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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Fairfield County

Honorable Brian M. Gibbons, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MERCURY LAMONT WILLIAMSON,

APPELLANT

APPELLATE CASE NO. 2024-001309

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INDEX

INDEX.....	i
TRIAL TRANSCRIPT DATED MAY 24-25, 2022	1
DEFENSE MOTION FOR CONTINUANCE BY MS. BOULWARE.....	5
PLEA COLLOQUY WITH DEFENDANT.....	6
COURT’S RULING DENYING MOTION FOR CONTINUANCE	8
DEFENSE MOTION FOR CONTINUANCE BY MS. BOULWARE.....	13
RESPONSE BY MR. MAXWELL	14
COURT’S RULING DENYING MOTION FOR CONTINUANCE	14
STATE’S MOTION TO TRY DEFENDANT <i>IN ABSENTIA</i> BY MR. MAXWELL	15
RESPONSE OBJECTING TO TRIAL <i>IN ABSENTIA</i> BY MS. BOULWARE	15
COURT’S RULING GRANTING MOTION FOR TRIAL <i>IN ABSENTIA</i> OVER DEFENSE OBJECTION	15
DEFENSE MOTION TO EXCLUDE STATE’S EXHIBIT NO. 2 (OFFICER ANDERSON’S BODY CAMERA VIDEO FOOTAGE) BY MS. BOULWARE	17
RESPONSE BY MR. MAXWELL	18
CONTINUED DEFENSE MOTION TO EXCLUDE STATE’S NO. 2 AND MOTION FOR LIMITING INSTRUCTION AS TO STATE’S WITNESS NEWTON.....	20
COURT’S RULING GIVING LIMITING INSTRUCTION TO STATE’S WITNESS NEWTON	21
COURT’S RULING FINDING A PORTION OF STATE’S NO. 2 ADMISSIBLE OVER DEFENSE OBJECTION.....	21
JURY SWORN.....	25
OPENING STATEMENT BY MR. MAXWELL	29
OPENING STATEMENT BY MS. BOULWARE.....	31

TESTIMONY

DEVONTE ANDERSON	
Direct Examination by Mr. Maxwell	33
COURT’S RULING FINDING STATE’S EXHIBIT NO. 1 (OFFICER ANDERSON’S IN-CAR CAMERA VIDEO FOOTAGE) ADMISSIBLE OVER DEFENSE OBJECTION	40

TESTIMONY

DEVONTE ANDERSON	
Continued Direct Examination by Mr. Maxwell	41
COURT’S RULING FINDING STATE’S EXHIBIT NO. 2 (OFFICER ANDERSON’S BODY CAMERA VIDEO FOOTAGE) ADMISSIBLE OVER DEFENSE OBJECTION	45

TESTIMONY

DEVONTE ANDERSON	
Continued Direct Examination by Mr. Maxwell	45
Cross-Examination by Ms. Boulware	47
JASON NEWTON	
Direct Examination by Mr. Maxwell	54
Cross-Examination by Ms. Boulware	58
STATE RESTS.....	59
DEFENSE RESTS	60
CLOSING ARGUMENT BY MR. MAXWELL	61
CLOSING ARGUMENT BY MS. BOULWARE	63
CHARGE ON THE LAW	65
VERDICT	77
DEFENSE MOTION FOR A NEW TRIAL BY MS. BOULWARE	81
COURT’S RULING DENYING DEFENSE MOTION FOR A NEW TRIAL	81
DEFENSE RENEWAL OF ALL PRIOR MOTIONS AND OBJECTIONS BY MS. BOULWARE.....	81

COURT RENEWS ALL PRIOR RULINGS	81
SENTENCING HEARING TRANSCRIPT DATED JULY 29, 2024	83
SENTENCING	85
BAIL PROCEEDING FORM.....	88
INDICTMENT	89
SENTENCE SHEET	91
CERTIFICATE OF COUNSEL	93

**THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:
STATE’S EXHIBIT #1 (OFFICER ANDERSON’S IN-CAR CAMERA VIDEO
FOOTAGE) AND STATE’S EXHIBIT #2 (OFFICER ANDERSON’S BODY CAMERA
VIDEO FOOTAGE).**

STATE OF SOUTH CAROLINA) IN THE CIRCUIT COURT 6
COUNTY OF FAIRFIELD) DOCKET No. 24-GS-20-00426,
00341

THE STATE OF SOUTH CAROLINA,
Plaintiff,
versus
MERCURY LAMONT WILLIAMSON,
Defendant.

H E A R I N G
BEFORE THE HONORABLE BRIAN M. GIBBONS

DATE: May 24 & 25, 2022.
TIME: ***
LOCATION: South Carolina Circuit Court 6
TRANSCRIBED BY: Jackson Alexander

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Circuit Solicitor's Office.

Investigator Chris Reynolds, South Carolina Commission

on Indigent Defense.

1 INDEX

2

3 Proceedings..... 5

4 Certificate of Transcriber..... 11, 116

5

6 EXAMINATIONS

7 WITNESSES FOR THE STATE:

8 OFFICER DEVONTE ANDERSON

9 Direct Examination 64

10 Cross Examination 78

11

12 LIEUTENANT DETECTIVE JASON NEWTON

13 Direct Examination 86

14 Cross-Examination 90

15

16 EXHIBITS

17 PARTY DESCRIPTION PAGE

18 STATE'S:

19 Exhibit 1 Officer Anderson's In-car Camera

20 Video Footage 71

21 Exhibit 2 Officer Anderson's Body Camera

22 Video Footage 76

23 Exhibit 3 Officer Anderson's In-car Camera

24 Still Photo 78

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1 COURT'S:

2 Exhibit 1 Note from the Jury Indicating the
3 Selected Jury Foreperson 85

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24 (THIS TRANSCRIPT MAY CONTAIN QUOTED MATERIAL. SUCH MATERIAL
25 IS REPRODUCED AS READ OR QUOTED BY THE SPEAKER.)

1 PROCEEDINGS - MAY 24, 2022.

2 THE COURT: All right. This is the one that we were
3 talking about?

4 MR. MAXWELL: Yes, sir -- your Honor, this is Mercury
5 Lamont Williamson, represented by Ms. Boulware, charged with
6 failure to stop for blue light. This would be a second
7 offense. He has three prior convictions for blue light. We
8 -- this was a case back from May of 27th of '21. We put it
9 on the trial docket this week. And indicated that he does
10 not wish to plea at this time. We're ready to go to trial in
11 the morning. Just want to make sure he understands that --
12 that the jury will be here in the morning. We'll go forward
13 with the trial.

14 THE COURT: All right. Is there a current plea offer
15 on the table from the --

16 MR. MAXWELL: I'll reduce it down to a first offense --

17 THE COURT: Okay.

18 MR. MAXWELL: -- if he decided to enter a plea.

19 THE COURT: All right. Ms. Boulware?

20 MS. BOULWARE: Judge, I have discussed that with
21 Mr. Williamson. He's still expressing to me he does not wish
22 to enter a plea on that. He, I believe, is trying to get his
23 license back and everything, and that would be an issue if he
24 pled to that. He's also wanted me to share with the Court
25 that his mother is currently ill and in the hospital, and he

1 would respectfully ask the Court for a continuance of this
2 matter so he can go be with his mother.

3 THE COURT: All right. I'm going to come back to you
4 in a second. What -- the State oppose to continue?

5 MR. MAXWELL: Yes, sir.

6 THE COURT: All right, thank you. Mr. Williamson,
7 before you tell me what you want to tell me, let me just ask
8 you a couple of questions, okay? First of all, you tell me
9 -- swear to tell me the truth?

10 THE WITNESS: Yes, sir.

11 MERCURY LAMONT WILLIAMSON,

12 being duly sworn, testified as follows:

13 THE COURT: All right. Now -- he indicates, "Yes."
14 All right. You are presumed innocent until proven guilty.
15 Him, i.e., the State of South Carolina, he has to prove you
16 guilty beyond a reasonable doubt in front of 12 unanimous
17 jurors, okay? What you're charged with right now carries up
18 to five years in prison, okay? If you are tried and
19 convicted, then of course there's a possibility that you go
20 -- you can go to prison for up to five years. I don't know
21 what I would do because I have to hear everything, and see
22 all that, but I -- I would be the one who determines the
23 sentence, okay?

24 The way it appears now, from what I understand, the
25 State has offered to you and your lawyer what's called a plea

1 bargain. If -- if you plead guilty to the charge of failing
2 to stop for blue light, rather than it being the second
3 offense, it would be treated as a first offense. Meaning the
4 most you could get would be up to three years in prison,
5 okay? That's the -- I want you to understand the plea. All
6 right. So that's kind of where we are at this point in time.
7 All right? Now, what do you want to tell me?

8 THE WITNESS: Really -- actually, I don't know nothing
9 about no jury, don't even know it from the beginning. And
10 the only reason I'm going forward is because what was
11 promised to me, what hard work I put in, and what all was
12 promised to me, do as promised to me. And I called that
13 officer, I was told to go to his -- to his office and I did
14 that, and I went to his office. I even called him on the
15 phone, and put it in front of her. I said, "I did everything
16 you told me to do." First he told me the ticket. The ticket
17 don't exist.

18 That's how the whole situation started, over a speeding
19 ticket. Now, the speeding ticket don't exist. So he told me
20 to handle the driver license suspension. I went and handled
21 that. I got everything handled. But my reinstatement fee,
22 not only did I do that, I went out there, and I got a job and
23 I'm in school. You know what I'm saying? So I take care of
24 my son, and I take care of my mom. I'm talking about -- I do
25 this by myself. So it wasn't like I was drunk. Of -- on

1 this plea, it's just that I ain't capable because I got
2 nobody to watch them for me. They need me. Handicap. So I
3 -- I take care of them. So by my mom being in the hospital,
4 I -- I got nobody.

5 THE COURT: I -- I'm with you. I understand.

6 THE WITNESS: I don't know nothing about -- you know --

7 THE COURT: Right. I -- here -- here's the -- I mean
8 -- there's either one of two ways this could go forward. I
9 just want to make sure you understand it. Either it -- I'm
10 not going to say -- if somebody wants to plead guilty to
11 something, I -- I -- I don't -- I'm not going to stand in the
12 way. There's three different types of pleas -- there's four
13 different types of pleas. There's a guilty plea, there's a
14 not guilty plea, there's a no contest plea, and there's an
15 offer plea. Your lawyer can talk to you about that.

16 There's four different ways to dispose a case, but the
17 State has called your case for trial. I -- that's the
18 Solicitor's right. And that -- and I'm in charge of the
19 docket. So your case is going to trial whether it be you
20 pleading in front of me this week or whether it be a jury
21 trying it or whether it be me trying it without a jury, okay?
22 I mean, those are your options. I'm going to deny the
23 request for a continuance, okay?

24 MS. BOULWARE: Yes, sir.

25 THE COURT: But I want you to meet with your lawyer

1 again, and -- what time is the jury coming in tomorrow
2 morning?

3 MR. MAXWELL: Wait a minute. 9:30.

4 THE COURT: The jury will be coming in tomorrow
5 morning, we can strike the jury up, and you can make the
6 State try to prove what they got to prove. If the State
7 can't prove what they got to prove, then, you know, if the
8 jury finds you not guilty, you ain't got to worry about it no
9 more. But if the jury finds you guilty, you know, then --
10 you know -- you know, I don't know what's going to happen,
11 you know -- so sorry.

12 THE WITNESS: Okay. Right -- right.

13 THE COURT: These are things you got to decide what you
14 want to do. What you were just telling me about what the
15 officer talked -- officer talked to you about doing all this.
16 I mean, if you go to trial, you can testify, but you don't
17 have to, okay? Because you have a Fifth Amendment right to
18 remain silent, okay? But if -- if you want to tell the jury
19 all that, you can do that, they can hear you.

20 THE WITNESS: Okay.

21 THE COURT: But again, were -- did you fail to stop for
22 a blue light? That's really the only issue here. If you
23 did, you know, then if the jury finds you guilty, then you
24 could face up to five years in prison. I don't want to talk
25 to you anymore about it. I want you to talk to

1 Ms. Boulware, she's an excellent lawyer.

2 THE WITNESS: Oh, yeah. She --

3 THE COURT: Listen to -- listen -- listen to her
4 advice, man. She knows what she's doing, okay? But
5 ultimately, it's your decision, okay? We good? All right.
6 Go back in there and talk to her a little bit more. We'll
7 see what we're going to do.

8

9 (THERE BEING NOTHING FURTHER, THIS HEARING CONCLUDED)

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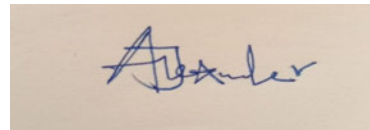
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CERTIFICATE OF TRANSCRIBER

I, JACKSON ALEXANDER, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate, and complete Transcript of Record of the proceedings had, and evidence introduced in the trial of the captioned case, relative to appeal, in the South Carolina Circuit Court 6 of Fairfield County, South Carolina, on May 24, 2022.

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

April 8, 2025.

A rectangular box containing a handwritten signature in blue ink. The signature appears to be 'Alexander' written in a cursive, stylized script.

JACKSON ALEXANDER

Transcriber

1 CONTINUATION OF PROCEEDINGS - MAY 25, 2022.

2 THE COURT: Good morning, ladies and gentlemen. How's
3 everybody?

4 JURY PANEL: Good morning.

5 THE COURT: You all excited to be here for jury duty?
6 Well, my name is Brian Gibbons. I'm your resident circuit
7 court judge. I don't live in Fairfield County. Actually, I
8 live up in Chester County, but I'm over Chester, Fairfield,
9 Lancaster County, which is called the Sixth Judicial Circuit
10 here in South Carolina. It's always good to be here in
11 Winnsboro holding court, and I look forward to working with
12 you this week.

13 It's going to be a short week, as you can tell. It's
14 already Wednesday. But nonetheless, it's very important that
15 you are here doing your civic duty. I promise you, I, along
16 with other -- with the clerk's office, understands the
17 inconvenience the jury service causes to you and your
18 personal lives. And I promise we'll try to minimize that as
19 best as possible. That's one of the reasons why we have you
20 here. You didn't have to come Monday or Tuesday, you're here
21 today. We're trying to minimize that inconvenience for you,
22 okay?

23 You've already met your elected clerk of court,
24 Ms. Bonds. We have any other elected officials here? Nope.
25 All right. So let me tell you what we're going to do. I got

1 down until 10:45, okay? If you need to go to your car, sit
2 there, listen to the radio, whatever, fine. Just be back in
3 the courtroom at 10:45 a.m., okay? Thank you. And -- and
4 security, y'all don't let anybody -- any jurors in while
5 we're doing stuff.

6 (Jury Exits.)

7 THE COURT: All right. Solicitor, why don't you --
8 okay. Got one in the restroom? Okay. All right.
9 Mr. Solicitor, why don't you call the case for trial.

10 MR. MAXWELL: Your Honor, the State -- it's called
11 State versus Mercury Williamson. It's an indictment for
12 failure to stop for a blue light, docket number
13 2021-GS-23-41.

14 THE COURT: All right. Ms. Boulware.

15 MS. BOULWARE: Thank you, Judge. As -- as you can see,
16 my client is not present at this time. He has called into
17 our office and stated to our paralegal that he would like a
18 continuance due to discovery issues. I don't know what those
19 issues are because I -- I'm up here and I told her he just
20 needed to come up here and talk with me. I haven't seen him
21 yet.

22 I -- I'm going to ask for a continuance if we look like
23 we're getting ready to do a TIA simply because I would like
24 my client present to exercise his Sixth Amendment right, if,
25 you know, if we go forward on this. I can't -- you know, in

1 all candor to the Court. I can't say he didn't have notice
2 because we went on record with that yesterday. So I would
3 just ask for a continuance if my client is not here probably
4 within the next 20 minutes or so when the jury comes back in.

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

6 MR. MAXWELL: Sir, we would oppose the continuance. He
7 was in front of the Court yesterday. Clear that the jurors
8 would be coming in today, if it wasn't resolved yesterday.
9 He asked for a continuance, I believe yesterday, which was
10 denied. He was fully aware he needed to be here today.

11 THE COURT: All right. Continuous request is denied.
12 Case has been called: I did go over everything with him
13 yesterday on the record. So you're protected in that regard.
14 Let's talk about -- I mean -- does the State -- is the State
15 seeking to try Mr. Williamson in -- in his absence?

16 MR. MAXWELL: Yes, sir.

17 THE COURT: All right. Any further argument on that?

18 MS. BOULWARE: Judge, just what I said -- that I
19 oppose, it was -- I think -- I -- only argument I really have
20 is I believe he should be present to hear the witnesses
21 against him, and be able to confront them.

22 THE COURT: All right. If I were to tell the State
23 that I would issue a bench warrant, pick him up, deny bond,
24 and he'd -- just be sitting in the detention center until the
25 next term of court, will the State still wish to try him in

1 his absence?

2 MR. MAXWELL: We're ready to go today. Witnesses are
3 ready, won't take very long to try the case.

4 THE COURT: Okay.

5 MR. MAXWELL: So I'm prepared to go.

6 THE COURT: All right. Anything else from the Defense?

7 MS. BOULWARE: Judge, I would just say to that -- it
8 may be that he would be more willing to listen to a plea
9 offer at that point. I don't know. Can't talk him into it.
10 Can't talk him out of it. That's totally his decision. He
11 has turned down all plea offers up until this point as your
12 -- your Honor is aware.

13 THE COURT: All right. Well, I'm issuing a bench
14 warrant right now. Law enforcement go find him, and bring
15 him up here, but we're not going to delay the proceedings.

16 MS. BOULWARE: Okay. Thank you, Judge.

17 THE COURT: Okay. So request by the State to try the
18 Defendant in his absence is granted over the Defense's
19 objection. You're protected by the record. The continuance
20 request is denied, but can y'all law enforcement get on the
21 horn, and go round him up somewhere? As an officer of the
22 court, did he tell you where he was?

23 MS. BOULWARE: He did not. I -- I haven't heard from
24 my paralegal that she knew where he was. He just called them
25 in.

1 THE COURT: Okay. Well, law enforcement is going to go
2 try to find him, get him up here. And if he doesn't want to
3 participate even after -- even when he is brought up here --
4 obviously, if you do find him, don't bring him in here in
5 cuffs or anything, okay?

6 COURT OFFICER: Yes, sir.

7 THE COURT: But we'll -- we'll take a pause in
8 proceedings to get rolling, okay? All right.

9 MS. BOULWARE: And, Judge, for scheduling purposes, I
10 think we do have a plea at 11:00. Those folks are supposed
11 to be here at 11:00.

12 THE COURT: Okay.

13 MS. BOULWARE: Of course, they can wait until whatever
14 we need to do with the jury, is fine.

15 THE COURT: All right. Let's hear your motions in
16 limine then, that you handed up. All right. Motions in
17 limine, Ms. Boulware?

18 MS. BOULWARE: Thank you, Judge. Do you have a copy of
19 mine? I provided one to the State as well.

20 THE COURT: Has it been filed?

21 MS. BOULWARE: I have not clocked it in.

22 THE COURT: We'll clock it in, that way we just deal
23 with the numbers.

24 MS. BOULWARE: Okay.

25 THE COURT: Instead of reading out each motion.

1 MS. BOULWARE: Yeah, the -- actually we can skip one,
2 two, and three.

3 THE COURT: All right. One, two, and three have been
4 complied with.

5 MS. BOULWARE: Dealt with those -- number five, Judge,
6 I'm going to combine that one with number nine. It concerns
7 the body cam footage. There are two different videos in this
8 case. There's a body cam and a dash cam. The body cam does
9 contain some statements once they apprehend him, that I
10 believe are custodial in nature and I think Miranda should
11 have been read and I don't think we have any indication that
12 it was.

13 However, I don't believe the Solicitor is using those
14 statements. I believe we resolved that part, but I'm asking
15 for the entire body cam to be suppressed simply because the
16 first part of the body cam is the same time, and video
17 basically as the dash cam footage. So I would just think
18 that's cumulative. The part about the statements, I will --
19 I will say that he does start the conversation with the --
20 with the officer who originally was chasing him on the
21 failure to stop.

22 However, after that, it's a question-and-answer type of
23 thing. I think the Solicitor would like to use the first
24 statement where he does, I would agree that is voluntary. I
25 don't think it's not voluntary. I don't think I had any

1 argument to say it's not. But because it's cumulative and --
2 because the first part is cumulative and the whole second
3 part is what I think is custodial interrogation, I would just
4 ask that the entire video be suppressed.

5 THE COURT: All right. What's the State's response?

6 MR. MAXWELL: Your Honor, just so the -- the Court
7 understands the time frame of this. The, the videos begin, I
8 believe at the same time, meaning, excuse me, the officer --

9 THE COURT: The dash cam and the body cam start at the
10 same time.

11 MR. MAXWELL: The dash cam and the body cam -- officer
12 sees the car that he determines a speeding on the bypass,
13 turns around, car begins -- I mean, the video begins
14 basically as he's turning the car around to follow the car.
15 I don't -- that part, I want to play the in-car camera. I
16 think it goes roughly 12 minutes until the Defendant,
17 Mr. Williamson, pulls into his driveway, and then flees on
18 foot into the wood -- into a wooded area. I -- my intent is
19 to stop the in-car camera at that point. Because basically
20 you're just looking at nothing --

21 THE COURT: Okay.

22 MR. MAXWELL: -- for a long time. Then the -- well --
23 and the body camera is running the whole time. I don't
24 intend to offer the body cam, it's just you're looking at a
25 steering wheel for the first 12 minutes. So I don't want to

1 play that part. And I -- and there's probably six to seven
2 minutes of the officer --

3 THE COURT: So the dash cam showing the chase, and then
4 the dash cam, you want to switch over to the body cam?

5 MR. MAXWELL: Correct.

6 THE COURT: Okay.

7 MR. MAXWELL: And basically -- basically, there's --
8 officer runs into the woods. There's another officer who
9 does not have a body camera that was behind that officer that
10 also pursues Mr. Williamson into the woods, but the second
11 officer, who does not have a body camera, is the one that
12 actually apprehends him after 5, 6, 7 minutes, foot pursuit.

13 The other officer who does have the body cam is at a
14 different part of the woods, is on the radio to that officer
15 is trying to -- once he -- once they -- over the radio, they
16 learned that he's a -- been apprehended, that officer tries
17 to meet them in the woods. And when he does meet them after
18 a couple minutes -- it's really -- this is really the only
19 portion I want to see. There are hundreds of yards, if not
20 half a mile a mile away from where the cars are now.

21 The -- the officer with the body camera approaches the
22 officer who has Mr. Williamson in custody when he gets to
23 him, Mr. Williamson, I would argue implies that he was the
24 one driving the vehicle. I -- I -- I can't tell exactly what
25 he says because you can't make it out. He says something,

1 "You're the one behind me?" or something like that to the
2 officer with the body camera who was the lead car in the
3 pursuit. And this is about a minute to 90 -- maybe 90
4 seconds of conversation. And this -- as Ms. Boulware is
5 talking about voluntariness of Mr. Williamson initiating that
6 conversation, that's the part we want to play. I don't
7 intend to get into anything that's said after that. It's
8 just --

9 THE COURT: So -- but you have a cutoff period for
10 after when he initiates the conversation, allegedly?

11 MR. MAXWELL: Yes.

12 THE COURT: Okay.

13 MR. MAXWELL: Yeah. And that's about 90 seconds of --
14 of film -- that's really the only part of the body -- body
15 camera. So what I will intend to enter is not cumulative is
16 -- at all between the two videos. It's just --

17 THE COURT: Okay.

18 MR. MAXWELL: -- 12 minutes of -- of the in-car and
19 then about 90 seconds of body camera in the woods.

20 THE COURT: But then the rest of the conversation, the
21 State agrees to not publish further or introduce?

22 MR. MAXWELL: Yes, sir.

23 THE COURT: All right. Coming back to you,
24 Ms. Boulware.

25 MS. BOULWARE: Judge, on that, I would ask that Officer

1 Newton, the officer who did apprehend Mr. Williamson, be
2 instructed that he is not to refer to any conversations he
3 had then --

4 THE COURT: Okay.

5 MS. BOULWARE: -- with Mr. Williamson.

6 THE COURT: Is he here?

7 MS. BOULWARE: Yes.

8 THE COURT: All right. You hear that? You can't talk
9 about any conversation you had with the Defendant when you
10 testify. And the Solicitor ain't -- he knows better than to
11 open the door. Just don't offer that. Okay?

12 OFFICER NEWTON: Right. I wouldn't -- I wouldn't be
13 able to testify anyways if I don't remember what we talked
14 about.

15 THE COURT: There you go. All right.

16 MS. BOULWARE: Okay. Let's see.

17 THE COURT: All right. So that disposes off that
18 issue.

19 MS. BOULWARE: Yes.

20 THE COURT: I do find it's not cumulative based upon
21 the presentation of the State saying that the dash cam then
22 switches to the body cam. So it is -- the dash cam shows the
23 failure to stop for the blue light -- the vehicle failure to
24 stop -- failing to stop for the blue light. And then the
25 ensuing search for the Defendant, alleged Defendant, in the

1 brush or in the -- or in the woods that's picked up a body
2 cam, I -- that -- that's able to come in. And then the first
3 90 seconds of the encounter with the -- between that's on the
4 body cam with the Defendant is able to come in. Okay. But
5 anything after that is suppressed.

6 MS. BOULWARE: And, Judge -- and I'll just renew the
7 objection to the whole body cam at the appropriate time.

8 THE COURT: Yeah.

9 MS. BOULWARE: But just to --

10 THE COURT: Yeah, I'll protect you on the record.

11 MS. BOULWARE: Also, I believe the conversations are
12 kind of jumbled, so I may ask for an in-camera proffer of
13 what the video exactly where you want to start --

14 THE COURT: I'll look at it.

15 MS. BOULWARE: -- with the video.

16 THE COURT: I'll look at it now before, you know, we
17 can go ahead and put this to rest. You got some way you can
18 publish it? I don't have --

19 MR. MAXWELL: It'll take me a second, just getting my
20 computer and...

21 THE COURT: Okay.

22 MR. MAXWELL: Or I can give her the jack and you can
23 watch on your laptop.

24 THE COURT: Well, we don't have a -- we don't have a
25 CD-ROM in our computers and stuff.

1 MS. BOULWARE: And I'm fine with the State's voir dire,
2 Judge.

3 THE COURT: All right. I didn't -- I hadn't seen the
4 State voir dire. You okay with me asking, would they believe
5 a law enforcement officer over somebody else? Solicitor,
6 usually you object to that one. I -- I just want to make
7 sure I'm understanding you right. Would any member of the
8 jury panel be more likely to believe the testimony of a law
9 enforcement officer over the testimony of a defendant? I
10 don't know if I'll put defendant in there.

11 (Off the record.)

12 THE COURT: All right. Thank you, ladies and
13 gentlemen. I got some more questions I need to ask you
14 before we -- so we can empanel a -- a trial jury for the
15 case. At this point in time, I'm going to ask the State to
16 call the case for trial.

17 MR. MAXWELL: Your Honor, the State calls State versus
18 Mercury -- Mercury Lamont Williamson. It's an indictment for
19 the failure to stop for a blue light. Docket number
20 2021-GS-23-41.

21 THE COURT: All right. Thank you. You hand the
22 indictment up to the clerk's office or somebody hand the
23 indictment. All right. So ladies and gentlemen of the jury
24 panel, we're about to begin the trial of the case called, the
25 State of South Carolina versus Mercury Lamont Williamson, who

1 Riley Maxwell, I'm deputy Solicitor here in Fairfield County.
2 Assisting me this week is Julie Hall, assistant solicitor,
3 and Keith Lewis, investigator with our office.

4 THE COURT: All right. Thank you, Solicitor.
5 Ms. Boulware?

6 MS. BOULWARE: Thank you, Judge. My name's Kay
7 Boulware, I practice criminal defense law in Chester and
8 Fairfield. And with me assisting is Chris Reynolds, and he's
9 an investigator with our office.

10 THE COURT: All right. So the first thing I want to
11 tell you, ladies and gentlemen, Mr. Williamson is -- is not
12 present at the call of the case, but I want you to understand
13 that under our laws, ladies and gentlemen, a defendant never
14 has to prove innocence. A defendant is presumed not guilty
15 of any crime charge regardless of the seriousness of the
16 crime, unless -- regardless of the seriousness of the crime
17 alleged unless proven guilty by evidence called beyond a
18 reasonable doubt.

19 So the presumption of innocence is -- is something that
20 I'll explain to you if you're chosen to be on the trial jury,
21 but it is a very sincere, and major right that all of us are
22 entitled to under the Constitution of the United States of
23 America. And a defendant can be tried in court if he's --
24 doesn't attend the trial, okay? And the fact that he is not
25 present at this time or even maybe during the trial cannot be

1 haven't heard the evidence yet, okay? Thank you very much.
2 You all can go ahead and go through that door, and they'll
3 show you where to go.

4 (Jury exits.)

5 THE COURT: While they're leaving, any matters of law
6 regarding jury selection from the State?

7 MR. MAXWELL: No, sir.

8 THE COURT: From the Defense?

9 MS. BOULWARE: Not from the Defense.

10 THE COURT: Okay. All right. Remaining members of the
11 jury panel, you are excused, and you don't need to call back
12 tonight. That completes your jury service for three years.
13 Take care.

14 (Off The record.)

15 THE COURT: Okay. Bring in the jury.

16 (Jury enters.)

17 THE COURT: Ladies and gentlemen, of the jury, at this
18 time I'm going to have the clerk of court swear you in as the
19 trial jury. Madam Clerk.

20 THE CLERK: If you please stand, raise your right hand.
21 "Will you well and truly try, in true deliverance make,
22 between the State of South Carolina and the Defendant, and a
23 true verdict give according to the law and evidence," so help
24 you God?

25 JURY PANEL: Yes.

1 (Jury sworn.)

2 THE CLERK: Thank you.

3 THE COURT: All right. Thank you, ladies and
4 gentlemen, let me speak to you briefly before we start the
5 trial. Let me tell you how the trial proceeds. The State
6 will make an opening statement to you first, and an opening
7 statement is not evidence. It's simply the lawyers or the
8 prosecutors' chance to speak directly to you to kind of give
9 you an outline of what he or she thinks the evidence going to
10 show, okay? The defense can give an opening statement if
11 they want to, but they don't have to for reasons I'll get to
12 you in a moment.

13 Following opening statements, that's when you are going
14 to hear, and receive evidence in the case. That will now
15 consist of testimony from this witness stand, as well as what
16 other -- whatever other evidence may come in the record.
17 Following the completion of the testimony and evidence phase
18 of the trial, we'll -- we will then proceed into what's
19 called "Closing arguments," where the lawyers get to talk
20 again directly to you to try to convince you or argue to you
21 what your verdict should be, okay?

22 Now, let me talk to you briefly about presumption of
23 innocence. As you know, this is a criminal case that's been
24 brought by the State of South Carolina, who has charged the
25 Defendant with failure to stop for a blue light. The charge

1 against the Defendant's contained in this indictment. And
2 again, I told you earlier, this indictment is simply a
3 written description of the charge against the Defendant.
4 That's how a case comes into court, okay?

5 The Defendant has pled not guilty to the charge and is
6 presumed innocent unless, and until proven guilty beyond a
7 reasonable doubt. A reasonable doubt is the kind of doubt
8 that will make a reasonable person hesitate to act. The
9 Defendant has the right not to testify, and never has to
10 prove innocence, or present any evidence. The burden of
11 proof is always upon the State of South Carolina.

12 A defendant charged with committing a crime, ladies and
13 gentlemen, is not required to come to court, and face the
14 charge because that person is presumed innocent and to --
15 until proven guilty. And you are to draw no inference or
16 conclusion to the fact that the Defendant is not present and
17 use that against him. Because, again, he is presumed
18 innocent until proven guilty.

19 It's going to be your duty, ladies and gentlemen, to
20 decide from the evidence what the facts are. You and you
21 alone are the judges of the facts. You'll hear the evidence,
22 you'll decide what the facts are, and then you will apply
23 those facts to the law, which I will give you at the end of
24 the trial. That's how you reach your verdict. In doing so,
25 you must follow the law whether you agree with it or not.

1 Please don't take anything I may say during the trial
2 as to indicate what you think my opinion is of the evidence.
3 It doesn't matter what my opinion is. You're the judge of --
4 of fact, I'm the judge of the law. Just like rules which
5 govern sports and other activities, we have certain rules of
6 court concerning evidence. What evidence can come in, what
7 evidence can't come in. And you've all seen it on TV where a
8 lawyer -- if a lawyer of one side thinks the rules of
9 evidence may not be in -- may not -- may not allow something
10 into evidence, that lawyers say "Objection." And then the
11 judge will rule the objection.

12 If I sustain an objection, that means to answer the
13 question asked or the answer sought cannot be given, or -- or
14 the thing sought to come into evidence cannot come into
15 evidence. If -- if I overrule it, the question can be
16 answered or the thing can come into evidence. And see, if I
17 sustain an objection, you were not to speculate about what
18 the answer would've been had he or -- or she or whoever's
19 testifying would've been allowed to answer the question
20 because that would be going outside the bounds of your role
21 as a jury to determine the evidence presented -- what the
22 evidence presented in this courtroom is, okay?

23 Credibility of the witnesses in deciding the facts of
24 this case. You may have to decide which witnesses to
25 believe, and which witnesses not to believe. You can believe

1 everything a witness says, none of it, or only part of it.
2 You're not going to be allowed to take notes during the
3 testimony. The witnesses please listen carefully to what
4 they say, and pay very close attention to what the lawyers
5 ask.

6 You're also not going to have a transcript at the end
7 of the trial to consult concerning your deliberations. So
8 please make sure you pay attention to things as it happens.
9 And until I advise you to begin your deliberations, ladies
10 and gentlemen, you cannot discuss this case with anybody
11 including yourselves until I tell you -- tell you you can,
12 okay? Don't do any independent research if you are to leave
13 the courtroom or the courthouse involved in this case.

14 And lastly, ladies and gentlemen, please keep an open
15 mind and not decide anything in this case until you've heard
16 everything, including what the law is, okay? It is your
17 solemn responsibility to determine -- to determine the guilt
18 or innocence of the Defendant. And your verdict must be
19 based solely on the evidence presented during this trial, and
20 on the laws I give you. We will now proceed with opening
21 statements. Solicitor?

22 MR. MAXWELL: May it please the Court?

23 THE COURT: Yes, sir.

24 MR. MAXWELL: Afternoon, ladies and gentlemen. You're
25 here today sitting in that jury box to answer one simple

1 question: "Did Mercury Williamson fail to stop when he was
2 signaled to do so by Officer Anderson from the Winnsboro
3 Department of Public Safety?" Very simple. You'll see video
4 that clearly shows what happened on the morning of May the
5 27th of 2021.

6 Officer Anderson, Devonte Anderson, is up on the
7 bypass. He's headed north on 321, car is coming through the
8 school zone. He -- he -- the radar indicates it's traveling
9 a little above the speed limit. He turns around to make a
10 traffic stop, which would've been a simple routine procedure.
11 Mr. Williamson, who's behind the wheel of the car, he intends
12 to stop on the bypass, continues on, takes a ride on 213,
13 travels over 10 miles to his residence, where he lives with
14 his mother, who's -- who's the registered owner of the
15 vehicle he was driving in.

16 At that point in time, Mr. Williamson exits the
17 vehicle, runs into the woods. Officer Anderson and Officer
18 Jason Newton pursue him on foot for about five to seven
19 minutes, where they then apprehend him, where he then
20 indicates he was the driver of that vehicle. You'll --
21 you'll hear and see on that video: The lights, you'll hear
22 the siren, you'll hear that the efforts of Officer Anderson
23 to get Mr. Williamson to stop.

24 Drives up next to him, blows air horn at him to try to
25 get him to stop. Mr. Williamson knew Officer Anderson was

1 behind him, and he failed to stop. And that's a simple
2 question, that's -- with a simple answer, and the conclusion
3 of this -- of this trial, I ask you to find Mr. Williamson
4 guilty of those charges. Thank you.

5 THE COURT: Thanks, Solicitor. Ms. Boulware?

6 MS. BOULWARE: Thank you, your Honor. Good afternoon,
7 ladies and gentlemen. The good news I have for you is this
8 is a fairly short trial, not a whole lot to it, but I -- I do
9 want you to consider why we're having a trial and not rush to
10 judgment on this. The things the Solicitor described, you
11 will see, you'll absolutely see. But what's also in the law
12 for failure to stop the blue light is absent mitigating
13 circumstances.

14 On the video, I believe you will see what indicate
15 mitigating circumstances for Mr. Williamson. Your -- your
16 service is very important to Mr. Williamson, to the State, to
17 everyone. He has pled not guilty. He's coming to you folks
18 today to ask you to take your time, look at the evidence, not
19 just believe is as cut and dry as the Solicitor would have
20 you to believe, because it's not, and the law allows for
21 that. I would like you to keep that in mind.

22 The burden of proof you have is what's called "Beyond a
23 reasonable doubt." And the Judge will tell y'all about that
24 once we get through the closing statements, and he reads you
25 the law. The law you are to consider. Beyond a reasonable

1 doubt is not akin to -- well -- like a civil case, where you
2 say, "Well, yeah. Okay. That's probably true. That may be
3 true. That's more than likely true." It can't be more than
4 likely. It has got to be no other in your head -- there's no
5 other reasonable explanation other than, "Mr. Williamson
6 wanted to break the law."

7 But I think you will see there is another reasonable
8 explanation for that. I don't think the State is going to
9 meet their burden in this. I hope y'all agree with that
10 because Mr. Williamson is putting that in your hands today.
11 And with his plea of not guilty, he is trusting that y'all
12 will -- will do, what I know you can do, look at the
13 evidence. Really consider what the law is behind it, and
14 find Mr. Williamson not guilty. Thank you.

15 THE COURT: Thank you, Ms. Boulware.

16 THE COURT: All right. State, call your first witness.

17 MR. MAXWELL: State calls Officer Devonte Anderson.

18 THE COURT: If you'll raise your right hand please,
19 place your left hand on the Bible. Do you solemnly swear or
20 affirm that the testimony you'll give this Court will be the
21 truth, the whole truth, and nothing but the truth, so help
22 you God?

23 OFFICER DEVONTE ANDERSON,

24 being duly sworn, testified as follows:

25 THE WITNESS: I do.

1 THE CLERK: Have a seat.

2 DIRECT EXAMINATION

3 BY MR. MAXWELL:

4 Q. Can you state your name for the record, please?

5 A. My name is Devonte Anderson.

6 Q. And can you spell your first name?

7 A. First name is spelled D-E-V-O-N-T-E.

8 Q. And Officer Anderson, where are you employed?

9 A. I'm employed in Winnsboro, Department of Public
10 Safety, in South Carolina.

11 Q. How long have you been with the Department of
12 Public Safety?

13 A. For almost five years.

14 Q. How long have you been in law enforcement?

15 A. Almost seven years.

16 Q. And are you a certified law enforcement officer?

17 A. Yes, sir, I am.

18 Q. And were you a -- a certified law enforcement
19 officer in the employment of Winnsboro Department of Public
20 Safety on May the 27th of 2021?

21 A. Yes, sir, I was.

22 Q. Were you on patrol that day?

23 A. Yes, sir, I was.

24 Q. Were you on patrol about 8:19 a.m., that morning?

25 A. I was.

1 Q. And can you just generally describe what your
2 duties were that morning.

3 A. On that morning on May 22, 2021, I do this work to
4 -- as a traffic -- excuse me, slow down traffic in the school
5 zone to make sure that everyone was obeying the -- the signs
6 of -- well, driving the speed limit within the school zone,
7 the light flash, which is 35 miles per hour.

8 Q. And -- and the school zone you're referring to,
9 where is that? What road is that?

10 A. On US-321 bypass.

11 Q. And is that in the city limits of Winnsboro?

12 A. Yes, it is.

13 Q. Is that in the county of Fairfield?

14 A. Yes, it is in county of Fairfield.

15 Q. Can -- can you describe what happened that
16 morning?

17 A. That morning I was traveling northbound on US-321
18 bypass. I observed a gray Sedan, which was a Honda,
19 traveling southbound on the opposite side of the roadway. He
20 was speeding as he was approaching, even while he was within
21 the school zone limits. When I noticed that vehicle, and
22 after he -- well, when I noticed that vehicle traveling
23 southbound towards me, I waited until he got into the school
24 zone, and after he passed by, when he was still at -- still
25 over speed limit 35 miles an hour, I made a u-turn to try to

1 make a traffic stop on the vehicle to let him, "Hey, slow
2 down. (Inaudible) on speed limit."

3 Q. What's the speed limit in the school zone?

4 A. Speed limit is 35 miles per -- miles per hour.

5 Q. And what did your radar have the car traveling as?

6 A. At 44 miles per hour.

7 Q. And when you turned around, can you describe what
8 happened next?

9 A. After I turned around, I had miles on that
10 vehicle. The vehicle -- that gray Honda Sedan, was traveling
11 southbound, it ended up traveling through the intersection of
12 9th Street reaching the bypass in front of the high school
13 lane, the Fairfield Technology Center.

14 Q. Did -- what -- what -- continue on if you want to
15 finish that.

16 A. And -- yeah, so I proceeded on behind that vehicle
17 to try to make a traffic stop. I even activated my lights --
18 my blue lights, and -- activated my blue lights to -- while I
19 was behind that vehicle -- as I was traveling behind that
20 specific vehicle, I recall the driver put on their signal,
21 got onto the right-hand lane. And at some point, while they
22 were driving right-hand lane, I tried to pull over or I
23 pulled up the side to let them know, "Hey, I'm trying to get
24 you to pull over."

25 Q. When you did that, were your lights on?

1 A. Yes, sir. I did.

2 Q. Okay.

3 A. But they refused to stop, so they just kept
4 driving.

5 Q. And when you turned your lights on, were y'all
6 still in the city limits of Winnsboro?

7 A. Yes, sir. I was.

8 Q. And again, in the county of Fairfield?

9 A. Yes, sir. I was in the county of Fairfield city
10 limits of Winnsboro.

11 Q. And -- and as you continued to travel down 321,
12 describe what happens.

13 A. As I -- and so as I continued to travel down
14 US-321, the driver -- the vehicle that I was chasing -- I --
15 that I was in pursuit of, made a right there turn onto SC-213
16 by the hospital right across from the grocery store at the
17 intersection of US-321 bypass, and SC-213. So the vehicle
18 continued to drive down SC-213 past the hospital.

19 While driving down that roadway, I noticed that the
20 driver had under their linkers, and they continued to proceed
21 on and they were pulled over. At some point, I -- when I saw
22 that the left-hand lane was clear, I drove on the side of the
23 vehicle, tried to get in, pull over again. I constantly was
24 -- I had on the sirens, but they never pulled up for me.

25 Q. And how far did you travel until the car did stop?

1 A. I traveled a few miles between the time -- well,
2 but then considering when I did see -- when I was on 213 --
3 when I was on the bypass, US-221 bypass in Fairfield County,
4 on the way to when the vehicle finally did stop, it was about
5 10.9 miles.

6 Q. And -- and what was the location that the vehicle
7 did stop at?

8 A. The location that the vehicle stopped at, it was
9 their mother's residence, which is [REDACTED] State Highway 213.

10 Q. And -- and did you have a -- a -- did you use the
11 plate to identify who the car was registered to?

12 A. Yes, sir. I used the license plate up on the back
13 of the vehicle.

14 Q. And who was the car registered to?

15 A. When I ran that tag, it was concluded that the
16 vehicle was registered to Margaret Barber.

17 Q. And do you know who Ms. Barber is in relation to
18 Mercury Williamson?

19 A. Yeah, it was Mr. Williamson's mother.

20 Q. When you were pursuing the car, were you able to
21 see how many people were inside the car?

22 A. Yes, sir. I did.

23 Q. How many people were inside the car?

24 A. Only one person, I believe it was only the driver.

25 Q. Can you --

1 A. Mr. Williamson.

2 Q. Were you able to get any description of the
3 clothing the driver had on while you were pursuing the
4 vehicle?

5 A. Yes, sir. The vehicle that the driver had on --
6 well, first, the clothing that the driver had on was a -- it
7 was a ball cap -- it was a light ball cap in a highlight
8 color, yellowish shirt.

9 Q. Like a -- something on it was -- somebody working
10 on the side of the highway may have or something like that?

11 A. Yes, sir.

12 Q. That -- that kind of color kind of neon?

13 A. Yeah.

14 Q. Yellow? When you -- when the car arrived at the
15 residence there on 213, how long had you been pursuing it,
16 approximately do you think?

17 A. About 12 minutes.

18 Q. Okay. And what happened when the car pulled into
19 the residence there?

20 A. When that vehicle entered that building, then I
21 was in -- when it pulled into the residence just short --
22 just right off the roadway. Myself and Sergeant Newton,
23 Sergeant Newton stopped on the right-hand side of the
24 vehicle, and I stopped on the left. And when the driver
25 realized that we were there, he took off.

1 Q. When you say, "Took off," what do you mean?

2 A. They drove off from that stop -- from that stop
3 point, and they parked closer to the woods. And at that
4 point, that's when they exited the vehicle.

5 Q. When you say, "They," you talking about one
6 person?

7 A. Yeah.

8 Q. Okay.

9 A. That's Mr. Williamson exited the vehicle and ran
10 into the woods.

11 Q. Was there only one person who ran into the woods?

12 A. Yes, sir.

13 Q. Was there anybody else? I'm sorry, go ahead.

14 A. Yes, sir. There was only Mr. Williamson ran into
15 the woods and Sergeant Newton gave a chase behind.

16 Q. And was there anybody else in the vehicle that you
17 saw?

18 A. No, sir. He was the only one.

19 Q. And to go -- jump back a second, when did -- did
20 Officer Newton join the pursuit behind you at some point?

21 A. Yes, sir. While I was traveling on SC-213, that
22 was that -- Sergeant Newton at the time that he was behind
23 me, in process of the pursuit.

24 Q. But you were the -- the -- the car right behind
25 the --

1 A. Yeah.

2 Q. -- the Honda the entire time?

3 A. Yes, sir. I was the primary in behind that Honda
4 that I was chasing.

5 Q. And do you have a -- a in-car camera equipment in
6 that car?

7 A. I do.

8 Q. And was it recording that morning?

9 A. Yes, sir. It was recording from the very
10 beginning when I turned around.

11 Q. And was there a video produced from that -- from
12 that system?

13 A. Yes, sir. There was a video produced.

14 MR. MAXWELL: Now, we would offer the Officer
15 Anderson's in-car camera at this time.

16 THE COURT: All right. Previous objection noted.
17 Overruled.

18 MS. BOULWARE: Yes, sir.

19 MR. MAXWELL: State's Exhibit --

20 THE COURT: Permission to publish.

21 MR. MAXWELL: State's Exhibit Number 1.

22 (State's Exhibit 1 admitted into evidence.)

23 MS. BOULWARE: Judge, may I stand over here?

24 THE COURT: Yeah.

25 (Video starts.)

1 MR. WILLIAMSON: One of those. It's one of those
2 (inaudible). One of those.

3 OFFICER ANDERSON: That has nothing to do with my point
4 (inaudible).

5 MR. WILLIAMSON: It was a gift for me. It was a gift
6 for me in the last year. I wasn't happy about people who
7 lost their jobs. I wasn't happy about nurses working 18 to
8 20 hours, wasn't happy about kids not being able to go to
9 school.

10 (Video ends.)

11 BY MR. MAXWELL:

12 Q. I am going to pause that. Officer Anderson, are
13 your lights on at that point in time?

14 A. Yes, sir. They were on.

15 (Video starts.)

16 UNIDENTIFIED SPEAKER: (Inaudible).

17 (Video ends.).

18 BY MR. MAXWELL:

19 Q. Officer Anderson, that sound, is that your siren
20 you --

21 A. Yeah.

22 Q. -- can hear in the background faintly?

23 A. Yes, sir. It's sound from a siren horn -- of my
24 air horn that I was pressing.

25 Q. And again, your lights are on during this time?

1 A. Yes, sir. Lights on (inaudible).

2 (Video starts.)

3 UNIDENTIFIED SPEAKER: (Inaudible).

4 (Video ends.)

5 BY MR. MAXWELL:

6 Q. Into the woods?

7 A. Yes, sir. I continue on to -- into the woods.

8 Q. Did Officer Newton pursued as well?

9 A. Yes, sir. Sergeant Newton did too on foot into
10 the woods after Mr. Williamson.

11 Q. What kind of car were you driving? Can you
12 describe your car?

13 A. I was driving a 2019 Dodge Charger.

14 Q. Did it have markings on it?

15 A. Yes, sir. It's fully my patrol car. Winnsboro,
16 South Carolina statutes says "Police has blue lights -- blue
17 and white lights on the inside."

18 Q. Got sirens on top?

19 A. Not on top, but the siren is actually, in front of
20 the vehicle.

21 Q. And from the time -- from the time you put on --
22 you put on your lights to when you -- y'all ended up at this
23 residence, was again how long? How far?

24 A. 10 miles -- 9 miles. About 12 minutes.

25 Q. And what -- what speeds did y'all hit during that

1 pursuit?

2 A. Speeds were -- they were not over 70. Between 50
3 and 65.

4 Q. Is that a -- mostly on Highway 213, is that a
5 speed zone of about 55 miles per hour?

6 A. Yes, sir.

7 Q. And again, you used -- what instruments did you
8 use in order to try to get Mr. Williamson to stop during that
9 pursuit?

10 A. I had a remote in my car that activates my
11 license. So it was -- but the instruments were siren, also
12 air horn. I used my personal badge on our remote.

13 Q. And can you describe what happened when y'all
14 pursued Mr. Williamson into the woods?

15 A. Well, Sergeant Newton was closest to him
16 considering pursuit after he pulled off from that -- where he
17 stopped at. At first, didn't pulled closer to the woods, but
18 after him, he got out the car, just continued to -- continued
19 pursuing him into the woods. He ran a very good distance
20 through the woods to where air was kind of, like, locked, air
21 was cut down. But I did not have eyes on him, but Sergeant
22 Newton had eyes on him, and eventually I was able to locate
23 Sergeant Newton and Mr. Williamson in the woods.

24 Q. Did -- did Sergeant Newton take Mr. Williamson
25 into custody at some point during that pursuit?

1 A. Yes, sir. When I finally made contact -- when I
2 finally made contact with him and had eyes on him, Mr.
3 Williamson was in handcuffs.

4 Q. Were -- were y'all on radio contact, you and Mr.--
5 you and Sergeant Newton?

6 A. Yes, sir. We were. That's how I was able to
7 locate where he was at through radio communication.

8 Q. And -- and when you -- you met up with him in the
9 woods after he was in custody, Mr. Williamson?

10 A. Yes, sir. I did.

11 Q. And was he wearing similar clothing, the person
12 you saw driving in that car?

13 A. Yeah. Yes, sir. When I finally made contact with
14 Sergeant Newton and Mr. Williamson in -- deep in the woods,
15 Mr. Mercury Williamson, he had on a black hat. We had a
16 black hat which went off noticing while he was driving the
17 vehicle at first. And highlighter color -- or yellow-colored
18 shirt. And it was a short sleeve and long sleeve shirt also.

19 Q. And were you equipped with the body camera at the
20 time?

21 A. Yes, sir. I did have on my body cam.

22 Q. Okay. And was that body camera running the entire
23 time you were going down 213 from the bypass?

24 A. Yeah, yes, sir. It was on.

25 Q. And did it continue operating while you were going

1 -- going through the woods in pursuit?

2 A. Yes, sir.

3 Q. And was there a video created from that system?

4 A. There was a video.

5 MR. MAXWELL: And we offer the body camera into
6 evidence as State's Exhibit 2.

7 THE COURT: All right. Objection noted. Objection
8 overruled.

9 (State's Exhibit 2 admitted into evidence.)

10 MR. MAXWELL: Yeah. Again, just -- my -- permission to
11 publish. You might have said that, Judge.

12 THE COURT: Granted.

13 (Video starts.)

14 OFFICER ANDERSON: Location would be 321 bypass, 11th
15 Street. That's 321, 11th street (inaudible).

16 (Video ends.)

17 BY MR. MAXWELL:

18 Q. And Officer Anderson, is this you in the woods
19 trying to locate Mr. Williamson as well as Officer Newton?

20 A. Yes, sir. That is me with my body camera trying
21 to locate Sergeant Newton and Mr. Williamson.

22 (Video starts.)

23 OFFICER NEWTON: (Inaudible).

24 OFFICER ANDERSON: Go ahead.

25 OFFICER NEWTON: (Inaudible).

1 OFFICER ANDERSON: Copy. (Inaudible).

2 OFFICER NEWTON: (Inaudible).

3 OFFICER ANDERSON: Understood. Where are you at?

4 OFFICER NEWTON: (Inaudible).

5 OFFICER ANDERSON: (Inaudible). Hey.

6 MR. WILLIAMSON: (Inaudible). I want to know why.

7 (Inaudible) go to work (inaudible).

8 OFFICER NEWTON: (Inaudible).

9 (Video ends.)

10 BY MR. MAXWELL:

11 Q. Is that individual in the yellow shirt in custody,
12 is that Mercury Lamont Williamson?

13 A. Yes, sir. That's Mercury Lamont Williamson.

14 Q. Is that the same person you saw driving the car
15 and you were in pursuit of?

16 A. He is the driver of that vehicle that I was in
17 pursuit of.

18 Q. I'm going to show you this picture. Can you
19 describe -- you know what that is?

20 A. Yes, sir. This is a picture from the video.

21 Q. Is that a -- just a still from your in-car camera?

22 A. Yeah. Just from the video that was --

23 Q. And can you see what the --

24 A. -- that was produced.

25 Q. -- can you see in that picture -- in that photo

1 what the driver's wearing?

2 A. He's wearing a long sleeve shirt such as the one
3 in the video and TV screen, it's yellow (inaudible) still.

4 MR. MAXWELL: Now, I'm going to offer this video -- the
5 still from the in-car camera into evidence as
6 State's Exhibit 3.

7 MS. BOULWARE: No objection.

8 THE COURT: Without objection, admitted into evidence.

9 (State's Exhibit 3 admitted into evidence.)

10 MR. MAXWELL: Permission to publish that.

11 THE COURT: All right. Permission granted.

12 MR. MAXWELL: No further questions, your Honor.

13 THE COURT: All right. Ms. Boulware, your witness.

14 MS. BOULWARE: Thank you, your Honor.

15 CROSS-EXAMINATION

16 BY MS. BOULWARE:

17 Q. Good afternoon, is it Officer Anderson, or...?

18 A. Yes, ma'am.

19 Q. Okay. Officer Anderson, what is the regular speed
20 limit for -- where you turned around in the beginning of the
21 video? I believe in front of the middle school on Highway
22 321. When the school zone is not -- when -- when that time
23 is not -- however you want to put it? When -- when -- or
24 what's the regular speed limit? When the school zone is not
25 in effect, that's what I'm trying to say.

1 A. Limit is 45 miles per hour.

2 Q. Okay.

3 A. When school is in effect.

4 Q. And you -- what did you clock him at again?

5 A. 44.

6 Q. Okay.

7 A. Miles per hour.

8 Q. Okay. How far was he within the school zone?

9 A. Hadn't even reached. Just up above the -- up
10 above US-321 bypass. Right before you get into the middle
11 school area, there's a sign that says "School zone." So
12 after he basically made a mention of that, he was actually
13 already speeding in the school zone once he passed that sign.
14 That same -- above the road that says "School zone."

15 Q. Okay. What times of day are the school's zone
16 lights lit?

17 A. Times has actually changed since did -- but during
18 that time, it was between -- it was, like, either 8:00 to
19 about -- at that time last year, maybe about -- I think
20 9:00-something or almost 9:00-something.

21 Q. Okay. But those times do change?

22 A. They've changed now since -- things have changed
23 considering school, but during that time it was, say,
24 between, like, 8:00 or, like, 7:30-ish.

25 Q. Okay -- okay. So when you're pulling -- first

1 pulling behind him, and he's signaling the whole time what
2 he's going to do, I think it shows in the video, I believe,
3 that it did put on his hazard lights, but then it appeared
4 you went around him, and it looked like you possibly were
5 going to another car. Fair enough?

6 A. I was not going to another car.

7 Q. Okay. No -- but that -- could that be something
8 someone would perceive?

9 MR. MAXWELL: Objection, your Honor.

10 THE COURT: Sustained.

11 BY MS. BOULWARE:

12 Q. I would --

13 MR. MAXWELL: Speculation.

14 BY MS. BOULWARE:

15 Q. I'll rephrase that. I mean, you are trying to
16 pull up behind him, then you get around him and then -- and
17 he's putting on his hazards, then he takes off his hazards,
18 is that correct?

19 A. Yes.

20 Q. Okay. He's acknowledging you're there, correct?

21 A. That's something he does when he looks back and
22 sees me. But...

23 Q. Okay. So when you go around him, he turns off the
24 hazards, is that correct? Is that what the video shows? I
25 believe it is.

1 A. He does turn something off.

2 Q. Okay. And y'all go a little bit further down the
3 road probably to I'd say where the school administration
4 building is, maybe?

5 A. Past --

6 Q. And --

7 A. Past the middle school. Yeah.

8 Q. Okay. Continue on the 213. He turns right on
9 213, he signals, okay? Gets back on 213, puts his hazard
10 lights back on, okay? So we know -- he knows you're behind
11 him. You said his speeds were about 50 to 65. He's not high
12 pursuit or anything. Fair enough?

13 A. Fair enough.

14 Q. Okay. So you have been in law enforcement for
15 seven years with the Winnsboro Police Department for five?

16 A. Correct.

17 Q. Okay.

18 A. Almost five in this department.

19 Q. Okay. Have you pulled over someone for failure to
20 stop before?

21 A. Yes.

22 Q. Okay.

23 A. I believe I have.

24 Q. Okay. How many times do you think you have?

25 A. More than two.

1 Q. Okay.

2 A. An exact number, I'm not sure the number.

3 Q. Okay. So how -- how many cars would you think in
4 five or seven years you've pulled over within all that time?

5 A. Several.

6 Q. Okay. Do all of them stop right away?

7 A. No.

8 Q. Okay. So do you always interpret that as an
9 intention not to stop at some point?

10 A. No.

11 Q. Okay. So he was driving 50 to 65. He's signaling
12 to you the whole time, once he gets to -- I believe you said
13 that was his residence, he turned into driveway, is that
14 correct?

15 A. The residence where he stayed with his mother.

16 Q. Okay. And he makes -- he does a signal to turn
17 right into a driveway. His driveway or mother's driveway,
18 okay?

19 A. Uh-huh.

20 Q. So at -- he's at his house -- I'm going to just
21 summarize this out a little bit. He's at his house, he's
22 using signals the entire time. He's not going across the
23 county. He's not trying to go to Columbia, another
24 jurisdiction or anything like that. He goes from -- once he
25 realizes you're behind him, which we don't know for sure we,

1 but we do see once he probably does, once he realizes you're
2 behind him to his house, he's signaling into you the whole
3 time. On 213 -- you pull around him on 213, it's fair to say
4 that's a curvy road?

5 A. Yes. Is kind of a curvy.

6 Q. A little bit dangerous?

7 A. Very dangerous.

8 Q. A lot of wrecks on 213?

9 A. Yes.

10 MS. BOULWARE: Okay -- okay. I beg the Court's
11 indulgence, one moment.

12 THE COURT: Yes, ma'am.

13 BY MS. BOULWARE:

14 Q. So Officer Anderson, these other folks you've been
15 in pursuit of before, when you charged other folks with
16 failure to stop, what -- were their speeds fast or some of
17 them?

18 A. Some of them were.

19 Q. Wreck, crash?

20 A. None crashed.

21 Q. Okay. But it -- it's a little chaotic?

22 A. (Inaudible) traffic.

23 Q. Fair to say this wasn't quite as chaotic as that?

24 A. Fair to say.

25 MS. BOULWARE: Okay. All right. I think that's all I

1 right. Thank you. We're on the break. Just got one more
2 witness?

3 MR. MAXWELL: Yes, sir. Very short.

4 THE COURT: Okay.

5 (Off the record.)

6 THE COURT: The Court's Exhibit 1 is a note from the
7 jury saying juror number two is the foreperson, okay?

8 (Court's Exhibit 1 marked for identification.)

9 THE COURT: And I think that name is Conrad Armstrong,
10 okay? All right. Bring the jury in.

11 (Jury enters.)

12 THE COURT: There's no assigned seats in a trial, just
13 like church, there's no assigned seats. The only assigned
14 seat is for the foreperson. All right. All members of the
15 jury are present. State calls its next witness.

16 MR. MAXWELL: State calls Officer Jason Newton.

17 THE COURT: All right, sir.

18 THE CLERK: If you will raise your right hand, please.
19 Do you solemnly swear or affirm that the testimony you'll
20 give this court will be the truth, the whole truth, and
21 nothing but the truth, so help you God?

22 LIEUTENANT DETECTIVE JASON NEWTON,

23 being duly sworn, testified as follows:

24 THE WITNESS: Yes, ma'am.

25 THE CLERK: Thank you. Have a seat.

1 DIRECT EXAMINATION

2 BY MR. MAXWELL:

3 Q. Can you state your name for the record?

4 A. Lieutenant Detective Jason Newton.

5 Q. And Lieutenant Newton, where are you currently
6 employed?

7 A. Chester State Police.

8 Q. And back in May of 2021, where were you employed?

9 A. Winnsboro Department of Public Safety.

10 Q. How long have you been in law enforcement?

11 A. 15 years.

12 Q. And are you a certified state law enforcement
13 officer?

14 A. I am.

15 Q. Have you been in that entire time of 15 years?

16 A. Yes, sir.

17 Q. On the day of May 27, 2021, were you on duty?

18 A. Yes, sir.

19 Q. With the Winnsboro Department of Public Safety?

20 A. Yes, sir.

21 Q. Did you become involved in the pursuit of
22 Mercury Williamson?

23 A. I did.

24 Q. How did you become involved?

25 A. When I heard Officer Anderson state that the

1 vehicle was not stopping, and I was at the office at the time
2 doing some paperwork, and I jumped into my car and, you know,
3 headed his way, take a few back roads, I was able to catch up
4 with them.

5 Q. And did you get actually behind the car while it's
6 still in pursuit?

7 A. Yes. I believe it was around the Jackson Creek
8 area.

9 Q. And can you describe what you observed?

10 A. The vehicle was traveling between the speeds of 45
11 and 60, no consistent speed. Officer Anderson's blue lights
12 were on at the time during -- when I came up to them. The
13 vehicles not making any type of efforts to pull over. His
14 siren was on. My siren lights were on. I believe at a
15 point, we noticed that he was heading toward his residence.
16 So, you know, it wasn't a -- a -- a big pertinent thing of --
17 you know, I'm trying to think how I want to word this. We
18 knew where he was going. Let's say that.

19 Q. Did -- did -- had you already checked the license
20 plate?

21 A. I believe at that point, yeah, he -- the license
22 had already been -- ran on the plate.

23 Q. And -- and did that come back to that same address
24 where he stopped?

25 A. Yes. And we were heading that direction.

1 Q. And did you see him pull into the driveway?

2 A. Yeah -- yeah.

3 Q. Did you have eyes on the car then?

4 A. Yes. The way -- this seat doesn't move? The way
5 the driveway was, the driveway is on this side of the road
6 had the road right here. The vehicle signaled into the
7 driveway. Officer Anderson pulled up right here because he
8 stopped in the driveway at the road. I pulled up on the
9 other side so he couldn't back up. When he noticed that
10 both of our cars were there, that's when he pulled further
11 down the driveway behind the house next to his mother's
12 house. Officer Anderson pulled around one side of the house
13 and I pulled -- I stayed behind the vehicle the entire time.

14 Q. So you drove up in the yard as well with your
15 vehicle?

16 A. Right. Mr. Mercury jumped out of the vehicle and
17 ran toward the wood line, and I jumped out and chased after
18 him, directly behind him. Officer Anderson jumped out of his
19 car and took a more -- I guess, safer route, not through the
20 wall or fence and came in behind me. So I -- I was on his
21 heels or Mr. Mercury's heels the entire time, and Anderson
22 was behind me.

23 Q. Did -- did you see -- actually see the person, the
24 driver exits the vehicle?

25 A. Yes.

1 Q. And did anybody else exit the vehicle?

2 A. No.

3 Q. Anybody else in the vehicle after that person that
4 exited the vehicle?

5 A. No.

6 Q. Did you -- when you pursued on foot, did you keep
7 an eye on him the entire time?

8 A. Never lost sight of him.

9 Q. And can you describe what he was wearing?

10 A. A bright yellow shirt.

11 Q. And ultimately, did you catch up with him?

12 A. Yes.

13 Q. Can you describe how that happened?

14 A. The entire time I was running behind him, I was
15 communicating to him the entire time, "Stop running." He
16 wasn't going to outrun me. He never made any type of
17 communication back toward me. There were a few times I fell,
18 a few times he fell. Then once we got past the area where it
19 had been logged, we got more dense, splitted area.
20 And at that point, I'd fallen a few times before then, so he
21 was still a little way ahead of me that I couldn't actually
22 grab him. But he was still within eye view of me. And he
23 was walking, I was walking, both of them were -- both of us
24 pretty much tuckered at that point. And, you know, I was
25 like, "Dude, just sit down." And finally, he -- he gave up,

1 sat down, I walked up to him, and Anderson was calling me
2 entire time on the radio asking where we were. And pretty
3 much we just sat there, and had small talk until Anderson
4 found us.

5 Q. And you did put him in cuffs, and put him in
6 custody, that point in time?

7 A. Yes, I put the handcuffs in front because, you
8 know, he was thinking -- he was tired and having problems
9 breathing, and -- you know, I put him in front so he didn't
10 -- be in a more comfortable position while we were waiting.

11 Q. And the person that you took into custody in the
12 woods is the same person that was driving the vehicle,
13 correct?

14 A. Correct.

15 Q. And how long did it take -- what was -- how long
16 did -- did the foot pursuit last, do you think?

17 A. Approximately a mile.

18 MR. MAXWELL: I beg the Court's indulgence.

19 THE COURT: Uh-huh.

20 MR. MAXWELL: No further questions.

21 THE COURT: Ms. Boulware?

22 MS. BOULWARE: Briefly, Judge. Thank you.

23 CROSS-EXAMINATION

24 BY MS. BOULWARE:

25 Q. Lieutenant Newton, you stated he was headed

1 towards his residence?

2 A. Correct.

3 Q. And you knew that because y'all had run the plate
4 on the car?

5 A. Yes, at one point, I believe it was Officer
6 Anderson that ran the plate --

7 Q. Okay.

8 A. -- and we knew we were heading that direction
9 toward his residence.

10 Q. Okay. And so, you just stated you knew where he
11 was going?

12 A. Pretty much.

13 Q. Fair to say you knew he --

14 A. Fair to say, yes.

15 Q. -- intended to stop?

16 A. I will say so, that he went straight right past.

17 MS. BOULWARE: Okay. Thank you. No further questions.

18 THE COURT: All right. Any re-direct?

19 MR. MAXWELL: No re-direct.

20 THE COURT: Thank you, sir. You can step down.

21 THE WITNESS. Thanks, sir.

22 THE COURT: State can call its next witness.

23 MR. MAXWELL: State rests.

24 THE COURT: State rests. Ladies and gentlemen, sorry
25 to send you back to your jury room. I've got to do that now

1 THE COURT: Yeah. Duty to deliberate, conclusion.
2 Anything else y'all want me to testify -- read to them?

3 MR. MAXWELL: Nothing from the State.

4 THE COURT: I got a proposed verdict form. "Not
5 guilty" is first, just like the Defense (inaudible) like --
6 okay? And then there we go. All right. Come back say,
7 "Defense rests." We'll go straight into closing. You ready?

8 MR. MAXWELL: Give just --

9 MS. BOULWARE: A few minutes.

10 MR. MAXWELL: -- five minutes.

11 THE COURT: That's why I'm asking. Okay.

12 MR. MAXWELL: As long as (crosstalk) yeah -- yeah.

13 THE COURT: We'll take five minutes -- because you're
14 going to do it. Yeah, you get your stuff ready. You -- you
15 have to close -- you have to do your argument first. You get
16 to go last. Because you didn't present any evidence.

17 MS. BOULWARE: Yes, sir.

18 THE COURT: All right. Sounds good. All right. We're
19 in recess for five minutes.

20 (Off the record.)

21 (Jury enters.)

22 THE COURT: All right. All members of the jury are
23 present. Now, the State has rested. Ms. Boulware?

24 MS. BOULWARE: Your honor, Defense rests.

25 THE COURT: The Defense rests. Ladies and gentlemen,

1 we have completed the testimony, and evidence phase of the
2 trial. We'll now proceed into closing arguments. Please
3 give the attorneys your close attention. Solicitor?

4 MR. MAXWELL: May it please the Court? Again,
5 afternoon.

6 JURY PANEL: Afternoon.

7 MR. MAXWELL: As I stated to you just a little while
8 ago, simple question with a simple answer: "Did Mercury
9 Williamson fail to stop when signaled to do so by a law
10 enforcement officer?" In this case, Officer Anderson started
11 pursuing him inside the city limits of Winnsboro on the
12 bypass after he caught him speeding through the school-work
13 zone -- school -- school zone. Regardless of whether that's
14 something anybody does or people do on a regular basis, that
15 could have been a routine stop. Instead, Mr. Williamson
16 continued to go down the road creating this pursuit.

17 Now, understanding it was not a high-speed pursuit.
18 There's nothing requiring -- saying that it has to be in
19 order if you'd be found guilty of failing to stop for blue
20 light. The question is: "Did he fail a stop when signaled
21 to do so by Officer Anderson?" Officer Anderson had his
22 lights on for 10 miles, for 12 minutes. He used his siren,
23 he used his air horn, he pulled up next to him on the bypass,
24 in a clearly marked police car, he pulled up beside him on
25 Highway 213.

1 You can clearly see here, in just a second,
2 Mr. Williamson looked behind him, at the officer.
3 Mr. Williamson is looking right back at the officer. You
4 have this still, you'll be able to see it in -- in -- up
5 front -- up close and personal in the jury room. You'll have
6 that -- that back there with you. You can watch this video
7 as many times as you want to. Mr. Williamson failed to stop
8 when signaled to do so, and there's no mitigating
9 circumstances in this case you'll be charged that, "You can
10 keep going even if an officer is behind you trying to get you
11 to stop, if there's a mitigating circumstance." There's none
12 here.

13 No medical emergency. He passed by the hospital, the
14 ER room right there at the corner when he took that right off
15 the bypass. When he got to his residence, he wasn't -- he
16 didn't run in to check in on his mama. He ran into the
17 woods. Was there some emergency in the woods he was going to
18 check on? No. When the -- when they took him into custody,
19 and you can see it on the body camera. Again, look at it as
20 many times as you want to. He indicates -- indicates he was
21 just going to work, and he was the one driving that car on
22 the way to work.

23 There's no mitigating circumstance. It's a clear day.
24 There are 10 miles of safe spaces to -- to stop. Heavily
25 populated area right there at the grocery store, the

1 hospital, anywhere on the bypass, any safe -- any dirt road,
2 driveway down 213, he could have stopped at. His entire
3 intention was to get to an area that he knew well, his home,
4 get out and run and hope that he -- that -- that they -- that
5 the police can't follow him and -- and they lose him in the
6 woods. That's what his intention was.

7 Again, simple question: "Did Mercury Williamson fail
8 to stop when signaled to do so?" And the answer is: "No, he
9 did not." And that's why I'm going to ask you to find him
10 guilty of failure to stop for a blue light. Thank you.

11 THE COURT: Thanks, Solicitor. Ms. Boulware?

12 MS. BOULWARE: Thank you, Judge. Good afternoon again.
13 Well, I promised you it'd be short. It's short. We're at
14 the end. I still want you to consider what I asked you to
15 consider, gosh, probably only about an hour and a half ago,
16 not to rush to judgment on this. The burden of proof is on
17 the State to prove that Mr. Williamson did not intend to
18 stop. When you watch the video -- and Solicitor is correct,
19 "Watch it as many times as you want."

20 But what I want you to see on that video is when
21 Officer Anderson turns around on Mr. Williamson. We are
22 unsure when exactly Mr. Williamson knew for sure Officer
23 Anderson was trying to stop him. We see him acknowledge
24 Officer Anderson, but then it kind of looks like Officer
25 Anderson is going around him to somebody else. So he signals

1 to get over. Uses signals the entire time.

2 Finally, he knows Officer Anderson is behind him, and
3 he acknowledges that. On Highway 213. Puts on his hazards.
4 Now, we're on Highway 213. As far as the witness's
5 credibility, that's your decision to believe what you want to
6 believe from them or not believe it. I'm going to ask you to
7 believe them, everything they said, because I think they
8 support a "not-guilty verdict" in this case.

9 Officer Anderson, "He used signals the entire time, not
10 an excessive speed." He wasn't trying to outrun them, and go
11 to Columbia or something like that. 213 is curvy and
12 dangerous. Officer Anderson is going to try to go around
13 him, and distract and all this stuff. He's trying to get
14 where he is trying to get so he can stop. Which is exactly
15 what Lieutenant Newton said. They verified whose car it is:
16 "Okay. We know where he is going now, we know he is going to
17 stop there."

18 They knew he was going to stop, ladies and gentlemen.
19 That's the whole point. Yeah, he jumped out of the car and
20 ran afterwards. But that isn't whether or not he intended
21 not to stop, he did. What -- when you look -- when the Judge
22 reads you the law on intent, and he will, he will say, "For
23 you to consider whether he was reckless, negligent, and
24 indifferent to his duty," and I submit he was none of those.

25 Officer Anderson testified: "Yeah, I -- I pull it --

1 you know, folks who wouldn't stop. I've got behind him.
2 Some go fast." I -- you know, this isn't exactly your
3 typical police chase, folks. We've got a 50 to 65-mile per
4 hour chase for a few miles, about 11, I think he said, with
5 Mr. Williamson acknowledging, "Yes, I know you're behind me
6 the whole time." He gets home, he pulls over.

7 They told you from the stand they knew he was going to
8 do that. Still got charged with it. What you're here today
9 to decide, ladies and gentlemen, is if he's guilty of failure
10 to stop. I submit he is not. He stopped. They knew he was
11 going to stop. So I do not think the State has met its
12 burden of reasonable doubt, or no reasonable doubt. I think
13 there's reasonable doubt all over the place here, whether he
14 intended not to stop, but then you got them testifying to
15 you. "Oh, yeah, we knew he was going to do that." That's
16 what I ask you to consider, ladies and gentlemen. And I ask
17 you to please return a verdict for "not guilty" for
18 Mr. Williamson. Thank you.

19 THE COURT: Thank you, Ms. Boulware. And ladies and
20 gentlemen, if you'll please direct your attention to me. I'm
21 going to state the law to you that you must use considering
22 your version or your view of the facts to come up with
23 whatever your verdict is going to be. Mr. Foreman, members
24 of the jury, you've heard the testimony, the evidence and
25 arguments of both the State and the Defense.

1 I'm now going to charge you the law that applies in
2 this case. As I told you earlier, under the constitutional
3 laws of South Carolina, you are the finders of fact. I don't
4 have the right to pass upon the facts or even express any
5 opinion I may have as to what they are. Because that's the
6 matter solely for you, the jury, to determine. As -- as
7 jurors, it is your duty to determine the effect, the value,
8 the weight, and the credibility of the evidence presented
9 during this trial.

10 Now, as the trial judge, it has been my responsibility
11 to preside over the trial of this case, and to rule upon the
12 admissibility of evidence offered during this trial. You are
13 to consider only the testimony which has been presented from
14 this witness stand together with any exhibits which have been
15 made part of the record. Do we have a -- the capability of
16 viewing the video back in the jury room?

17 MR. MAXWELL: If you have a laptop, perhaps.

18 THE COURT: Well, if not, let's do it -- if you want to
19 look at -- when you go back, and start deliberate, if you do
20 want to look at the video again, you have to come out here to
21 look at it again, okay? I just want you to -- you know,
22 we're limited with video capability and stuff. We don't have
23 that installed yet. Just bear with us. But it -- certainly,
24 if you want to -- it is in evidence, if you want to look at
25 it again in your deliberations, just let the bailiff know,

1 we'll bring it back at you. Just write a note, okay?

2 So here's the law. The -- and the fact that I may
3 instruct you on various subjects in this case must not be
4 taken by you as to indicate what you think my opinion is.
5 Finally, I charge you: Do not be concerned with what you
6 think the law is. Whether the -- what I charge you the law
7 -- what I -- not what the law ought to be. Don't be
8 concerned about that. What -- what I charge you the law is,
9 that's what your concern is.

10 Let's talk about evidence. Two types of evidence in a
11 case. Direct evidence and circumstantial evidence. Direct
12 evidence directly proves the existence of a fact that doesn't
13 require any further production. That's like eyewitness
14 testimony. Direct evidence, okay? Circumstantial evidence,
15 however, I'm going to read you the law school definition.
16 I'm going to explaining to you so you'll understand the
17 difference.

18 "Circumstantial evidence is a proof of a chain of facts
19 and circumstances which indicate the existence of the fact."
20 And what's that mean? Think about we just came out of
21 winter. Before you go to bed at night, you look out on your
22 lawn with a spotlight you see brown grass, okay? Dormant
23 grass. You wake up the next morning you see snow and you see
24 footsteps in the snow on your -- on your lawn. Well, you can
25 infer that over and over the night had snow, and you can

1 infer somebody has been walking on your lawn.

2 See, these are things you can infer without actually
3 having seen it snowed, okay? That's a good example of what
4 circumstantial evidence is. And crimes can be proven by
5 circumstantial evidence. The law makes no distinction
6 between the weight or value to be given to either direct or
7 circumstantial evidence.

8 However, to the State -- to the extent that the State
9 relies on circumstantial evidence, all of the circumstances
10 must be consistent with each other. And when taken together,
11 point conclusively to the guilt of the accused beyond a
12 reasonable doubt. If these circumstances merely portray the
13 Defendant's behavior as suspicious, the proof has failed.

14 Now, the State has the burden of proving the Defendant
15 guilty beyond a reasonable doubt, that burden rests with the
16 State regardless of whether the State relies on direct
17 evidence, circumstantial evidence, or some combination of the
18 two.

19 Credibility, ladies and gentlemen, you determine the
20 credibility of the evidence and the witnesses. You could
21 take into account the demeanor, or the manner in which a
22 witness testified. Whether a witness had reason to be biased
23 on the one hand, or prejudiced on the other hand. Whether or
24 not one witness's testimony was corroborated or -- or -- or
25 supported and corroborated on one hand, or contradicted on

1 the other hand. All these things you will consider bearing
2 in mind that you should give the Defendant the benefit of any
3 reasonable doubt.

4 Now, I -- Instruct you and emphasize, ladies and
5 gentlemen, the fact that the Defendant is not present is not
6 a factor to be considered by you in any way in your
7 deliberations. In -- and in your consideration on the
8 question of guilt or innocence, you are to draw no conclusion
9 from the fact that the Defendant in this case did not appear
10 for his trial. The burden of proving guilt is always upon
11 the State of South Carolina. The Defense does not have to
12 prove innocence.

13 Now, a statement made by the Defendant has been
14 admitted into evidence in this case. Now, while the Court
15 has determined that the statement is admissible, you must
16 determine whether or not what the Defendant said was
17 voluntary, out of his own free will. This means that the
18 statement wasn't caused by pressure, force, fear, threats,
19 coercion, intimidation, or by hope, or -- or promise of
20 leniency, or reward of any kind.

21 And then to determine whether or not the Defendant made
22 a voluntary statement, consider the characteristics of the
23 Defendant. What you see on the video, the details of the
24 question, if any. If -- if there are any questions. You can
25 consider the Defendant's age, his education, or lack thereof,

1 and the environment, whether or not he was detained, the
2 nature of the questioning and the advice or lack -- or lack
3 of advice of his constitutional rights, including, but not
4 limited to, the right to remain silent.

5 Now, you must considerably -- carefully consider all
6 these surrounding circumstances before you give any weight to
7 a statement made by this defendant. And the statement has
8 the burden -- the State has the burden to prove beyond a
9 reasonable doubt that the statement made by the Defendant was
10 voluntary. If you determine it was, you can give that
11 statement any weight, your credibility, you deem as
12 appropriate. If you find the statement made by the Defendant
13 was not voluntary, you should not consider the statement at
14 all.

15 Let's talk about presumption of innocence like I told
16 you during voir dire earlier. The State -- the Defendant has
17 pled not guilty. And of course, as you know, the State has
18 to prove a person guilty beyond a reasonable doubt. I charge
19 you, ladies and gentlemen, it is an important rule of law
20 that a defendant in a criminal trial, no matter what the
21 seriousness of the charge against him or her may be, is
22 always presumed innocent until proven guilty by evidence
23 satisfying you of that guilt beyond a reasonable doubt.

24 The presumption of innocence doesn't end when you start
25 your deliberations, but it accompanies the Defendant

1 throughout your deliberations until you've reached a verdict
2 of guilt based on evidence satisfying you of guilt beyond a
3 reasonable doubt. Imagine, if you will, a robe of
4 righteousness placed about the shoulders of the Defendant,
5 which will remain with him until you think there's been
6 enough evidence to support his conviction. And you can strip
7 away that robe of righteousness from about his shoulders if
8 you find that the evidence supports that.

9 So let's talk about reasonable doubt. What is a
10 reasonable doubt? A reasonable doubt is a doubt which makes
11 an honest, sincere, conscientious juror in search of a
12 verdict to hesitate to act. Proof beyond a reasonable doubt
13 must therefore be proof of such a convincing character that a
14 reasonable person would not hesitate to rely on, and act upon
15 it in the most important of his or her own affairs.

16 Now, proof beyond a reasonable doubt can also be
17 described as proof that leaves you firmly convinced of a
18 defendant's guilt. Now, later -- ladies and gentlemen,
19 there're very few things that we know in this world with
20 absolute certainty, and in -- in criminal cases, the law does
21 not require proof that overcomes every possible doubt.

22 If, based upon your consideration of the evidence,
23 you're firmly convinced that the Defendant is guilty, then
24 you must find him guilty. If, on the other hand, you think
25 there's a real possibility that he's not guilty, you must

1 give him the benefit of the doubt, and find him not guilty.

2 Let's talk about criminal intent. In order to
3 establish criminal liability, you have to have criminal
4 intent. For example, the mental state required to be proven
5 by the State for a particular crime might be purpose, intent,
6 knowledge, recklessness, or criminal negligence. Criminal
7 intent must be proven by the State beyond a reasonable doubt.
8 Criminal intent is always a matter that must be determined by
9 you, the jury, from the circumstances -- some circumstantial
10 evidence which has been shown that have surrounded the
11 situation.

12 There's no way you could prove intent to a mathematical
13 certainty, ladies and gentlemen. There's no way that medical
14 science can dissect a person's brain to find out what they
15 had in their mind, okay? So the law says that criminal
16 intent can be inferred from the circumstances which have been
17 shown to have existed. That's how you make a determination
18 of whether or not the element requiring intent was present.

19 It's not necessary to establish intent by direct and
20 positive evidence, but intent can be established by inference
21 in the same way as any other fact by looking at the totality
22 of the circumstances which have been shown to have existed.
23 Criminal intent is a mental state, a conscious wrongdoing.
24 It's up to you to determine what the Defendant intended to do
25 based upon the circumstances which have been shown to have

1 existed.

2 Criminal intent can arise from an action or a failure
3 to act. It can arise -- it can also arise from negligence,
4 recklessness, or indifference to a duty, or to consequences
5 that are considered by the law to be equivalent of criminal
6 intent. All right. So that's the law surrounding everything
7 else.

8 What does failure stop for a blue light and siren mean?
9 Okay. Here's what the law says on that. The Defendant is
10 charged with failing to stop for a blue light. In order to
11 prove this crime, the state must prove beyond a reasonable
12 doubt that the Defendant was driving a motor vehicle -- that
13 the Defendant was driving a motor vehicle on a road, street,
14 or highway of South Carolina, that the Defendant was signaled
15 to stop by a law enforcement vehicle by means of a siren or a
16 flashing light, and that the Defendant did not stop.

17 Now, in determining whether or not there are mitigating
18 circumstances which would justify the Defendant's failure to
19 stop for the blue light, you can consider actual road
20 conditions. You can consider roadside conditions, other
21 conditions such as lighting, what the weather was, the
22 officer, the driver, or passenger safety. Any other
23 circumstances you believe may have reasonably mitigated the
24 alleged violation.

25 An official signal requiring a motorist to stop may be

1 a siren or a flash of light. But both are not required. An
2 attempt to increase the speed of a vehicle or in some other
3 manner to avoid the pursuing law enforcement vehicle when
4 signaled by a siren or flashing light, may be considered by
5 you as evidence of failure to stop. However, it's merely an
6 evidentiary fact to be taken into consideration by you, along
7 with all the other evidence in the case, and it -- and it
8 should be given the weight you decide it should receive.

9 All right. Well, let me talk to you about
10 deliberation, ladies and gentlemen. Deliberation is defined
11 as a careful consideration weighing up with a view to a
12 decision. See, the genius of our jury system, whether it be
13 a week-long trial, a two-week long trial, a one-day trial, a
14 two-hour trial, okay? Is that it allows 12 good people, both
15 men and women from different backgrounds, life experiences,
16 and perspectives to consider the evidence, talk about it, and
17 ultimately reach a verdict.

18 The task of a juror is called deliberations for a
19 reason because you, the jurors, are to consider the evidence
20 in this case carefully, deliberately, discuss it amongst each
21 other. Remember, you're not partisans or advocates for one
22 side over the other, you're judges of the facts. Your sole
23 duty is to sort through the information that you've heard in
24 this trial that you've seen, and find your verdict from the
25 evidence presented in this courtroom.

1 The United States Constitution -- which is the supreme
2 law of our land, affords everyone a day in court, and a fair
3 trial. So this case is very important to both sides, the
4 State of South Carolina as well as the Defendant because it's
5 their day in court. I charge you, ladies and gentlemen,
6 listen to the views of your fellow jurors, carefully consider
7 their viewpoints and perspectives, and courteously discuss
8 everything. Remember, you're doing something deliberately.
9 You're not in a big hurry, and you are tasked with the duty
10 of utmost importance.

11 Your verdict cannot be based on sympathy, passion,
12 prejudice, emotion, or any other consideration that's not in
13 evidence in this case. So in conclusion, ladies and
14 gentlemen, you've been selected both by the State and the
15 Defendant to be fair and impartial jurors. It is your duty
16 then, in your deliberations, to determine the verdict in this
17 case, giving the benefit -- the Defendant, the benefit of
18 every reasonable doubt on this charge. And from the facts
19 which you determine to be relevant, you take and apply the
20 law which I've just given you, and arrive at your verdict.

21 I've told you the standards that you must apply to this
22 charge for failure to stop for a blue light and siren.
23 You've heard the evidence and now you've heard the law.
24 Whatever your verdict is as to this charge, guilty or not
25 guilty, Mr. Foreman, you will indicate it only by marking the

1 jury's decision in the respective blank on the verdict form.
2 Mark only one blank. You will then sign, and date the
3 verdict form that says "As to the charge, we the jury
4 unanimously find the Defendant, Mercury Lamont Williamson, as
5 follows:" And says "The Indictment -- the Indictment Number,
6 and the charge."

7 You either check, "Not guilty," or you check, "Guilty."
8 Then you sign it, okay? Let -- this is important that you
9 can't fill this out until all 12 of you agree as to what the
10 verdict is. Your verdict must be unanimous, okay? So at
11 this time, ladies and gentlemen, I'm going to send you back
12 to your jury room, everybody except my alternate, I need my
13 alternate to remain here with me.

14 And once you receive the verdict form along with the
15 evidence, if you wish to look at it, that's your signal,
16 you'll finally start deliberating the case, talking about it.
17 And once you start deliberating, you'll deliberate until you
18 have a verdict. Whenever you have a verdict, one of you
19 knock on the door, let the bailiff know, we'll bring you out
20 to get your jury room, okay? All right. You can head on
21 back to your jury room. Madam Alternate, if you'll stay here
22 with me. That's Ms. Hadler -- I mean, Ms. Hadler, stay with
23 me.

24 (Jury exits.)

25 THE COURT: Here's the verdict form. Hope you got it.

1 UNIDENTIFIED SPEAKER: Yes, sir.

2 THE COURT: All right. Any exceptions to the charge
3 from the State?

4 MR. MAXWELL: No, sir.

5 THE COURT: Any from the Defense?

6 MS. BOULWARE: No, sir.

7 THE COURT: All right. You all send it on back.

8 Somebody take that to them. Madam Alternate, thank you very
9 much for your jury service.

10 (Off the record.)

11 (Jury enters.)

12 THE COURT: All right. All members of the jury are
13 present. The bailiff has handed me the verdict form. Madam
14 Clerk, you may publish the verdict.

15 THE CLERK: State of South Carolina versus Mercury
16 Lamont Williamson, Indictment number 2021-GS-23-41. "As to
17 the charge, we, the jury, unanimously find the Defendant,
18 Mercury Lamont Williamson as follows: Number one, Indictment
19 Number 2021-GS-23-41, failure to stop for blue light,
20 guilty." Signed by the foreperson, May 25, 2022.

21 THE COURT: All right. Ladies and gentlemen, thank you
22 so much for your jury service. You're welcome to stick
23 around if you want to see what happens next. I'm going to
24 have to sentence Mr. Williamson for the way our law works.
25 Is that it -- it will be a sealed sentence, okay? Until law

1 enforcement confines Mr. Williamson so I can let him know
2 what his sentence is going to be, okay?

3 Your service as jurors has ended not just on this trial
4 jury, but also for tomorrow, and Friday. So we will no
5 longer need your services for this week, okay? Thank you
6 very much for your service. You're free to leave. If you
7 want to stick around, and hear his prior record, you --
8 that's fine.

9 UNIDENTIFIED SPEAKER: (Inaudible).

10 (Jury exits.)

11 THE COURT: All right. You got the sentencing sheet?

12 MR. MAXWELL: That's a good question. I do not.

13 MS. BOULWARE: Oh, I'll go so you can print it, and
14 I'll go pick it up. Make sure (inaudible).

15 THE COURT: That's -- that's a very good thing. This
16 entire trial was shorter than your general sessions pleas.
17 All right. Let me hear his prior record.

18 MR. MAXWELL: In 1991, he was convicted of grand
19 larceny. In '95, DUI, resisting arrest, and possession of a
20 -- unlawful carrying of a pistol. 1999, assault and battery
21 with intent to kill, received a 20-year sentence that was
22 suspended upon the service of 13 years. Bounce was suspended
23 to five years of probation. Failure to stop for blue light
24 in 2015. Simple possession and resisting arrest in 2016.

25 In 2018 he was convicted of DUS and simple possession

1 of marijuana. In '21, he was convicted of DV 3rd, and two
2 counts of failure to stop for blue light. Those were from
3 2017 and 2019. I believe, what happened is when -- when he
4 got arrested on discharge in Fairfield, I'm guessing Newberry
5 had a bench warrant on those charges. Got -- when he bonded
6 out of here, he went to Newberry, spent six or seven months
7 in jail and pled to the DV 3rd, and the two counts of failure
8 to stop for blue light, which were two -- two years old at
9 the time.

10 THE COURT: Okay.

11 MR. MAXWELL: So to be -- clearly, I think there's a
12 second offense, and there's nothing beyond a -- a third or
13 fourth blue light.

14 THE COURT: All right. Any recommendation from the
15 State?

16 MR. MAXWELL: We ask for five years sentence, and I
17 think this is his fourth time around. Didn't appear for
18 trial even though he was noticed. Had a -- had an offer, he
19 -- he turned down. So I think due to his prior record, I
20 think a five-year sentence is appropriate.

21 THE COURT: Ms. Boulware?

22 MS. BOULWARE: Your Honor, Mr. Williamson, I believe
23 what he's told me really was trying to get everything back on
24 track. I know his mother is ill, she's in the hospital. He
25 was worried -- he was worried about her. I would just ask

1 for some mercy from your Honor.

2 And if your Honor would consider the credit for the
3 time he was at the Newberry jail, I believe that -- I can
4 confirm the days. I believe it was around seven months. But
5 we would just ask for some mercy. Mr. Williamson, I -- I
6 think he still maintains he's not guilty. He did stop
7 eventually. So I -- you know, we would just ask for you to
8 be as lenient as you can for Mr. Williamson.

9 THE COURT: All right. Thank you very much. I'll
10 enter my sentence on the sentencing sheet. Madam Clerk will
11 hand it to you, it'll remain sealed, pending Mr. Williamson
12 being brought before the Court.

13 MS. BOULWARE: Okay. Judge --

14 THE COURT: It doesn't have to be me. It can be any
15 presiding judge. So I don't know when they'll pick him up.
16 Yes, ma'am.

17 MS. BOULWARE: Before you write on it, I never signed
18 him on a conviction after trial. Mr. Maxwell said I didn't
19 sign it. Do you want it signed or not signed?

20 MR. MAXWELL: Attorney doesn't sign -- usually sign.
21 I'm not sure what the requirement is.

22 MS. BOULWARE: I never signed; I don't know what --

23 THE COURT: I don't -- I don't see it being a problem.
24 I -- I mean, just -- it was tried.

25 MS. BOULWARE: Okay. That's fine. I just -- before

1 you write all over it, I wanted to make sure we didn't need
2 to sign it.

3 THE COURT: All right. Anything further for today?

4 MR. MAXWELL: No, sir. Got a --

5 THE COURT: Court is adjourned for today. Tell me
6 about tomorrow. Off the record.

7 MR. MAXWELL: Got eight or nine cases that were from
8 the jail.

9 THE COURT: Okay.

10 MR. MAXWELL: Should be done --

11 MS. BOULWARE: Judge, I -- I apologize. I did intend
12 to make a motion for a new trial.

13 THE COURT: All right. Motion for a new trial noted,
14 over -- denied.

15 MS. BOULWARE: And renew all objections, Judge.

16 THE COURT: Noted, denied. Okay. Here we go. Put
17 that in. Thank you very much.

18

19 (THERE BEING NOTHING FURTHER, THIS HEARING CONCLUDED)

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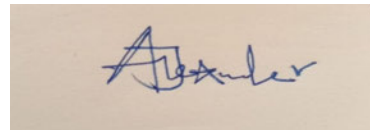
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CERTIFICATE OF TRANSCRIBER

I, JACKSON ALEXANDER, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate, and complete Transcript of Record of the proceedings had, and evidence introduced in the trial of the captioned case, relative to appeal, in the South Carolina Circuit Court 6 of Fairfield County, South Carolina, on May 25, 2022.

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

April 27, 2025.

A rectangular box containing a handwritten signature in blue ink. The signature appears to be 'Alexander' written in a cursive, stylized script.

JACKSON ALEXANDER

Transcriber

STATE OF SOUTH CAROLINA - COURT OF GENERAL SESSIONS
SIXTH JUDICIAL CIRCUIT - COUNTY OF FAIRFIELD

STATE OF SOUTH CAROLINA) Docket No.
) 2024-GS-20-00426
) 2021-GS-20-00341
Vs.)
)
) **UNSEALED SENTENCING**
MERCURY WILLIAMSON)
)

July 29, 2024
Fairfield, South Carolina

B-E-F-O-R-E:

THE HONORABLE BRIAN GIBBONS

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

Riley Maxwell, Deputy Solicitor
Attorney for the State

Kay Boulware, Public Defender
Attorney for the Defendant

Maria L. DiScioscia, RPR
Official Court Reporter

1 THE COURT: Solicitor.

2 MR. MAXWELL: Your Honor, this is Mercury
3 Williamson represented by Kay Boulware.

4 Mr. Williamson was tried and found guilty of
5 failure to stop for a blue light on Docket No.
6 2021-GS-20-00341. The trial was held on May 25, 2022.
7 My notes indicate he was before your Honor the day
8 before regarding, he was given notice of the trial going
9 forward that week. Trial did go forward and he was
10 found guilty, as I said. He does have a prior failure
11 to stop for a blue light in 2015. Two counts of blue
12 light in 2021.

13 It's my understanding that, without being able
14 to see the sentencing sheet, that it was the second
15 offense. But he's back here for sentencing for the
16 unsealing of the sentence sheet.

17 THE COURT: Anything from you Ms. Boulware
18 before I unseal the sheet?

19 MS. BOULWARE: Judge, just that Mr. Williamson
20 has relayed to me that he, at the time, said he was
21 under the impression that he was being tried on the
22 first offense, because of the warrant that was issued to
23 him or served on him in May of 2021.

24 Judge, I believe I had thought he was going to
25 get up to 5 years, which would be a second offense and

1 this was two years ago, so I don't exactly -- without a
2 transcript of course, I don't exactly know what-all
3 transpired. But I would ask your Honor if you did
4 sentence according to a second offense, if you would
5 consider sentencing him under the first offense as the
6 warrant he was originally charged with.

7 THE COURT: Alright. I'm going to unseal the
8 sentence sheet right now.

9 He was tried and found guilty of second or
10 subsequent offense. And I sentenced him to 4 years in
11 the South Carolina Department of Corrections with
12 previous -- with credit for previous time served.

13 And I made a finding on the other side that
14 said: "TIA, trial in absentia, after being advised on
15 the record of his trial." So that would support the
16 State's recollection of what had happened the prior day.

17 So the sentence of the Court is 4 years in
18 prison. Good luck to you.

19 MS. BOULWARE: Judge, Mr. Williamson did want
20 to address the Court.

21 THE COURT: Yes, sir. Mr. Williamson?

22 THE DEFENDANT: I ain't had no second offense,
23 it was only the first offense. I never caught another
24 one in 2021. I only had the first offense.

25 THE COURT: Okay. Your position is protected

1 in the record for whatever appellate review needs to
2 happen or whatever. You have 10 days from today to file
3 an appeal. I've pronounced the sentence to you and you
4 can go from there.

5 MR. WILLIAMS: Thank you, Judge.

6 THE COURT: Good luck to you, sir.

7 (End of Transcript of record.)

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CERTIFICATE OF REPORTER

State of South Carolina)
)
County of Fairfield)

I, Maria L. DiScioscia, Official Court Reporter for the Sixth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete Transcript of the Record of all the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for Fairfield, South Carolina, on the 29th day of July, 2024.

I do further certify that I am not related, either by blood or marriage, to any of the parties in this action; and that I am in no way interested in the outcome of this matter.

January 30, 2025



Maria L. DiScioscia, RPR
Official Court Reporter

**BAIL PROCEEDING
FORM I**

STATE OF SOUTH CAROLINA

IN THE Winnsboro Municipal Court

COUNTY OF Winnsboro

STATE OF SOUTH CAROLINA

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

v.

Williamson, Mercury Lamont

NAME OF DEFENDANT

Offense Charged: Traffic / Failure to stop for a blue light, no injury or death - 1st offense-[2021A2020100064]**IT IS HEREBY ORDERED****I**

That the above named defendant be released from custody on his own recognizance without surety on the condition that he will personally appear before the designated court at the place, date, and time required to answer the charge made against him and do what shall be ordered by the court, and not depart the State without permission of the court and be of good behavior.

II

That the above named defendant be released from custody upon recognizance without surety executed by him.

Appearance Recognizance Without Surety

On the 28th day of May 2021, personally appeared before the undersigned judge the defendant named above who acknowledged himself indebted to the State of South Carolina, in the sum of 1,000.00 dollars, to be levied on his real and personal property for the use of the State, if the defendant shall fail in performing the conditions of the Order.

III

That the defendant will notify the court promptly if he changes his address from the one contained in this Order and will comply with the following other conditions of release: Must Appear in Court as Required

IV

That the defendant shall appear at (check one):

☐ the term of COURT OF GENERAL SESSIONS beginning on _____ at _____ o' clock, _____ at _____ and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

☒ the session of ☐ MAGISTRATE COURT ☒ MUNICIPAL COURT beginning on June 28, 2021 at 11:00 o' clock, A M., at Winnsboro Municipal Court - 117 W Washington Street/P.O. Box 209/Winnsboro, SC 29180 / (803) 635-1302

If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

ACKNOWLEDGEMENT BY DEFENDANT

I understand that if I violate any condition of this Order, a warrant for my arrest will be issued.

I understand and have been informed that I have a right and obligation to be present at trial and should I fail to attend the court, the trial will proceed in my absence.

It has been explained to me that if I fail to appear before the court as required, a warrant for my arrest will be issued.

ATTORNEY REPRESENTING ACCUSED (IF KNOWN)

SIGNATURE OF JUDGE

05/28/2021

DATE

SIGNATURE OF DEFENDANT

State Highway 213

ADDRESS

Winnsboro, SC 29180-6585

CITY/ST

PHONE

(SC)

SOCIAL SECURITY NUMBER

DRIVER'S LICENSE OR ID NUMBER

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED**Original Copy For The Trial Court - Copy For The Defendant**

WITNESSES

ANDERSON- WDPS

Gadson

ARREST WARRANT NUMBER/DOA

2021A2020100064 (DOA-05/27/2021)

ACTION OF GRAND JURY

TRUE BILL

Foreperson of Grand Jury
Date: 8/17/21

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2021-GS-20- 341

**The State of South Carolina
County of Fairfield**

COURT OF GENERAL SESSIONS

AUGUST TERM 2021

**THE STATE
vs.**

MERCURY LAMONT WILLIAMSON

Indictment for

Failure to Stop for Blue Light and Siren

SC Code: § 56-5-750(A), (B)(1)
CDR Code: 0065
Class: Misdemeanor, A

2021 AUG 17 AM 11:21
FAIRFIELD COUNTY
CLERK OF COURT
JUDY M BOND

STATE OF SOUTH CAROLINA)
)
COUNTY OF FAIRFIELD)

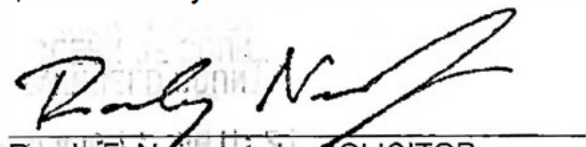
INDICTMENT

At a Court of General Sessions, convened on August 17, 2021, the Grand Jurors of Fairfield County present upon their oath:

FAILURE TO STOP FOR BLUE LIGHT AND SIREN

That Mercury Lamont Williamson did in Fairfield County on or about May 27, 2021, being a motor vehicle driver and while driving on a road, street, or highway of this state, knowingly and wilfully fail to stop when signaled to do so by Officer Anderson of the Winnsboro Department of Public Safety in a law enforcement vehicle by means of a siren or flashing light in violation of § 56-5-750(A), (B)(1), *Code of Laws of South Carolina, (1976), as amended*.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


Randy E. Newman, Jr., SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF Fairfield

STATE

VS.

Mercury Lamont Williamson

AKA:

Race: BLACK Sex: M Age: 49DOB: 1973 SS#: Address: State Highway 213City, State, Zip: Winnsboro, SC 29180-6585DL#: SID#:

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2021GS2000341A/W#: 2021A2020100064Date of Offense: 5/27/2021S.C. Code §: 56-05-0750(B)(2)CDR Code #: 2396

SENTENCE SHEET

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADSTO: Traffic / Failure to stop for a blue light, no injury or death - 2nd or sub. offensein violation of § 56-05-0750(B)(2) of the S.C. Code of Laws, bearing CDR Code # 2396
☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45
 (CSC w/minor 1st or CSC w/minor 3rd)

 The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives
 Presentment to Grand Jury. (def.'s initials)

 The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☒ Recommendation by the State.
 ATTEST:

100816

Maxwell, Riley J

SC Bar #

Defendant

Boulware, Kay
Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Correction, ☐ County Detention Center,for a determinate term of 4 days/months/years Time Served ☐ Youthful Offender Act not to exceed yearsand/or to pay a fine of \$; provided that upon the service of days/months/years/Time Served and or paymentof \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

☐ CONCURRENT or ☐ CONSECUTIVE to sentence on:
☒ The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDoc.
 days/months
☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.
 Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65
 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

- ☐ Substance Abuse Counseling ☐ Completion of GED ☐ Random Drug/Alcohol Testing
- ☐ Attend Voc. Rehab. or Job Corp ☐ No Contact with Victim ☐ Domestic Violence Intervention Program
- ☐ Mental Health Counseling ☐ May serve W/E beginning: _____

☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ Public Service Employment 0 _____ days/hours☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.☒ Other: TIA after being advised on the record of his trial☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total: \$ _____ plus 20% fee: _____ \$ _____

Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

*Fine:

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ Beginning _____

\$14-1-206 (Assessments 107.5 %)		\$
\$14-1-211(A)(1) (Conv. Surcharge)	\$100	\$
\$14-1-211(A)(2) (DUI Surcharge)	\$100	\$
\$56-5-2995 (DUI Assessment)	\$12	\$
\$56-1-286 (DUI Breath Test)	\$25	\$
\$14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
\$14-1-213 (Drug Court Surcharge)	\$150	\$
\$34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs)	\$41	\$
\$50-21-114(BUI Breath Test Fee)	\$50	\$
\$56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$
3% to County (if paid in installments)	TBD	\$.75

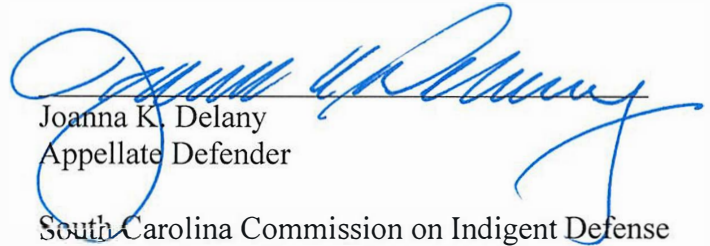
☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender FundClerk of Court/ Deputy Clerk: Judy BondsCourt Reporter: Martha DiSciascioPresiding Judge: [Signature]Judge Code: 2108Sentence Date: 5/25/22

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

Respectfully Submitted,

RECEIVED
Aug 10 2026
SC Court of Appeals



Joanna K. Delany
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 10th day of August, 2026.