
6 early on is a good idea.

7 Q Did you ask him to get screened for a Public
8 Defender?

9 A No, you can't get screened until a warrant is served.

10 Q And you --

11 A And I didn't even know if there was a warrant and
12 neither did he.

13 Q You didn't feel inclined to give any kind of legal
14 advice -- or I don't know if you can. If he's seeking
15 legal advice?

16 A Right, I gave him as much advice as I thought that I
17 could.

18 Q Okay. So I just want to be clear, and I don't know
19 if it's a yes or no question. If somebody comes to you
20 and says, "I think I have just justifiably killed
21 somebody," your advice would be don't talk to anybody
22 about it or go to on attorney, I guess, is your advice?

23 A Yes; that's correct. My advice would be to go to an
24 attorney and get them to help you, you know, facilitate
25 turning yourself in and dealing with law enforcement in

1 that capacity because you're far better off having an
2 attorney with you under those circumstances than trying to
3 do it on your own.

4 Especially when you can't just like go knock on the
5 door of the Sheriff's Department and say, "Hey, I think
6 somebody might be looking for me."

7 Q Well, people do that all the time. I've seen people
8 do that and you have, too, haven't you?

9 MR. BRADY: Objection, testifying.

10 THE WITNESS: I have not, no.

11 MR. SCOTT: Have you seen --

12 MR. BRADY: Please wait for the objection to be ruled
13 on.

14 THE WITNESS: Sorry, Your Honor.

15 THE COURT: The object was sustained. He fixed it.
16 Answer the new question.

17 BY MR. SCOTT:

18 Q You've never seen anybody go to turn themselves in at
19 law enforcement?

20 A I have helped people get -- turn themselves in. I
21 have assisted them. I have never heard of anyone
22 successfully showing up at the Sheriff's Department and
23 turning themselves in without either going through the
24 investigator that has the warrant or having a lawyer --
25 yes, you can turn yourself in, absolutely. I'm not trying

1 to suggest that.

2 What I mean is if you don't know if there's a
3 warrant, you don't know who the investigator is, you don't
4 have a lawyer, no, you cannot just go knock on the
5 Richland County Sheriff's Department door. I mean, you
6 might, but it might take hours.

7 I don't know. I've always had it happen when, you
8 know, when someone knows there's a warrant, they have a
9 warrant number, they know an investigator's name, and then
10 got the lawyer to help facilitate that.

11 Q Okay. So you are remember clear, how many lawyers
12 did you give him?

13 A I would have given him two or three. I don't
14 remember him specifically.

15 Q "Here is lawyer A. Here is their name and contact.
16 Lawyer B, here is their name and contact. Lawyer C, here
17 is their name and contact"?

18 A Yes.

19 Q "Do you have any other questions?" Click, pretty
20 much?

21 A Yes.

22 Q I mean, certainly you didn't say, "You need to hit
23 the road. You need to lay low and" --

24 MR. BRADY: Asked and answered.

25 THE COURT: Sustained.

1 BY MR. SCOTT:

2 Q You didn't tell law enforcement about this phone
3 call. I guess you probably wouldn't have. You couldn't
4 have. So -- okay.

5 Did you find out whether or not there had been, in
6 fact, a homicide the way the caller described it?

7 A I did not. I didn't -- there were no real details
8 provided.

9 Q There were no details?

10 A I mean, outside of the shooting and that -- the
11 reason that I remember that he talked about it being
12 self-defense is because Roosevelt, my former client, that
13 was the situation in his case. So I remember speaking
14 about that. He didn't talk about where or when or any of
15 that, no.

16 Q Okay. So limited details. Did he tell you that you
17 he was going to go on the run or anything like that?

18 MR. BRADY: Asked and answered.

19 MR. SCOTT: I thought --

20 THE COURT: Overruled.

21 BY MR. SCOTT:

22 Q Did he tell you?

23 A No.

24 Q Okay. Did he tell you he had ditched the car? He
25 just testified. Did he tell you about that; that he had

1 hid in the car or anything?

2 A No.

3 Q Did he tell you -- you didn't advise him to do
4 anything with the gun, certainly, like anything with the
5 guns he had used?

6 A No.

7 MR. SCOTT: Okay. I don't think I have anything
8 further. Thank you, Ms. Young.

9 THE WITNESS: Thank you.

10 THE COURT: Any redirect?

11 MR. BRADY: Briefly, or if Your Honor would just like
12 to briefly instruct the jury on the issue of indigency and
13 obtaining counsel.

14 Okay. I'm happy to do that.

15 THE COURT: You ask questions of witnesses. I'm not
16 instructing the jury about anything at this point.

17 MR. BRADY: Understood, Your Honor.

18 REDIRECT EXAMINATION:

19 BY MR. BRADY:

20 Q Ms. Young, there's a whole thing about well, you
21 know, kind of implying why didn't you go hire this lawyer.
22 Could you just kind of tell the jury about what the Sixth
23 Amendment is, how it works in terms of poor people or
24 people who are indigent?

25 A Sure. I'll give the -- I'll try my very best not to

1 mess this up. So in -- I think I understand what Nate is
2 asking me to do, but essentially, you know, you can hire a
3 lawyer at any point that you want to help with anything,
4 right, just if you need advice on anything.

5 You don't get a court-appointed attorney until a
6 certain stage in the proceedings, and in order to get a
7 court-appointed attorney like a Public Defender, which is
8 what we do, you have to be screened for indigency and find
9 that you financially qualify for a court-appointed
10 attorney. That process doesn't start until a warrant is
11 served on someone.

12 They are taken into custody, and they go before a
13 judge to have bond set. Then that is when a judge screens
14 them for their financial ability to have a lawyer
15 appointed to them. So unless you are able to afford an
16 attorney to help you prior to that, you are not legally
17 entitled to one. Does that answer your question?

18 Q It does. Does that also limit the advice that we're
19 permitted to give and what we're permitted to discuss with
20 people?

21 A Yes; that's correct, because we are somewhat
22 constrained because we can't give legal advice to people
23 who are not yet our clients, I guess, if that makes sense.

24 MR. BRADY: Thank you. Thank you.

25 THE COURT: Anything further, Mr. Scott?

1 RE CROSS-EXAMINATION:.

2 BY MR. SCOTT:

3 Q Did you advice him about the South Carolina Bar --

4 MR. BRADY: Objection, scope.

5 MR. SCOTT: What?

6 THE COURT: He hasn't even gotten it out of his mouth
7 yet. What's your question, sir?

8 MR. SCOTT: SC lawyer referral service is what I was
9 asking. He was talking about being indigent and whatnot.

10 THE COURT: Overruled.

11 BY MR. SCOTT:

12 Q Did you mention about the South Carolina Bar and the
13 services they had as far as aligning him with lawyers to
14 help him?

15 A I did not, I'm sorry. I'm not even sure I'm aware of
16 those.

17 Q Well, you're aware of pro bono lawyers, right?

18 A Yes. Certainly, I know lawyers do provide pro bono
19 hours, yes.

20 Q Can you explain to the jury what pro bono means?

21 A Often times bigger attorneys in bigger firms have
22 those who do what they call pro bono work, and they'll
23 take clients for free.

24 Q So there's ways to -- even indigent people outside
25 the realm of the Public Defender, there's ways to obtain

1 legal services, correct? You're talking about pro bono.

2 That's a free lawyer?

3 A Yes, right.

4 Q And the Bar has lawyer referral services.

5 A That may very well be the case. I don't know
6 anything about that.

7 MR. SCOTT: Thank you, Ms. Young.

8 THE WITNESS: You're welcome.

9 THE COURT: Thank you.

10 THE BAILIFF: Watch your step down, my dear.

11 THE COURT: Call your next witness.

12 MR. BRADY: The Defense calls Jennifer Bracamontes.
13 She may be in the hall.

14 THE BAILIFF: Face the clerk. Raise your right hand.
15 Place your hand on the Bible on the left.

16 JENNIFER BRACAMONTES, after being duly
17 sworn, testified as follows:

18 THE CLERK: Stay your full name for the record and
19 spell your last name.

20 THE WITNESS: Jennifer Bracamontes, last name is
21 spelled B-R-A-C-A-M-O-N-T-E-S.

22 DIRECT EXAMINATION:

23 BY MR. BRADY:

24 Q Good afternoon, Ms. Bracamontes.

25 A Good afternoon.

1 Q Thank you for being here.

2 A Uh-huh.

3 Q Can you please let the jury know what you do?

4 A So I am a casework manager and Allele Analyst at a
5 company called Cybergentics, which is located in
6 Pittsburg, Pennsylvania. Cybergentics is a company that
7 specializes in developing and using computers for DNA
8 interpretation.

9 Q And how long have you been with Cybergentics now?

10 A I've been with Cybergentics full time since 2012, and
11 then I was an intern for them for a year before that so 12
12 years total.

13 Q And what were your studies before that?

14 A I studied biology at Duquesne University which is
15 located in Pittsburg, PA. I got my Bachelor's Degree in
16 biology, and then I got my Master of Science Degree in
17 Forensic Science also from Duquesne university.

18 Q Do you have any publications?

19 A I do. I'm coauthor on three scientific publications
20 that are published in peer review journals just
21 investigated by others in the forensics field.

22 Q And can you tell me a little bit about what type of
23 work Cybergentics does in criminal cases usually?

24 A Sure. So for, you know, criminal cases, Cybergentics
25 offers a service to Prosecutors, Defenders, anybody who

1 has DNA that they would like our software to do a
2 reinterpretation of.

3 So the software we have is called TrueAllele, and
4 that's spelled T R-U-E-A-L-L-E-L-E, all one word. And
5 that software basically looks at electronic DNA data
6 that's produced by a DNA laboratory and then works to
7 become separate out the different DNA contributors,
8 compare them with known people and then calculate match
9 logistics which tells us, you know, statistically whether
10 or not somebody contributed their DNA to an item.

11 Q And is that software and that technology that you
12 use, is that widely used?

13 A It's used in -- we have had cases in 46 of the
14 states, and it's been used by over 450 different agencies
15 across all those groups.

16 Q And do you ever train those agencies?

17 A Yes. Some agencies are the Prosecutors, Defenders,
18 and Innocence Groups, and then crime laboratories also can
19 purchase our software and use it in their labs.

20 Q And are you familiar with the Richland County
21 Sheriff's Department?

22 A Their DNA laboratory, yes.

23 Q Okay. And how is that?

24 A They purchased TrueAllele and have been trained in
25 our software and actually use it in-house in their

1 laboratory.

2 Q And have you ever done any work or training with
3 them?

4 A Yes. I was part of some of the training of their
5 analysts learning about the concept and techniques of the
6 software.

7 Q And about how many times have you appeared and
8 testified in court like this?

9 A Fifty-one times.

10 Q About how many of those times have you testified for
11 the prosecution?

12 A Forty-three.

13 Q So I guess that's eight for the defense?

14 A Yes.

15 Q Have you been qualified as an expert in DNA analysis
16 and forensics each of those times?

17 A DNA evidence interpretation, yes.

18 MR. BRADY: Your Honor, at this point, I'd move to
19 qualify Ms. Bracamontes as an expert in DNA forensics
20 interpretation.

21 MR. SCOTT: No objection, Your Honor.

22 THE COURT: All right. Ladies and gentlemen, the
23 same rules that I've given you that apply to other experts
24 apply to Ms. Bracamontes. She is qualified as an expert
25 in the field of DNA evidence...

1 THE WITNESS: Interpretation.

2 THE COURT: Interpretation, thank you. I didn't
3 finish writing it down, and will be permitted to give you
4 her opinion testimony within her field of expertise.
5 However, like any other witness, give her testimony the
6 weight and credibility you think it deserves.

7 You may proceed.

8 BY MR. BRADY:

9 Q Thank you.

10 How did you get involved in this case?

11 A Cybergentics was contacted by the Richland County
12 Public Defender's office, I believe it was May of this
13 year, asking for the TrueAllele interpretation of the DNA
14 in this case.

15 Q And what DNA was collected in this case that you know
16 of?

17 A In this case, and what signer Cybergentics and what I
18 received were the electronic and DNA data files produced
19 by a private DNA laboratory. They were -- the physical
20 samples were tested at the DNA laboratory, and it was
21 fingernail scrapings, a right hand and left hand
22 fingernail scrapings.

23 Q Okay. You said there's a physical lab, right, that
24 kind of comes first. Can you tell me a little bit about
25 that and what they do?

1 A Sure. So in DNA analysis and the whole process,
2 there's two main parts. The first is the testing of the
3 physical evidence, so taking that physical item, the
4 fingernail scrapings, the swab from, you know, a reference
5 or a known person, extracting the DNA from that item. DNA
6 is very small. You know, you can't see it.

7 So in order to detect it using the methods scientists
8 have, they have to make many, many copies of that DNA, and
9 then they basically amplify it, make a lot of Xerox
10 copying it, essentially, making a lot of copies of it,
11 detecting it out.

12 It basically produces data, which just kind of looks
13 like peaks or mountains and valleys with different DNA
14 numbers, and they're variable in different people and
15 that's what's used for identification.

16 All of that data, those numbers, get stored in a
17 computer file, and that's the starting the point for the
18 interpretation of the DNA.

19 Q All right. So in this case, you mentioned the
20 fingernail scrapings. Do you know from whom those
21 fingernail scrapings were collected?

22 A I don't know exactly, but I believe from the
23 information you provided it was from a Mr. -- or a Genesis
24 Williams.

25 Q And then did you have an opportunity to analyze the

1 DNA data that you just talked about from those fingernail
2 scrapings and compare them to Mr. Goodwin's DNA?

3 A Yes.

4 Q Okay. But before we get into that, can you talk to
5 the jury a little bit about what it might mean if there is
6 DNA from someone else under another person's fingernails?

7 A Sure. So with DNA, you leave -- you know, people are
8 leaving they're DNA behind. So basically, surfaces you
9 touch, anytime you might touch a surface or, you know,
10 there's body fluids left behind, your DNA can be left
11 behind on an item.

12 With fingernails, when you think about the underside
13 of the fingernails, some of the common ways that DNA is
14 present under the fingernails, it's from coming into
15 contact with bodily fluids so kind of being soaked in
16 those bodily fluids, or from scratching, you know,
17 scratching, skin cells basically, to get that DNA in more
18 quantity under the fingernails.

19 Q Okay. So you said that scratching can be one of
20 those big factors that you see. Are you going to see that
21 where you get the DNA with the fingernails if it's just
22 pushing like in the chest?

23 A Typically not because you usually you have to have
24 some sort of scratch of the skin cells. It wouldn't just
25 transfer under there from just a push where the nail is

1 not even in contact.

2 Q Okay. What about if someone is like reaching and
3 pulling and grabbing on the skin?

4 MR. SCOTT: Your Honor, I'm sorry, objection. Her
5 expertise is in the examination of analysis of DNA
6 samples. This is more, I think, outside of her realm of
7 testimony as a DNA scientist.

8 THE COURT: You all approach.

9 (There was a bench conference in the presence of the
10 jury but out of the hearing of the jury.)

11 The objection is sustained at this point.

12 BY MR. BRADY:

13 Q So in your training and expertise can you explain how
14 it's transferred from a person or a location and an item?

15 A Yes.

16 Q Can you explain that to the jury a little bit?

17 A Sure. So just part of just my education when I was
18 in school is learning, you know, how DNA can be left on
19 items. There's a principle, you know, called Locard's
20 principle, and it essentially talks about, you know, you
21 basically almost always are leaving DNA behind.

22 When you enter a region, you can leave your DNA
23 behind, and then I also review articles for other cases
24 and just my experience with other cases, as well, seeing a
25 lot of DNA under fingernails, circumstances of those cases

1 and, you know, reading articles about DNA transfer, so how
2 DNA can maybe transfer between different objects, you
3 know, maybe not from direct contact but secondary contact.

4 Q Okay. And you mentioned that there's these studies
5 or papers that you looked at; is that correct?

6 A Yes, regarding DNA transfer and how DNA can be
7 transferred to items.

8 Q Okay. Is that a necessary part of your expertise to
9 perform the work that TrueAllele does?

10 A It's not necessary to perform the work that
11 TrueAllele does. It's just helped in the understanding in
12 DNA lists.

13 Q And is this something that you testified before about
14 in DNA cases?

15 A I have.

16 Q Numerous times?

17 A Yes.

18 Q So I think what we were talking about before was how
19 DNA that you already said was less likely. You're going
20 to get that from pushing, and then you talked a little bit
21 about transfer.

22 We're talking about when someone is grabbing,
23 pulling, right, and as -- would that be a scenario that
24 would be more likely to produce DNA under the fingernails?

25 A Yes. It would be a more likely scenario. With DNA,

1 as well, the more force or friction you apply to, you
2 know, whatever object you're touching or grabbing, that
3 also relates to how much DNA is left behind.

4 Q And the fingernail scrapings that you tested in this
5 case, was that from both hands?

6 A Yes, there was a right and a left hand fingernail
7 scraping, data from both.

8 MR. SCOTT: Just a moment.

9 (WHEREUPON, Defendant's Exhibit No. 18 was marked for
10 identification only.)

11 THE COURT: Before you go there, Mr. Scott.

12 MR. SCOTT: I know he's marking a report with the
13 evidence sticker.

14 THE COURT: You all approach.

15 (There was a bench conference in the presence of the
16 jury but out of the hearing of the jury.)

17 Your objection is sustained.

18 BY MR. BRADY:

19 Q I'm showing you what's been premarked as defendant's
20 18. Can you take a look at that, please?

21 A Sure.

22 Q And what is that?

23 A It's Cybergentics five-page report discussing the DNA
24 interpretation.

25 Q And that you prepared for this case?

1 A Yes.

2 Q And can you tell the jury what the findings were when
3 you made your comparisons in this case?

4 A Sure. So for left fingernail scrapings, TrueAllele
5 examines that DNA data, so it's interpreted through
6 electronic DNA data. Those DNA numbers go in. TrueAllele
7 separates out the different DNA profiles or contributors,
8 and after that's done, a comparison was made in this case
9 to Mr. Goodwin's DNA profile.

10 For the left nail scraping, there was an inclusionary
11 match calculated, and all that means is that -- what
12 TrueAllele does is it basically compares what's the chance
13 that he contributed his DNA, or is it a chance that it's
14 somebody else.

15 In that case, the match at stake was 309,000 more
16 times probably a coincidence. So basically, the chance he
17 contributed his DNA was higher for that than a coincidence
18 with a match logistic of 309,000.

19 Then for right hand nail scrapings, TrueAllele did
20 that same process, separated out those contributor
21 profiles, either wrote down what those profiles were,
22 compared Mr. Goodwin and calculated an inclusionary
23 statistic of 349 quintillion.

24 A quintillion is a one followed by 18 zeros, so that
25 number 429, add 18 zeros after it. So it's a stronger

1 match statistic for the right hand fingernail scrapings,
2 and TrueAllele calculated those numbers and was able to
3 calculate what's the percentage of that contributor's DNA
4 that was left behind.

5 For the left nail scraping, it was a four percent
6 contributor with about 96 percent coming from an unknown
7 male which is likely in this case Mr. Williams because
8 they're his fingernail scrapings. You'd expect his DNA to
9 be there.

10 For that right hand, that contributor is about a 20
11 percent contributor that matched or produced that
12 conclusionary match statistic to Mr. Goodwin.

13 Q Can you talk to me a little bit about the
14 differences? You said it's four pecuniary and 20 percent.
15 Does that include only four percent of the DNA material is
16 likely Mr. Goodwin's based on the statistics of the left
17 hand, and then you have 20 percent on the right hand. Can
18 you tell the jury a little bit about what those
19 percentages mean?

20 A So TrueAllele separates out the DNA profiles, the
21 contributors, it's not just writing down what those are
22 and coming up with that. It's also saying okay, how much
23 of each of those contributors is present.

24 So for left fingernail, 96 percent came likely from
25 Mr. Williams. It was an unknown male because I didn't

1 have profile to compare with, and four percent came from
2 the second person who statistically gave that inclusionary
3 statistic to Mr. Goodwin.

4 Then for the left -- or the right fingernail, about
5 80 percent of that DNA came from that unknown male, likely
6 Mr. Williams, as they were his fingernails, and then the
7 20 percent of that DNA statistically matched or that was
8 the contributor that statistically gave that inclusion to
9 Mr. Goodwin.

10 Q That 20 percent number for a minor contributor, so
11 the person is not -- the actual fingernail clippings, it's
12 not coming from him. Is that a lot?

13 A It's a more -- typically a more minor contributor
14 component, so you know, if you have two people, 50/50
15 would be equal. Twenty percent, you know, it's lower but
16 it's not five percent or less than 10 percent.

17 Q Okay. So that one got a fair amount of likely Mr.
18 Goodwin's DNA in those fingernails, right?

19 A It has more of that minor component, yes.

20 Q Okay. And you have less in the left, right?

21 A Yes.

22 Q We talked a little bit about transferring and where
23 you would expect to see more DNA and less DNA based on the
24 type of contact. Do you recall that?

25 A Yes.

1 Q Okay. And so if I could get you to come and step
2 down, kind of help me show the jury.

3 Is that okay, Your Honor?

4 THE COURT: Yes, sir.

5 BY MR. BRADY:

6 Q So in this case, we've kind of been using this area
7 as the car the whole time. You're going to be
8 Mr. Goodwin. This little chart we have here is also the
9 car.

10 So you're Mr. Goodwin. This is the driver, driver's
11 seat. This is about where Mr. Williams had been sitting.
12 So if you're Mr. Goodwin, and you're in the backseat, and
13 I'm reaching in, kind of patting trying to reach to your
14 hip where a firearm might be, I've got my left hand doing
15 that and have a padding grabbing it. Maybe there's
16 clothing material there, things like that and the other
17 arm is directly on your skin pulling, yanking, would that
18 be consistent with those numbers that we just talked about
19 and what you're likely to see with that DNA?

20 A Yes. With more contact, you generally see more DNA,
21 you know, from a person left on that item.

22 Q Thank you. You can...

23 A All right. Thank you.

24 MR. BRADY: Thank you. Please answer any questions
25 the State may have.

1 CROSS-EXAMINATION:

2 BY MR. SCOTT:

3 Q Ms. Bracamontes, you don't know the allegations in
4 this case; is that correct?

5 A Correct.

6 Q Have you ever heard of mushing somebody's face?

7 A No.

8 Q Maybe putting your fingers in somebody's face and
9 pushing them off.

10 A Oh okay.

11 Q If I do that to a guy, and he does it to me, maybe we
12 both end up with each other's DNA under our fingers,
13 right?

14 A It's possible if the nails have scratched the skin,
15 yes.

16 Q All right. Or if I'm tussling with another guy. You
17 ever hear that word?

18 A Yes, yes.

19 Q It seems to indicate physical contact, right?

20 A Yes.

21 Q If I'm tussling with a guy on Greene Street, I can
22 get that guy's DNA under my fingernails, right?

23 A If you can come into contact or scratch the person,
24 yes.

25 Q Okay. How much -- what was your fee to come here and

1 testify?

2 A So Cybergentics charges \$400 an hour for my time.

3 Q What have you billed so far?

4 A I don't know.

5 Q Okay. You have to return. Well, so far have you
6 billed?

7 A Well, for the report, it was around \$6,000, I
8 believe, and there were 3,000, and then for my time I
9 haven't yet, you know, submitted my hours. I don't do the
10 invoicing.

11 Q Okay. Well, Mr. Goodwin has already admitted to
12 getting into a tussle with the victim, his name is Genesis
13 Williams, at his home hours before the killing. You
14 found, my understanding, Jerod Goodwin's DNA under Genesis
15 Williams' fingernails?

16 A Yes.

17 Q You can't testify to when that DNA got under Genesis
18 Williams' fingernails, can you?

19 A Correct. I can't say when or even exactly how the
20 DNA got there. Just that there was contact.

21 Q That \$6,000 so far, and it could have been from
22 earlier in the night at Greene Street, could have been?

23 A That's possible. I can't tell that.

24 Q It also could have been when Genesis Williams is
25 trying to pull Jerod Williams out of his car, out of

1 Genesis Williams' car. Did you know anything about that?

2 A No.

3 Q Okay. I just want to ask you, you testified to
4 different scenarios. I want to talk about a scenario
5 where you're in my car, and I'm asking you to get out and
6 you won't get out, okay.

7 A Okay.

8 Q And I grab you, and I am pulling you four times, five
9 times out of my car. Maybe you don't have sleeves on.
10 I'd likely get some of your DNA -- if you still won't get
11 out of my car and make me do it four or five times, I'd
12 likely end up with some of your DNA under my fingernails,
13 wouldn't I?

14 A Possibly.

15 Q Because the more often I'm having to make contact
16 with you, probably the more likely it is that I'm getting
17 your DNA under my fingernail, right?

18 A Yes. That's a possible scenario.

19 Q Thank you. But you can't testify to when the DNA got
20 under the fingernails?

21 A No, I cannot.

22 REDIRECT EXAMINATION:

23 BY MR. BRADY:

24 Q And the State just asked you kind of about financials
25 and how you got involved in this case. Do you know why we

1 ended up asking you to come here and get involved and
2 testify?

3 A Yes. I believe you told me a little bit about that.

4 Q Okay. Can you just review this, and let me know once
5 you review that.

6 A Yes.

7 Q And why did you get involved in this case?

8 A It's my understanding that the local crime laboratory
9 wouldn't test the fingernail scrapings. They wouldn't
10 look at the physical samples to produce that DNA data.

11 Q And I think you saw that email chain. Do you see an
12 email from Lieutenant Dauway on there?

13 A Yes.

14 Q And what is -- you mentioned that they didn't want to
15 get involved, but what does that email from Lieutenant
16 Dauway indicate?

17 MR. SCOTT: Your Honor, I don't think you can testify
18 to hearsay unless there's an exception.

19 THE COURT: Sustained.

20 MR. BRADY: Your Honor, I think they have opened the
21 door.

22 THE COURT: They certainly have not. Sustained.

23 BY MR. BRADY:

24 Q Do you mind if I get that back from you.

25 Again, we talked about -- Mr. Scott talked about you

1 getting paid. Do you also get paid when you worked for
2 prosecution?

3 A Yes. Cybergentics is compensated for my time
4 whenever myself or another analyst testifies for either
5 side.

6 Q Okay. And does that affect how you testify in any
7 way?

8 A No.

9 Q Does it affect the results of the testing in any way?

10 A It does not.

11 MR. BRADY: Court's indulgence.

12 (Pause.)

13 Thank you.

14 MR. SCOTT: Nothing further, Your Honor.

15 THE COURT: Okay. Thank you. You may step town.

16 THE WITNESS: Thank you.

17 Call your next witness.

18 MR. BRADY: Your Honor, I think we might want to
19 proffer this next witness first just out of precaution, if
20 we could take that up outside the presence of the jury.

21 THE COURT: You can approach the bench and explain to
22 me why that's necessary.

23 (There was a bench conference in the presence of the
24 jury but out of the hearing of the jury.)

25 I'll deal with any contemporaneous objections. Call

1 your next witness.

2 MR. BRADY: The defense calls Sergeant Jordan.

3 TAIMA JORDAN, after being duly sworn,
4 testified as follows:

5 THE CLERK: Take a seat in the witness box and state
6 your full name for the record.

7 THE WITNESS: Taima Jordan, Taima.

8 DIRECT EXAMINATION:

9 BY MR. BRADY:

10 Q How are you doing?

11 A Good. How are you, sir?

12 Q Good. So you've been here all week with us. We
13 appreciate that. This isn't even your case, right?

14 A I'm not the lead investigator, no.

15 Q Okay. But you've kind of asked, been asked, to stand
16 in for him, right?

17 A I've participated in the investigation at some point.

18 Q Okay. The other defense wanted the lead investigator
19 here.

20 A I'm aware of that.

21 Q Okay. The State wanted you here.

22 A Yes, they did.

23 Q Okay. And you can't testify to what the lead
24 investigator did and what his decision making was in this
25 case.

1 A I cannot.

2 Q You can't testify to why he did things.

3 A I cannot.

4 Q You can't testify to why not.

5 A I cannot.

6 Q So you're just limited in what you know and what you

7 were able to participate in.

8 A I testified to what I did in regards to the case.

9 Q Now, as an investigator, you're trained pretty

10 thoroughly, right?

11 A We are.

12 Q That starts out at the Criminal Justice Academy,

13 right?

14 A Yes, sir.

15 Q And then you maintain your training and hours each

16 year.

17 A We do.

18 Q And as you advanced to Sergeant as you get more and

19 more adept.

20 A Correct.

21 Q And in that training, when doing investigations,

22 you've learned how to collect evidence.

23 A We preserve evidence. We have a CSI lab that comes

24 out and actually collects evidence.

25 Q Okay. So actually how to preserve evidence, how to

1 direct other people to preserve evidence.

2 A Yes.

3 Q How to direct other people to test evidence.

4 A Well, we put requests in, and they put out a request.

5 They examine what they do.

6 Q Send it off to SLED, for example.

7 A SLED or we have our own lab at the Richland County

8 Sheriff's Department.

9 Q Right, Richland County has the DNA lab.

10 A They do.

11 Q Right? Then it goes to SLED?

12 A It would.

13 Q You guys are friendly, and they'll comply and test

14 whatever you send them.

15 A For the most part, yes.

16 Q Now, when you're investigating, particularly for like

17 a case like this, you've been here all week and heard all

18 the testimony. You know that there's only two people who

19 were present that witnessed the shooting that are with us

20 today, right?

21 A Correct.

22 Q Okay. And when you're in that scenario, it's really

23 critical, you want truthful and honest information, right?

24 A We do.

25 Q Okay. And that's the most important thing is that

1 first information that you get, that's what you're basing
2 your investigation off of it again, right?

3 A Somewhat. There's other factors that go into that,
4 but that's the baseline for it, correct.

5 Q Especially when you only have one witness who is
6 coming forward at that time?

7 A Correct.

8 Q So if you get bad information at the beginning,
9 that's what you're stuck with?

10 A Well, we try to corroborate everything that we
11 received, so we don't take it at face value and try to
12 corroborate it. We verify the person's information, was
13 he truthful or not truthful.

14 Q Because again, if you get bad information, you can
15 have a bad outcome.

16 A Yes.

17 Q Okay. Now, in this case, you're aware that Mr.
18 Adeyinka was the only person who had given information the
19 day of August 15th, right?

20 A I'm aware of that.

21 Q You saw him testify.

22 A I did.

23 Q You watched a lot of contradictions to what he said
24 on the stand to what he said in the past.

25 A I did.

1 Q All right. And the warrants in this case that
2 Lieutenant Dauway took out, he took those out on
3 August 17th, right?

4 A I believe that was the date.

5 Q Okay. So at that time, we have not heard from
6 Mr. Goodwin.

7 A We have not, no. I guess he did not.

8 Q Okay. At that point, I don't think there's been any
9 processing of DNA?

10 A I can't answer that. I don't know in regards to
11 that.

12 Q I think you just heard that we got the DNA tested,
13 right?

14 A Okay, yes.

15 Q So there's no DNA testing before that.

16 A Okay.

17 Q It started in May of this year.

18 A All right.

19 Q And you're aware that we requested it get tested
20 through the Sheriff's Department, right?

21 A I am.

22 Q And the State refused.

23 MR. SCOTT: Objection. Objection, Your Honor.

24 THE COURT: Overruled.

25 THE WITNESS: I guess.

1 BY MR. BRADY:

2 Q And again, going back to Mr. Adeyinka at that time,
3 you heard him testify after he met with you and Lieutenant
4 Dauway met with him November 22nd of this year, right?

5 A I think that was the date.

6 Q Okay. But before that, did you meet with him in like
7 September, August, July?

8 A I did not, no.

9 Q Okay. I mean, you reviewed -- I think you -- the
10 State informed the Court you reviewed Lieutenant Dauway's
11 reports and investigations, right?

12 A For the most part I did.

13 Q And he didn't meet with Mr. Adeyinka the last few
14 months either, right, outside of that November 22nd, 2023
15 date?

16 A Without looking at his notes, I can't answer that
17 question. If you'd like me to look at it, I can tell you.

18 Q Yeah. I'll refresh your memory, absolutely. I have
19 an investigative report and a case summary, review both of
20 them.

21 A If you don't mind handing me my files, please, from
22 those papers on my desk. I don't know if you
23 inadvertently -- you gave me the first page of the follow
24 up. It clearly statement on --

25 Q Hold on.

1 A Yep. This is what you gave me, the first page.

2 Q Oh I'm sorry, okay.

3 A No problem.

4 Q So this, though, you agree is the full report?

5 A Correct.

6 Q I don't want you to read it. I want you to review

7 it, so you can see what work has been done on the case.

8 A I think the question was did he interview Mr.

9 Adeyinka before the 22nd.

10 Q In between the 15th --

11 A Uh-huh.

12 Q -- right, when it happened?

13 A Right.

14 Q And then November 22nd, 2023.

15 A Okay. So October -- excuse me, August 15th.

16 Q Right. No, I'm saying in between that. Right, we

17 know they talked on the 15th, okay, right?

18 You've seen the videos of them talking to the police.

19 They went and talked to Dauway. I'm saying after that, so

20 August 16th through November 22nd, 2023, anything?

21 A Well, you took it from me, so I can't look at it.

22 Q Okay. You can use it to refresh your memory but you

23 can't read it.

24 A Okay.

25 Q Right. The day it happened.

1 A Correct. So the next time would have been the last
2 time me and Lieutenant Dauway spoke.

3 Q Okay. So there's no information linked in between
4 then, right?

5 A Not that I'm aware of, no.

6 Q Okay. But we do get the return of all the Facebook
7 materials, right, because you guys put out of those search
8 warrants?

9 A I believe you took that one in. If you have it, I'm
10 sure he did.

11 Q And I mean, you were here in court when we were
12 looking at --

13 A Yes.

14 Q -- all the materials together, and we saw that. And
15 you also acknowledge that we got that DNA testing done
16 between them, right?

17 A Yes.

18 Q Okay. And I think the gunshot person who was here
19 testified on the evidence log, we could see that the
20 gunshot residue was sent to SLED and appeared to be
21 sitting there as of August of last year.

22 A Okay. SLED also has a policy now that they don't
23 test victims for gunshot residue. That's impossible with
24 SLED.

25 Q Unless y'all request it, right?

1 A I think you can still request it. I think they don't
2 do it anymore.

3 Q So y'all just send it there, say no, it's not going
4 to get tested.

5 A I mean, that's the policy, but my understanding is
6 SLED does not test any victims for gunshot residue.
7 That's my understanding, but if you can show me otherwise,
8 then I stand corrected.

9 Q Okay. But yet, you also acknowledge they sent
10 Genesis Williams' gunshot residue kit there to be tested,
11 right?

12 A Yes.

13 Q They sent Artiz Adeyinka's gunshot residue kit to be
14 tested there.

15 A Yes, sir.

16 Q You heard testimony already that gunshot residue is
17 left behind from people handling firearms.

18 A Yes.

19 Q Right? So that would be able to tell us and show us
20 if what Mr. Adeyinka said was true or what Mr. Goodwin
21 said was true?

22 A As far as what?

23 Q About Genesis or Mr. Adeyinka handling firearms?

24 A Well, it depends because gunshot residue is very
25 precious, so within four to six hours it dissipates and

1 goes away.

2 Q Right. But we wouldn't know unless it's tested.

3 A Well, we possibly -- if it's after the -- beyond the

4 scope which I just named, then the chances of that being

5 there would be gone.

6 Q I mean, you heard the testimony. It was all --

7 they're talking about one night.

8 A Right.

9 Q They're talking about a small number of hours, right?

10 Wouldn't you want to know if someone had the gun or didn't

11 have the gun?

12 A As far as who had the gun?

13 Q Genesis Williams or Mr. Adeyinka, wouldn't you want

14 to know if that was true or not? Wouldn't you want check

15 into that if we have physical evidence that we can look

16 at?

17 A I don't think there's a question of Mr. Adeyinka.

18 Q No, there's not. We're talking about gun handling.

19 Transfer has been testified to already, right? That's

20 what we would be looking for, right?

21 A Well, if he didn't shoot Mr. Williams, he would have

22 no reason to have gunshot residue on his hands.

23 Q Again, I think you reviewed the materials, right,

24 including the case summary. Do you still have the case

25 summary up there?

1 A I do.

2 Q So the case summary is made at the time of arrest,
3 right? Usually that's kind of when they say this is what
4 we have got for the case, and this is -- you know, you're
5 kind of done as far as what we've got? We're at a rest,
6 right?

7 A The case survey -- no, sir. The case survey is done
8 once the case is pretty much over with meaning you still
9 have to wait on the search warrants to come back for the
10 most part. So it's not done the same day. It's done
11 maybe months after.

12 Q Okay. Got it. So in this case, it's when you guys
13 are done that's what you say, right?

14 A For the most part, yes, but we're still waiting on
15 search warrants, things like that but the probable cause
16 for the most part is in that case summary.

17 Q Okay.

18 A How he got there.

19 Q So y'all arrested Mr. Goodwin on November 30th?

20 A Correct.

21 Q And he talked to you, I think it was maybe 45 minutes
22 or so?

23 A Correct, myself and Lieutenant Dauway.

24 Q Okay. And he told you it was self-defense?

25 A He did.

1 Q He told you that he was afraid for his life?

2 A I don't know if he used those words, but he alluded
3 to that, yes.

4 Q Okay. And he told you that he knew Genesis to use
5 firearms.

6 A I believe he did. Do you have the transcript that I
7 can refer to?

8 MR. BRADY: We can play the clip.

9 MR. SCOTT: Your Honor, this is actually hearsay at
10 this point.

11 This is not a party opponent, Mr. Brady.

12 MR. BRADY: He's already been -- testified and --

13 THE COURT: Overruled.

14 MR. BRADY: -- and crossed on this.

15 THE COURT: Overruled.

16 BY MR. BRADY:

17 Q So you agree he did tell you all that when he was
18 arrested?

19 A Do you have the transcript, so I can refer to it?

20 Q I don't have a transcript. I have a recording.

21 A Okay.

22 (Pause).

23 Can you play it again?

24 Q Sure. I can turn up the volume.

25 A He said he always had guns.

1 Q And I think the jury heard and you heard about Greene
2 Street and kind of how things started over at Greene
3 Street. You heard Jerod's version of what happened at
4 Greene Street, and you heard Artiz's version, right, when
5 he talked about he had never been around guns. He was
6 terrified from the start. They went to the club even
7 though they stopped at the gas station, got out, and went
8 and chatted with the girls while he was terrified with the
9 guns and all that stuff. So you have those two different
10 versions of Greene Street, right?

11 A We do.

12 Q Okay. And then at Greene Street, Mr. Goodwin, he
13 tells you about that as soon as he is arrested, right? He
14 explains his beginning of the night through the shooting
15 and what happened?

16 A He does.

17 Q Okay. Mr. Adeyinka hid Greene Street from you
18 entirely on the 15th, right? That was not given to the
19 police, Lieutenant Dauway, nobody heard about it.

20 A Not that I'm aware of.

21 Q So the only person who was forthcoming and truthful
22 that you can say for sure about Greene Street and there
23 being anything that happened there was Mr. Goodwin in
24 terms of when they first talked to the police.

25 A I can't say that he was being truthful. He told the

1 second story's version so...

2 Q And to that point, when he talked to you on the 30th
3 and told you about the on Greene Street, your response was
4 "That's really important" right?

5 A I don't know if it was so much that. I think he gave
6 a name of an individual, I think, that Mr. Genesis had an
7 issue with. He's asking for that name to corroborate or
8 verify his story because, once again, we just heard that.
9 He told us he didn't know the person's name or their
10 nickname.

11 Q It's Danny Sims, right?

12 A I don't know that name here today. On the day we
13 interviewed him, he did not tell us anything about Danny
14 Sims.

15 Q Okay. Do you want to pull that up? Very important.
16 You also acknowledge that part of your investigation and
17 training, you learn to go and find witnesses, right?

18 A We do.

19 Q Okay. And a lot of times, you get nicknames,
20 nicknames and locations?

21 A Sometimes one or not the either, sometimes both.

22 Q Right. That's just kind of how it goes in these
23 cases. Not everybody knows each other's real full names,
24 right?

25 A That's fair.

1 Q Particularly, in place like Greene Street where, you
2 know, you've heard a lot of testimony how there's a lot
3 that goes on there. People don't just come forward and
4 talk about cases usually.

5 A It's a case-by-case basis and a person-by-person
6 basis. I can't say that goes for everybody.

7 Q But again, your training you know it's important to
8 out and try and find those witnesses, right?

9 A If we can develop who they are, but if there's
10 information about them, yes. We try to find them.

11 Q At the time of Mr. Goodwin's arrest, you took his
12 phones, right?

13 A I believe Lieutenant Dauway did, yes.

14 Q Okay. So he wouldn't have access to any of the
15 numbers from his phone, right? You guys would still have
16 them, right?

17 A If Dauway took them, then yes, we still have them.

18 Q Okay. So you guys would have any contact information
19 that Mr. Goodwin would have?

20 A Yes. If they're able to download the phones, yes,
21 they are, sometimes.

22 Q They --

23 A If I can finish.

24 Q I'm sorry, yes.

25 A Sometimes the defendants don't provide us with

1 passwords, so we're not able to access the phones, or if
2 we are able to access the phones to get the information.
3 So it depends on how much information they give us in
4 regards to passwords or the information that we are able
5 to obtain the search the phone.

6 Q And today, right now as we're talking, though,
7 there's been extractions on those phones. The Sheriff's
8 Department has full access to these phones.

9 A Are you asking me?

10 Q Yes.

11 A Once again, Lieutenant Dauway would have done that,
12 so I can't speak on that.

13 Q Okay, outside. Well, you know, now, you would want
14 if your loved one or someone you cared about was in this
15 type of situation Mr. Goodwin was in, you would want a
16 full investigation after they were arrested and charged,
17 right?

18 A Repeat the question again.

19 Q If one of your loved ones was in a situation like Mr.
20 Goodwin was in and goes to the Sheriff's Department upon
21 arrest and says this is what happened, talks for 45
22 minutes, gives their full story, you would want the police
23 to go and investigate that.

24 A I would have my loved one the day of. I would have
25 the police go and check them. So yes, I would want a full

1 investigation.

2 Q Okay. And can you tell me what witnesses the
3 Sheriff's Department tried to find after you talked to Mr.
4 Goodwin on November 30th?

5 A Once again, Mr. Goodwin could not provide us a name
6 of any witnesses. I think he provided a nickname, and
7 that was it. No address for that person; no phone number
8 for that person, anything of the sort. So a nickname is
9 all we had.

10 Q How about his mom? He told you about his mom, right?

11 A I believe he did. I'm not sure if Lieutenant Dauway
12 spoke to his mother or not.

13 Q Told y'all that people had broken into her home
14 looking for him threatening them.

15 A Yes, sir. There's no report. I don't think there's
16 any report that we could find from the City or the county
17 in regards to that.

18 Q And y'all didn't investigate to make a report or ask
19 about it?

20 A Well, his mom would have to call and make a report if
21 that's her home.

22 Q I don't know if you're aware or not of Lieutenant
23 Dauway expressing his concern for Jerod after the shooting
24 before you guys had found him, picked him up. Are you
25 aware of that?

1 A That he did what now?

2 Q His concern was about harm that was going to happen
3 to Jerod. Are you aware of him talking to other people
4 and saying, "We have concerns that other people are trying
5 to kill Jerod"?

6 A Not that I'm aware of, no.

7 Q Not aware of people following his girlfriend, for
8 example?

9 A I'm not aware of any of that.

10 Q Driving around in cars tracking them outside their
11 homes?

12 A I'm not aware of any of that.

13 Q And again, you didn't review any Facebook records.
14 You didn't review any of the cellphone records. So you're
15 not aware of indications from, for example, Mr. Gibson's
16 Facebook account and what he was doing after the shooting
17 if he was looking for Mr. Goodwin?

18 A I can't answer anything like that.

19 Q Again, that would be something that you would need
20 Lieutenant Dauway for.

21 A Yes.

22 MR. BRADY: Beg the Court's indulgence.

23 (Pause.)

24 Thank you. Answer any questions the State may have.

25 THE WITNESS: Thank you, sir.

1 THE COURT: Cross-examination?

2 MR. SCOTT: Thank you, Your Honor.

3 CROSS-EXAMINATION:

4 BY MR. SCOTT:

5 Q Artiz Adeyinka, he was spoken to the day of the
6 incident; isn't that correct?

7 A I want to say I think it was that day, correct.

8 Q He was at the scene whatever law enforcement got
9 there.

10 A Yes, sir.

11 Q And just by all accounts, he had just witnessed the
12 murder of somebody right in front of him.

13 A He did.

14 Q And he was spoken to in that current state, isn't
15 that true?

16 A Yes, he was.

17 Q Okay. How many days had gone by between the killing
18 and when you finally got a chance to talk to Jerod
19 Goodwin?

20 A Three months, almost three-and-a-half months.

21 Q Does 107 days sound right?

22 A Yes.

23 Q Okay. So Mr. Adeyinka had 107 days to kind of think
24 about how he wanted to present this to you; isn't that
25 correct?

1 A That's correct.

2 Q Okay. And he does mention one of his homeboys at
3 Greene Street and this particular homeboy and Genesis
4 getting into it, did he not?

5 A He did.

6 Q And he said it was a close friend of his. It was his
7 homeboy. Then you said, "Well, can we talk to the guy?"
8 And he said what when you asked for a name?

9 A I don't know his name, I think a nickname.

10 Q Yeah. I mean, it was his homeboy, a good friend.

11 A Correct.

12 Q So when is the first time you hear Danny Sims?

13 A In court this week.

14 Q Did Adeyinka mention him at all, or was it just in
15 court?

16 A Just in court.

17 Q But this is -- you're giving Goodwin an opportunity,
18 Mirandize him, tell him all his rights and say tell me
19 your story. He waived his rights and said, "I'll tell you
20 what's going on."

21 You said, "Okay. Well, tell us about these
22 witnesses." I mean you tried to get the witness names,
23 right?

24 A We did.

25 Q He describes this guy as a good friend of his.

1 A He did.

2 Q He just didn't want to give you the name.

3 A Correct.

4 Q And then we heard about some guy, Joseph something up
5 Decker Road. He have talked about him and Jay. Do we
6 ever hear about him? Did you get a chance to talk to Joe
7 Joseph on Decker?

8 A First I heard his name is today in court.

9 Q Okay. So I mean you can't threaten him to pull
10 information out, can you?

11 A I can't.

12 Q You can offer him the opportunity to get it to you,
13 but if he's not going to get it to you, you can't torture
14 him to get it out of you, can you?

15 A I can't, all we can do is ask.

16 Q So you're reliant on these people when you interview
17 them, give me some information so I can track this down so
18 I can figure this out, right?

19 A That's correct.

20 Q Okay. And so any report that you could investigate
21 about a break in at the Greene Street home belonging to
22 Jerod Goodwin's mom?

23 A Not that I'm aware of.

24 Q Did Jerod Goodwin call you in those 107 days and say,
25 "I'm getting threatened, and I need help. I need y'all to

1 investigate these threats"?

2 A Not that I'm aware of.

3 Q Okay. I mean, you guys are good, but you do need a
4 little bit of information to work on, correct?

5 A It's a partnership. It's a give and take.

6 Q He asked about GSR. Was there ever any indication
7 of -- he just said there's two people there who can tell
8 you the story. I guess that's Artiz Gibson-Adeyinka and
9 Jerod Goodwin because we know Genesis passed on. We know
10 that.

11 A Yes, sir.

12 Q Did Artiz Adeyinka say he himself had fired a weapon
13 that night?

14 A He did not.

15 Q Did Jerod Goodwin say that Mr. Adeyinka fired a gun
16 that night?

17 A He did not.

18 Q Did Artiz Adeyinka say Genesis Williams had fired a
19 gun that night?

20 A He didn't.

21 Q Okay.

22 A I'm sorry?

23 Q Answer it if that's what you mean, but did Artiz
24 Adeyinka ever say our victim, Genesis Williams, fired a
25 gun?

1 A He did not, no.

2 Q Did Jerod Goodwin, our defendant, ever say the victim
3 fired a gun?

4 A He did not.

5 Q And you have got Jerod Goodwin saying, "I fired a
6 gun", and he never mentions anybody else firing a gun.

7 A That's correct.

8 Q Okay. GSR is helpful when you don't know who fired a
9 gun. Nobody -- everybody is saying, "I didn't fire a
10 gun".

11 A That's correct.

12 Q You know, there's three at the prosecution table.
13 All three hear a gunshot. All three say, "We didn't do
14 it." GSR testing might be helpful to say we will figure
15 out which one of you shot the gun, right?

16 A That's correct.

17 Q Do you have a gun on you?

18 A I do.

19 Q Okay. I don't know, do you expect, you know, to have
20 GSR on you all the time?

21 A I shouldn't, no.

22 Q You get those particles when you use a gun.

23 A That is correct.

24 Q What about -- and you talked about like if we try to
25 find GSR on Genesis Williams, we're asking for resources

1 to be used to find what we already know we're going to
2 find. We're going to find GSR on the man because he died
3 from three gunshot wounds, right?

4 A That's correct.

5 Q So if we test him, Genesis Williams, we expect to
6 find GSR, right?

7 A We do.

8 Q The pathologist said he died from three gunshot
9 wounds, right?

10 A He did.

11 Q Jerod Goodwin said, "I shot him three times", right?

12 A He did.

13 Q All right. So we didn't do GSR, did we?

14 A We did not. Well, SLED did not test it.

15 Q But we know we're going to find GSR on Genesis
16 Williams?

17 A That's correct.

18 Q Let me ask you this: If somebody is trying to pick
19 up Genesis Williams, trying to help him get medical aid
20 for him. Could the GSR that we know is going to be on
21 Genesis Williams transfer to that person?

22 A It could.

23 Q So now where are we? We're testing things we know
24 doesn't really move our case, I guess. Do you agree?

25 A I agree with that.

1 Q Do you have unlimited resources?

2 A I wouldn't say that.

3 Q Okay. How long do you get to sit and kind of, you
4 know -- do you know how many pending homicides we have in
5 Richland County, by chance?

6 A I can tell you how many I have.

7 Q How many do you have personally?

8 A Maybe five.

9 Q Five, okay, over 100 in Richland County --

10 MR. BRADY: Your Honor, we're getting outside the
11 realm of relevance.

12 THE COURT: Overruled.

13 BY MR. SCOTT:

14 Q Okay. Over 100 pending homicides in Richland County.
15 Does that sound about right?

16 A That's probably the low end.

17 Q Getting close to 170, right?

18 A Yes.

19 Q So without limited -- with unlimited resources, we
20 have to figure out what we can do on every case to
21 investigate the very best we can but knowing, you know, if
22 we're testing, wasting resources on testing GSR on a
23 victim we absolutely know is going to have GSR on him and
24 does not move our case forward, we're using those
25 resources on those kind of tests and we're unable to use

1 resources on another one where we really need to figure
2 out what happened here, right?

3 A Yes, sir.

4 Q Because Jerod Goodwin is saying, "I shot the man"?

5 A He did.

6 Q You've got to find GSR on the guy that shot him.

7 A That would be correct.

8 Q You got one gunshot on this victim that was six
9 inches or less from him.

10 A That's correct.

11 Q Right?

12 A Yes, sir.

13 Q Artiz Adeyinka at the scene tells you, "I was on the
14 body trying to lift him up, trying to put him in a car"?

15 A Yes, sir.

16 Q And there's no evidence whatsoever from anyone that
17 Artiz Adeyinka ever fired a gun.

18 A That's correct.

19 Q Okay. But again, you spoke with Mr. Goodwin, said,
20 "Give me all the information you can of what happened.

21 How we can figure this out"?

22 A We did.

23 Q "Give me witnesses", and he's still saying it's my
24 homeboy, but I don't know his name?

25 A That's correct.

1 Q Okay. And 107 days later -- when you were with the
2 Fugitive Task Force, you had to go find him, right?

3 A I was.

4 Q Okay. And he's out in Lexington County.

5 A Yes, sir.

6 Q You bring him back, and he had 107 days to kind of
7 think about what he was going to tell you guys.

8 A He did.

9 Q Because he didn't call you anytime after the killing
10 and within those 107 days to say, "I got some
11 information", did he?

12 A He did not.

13 Q The DNA testing, you were here for the DNA. Artiz
14 Adeyinka, right off the bat, he was saying that Genesis
15 Williams was trying to get Jerod Goodwin out of the car?

16 A Right.

17 Q He was?

18 A He did.

19 Q Okay. Jerod Goodwin, when you interviewed him 107
20 days after he killed Genesis Williams, he said, "Before I
21 killed Genesis Williams, we were at my house on Greene
22 Street, and we tussled"?

23 A He did.

24 Q He talked about mushing each other's faces, right?

25 A He did.

1 Q And then he said what Adeyinka said. He said,
2 "Genesis Williams was trying to pull me out of the car.
3 He pulled me out four to five times before I killed him"?

4 A That's correct.

5 Q So he, himself, is saying that they're struggling
6 with one another before the killing and during the
7 killing.

8 A That's correct.

9 Q Aren't you going to expect to find Genesis Williams'
10 DNA on Jerod Goodwin and vice versa?

11 A I would think so.

12 Q You never got to test Jerod Goodwin, though, because
13 he was on the run 107 days, though, right?

14 A That's correct.

15 Q So DNA analysis, \$6,000 of State money than we spend
16 on that, tells us what we already expect, right?

17 A That's correct.

18 MR. SCOTT: Okay. Thank you. Nothing further.

19 THE COURT: Mr. Brady?

20 MR. BRADY: Thank you.

21 REDIRECT EXAMINATION:

22 BY MR. BRADY:

23 Q So I think what Mr. Scott just testified to or had
24 you testify to was that Mr. Adeyinka from the getgo was
25 saying that Genesis was leaning in and pulling him out of

1 car, right? That's what he just elicited from you, for
2 the jury.

3 A Well, he told me that on the 22nd.

4 Q On the 22nd, right?

5 A Correct.

6 Q That's before -- I'm sorry. That's after the DNA
7 testing is done, right?

8 A Based on what you said, correct.

9 Q Okay. And I mean, what the DNA analyst here said,
10 right?

11 A Yes.

12 Q And again, the first time he spoke -- and we watched
13 a lot of clips of this. You were here for those. He
14 repeatedly said, "Push, push. They got up to go to fight.
15 Push, push. You know how it goes. They say they're going
16 to get out of the car together, it's to fight," right?

17 A That he was his interpretation.

18 Q I mean, the interpretation with four different
19 officers four times, right?

20 A I don't think four officers asked him that.

21 Q You have Astan Mitchell, right? She was there. We
22 saw her on camera.

23 A I didn't see that. I heard bits and pieces about it.
24 I didn't see who was there.

25 Q Okay. Who was that guy you flew in from Mississippi

1 that was here at the very beginning?

2 A I've never seen that guy before in my life. I don't
3 know.

4 Q Beau was here.

5 A Okay.

6 Q He was on the scene, right? You have Investigator
7 Brown, right? He was there.

8 A Okay.

9 Q You have Investigator Nations. She was there, right?
10 Officer Gibson, I think he's with the Columbia Police
11 Department now. He was there, right?

12 A Okay.

13 Q He didn't tell a single one of these people that
14 Genesis was trying to pull him out of the car, right?

15 A Not that I heard, no.

16 Q No. So at that time, your story that you had to go
17 off of until the DNA testing was requested by the defense
18 was, "Push, push." Because again, he didn't tell you
19 about Greene Street either, right?

20 A Well, I didn't speak to him then, so he didn't tell
21 me.

22 Q You saw all the body camera footage, right?

23 A Correct.

24 Q You saw him lie and say he was at the hookah lounge
25 on is it Broad River or Bush River?

1 A Right.

2 Q Right? So he lied about that.

3 A Correct.

4 Q And we're talking about the gunshot resident, but

5 you've got Artiz who says that he was over here on this

6 side of the car, in front of the car, right?

7 A Yes, sir.

8 Q He also says that he got hit in the face with a shell

9 casing that got ejected from Mr. Goodwin firing right

10 rear, hit him in the cheek, right? So there's no way he's

11 over here, right?

12 A I wasn't there, sir. So I can't speak on that.

13 Q Okay. But we actually know he's probably pretty

14 close to Mr. Goodwin and to the shooting, not far away

15 from it, right?

16 A Repeat the question again.

17 Q He's close enough to get hit with a shell casing,

18 right?

19 A Right.

20 Q He is probably a little bit closer than over on that

21 side of the car, right?

22 A I would think so.

23 Q Right. And he lied about being in the back of the

24 car. For some reason, he didn't want to be the one who

25 had stopped the car and chosen to stop it, right? He

1 acknowledged that when he gets out of the car, he tells
2 Mr. Gibson, "No. I was in the backseat. I'm not the one
3 who chose to stop it here," right?

4 A He did say that, yes.

5 Q Okay. He's trying to distance himself where the
6 shooting happened like he wasn't near or around Jerod and
7 Genesis while this pulling is going on, trying to yank him
8 out of the car, right? He's trying to put himself farther
9 away.

10 A Correct.

11 Q We know he's now charged with armed robbery, right?

12 A He is.

13 Q That was the very first thing that Jerod said to you
14 when you asked him what happened is that they were trying
15 to rob him.

16 A He mentioned that.

17 Q We didn't know that. Because again, we're going off
18 of him saying, "Push." We have no Greene Street, so you
19 would have no reason to believe that there's DNA under the
20 fingernails at that point, right?

21 A Well, I can't say that if they're pushing and
22 shoving. It means he scratched somebody. Pushing and
23 shoving, it depends on how many long your fingernails are.

24 Q Okay. But then after that, right, once we know the
25 DNA testing is done, he gets this armed robbery charge

1 where he's looking at 60 years in prison. He has a
2 ten-year minimum, right?

3 And now he's hunky dory to talk to you guys, and he's
4 mad that they fixed his story so that it fits the new
5 evidence you have, right? So we no longer have the "Push,
6 push." He's adapted, now that we have new evidence, knows
7 that they tested it, and he's pulling him out of the car.

8 A Well, he didn't know that the evidence was tested.
9 When we met with him, he told us what he told us which
10 happened to match what the defendant said.

11 Q There was also some testimony about his being afraid
12 to talk to you guys, right?

13 A Yes. So, in my experience with homicides, normally
14 people that we talk to initially in the beginning aren't
15 very talkative for various reasons. It could be because
16 they're scared. It could be because they have to go to
17 the street, snitching, a lot of the youth. So there's
18 various reasons.

19 You have some people who are very forthcoming when
20 you first talk to them, so each individual case has to be
21 judged on its own narrative. And everybody is not the
22 same.

23 Q They don't want to be recorded or seen talking to the
24 police, right?

25 A Once again, that's a case-by-case basis. Some of

1 them are more than willing. Some of them are somewhat
2 reluctant, but it's a case-by-case basis, person-by-person
3 basis.

4 Q Okay. But if you're afraid of being called a snitch,
5 right, as it was phrased, you wouldn't want to be on the
6 recording talking to the police.

7 A You may not want to be, but in the end, you want to
8 do the right thing, which he chose to do. He did by
9 talking to us.

10 Q Well, not just on a recording from talking to you on
11 your body camera, right?

12 A You're talking the second?

13 Q Not just a body camera alone, right?

14 A No. He said he wanted to talk to us. He reached out
15 and said he wanted to talk, and Lieutenant Dauway and
16 myself went and spoke with him.

17 Q Well, there's two recordings, right?

18 A Of what?

19 Q Of that conversation.

20 A Not that I'm aware of unless there was a -- you keep
21 using the term to try to see how that works just using the
22 body cam, but if there's two separate entities if that's
23 what you're referring to.

24 Q No. I'm talking about the guy who was afraid to talk
25 to the police who didn't want to be called a snitch who

1 then gets an armed robbery charge, and then now all of the
2 sudden he wants to talk to them.

3 He has a different story that he now says is the
4 truth and now matches the new evidence the defense has
5 requested, and he pulls out his own phone and smiles. And
6 at the beginning of that recording, Lieutenant Dauway and
7 you acknowledge -- and Mr. Williams [sic] is now
8 recording, too, right?

9 A Mr. Williams?

10 Q I'm sorry. Mr. Gibson Adeyinka is also recording,
11 too, right?

12 A Yeah. He said he wanted to record for his -- I guess
13 for his own reason or purpose which is fine. Once again,
14 the day that they spoke to him, he just saw his friend get
15 killed.

16 He had to watch his friend ultimately die in his arms
17 or die in his presence. I'm not sure how that would make
18 me feel. So he said what he said, but in the end, he did
19 the right thing. He reached out to us regardless of
20 whatever he has going on. That was during the interview.
21 He told us the story that happened to match what the
22 defendant said.

23 Q So it just happened to match what the defendant said
24 the first time a couple of years later?

25 A Once again, he just saw his friend get killed in

1 front of him. He said he was traumatized. He said he was
2 hurt. He apologized for it by coming in and doing the
3 right thing and telling us what happened.

4 Q Okay. Again, the other, really I think, key part of
5 his testimony was there was no just pulling, right.
6 That's all brand new. That's the DNA evidence proved up
7 after he requested it.

8 After you've had that statement from Mr. Gibson
9 Adeyinka that he adjusted to. Because that played out in
10 the beginning, that's what Lieutenant Dauway's decisions
11 were based on, right?

12 A Well, I think what's lost in this is there was some
13 kind of assault, whether he's pulling or mushing, it's all
14 the same thing, an assault. So that DNA could have
15 gotten, once again, under his fingernail either mushing or
16 by pulling.

17 Q I'm talking --

18 A Either way, he was touched.

19 Q I'm talking about information you had when the
20 decisions to charge were made --

21 A Uh-huh.

22 Q -- and when this case summary was made, right? You
23 didn't have anything from Greene Street from Mr. Gibson
24 Adeyinka, correct?

25 A No.

1 Q He had never mentioned it before?

2 A No, but you had the assault in the car right before
3 he was shot saying that he was trying to either mush him
4 or, as you say, try to fight or what have you. So once
5 again, that's how the DNA got on him or on Mr. Goodwin or
6 Genesis.

7 Q I think maybe you're adding some new testimony there,
8 but you agree that those statements are what Lieutenant
9 Dauway had to rely on, correct?

10 A Correct.

11 Q All right. So his case summary, if you'll read along
12 with me -- I just want to make sure you can see it.
13 Right? That's his final decision on how that occurred.

14 A That's what he wrote, correct.

15 Q He wrote that?

16 MR. SCOTT: Objection, hearsay.

17 THE COURT: Y'all approach.

18 (There was a bench conference in the presence of the
19 jury but out of the hearing of the jury.)

20 Objection sustained.

21 BY MR. BRADY:

22 Q Again, you reviewed that investigative report from
23 Lieutenant Dauway, right? And that has dates written on
24 it from dates that he worked on the case?

25 A Yes, sir.

1 Q Okay. And the investigative report we have, I think
2 the second to last entry, is November 30th. That's when
3 y'all talked to Mr. Goodwin the first time?

4 A That's correct.

5 Q And then there's only one more entry, and that's just
6 about running one of the guns being checked on.

7 A That's correct.

8 Q And so there's zero investigation done after that
9 last date in December of 2021.

10 A Once again, I can't speak on that.

11 Q And Lieutenant Dauway could. We wanted him here.
12 The State did not, and that's where we are.

13 MR. SCOTT: Objection, Your Honor.

14 THE COURT: Sustained.

15 Ladies and gentlemen, disregard that last question by
16 Mr. Brady.

17 MR. SCOTT: I would ask Mr. Brady to be cautioned,
18 too, Your Honor. That was inappropriate, untrue.

19 THE COURT: We'll leave it there.

20 You'll disregard that comment.

21 Mr. Scott, anything else from this witness?

22 RECROSS-EXAMINATION:

23 BY MR. SCOTT:

24 Q Are you aware that the defense said they didn't need
25 Mr. Dauway here in their subpoena. Are you aware of that?

1 A I am.

2 Q Okay. So that was -- that was --

3 MR. BRADY: Objection. That's not true. Can we
4 approach, Your Honor?

5 THE COURT: Yes.

6 (There was a bench conference in the presence of the
7 jury but out of the hearing of the jury.)

8 Objection is overruled.

9 BY MR. SCOTT:

10 Q Even in the Defense's subpoena, they told Mr. Dauway
11 he did not have to appear in court.

12 A That's correct.

13 Q All right. That is just a false statement that
14 somehow the State kept him from being in court.

15 MR. BRADY: Objection, Your Honor.

16 THE COURT: Sustained.

17 Don't answer that question.

18 Move on, Mr. Scott.

19 BY MR. SCOTT:

20 Q Okay. And I want to be clear, okay. He said the
21 investigation doesn't continue after a specific day.
22 That's because Mr. Goodwin wasn't giving you any leads
23 again, right?

24 A That's correct.

25 Q Had he said, "I need you to talk with Joe Josephson,

1 talk to my mama, and I need you to talk with Danny Sims,"
2 would you have hightailed it right there and heard
3 whatever information they had?

4 A Yes, we would have.

5 MR. SCOTT: Okay. Thank you, Tye.

6 THE COURT: All right. Thank you. You may step
7 down.

8 Call your next witness.

9 MS. EIGENBROT: Your Honor, may we approach?

10 THE COURT: Sure.

11 (There was a bench conference in the presence of the
12 jury but out of the hearing of the jury.)

13 All right. Ladies and gentlemen, we're actually just
14 going to break for the day. We're close. We're almost
15 there. I mean, tomorrow is the last day of weak, right.
16 It's a holiday, so we will finish this case tomorrow.

17 So I'm going to excuse you for the evening, ask you
18 to be back in your jury room tomorrow morning at 9:30.
19 Don't discuss the case amongst yourselves or with anyone
20 else. Don't do any research about the case. Have a nice
21 night. We'll see you at 9:30 tomorrow.

22 (Whereupon, the jury left the courtroom at 5:22 PM).

23 THE COURT: Before we break for the night, anything
24 before we break?

25 Yes, Mr. Scott?

1 MR. SCOTT: No, nothing from the State.

2 THE COURT: Okay. Anything from the defense?

3 MR. BRADY: Can we do jury charges now, Your Honor,
4 to get it out of the way?

5 THE COURT: Sir?

6 MR. BRADY: Should we do jury charges now to get it
7 out of the way?

8 THE COURT: I'm sort of out of steam for today, so we
9 will do it tomorrow. We'll just have to break probably
10 longer than I would like once the defense rests, but we'll
11 do it after the defense rests.

12 I will do a little bit of work on the jury charges
13 and include what I think is appropriate, you know, just to
14 get it started so maybe the discussion doesn't take
15 terribly long.

16 So if there's anything the State is requesting, this
17 evening would be the time, probably before eight o'clock
18 this evening.

19 MR. SCOTT: Yes, Your Honor.

20 THE COURT: Okay. See you all get one more day.

21 MS. EIGENBROT: Real quick, Your Honor.

22 THE COURT: Sure.

23 MS. EIGENBROT: The jail didn't bring Mr. Goodwin
24 lunch. Do you mind if I give him a nutrient bar to kind
25 of eat while he's going downstairs?

1 THE COURT: You didn't have lunch at all?

2 THE DEFENDANT: No.

3 THE COURT: Don't you have bagged lunches or
4 something?

5 MS. EIGENBROT: The jail is supposed to provide them,
6 and they don't have anything.

7 THE COURT: Got it.

8 9:30 tomorrow.

9 MS. EIGENBROT: Thank you.

10 (Whereupon, the proceedings were adjourned)

11 (December 21, 2023).

12 THE COURT: Okay. Good morning, everybody. Is the
13 State ready for the jury?

14 MR. SCOTT: We are.

15 THE COURT: Defense ready?

16 MR. BRADY: Yes, sir.

17 THE COURT: Bring the jury, please.

18 THE BAILIFF: Yes, Your Honor.

19 (Whereupon, the jury entered the courtroom at 9:55
20 AM).

21 THE BAILIFF: The jury has been seated, Your Honor.

22 THE COURT: Thank you. Good morning, ladies and
23 gentlemen. Welcome back, last day of trial. We're still
24 on the Defense case, so I'd ask you to give them your
25 undivided attention as they call their next witness.

1 MS. EIGENBROT: Your Honor, at this time the defense
2 would call Ms. April Goodwin.

3 APRIL GOODWIN, after being duly sworn,
4 testified as follows:

5 THE CLERK: Please have a seat in the witness box.
6 State your name for the record.

7 THE WITNESS: My full name is April Goodwin.

8 DIRECT EXAMINATION:

9 BY MS. EIGENBROT:

10 Q Good morning, Ms. Goodwin.

11 A Good morning.

12 Q I just want to jump right into it. How do you know
13 Jerod?

14 A He's my son.

15 Q How do you feel about Jerod?

16 A I love him.

17 Q Is he your only son?

18 A No, he's not. He's my second son.

19 Q Now Ms. Goodwin, I want to just get directly to why
20 we're here.

21 A Yes, ma'am.

22 Q Back in August of 2021, where were you living?

23 A At [REDACTED] Greene Street.

24 Q Who else stayed there with you?

25 A Jerod Goodwin.

1 Q And can you describe to the jury a little bit about
2 that property?

3 A It's a house. It's actually fenced in, front yard
4 and backyard. That's my only property. It's an open
5 field. Like this is my house, and that is the open field.

6 Q Can you describe a little bit about that neighborhood
7 that you lived in?

8 A Just a regular neighborhood like it's -- I guess it's
9 like you drive in the neighborhood. I'm trying to think.

10 Q What kind of issues have you seen living there?

11 A A lot, people come stand in your door. They'll --
12 just about anything.

13 Q Now, the early morning hours of August 15th, 2021,
14 what were you doing?

15 A In my bed asleep.

16 Q Was anyone else at the house at the time?

17 A Not with me, not with me.

18 Q At some point, did you wake up?

19 A Yeah. It was about in the wee hours of the morning,
20 and it was just a lot of noise going on outside.

21 Q Without going into anything that anyone was saying,
22 what were you hearing?

23 A I just heard a lot of commotion like a lot of
24 swearing and just a lot of commotion.

25 Q Could you hear voices?

1 A I could hear some voices.

2 Q And who did those voices belong to?

3 A Some of the -- two of the voices was Danny and

4 Genesis.

5 Q How do you know Genesis?

6 A I know Genesis from Jerod.

7 Q And when did you meet him?

8 A I've been -- knew of him, but I actually met him when

9 he became friends with my son.

10 Q And how did you know Danny?

11 A Danny is another friend of my sons.

12 Q And how long have you known him?

13 A I've known Danny about -- about ten years.

14 Q And I guess -- what was Genesis' reputation that you

15 knew of at that time?

16 A It wasn't a very good reputation.

17 Q What to you mean by that?

18 A It just wasn't a very good reputation from what I

19 heard.

20 Q And can I ask why would you let Jerod hang out with

21 him if he didn't have a good reputation in the community?

22 A I think you can't tell your children who to love or

23 who to be friends with.

24 Q Now, you said you recognized those two voices. What

25 did you do after hearing all of that outside?

1 A I let it to on for a little while, and then I just
2 jumped up. I got to screaming like, you know, bring the
3 noise down or leave my yard, and it kind of desisted for a
4 good 20, 30 minutes, and it got right back to the same
5 like cursing and swearing.

6 It sounded like a lot of shoving was going on, so I
7 got up again. I just said, you know, get out of my yard.

8 Q Ms. Goodwin, where are you in the house when you're
9 hearing these things?

10 A I'm actually in my room, and it's the far end of the
11 house.

12 Q And where are you when you go out the first time and
13 yell?

14 A At the door.

15 Q And when you walk to your door and you're outside
16 telling them to calm it down, what are you seeing at that
17 time?

18 A I see -- I see a person standing here and a lot of
19 people standing on this side of -- like it's all in my
20 yard, but it's like about two people -- one or two people
21 standing here and about four people standing there on this
22 side of the yard.

23 Q Who is that -- or who is the one of two people?

24 A Danny and some other -- I can't think of their name,
25 and it was Genesis. I think it was -- it was something

1 like two or three more other people. I can't remember
2 their names. It's like nicknames.

3 Q Would you recognize them if you saw them?

4 A Uh-huh, uh-huh.

5 Q And what were they doing when you walked outside?

6 A They were trying to calm Genesis down, and the other
7 person that was standing next to Danny was trying to calm
8 him down.

9 Q Where was Jerod?

10 A Standing on the side with Genesis.

11 Q And what happened once you came out of the house on
12 the porch?

13 A He said, "Mom, don't worry about it. I got it. I
14 will get them to calm down." Like I said, for the second
15 time it seemed like it kind of calmed down, but it didn't.

16 Q So it sounds like you said it -- once you went back
17 inside, it did calm down or that you thought it was.

18 A Yeah.

19 Q And then what prompted you to go back outside?

20 A It got really, really loud, and like it sounded like
21 a little more than just -- you know, just arguing. It
22 sounded like a confrontation.

23 Q And when you went back outside the second time, what
24 did you see then?

25 A The people trying to stop like Jerod, and like I

1 said, it was about two other people trying to calm Genesis
2 down, and it was another person trying to calm them down.

3 Q Where was Jerod at this time?

4 A Jerod was still on this side with Genesis.

5 Q Now, at some point do you still hear voices --

6 A Uh-huh.

7 Q -- when you go back inside?

8 A Uh-huh.

9 Q When would you say that stopped?

10 A After the third time I went to the door, and I
11 just -- I turned the light on. I said, "Just get the hell
12 out of my yard. I'm just not going to go for it." About
13 five or ten minutes later, the whole yard just kind of
14 cleared out. There was no one else out there.

15 Q At any point when you went outside, did you see Jerod
16 and Genesis fighting?

17 A No.

18 Q What kind of interactions were they having?

19 A So they was trying -- I mean, Jerod and the other
20 people was trying to tell Genesis like it's not that
21 serious, you know, just -- you know, just kind of calm
22 down.

23 Q And what did you do after that happened?

24 A Like I said the third time, I went and flipped the
25 lights on. I just told them to get out of my yard, you

1 know. I want to say about five to ten minutes later, they
2 got into the cars and just started to leave.

3 Q And did you leave the house that morning?

4 A I didn't leave, not when they left. I didn't leave
5 when they left. I -- when the sun came up, I kind of -- I
6 left that morning.

7 Q And Ms. Goodwin, when you left your house, when did
8 you come back?

9 A I actually had a doctor's appointment, so I didn't go
10 to the doctor's appointment. I just went to my niece's
11 house, and then I came right back home.

12 Q What did you find when you came back home?

13 A My house was in a wreck.

14 Q What do you mean by that?

15 A It was totally ram-shacked like all my televisions,
16 everything was gone, my animals, my puppies. Everything
17 was gone.

18 Q It was like a break in?

19 A Yes.

20 Q Did you report that to the police?

21 A I didn't.

22 Q Why not?

23 A Because I got threatening like people used to ride by
24 my house and threaten me, like they said if I called the
25 police.

1 Q And at some point, did you learn why that was
2 happening?

3 A Yes.

4 Q What was the reason that was happening?

5 A I find out that Genesis and Jerod got into it and...

6 Q What kind of threats were you receiving at that time?

7 A Like they were telling me they were going to kill me.

8 Q At any point in time, did you tell Jerod about what
9 was happening?

10 A I kind of -- I told him what, you know, I just tried
11 to keep it to myself, you know, because I didn't want
12 anything else to go -- you know, to go on.

13 Q What did you do because you received those threats?

14 A I left.

15 Q Where did you go?

16 A I went and stayed with my boyfriend.

17 Q And Ms. April, at any point in time did law
18 enforcement ever come talk to you?

19 A No, ma'am.

20 Q Did they ever come ask where Jerod was?

21 A No, ma'am.

22 Q Did they ever ask you to tell him to turn himself in?

23 A No, ma'am.

24 Q Did you ever speak to law enforcement?

25 A No, ma'am.

1 MS. EIGENBROT: Beg the Court's indulgence.

2 (Pause.)

3 THE COURT: Yes, ma'am.

4 MS. EIGENBROT: Thank you, Ms. Goodwin. Please
5 answer any questions the State may have.

6 THE WITNESS: Yes.

7 CROSS-EXAMINATION:.

8 BY MR. SCOTT:

9 Q Ms. Goodwin, this neighborhood you called it drug
10 infested. Is it called a high crime area?

11 A Yes, it is.

12 Q A lot of people with guns?

13 A Yeah.

14 Q Is that right?

15 A You see, it's a neighborhood.

16 Q It's a neighborhood?

17 A It's a neighborhood. It's where I stay.

18 Q It's drug infested is what you said?

19 A Uh-huh, yes.

20 Q And a lot of people hang out at that lot next door to
21 you.

22 A Yes.

23 Q This particular night, people were kind of getting
24 out of hand in your yard; is that correct?

25 A It was in the field and in the yard, yeah.

1 Q People were getting out of hand is kind of how you
2 described it?

3 A Yes.

4 Q I want to talk about Danny Sims for a minute. You
5 said you've known him ten years. Would that -- has Jerod
6 been bringing him around ten years?

7 A No. I just -- I know his father, and I, you know,
8 had interactions with him and his father.

9 Q You said he and Jerod were good friends?

10 A They were friends.

11 Q You testified they were good friends earlier. Are
12 they just friends now or...

13 A I mean, I mean if you want to call them friends.

14 Q I want you to tell me what you call them.

15 A I mean, friends are friends.

16 Q Okay. And when -- do you know -- if you know, why
17 did he tell law enforcement he couldn't remember Danny
18 Sims' name?

19 MS. EIGENBROT: Objection, speculation, Your Honor.

20 THE COURT: Sustained.

21 BY MR. SCOTT:

22 Q I just want to -- do you know why?

23 A I don't know why. I have no idea.

24 Q But Danny Sims is somebody, you recognize his voice,
25 been hanging out with him ten years. He comes over. He's

1 friends with Jerod.

2 A He is in the neighborhood, so if he's not -- I mean,
3 he's not my friend. I mean, they're about the same age so
4 friends are friends.

5 Q But you know law enforcement was never given his
6 name. You didn't think to tell them about it?

7 A I mean, I didn't think to -- law enforcement has
8 never spoken to me.

9 Q Okay. Well, you've spoken to law enforcement before,
10 right?

11 A No, I have not, not in reference to this case.

12 Q No. Well, just you've had exposure to law
13 enforcement. You know where to find them.

14 A I mean, I have.

15 Q Okay. So if your son has been charged with a
16 homicide or is implicated in a homicide, you wouldn't
17 think to go tell them everything you know about what
18 happened earlier in the night?

19 A I mean, not if they didn't ask me, you know. They
20 didn't come and ask me for him. Like I said, I didn't
21 have knowledge of that from law enforcement.

22 Q You know where to find them though, right?

23 A I know exactly, 9-1-1.

24 Q Yeah. But you didn't -- I want y'all to talk to
25 Danny Sims. I want you to know about the scuffle I

1 witnessed. I want you to know all these voices I
2 recognized.

3 A I mean...

4 Q You let it go on for awhile. It sounded like a lot
5 of shoving. What does shoving sound like from your house?

6 A Like A lot of moving around, like a lot of tussling,
7 like you can hear like my trees. It's like trees in the
8 yard. You can hear a lot of that moving around.

9 Q Okay. Did Jerod tell you that he had gotten in a
10 scuffle?

11 A He did not.

12 Q He did not?

13 MS. EIGENBROT: Your Honor, she was not here
14 yesterday.

15 BY MR. SCOTT:

16 Q I didn't know. Where were you yesterday?

17 A I was at the hospital.

18 Q Okay. So you go out three times, and then finally
19 the third time you said, "Get out of my yard."

20 A Yeah. I said, "Get the hell out of my yard," and I
21 turned on the light.

22 Q As a homeowner, you have the right to tell people to
23 get out of your yard, right?

24 A I sure do.

25 Q And when you tell them to get out, you expect them to

1 leave your property?

2 A They did within about five or ten minutes.

3 Q Because everybody knows when you say, "Get off of my
4 property" --

5 A That's what I mean.

6 Q Right. Because that's your property.

7 A Exactly.

8 Q When you tell somebody to get off, they need to
9 leave, right?

10 A Right.

11 Q That's common sense, right?

12 A Right.

13 Q Everybody knows that, right?

14 A That's common sense.

15 Q Thank you. "Leave my yard. I'm telling you to
16 leave, because it's my yard." And that's what you did.

17 A Yeah, the third time they did leave.

18 Q You had every right to do that.

19 A Exactly.

20 Q Everybody knows when someone owns a piece of property
21 and you tell somebody to get off my property, they need to
22 do it.

23 A Exactly.

24 Q That's the law, right, as far as you know?

25 A As far as I know.

1 Q But these people listened to you, and they left
2 right? Right?

3 A Yes.

4 Q And so they were able to avoid any further conflict
5 with you, correct?

6 A Yes.

7 Q Okay. They did what they were supposed to do.

8 A They left.

9 Q Good. So after they left, now there's no opportunity
10 for people to argue and fight anymore in your yard because
11 they left like you asked them to, right?

12 A That's true.

13 Q Okay. So where does Jerod keep his guns in your
14 house?

15 A He does not keep guns in your house.

16 Q He doesn't?

17 A He does not.

18 Q Okay. So if he said he had gone into your house to
19 get a gun, that would be untrue as far as you understand?

20 A That would be untrue.

21 Q Okay. Well, do you know where he keeps his guns?

22 A No, I do not.

23 Q Okay. So if he said he went in your house and got a
24 gun, that's a lie?

25 A That is a lie.

1 Q So if he had a gun, he would have to keep it on him
2 at all times as far as you know?
3 A I don't know. I don't know. I have never seen him
4 with a gun.
5 Q But you do not allow them in your house.
6 A I do not.
7 Q Because guns aren't allowed in your house.
8 A They're not.
9 Q They're not supposed to be -- legally, they're not
10 supposed to be in your house.
11 A They're not.
12 Q Correct?
13 A They're not.
14 Q Okay. Do you remember about what time it was when
15 everybody finally left your yard when you asked them to,
16 and they did what they were supposed to do?
17 A No, I don't.
18 Q Was the sun coming up yet?
19 A No.
20 Q Okay.
21 A It was still dark outside.
22 Q Still dark?
23 A Yes.
24 Q And were you driving that white Crown Vic at the
25 time?

1 A I sure was.

2 Q Okay.

3 A Still am.

4 Q You still got the while the Crown Vic?

5 A I do.

6 Q And it operates.

7 A Yeah.

8 Q Crank the engine up. You can drive the car.

9 A Yeah, before they put sugar in the tank.

10 Q I wonder who -- who did that?

11 A I don't know. I don't know. I mean I can't...

12 Q You don't want to report it?

13 A I don't want to report it.

14 Q So you have to...

15 A Just deal with it. Yeah. Just deal with it.

16 Q Who is your boyfriend at the time?

17 A His name is Dedrick.

18 Q Okay. Where does he live?

19 A He stays on Page Street.

20 Q What's the address?

21 A I don't know the address.

22 Q But that's where you went to live when...

23 A Uh-huh.

24 Q We can't look at any reports about -- I mean, it's a

25 high crime area. Is it uncommon for houses to be broken

1 into on that stretch of Greene Street?

2 A No.

3 Q It's not uncommon?

4 A No.

5 Q Okay. Let me ask you this: They covered it. You
6 love your son, right?

7 A I do.

8 Q And you're here to testify on his behalf, correct?

9 A I would testify, yes.

10 Q Let me ask you this: Okay, Jerod Goodwin, your son
11 had called you on the morning of August 15th, said, "Mom,
12 I need you to come get me. I'm at a Citgo. Would you
13 come please, pick me up," what would you have done?

14 A I wouldn't have got him. Because like I said, I had
15 a doctor's appointment.

16 Q Well, you went to your niece's house.

17 A Yeah, I didn't go to the doctor's appointment. I
18 went to my niece's house.

19 Q Okay. So why wouldn't you have gone and gotten your
20 son if he needed a ride?

21 A Because he did not call me.

22 Q Let's say he did, though.

23 A But he didn't.

24 Q If he said, "Mom, I need a ride. Can you come get
25 me"?

1 MS. EIGENBROT: Your Honor, at this time I think
2 Ms. Goodwin answered the question.

3 THE COURT: Sustained.

4 BY MR. SCOTT:

5 Q Okay. If he told you, "Mom, I'm in a neighborhood.
6 I don't feel comfortable where I am. I need you to come
7 get me"?

8 A I don't think I would have.

9 Q You wouldn't have got -- you wouldn't have done that
10 for the son you love?

11 A I don't think so, not so early in the morning.

12 Q You were out visiting a niece. If he said, "Mom, I'm
13 in a" --

14 A Yeah, my blood pressure was really high, and I wanted
15 to go to the hospital for my doctor's appointment, but I
16 went to my niece's house.

17 Q Is your niece a doctor?

18 A No. She is not a doctor, but she could have went to
19 the hospital with me.

20 Q You could have gone to the doctor and your blood
21 pressure was up, but you decided to go to your niece?

22 A Yes, I did.

23 Q Why?

24 A Because I did.

25 Q Why?

1 A I just did. I know --

2 Q Why?

3 MS. EIGENBROT: Your Honor --

4 THE WITNESS: -- that my blood pressure would have

5 been too high.

6 THE COURT: Sustained.

7 BY MR. SCOTT:

8 Q Okay. So just to be clear, you had a doctor's

9 appointment. Your blood pressure was up, but you said,

10 "I'm not going to the doctor. I'm going to my niece's

11 house"?

12 A No. I'm going to go to my niece's house. Yeah,

13 because I didn't want to go to the hospital by myself.

14 Q And you don't go pick up your son when he needs you?

15 A I mean, if he was in dire straights here, I would.

16 Q Okay.

17 A If he was in dire straight, I would.

18 Q Okay.

19 A But not if he's just calling me just willingly just

20 to say, "Mom, hey, come pick me up."

21 Q No, no, no.

22 A He has to have a reason.

23 Q Right. I'm not saying just come drop everything you

24 do. "I'm stranded. I'm out here. I feel like something

25 is about to happen. I need you to come. Mom?"

1 A Yes, I would. I would.

2 Q Okay. That's all. Because you love the guy.

3 A I mean, yes.

4 Q That's what a mom does for her son.

5 A Exactly.

6 Q I hope, right?

7 A Yes.

8 MR. SCOTT: All right. Thank you. Answer any
9 further questions the defense may have for you.

10 THE COURT: Any redirect?

11 MS. EIGENBROT: Just briefly, Your Honor.

12 REDIRECT EXAMINATION:

13 BY MS. EIGENBROT:

14 Q Ms. Goodwin, did you have any idea what was happening
15 with Jerod --

16 A No.

17 Q -- the morning after he left the house?

18 A No, I did not.

19 Q Did you know that there had been any issues between
20 him and Genesis at any point in that day?

21 A No, ma'am.

22 Q And why again did you not call law enforcement about
23 any of this stuff happening to you?

24 A Again, because I was threatened.

25 Q And when you received those threats, how did you know

1 they were related to this situation?

2 A It was what was said. I mean, it was either through
3 text messages, Facebook. I don't even have Facebook. I
4 don't even have the same number or nothing anymore.

5 Q Did you change all that because of what was
6 happening?

7 A Yes, ma'am.

8 MS. EIGENBROT: Thank you.

9 THE WITNESS: Thank you.

10 RECROSS-EXAMINATION:

11 BY MR. SCOTT:

12 Q Okay. So these there's were text messages?

13 A Uh-huh.

14 Q Can we see those threads?

15 A Like I said, I don't have the same phone or the same
16 number anymore. I don't even have Facebook.

17 Q You didn't save any of those threats, so we could --
18 I want to shown Investigator Jordan so we can figure this
19 out. You don't have them?

20 A No, I don't. Like I said, I don't even have
21 Facebook, Instagram or any of that. I have not had it for
22 about like a year now.

23 Q Ms. Goodwin, we're talking about threats against your
24 life. We need to let law enforcement know about this,
25 right? That's a serious thing, correct?

1 A At the end of the day, it's not.

2 Q Not one screenshot?

3 A I do not. I do not even have the same phone.

4 Q Not one printout of a Facebook message?

5 A No, I do not.

6 Q Not one police report?

7 A No, there isn't.

8 Q No proof whatsoever that you were ever threatened any
9 way at all, not one shred of evidence.

10 MS. EIGENBROT: Objection. Your Honor, I'm going to
11 object to that.

12 THE COURT: Sustained.

13 MR. SCOTT: Is that a -- can I ask her question?

14 THE COURT: No.

15 MR. SCOTT: Okay. Nothing further, ma'am.

16 THE COURT: Thank you, ma'am. You may step down.

17 THE WITNESS: Thank you.

18 THE COURT: Call your next witness.

19 MR. BRADY: Your Honor, at this time I think we're
20 ready to take up matters of law.

21 THE COURT: Are you resting?

22 MR. BRADY: Yes. The Defense rests.

23 THE COURT: Okay. Ladies and gentlemen, please
24 return to your jury room so that I can discuss matters of
25 law with the attorneys. Please do not discuss the case

1 amongst yourselves. I'll bring you back shortly.

2 (Whereupon, the jury left the courtroom at 10:22 AM).

3 First, any motions by the defense?

4 MR. BRADY: Yes, Your Honor. At this point, we would
5 again ask that the Court direct the verdicts. I think the
6 Court has a fuller picture of all the evidence, obviously,
7 in the case now.

8 We renew the same directed verdict motions that we
9 had previously submitted to the Court on the same grounds
10 on the additional argument I have is just in relation to
11 the vehicle.

12 I think we've now established that he had left the
13 vehicle with the keys in it to be found, and I think that
14 does change a little bit where we had previously not had
15 evidence about whether or not he had the permanent intent
16 to deprive. I think now we now know that is not the case.
17 It's at that for that specific one, but we renew all of
18 those directed verdicts.

19 THE COURT: We know that only if the jury is to
20 believe the defendant, and it's for the jury to assess his
21 credibility. That motion for a directed verdict, all
22 motion, are denied. As to the ones reiterated, my rulings
23 remain the same.

24 MR. BRADY: Thank you, Your Honor. At this point
25 we'd also renew our other motions including pretrial,

1 throughout the trial, as well as all of our objections,
2 and we ask that the Court consider any cumulative effect
3 they may have had during the trial and reconsidering those
4 motions. In reconsidering those motions, including the
5 motion for a mistrial, based on the necessary witness and
6 again, we're asking for the cumulative effect of all of
7 that in light of that.

8 THE COURT: Understood. My rulings remain the same.

9 MR. BRADY: Thank you.

10 THE COURT: Jury charges. Let's begin with the
11 Defendant's requested charges. Does the State have any
12 objection to the defendant's requested charges? Let's
13 begin with the self-defense charge.

14 MR. SCOTT: Your Honor, I don't believe he gets a
15 self-defense charge in this case. I'm going to come right
16 out and say I don't -- I'll walk through the prongs of
17 self-defense.

18 The very first one being not at fault in bringing on
19 the difficulty, Mr. Goodwin has admitted to arming himself
20 before getting in the car with somebody he's been arguing
21 with all night, has gotten into a physical altercation
22 with, armed himself, gets in the car with this person.

23 When this person asks him to leave the property,
24 namely the Chrysler, he had a right to do, and Jerod
25 Goodwin had no ownership or possessive skills of -- I'm

1 sorry, or rights over it. When he was asked to leave,
2 Mr. Goodwin refused to, okay. So he is at fault for
3 bringing on difficulty.

4 His own mother said that everyone knows when you're
5 asked to leave property, you do so. Had he exited the
6 car, none of this difficulty would have arisen. So prong
7 one, he's already failed.

8 Prong two, was he in imminent danger of great bodily
9 injury or death? There is a case, State v. Bruno 322 SC
10 534. Here is what -- here is the applicable section
11 regarding prong number two of self-defense.

12 Bruno it was said is not entitled to a self-defense
13 charge because he presented no evidence that he believed
14 he was in imminent danger of losing his life or sustaining
15 serious bodily injury.

16 On direct examination, his only testimony was that he
17 felt the victim was coming at him with something. He
18 testified, "It happened so quick, you know. I didn't mean
19 to kill him. I just wanted him to keep away from me."

20 Furthermore, when asked what his intention in firing
21 the weapon, Bruno responded, "Just let him know to try to
22 stay away from me and not mess with me" which is
23 essentially what Jerod Goodwin testified to. "I'm trying
24 to back him off."

25 He theorizes if he gets the gun, he's going to shoot.

1 He never once says that Mr. Goodwin [sic] was armed during
2 this fray. He theorizes, "If he was to get my gun, I felt
3 he might turn it on me." Okay, so he has failed prong
4 number two.

5 He never says that he was in imminent danger of death
6 or great bodily harm. He felt if the victim had gotten
7 the gun, perhaps he would have turned it on him and
8 nothing more. That's the assumption. That particular
9 analysis of Bruno is almost exactly what our case is.

10 Would a reasonable person have entertained the same
11 belief? The evidence is -- it was testified to -- is that
12 Jerod Goodwin was 215 pounds, 5'11", high school athlete.
13 The evidence was that Genesis Williams was 5'7", 150
14 pounds, and had a .177 alcohol concentration.

15 The average prudent person with those size
16 discrepancies felt that they were in imminent danger of
17 death from an unarmed person when you yourself are armed.
18 The answer is no.

19 Anyone with prudent reasons of ordinary courage would
20 not have entertained that same thing. Most importantly,
21 prong number four: No other ways of avoiding the
22 confrontation, okay.

23 He testified: A, he didn't have to get in the car he
24 had been arguing with all night, but you did; b, you could
25 have gotten out at the Citgo. Mom would have come picked

1 you up.

2 Here is where it really goes down, and that is when
3 they're asked, the intersection of Dominion Drive and
4 Prince Edward Court, you were asked to get out, you could
5 have done so.

6 He pulls you out three to four times. The last
7 question I asked him on cross yesterday, the very last
8 thing before I sat down was: "Mr. Goodwin, there's three
9 to four times you were pulled out of the car. You could
10 have turned left. You could have turned right. You could
11 have taken four to five steps away from this whole
12 confrontation that's going on, and you could have avoided
13 the danger altogether," the fourth prong.

14 You had -- and he has to be shown to not have other
15 ways of avoiding the confrontation, the danger. He
16 answered me candidly, Judge. He said, "I could have.
17 Yes, I could have avoided the danger."

18 Do you remember that, Your Honor? That was the very
19 last question I asked him before sitting down. So the
20 testimony from the accused -- the testimony from the
21 defendant himself was he did have means of avoiding
22 danger. He chose not to.

23 I don't know that I've ever seen it, but all four
24 prongs of self-defense have been completely disproved in
25 this case, not just one. I only have to disprove one.

1 All four prongs of self-defense have really been
2 obliterated leaving no doubt he's not entitled to that
3 charge.

4 THE COURT: Mr. Brady?

5 MR. BRADY: Thank you, Your Honor.

6 State v. Taylor, 356 SC 22--- yeah, 227. I've
7 provided a copy to the State, as well. The law in South
8 Carolina is kind of similar to what we just went over in
9 the directed verdict where there is any evidence of
10 self-defense, the Court must charge it.

11 The State's opinions on which evidence is more
12 credible and which evidence the jury should believe does
13 not make out whether or not he should receive the charge.

14 In regards to at fault in bringing on the difficulty,
15 there's been testimony from Jerod, as well as from
16 Mr. Adeyinka Gibson that I think supports that he had
17 withdrawn and was not engaging in the difficulty that was
18 the fatal difficulty.

19 Even Mr. Gibson Adeyinka at this point in time has
20 acknowledged that Mr. Goodwin did not get out of the
21 vehicle to try to fight him. He was being dragged out of
22 the vehicle, being pulled out of the vehicle, and then
23 that's where their testimony kind of starts to differ.

24 There's evidence, obviously, from one that he's even
25 necessarily reaching for his firearm. That also goes to

1 the reasonably prudent person part of the argument.

2 Again, that's just a question for the jury.

3 They are left to decide whether or not they believe
4 Mr. Goodwin's testimony and this statement that he gave to
5 the police initially, pretty much mirrored exactly what he
6 said here in court.

7 At that point in time, it was only when Genesis
8 Williams went for Mr. Goodwin's firearm that he actually
9 used the firearm and acted in self-defense and used that.

10 There's been testimony regarding reputation regarding
11 what Mr. Williams was known to do and whether or not he
12 would be likely to use that firearm that supports Mr.
13 Goodwin's statements.

14 With regard to the case that was cited, I think it
15 was 322 SC 534, Bruno, I think there was a key difference
16 which is that person never says that he saw that person
17 coming at him to get a weapon and use it on him.

18 He said, "I saw him go to the trunk and something
19 snaps, so I shot him." I think that's a distinct and
20 separate statement from what Mr. Goodwin has given here.

21 He put his hands on the firearm, then he used the
22 firearm. Again, Your Honor, to the last and final prong
23 with no other way to avoid, Mr. Goodwin also testified
24 just before Mr. Scott continued on the same question again
25 and again and again Genesis was not going to let it go

1 down like that.

2 He had stated that, you know, yeah, in theory, kind
3 of like some of the other hypotheticals that the State
4 gave, you know, if you're in your house, you have the
5 right to remove someone.

6 If you're in your house, and you let that person come
7 into your house with a firearm, you can't run up to them,
8 grab them, try to take their firearm and then shoot them
9 for reasons -- we asked that he gave him time to leave the
10 home or a reasonable way to do that.

11 So again, I think looking at the case law in State v.
12 Taylor where the question is: Is there any evidence in
13 support, whether it's from Mr. Goodwin himself or
14 witnesses who testified or been impeached by substantial
15 evidence the jury must consider regarding the character of
16 the descendent.

17 Whether or not he would be likely to use that
18 firearm, I do think that under that analysis, Mr. Goodwin
19 has certainly met the very minimal burden of receiving the
20 charge of self-defense.

21 THE COURT: The Court will charge on self-defense
22 over the State's objection.

23 Now let's talk about the language of the charge
24 proposed by the defense, Mr. Scott. Is there any specific
25 objection as to the language proposed by the defense with