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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Orangeburg County

Honorable Maite Murphy, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CALIK TRAVONE GUINYARD,

APPELLANT

APPELLATE CASE NO. 2026-000281

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2) IN THE COURT OF
3 COUNTY OF ORANGBURG) GENERAL SESSIONS
4
5 THE STATE,)
6 Plaintiffs,)
7 vs) CASE NO. 2021GS3801784
8 SAYQUAN HARRISON and)
9 CALIK GUINYARD,)
10 Defendants.)

11 JANUARY 27-29, 2026
12 ORANGEBURG, SOUTH CAROLINA
13

14 HONORABLE MAITE MURPHY, JUDGE

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17 GABRIELLE T. WILLIAMS, ESQUIRE

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22 Attorney for the Defendant Guinyard
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24 KATHERINE A. SPIRES

25 REGISTERED PROFESSIONAL REPORTER

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1 THE COURT: Good morning, everyone.
2 Please have a seat. Good morning, ladies and
3 gentlemen of the jury panel. My name is Maite
4 Murphy and I'm a circuit court judge from
5 Dorchester County. It is pleasure to be here with
6 you this week for a term of General Sessions Court
7 or what we normally refer to as criminal court.

8 Ladies and gentlemen of the jury panel,
9 your service will conclude by Friday. The trial
10 that we anticipate picking for this morning, we
11 anticipate will take approximately three, three and
12 a half days, so you can plan if you are selected.

13 Ladies and gentlemen, I certainly
14 understand the general inconvenience that jury
15 service causes upon you; however, we will try to be
16 mindful of your time, and hopefully, this week will
17 be an enjoyable and educational week for you.

18 Ladies and gentlemen, there are certain
19 questions that I must ask you pursuant to state
20 law. And I understand that some of them may be a
21 little bit embarrassing, and you may not want to
22 disclose the entire information in front of the
23 panel, so if a question applies to you, I will ask
24 you to please stand when I ask the question and you
25 can come forward and speak with me privately. Or

1 I'm going to ask a very broad question at the very
2 end of the questioning period and it'll state if
3 you have any questions as to whether you're
4 disqualified or exempt from jury service or if you
5 need to be transferred for any particular reason to
6 come forward at that time. So please be very
7 mindful that if a question applies to you to please
8 stand and come forward at the appropriate time.

9 Ladies and gentlemen, here are the
10 questions regarding your qualifications to serve as
11 jurors:

12 Is there any member of the jury panel
13 who is not a citizen of the United States? If so,
14 please stand.

15 I find that there is no one standing.

16 Is there any member of the jury panel
17 who is not a resident and citizen of Orangeburg
18 County? If so, please stand.

19 I find that there is no one standing.

20 Is there any member of the jury panel
21 who is unable to read, write, speak, or understand
22 the English language? If so, please stand.

23 I find that there is no one standing.

24 Does any member of the jury panel have
25 less than a sixth grade education or its

1 equivalent? If so, please stand.

2 I find that there is no one standing.

3 Would counsel please come forward?

4 (WHEREUPON, there was a bench
5 conference.)

6 THE COURT: Again, ladies and
7 gentlemen:

8 Does any member of the jury panel have
9 less than a sixth grade education or its
10 equivalent? If so, please stand.

11 I find that there is no one standing.

12 Is there any member of the jury panel
13 unable because of mental or physical infirmities to
14 render efficient jury service? For example, does
15 any member of the jury panel have a medical
16 condition which would prevent you from serving on a
17 jury this week? If so, please stand.

18 Would y'all please come forward?

19 Good morning. Your juror number? Or
20 your name?

21 MS. BOWEN: Kayla Bowen. So I have
22 generalizing anxiety disorder and I was diagnosed
23 by Dr. Peggy Faust in Bamberg, but I now go to
24 Northfield, and they've lost my records, so I don't
25 have the doctor note for that.

1 THE COURT: Are you on any kind of
2 medication for that?

3 MS. BOWEN: No. Probably if that got
4 sorted with I feel maybe they would. I don't know.
5 I didn't ask them that.

6 THE COURT: Well, obviously, a lot of
7 people get a little nervous when they come to
8 court, and that's certainly understandable.
9 However --

10 MS. BOWEN: I mean, it's not just
11 court. Like, I've had my driver's license for nine
12 years, I'm still scared to drive unless there's a
13 passenger in the seat.

14 THE COURT: Do you work outside of the
15 home?

16 MS. BOWEN: I've never had a job.

17 THE COURT: Okay. So as far as having
18 any kind of -- would your issue be more of a
19 transportation issue?

20 MS. BOWEN: No. I have been panicking
21 since this got in the mail. Like, not sleeping
22 since this came in the mail sometime before
23 Christmas.

24 THE COURT: All right. So do you feel
25 that your medical condition would somehow prevent

1 | you from going forward?

2 | MS. BOWEN: I don't think I would do
3 | well paying attention.

4 | THE COURT: All right. Ms. Bowen, I'm
5 | going to go ahead and excuse you from this trial.

6 | MS. BOWEN: Do I need to do anything
7 | else?

8 | THE COURT: No, ma'am, you can go.

9 | MS. BOWEN: Thank you, ma'am.

10 | THE COURT: Good morning, sir.

11 | MR. HUFFMAN: Larrord Huffman. I don't
12 | know my number.

13 | THE COURT: I can find you. 132. Yes,
14 | sir, Mr. Huffman?

15 | MR. HUFFMAN: Yes, I have kidney issues
16 | and liver problems and I go to the doctor every
17 | other week. Actually, this Thursday I have an
18 | appointment at the VA Hospital for my kidneys. So,
19 | I would love to serve, but because of my doctor
20 | appointment that's what holding me back.

21 | THE COURT: And it would be detrimental
22 | to your health if you switched it to next week?

23 | MR. HUFFMAN: I don't want to say that
24 | it would be detrimental to my health, but it's very
25 | important for me to go to these doctor appointments

1 | because of my kidneys. It's like scale from one to
2 | five, I'm at a three right now, you know, so they
3 | don't want it to get any worse. But right now by
4 | the grace of god, it's still halfway. I'm still
5 | good, but that's my thing right now.

6 | THE COURT: Okay. So I can do this, I
7 | can transfer your service to another term of court
8 | which wouldn't conflict with your doctor's
9 | appointments. So you can look at the schedule and
10 | see what term would be better for you. Do you have
11 | -- you said you go every other week?

12 | MR. HUFFMAN: Well, whenever they set
13 | the appointments. The doctor tells me when to come
14 | in. I went in two weeks ago, he put me on
15 | medicine. He want to see how that works and now I
16 | have an appointment this Thursday at the VA, so.

17 | THE COURT: All right. So looks like
18 | you were previously transferred one time before. I
19 | can transfer you one other time, but you'll have to
20 | plan ahead and, you know, talk to your doctor and
21 | say this is when it is, can we just kind of work
22 | around that schedule?

23 | MR. HUFFMAN: Okay. All right.

24 | THE COURT: Is that what you would like
25 | to do?

1 MR. HUFFMAN: Yeah, I can do that.

2 THE COURT: All right. So I'm going to
3 have him call and y'all can look at the potential
4 court dates and hopefully find one that fits with
5 your medical appointments.

6 MR. HUFFMAN: Yes, ma'am. Thank you
7 very much. Thank you.

8 THE COURT: All right. Yes, sir.
9 Good morning, sir.

10 MR. MIDDLETON: Good morning. My
11 name's Odell Middleton, Juror No. 189.

12 THE COURT: Yes, sir, Mr. Middleton?

13 MR. MIDDLETON: I ain't going to be
14 able to sit in one spot that long. My leg's
15 amputated. I've got pins. I have a metal in my
16 hip, so I sit that long, my legs go numb.

17 THE COURT: Okay. Well, we can help
18 you with that. We will accommodate you. We'll put
19 you on the back row and if you've got to stand up,
20 you can stand up and make sure you have some extra
21 cushions. If you need to take a break, take a
22 break. Okay.

23 MR. MIDDLETON: All right.

24 THE COURT: Thank you, sir.

25 Good morning, ma'am.

1 MS. FRANKLIN: Good morning.

2 Jacqueline Franklin, Juror No. 89.

3 THE COURT: Yes, ma'am.

4 MS. FRANKLIN: I have short-term
5 memory.

6 THE COURT: Okay. And as far as that
7 is concerned, can you expound upon that a little
8 bit?

9 MS. FRANKLIN: Sure. Like, I can't
10 comprehend.

11 THE COURT: You have difficulty
12 concentrating?

13 MS. FRANKLIN: Yes.

14 THE COURT: Was that a result of a --

15 MS. FRANKLIN: A stroke.

16 THE COURT: Oh, you had a stroke.
17 Okay. And the short-term memory would be, like,
18 from what happened from this morning you have a
19 difficult remembering it in the afternoon?

20 MS. FRANKLIN: Yes.

21 THE COURT: Okay. All right. Well, I
22 think based upon that I'm going to excuse you from
23 this trial. Thank you, ma'am.

24 Good morning, ma'am. Your juror
25 number, please?

1 MS. WASHINGTON: 273.

2 THE COURT: Ms. Washington?

3 MS. WASHINGTON: Yes, ma'am.

4 THE COURT: Yes, ma'am, and what's your
5 circumstance?

6 MS. WASHINGTON: I'm on a heart monitor
7 and I will on it for another 15 days. And the only
8 reason I don't have it with me today, I have to
9 have a phone is because it needed charging and it
10 will beep if it needs charging. So would that be a
11 problem?

12 THE COURT: No, ma'am, that's not a
13 problem.

14 MS. WASHINGTON: So I could wear it
15 tomorrow?

16 THE COURT: Yes, ma'am. As long as
17 it's your medical conditions then you turn it off
18 for other things, but of course, if it beeps for
19 your battery, that's perfectly fine.

20 MS. WASHINGTON: Thank you.

21 THE COURT: Has any member of the jury
22 panel been convicted by a guilty plea or trial in a
23 state or federal court of record of a crime
24 punishable by imprisonment for more than one year
25 and your civil rights have not been restored by

1 | pardon or amnesty? Punishable by more than one
2 | year means you could have received a sentence of
3 | more than one year regardless of what sentence you
4 | may have received. If this applies to you, please
5 | stand.

6 | All right, sir, if you would come
7 | forward.

8 | Good morning, sir. Your juror number?

9 | MR. BLOCKER: 18. In 2014, I pled
10 | guilty to abuse.

11 | THE COURT: What type of abuse?
12 | (Looking at some papers.) All right. That would
13 | disqualify you, so you're free to go. Thank you,
14 | sir.

15 | Good morning, sir. Your juror number?

16 | MR. CLECKLEY: 51.

17 | THE COURT: Mr. Cleckley?

18 | MR. CLECKLEY: Correct.

19 | THE COURT: What do you have?

20 | MR. CLECKLEY: Receiving stolen goods.

21 | THE COURT: And you're in General
22 | Sessions?

23 | MR. CLECKLEY: Correct.

24 | THE COURT: All right. So you are free
25 | to go. Thank you.

1 Is there any member of the jury panel a
2 clerk, a deputy clerk of court, constable, sheriff,
3 or other commissioned law enforcement officer,
4 probate judge, county commissioner, magistrate, or
5 other county officers, or is employed within the
6 walls of any courthouse? If so, please stand.

7 I find that there is no one standing.

8 Is there any member of the jury panel
9 who has previously served on jury duty in circuit
10 court during this calendar year? Please be mindful
11 that your service must be in circuit court, not in
12 magistrates' court, municipal court, or any federal
13 court? If this applies to you, please stand.

14 I find that there is no one standing.

15 Has any member of the jury panel served
16 as a member of the Orangeburg County Grand Jury
17 during the past several years? If so, please
18 stand.

19 I find that there is no one standing.

20 Ladies and gentlemen, we now move to
21 jury exemptions. State law provides for several
22 exemptions to jury service. An exemption does
23 not mean that you're not qualified to serve, it
24 simply means that you have the right to say, I
25 choose not to serve.

1 For those of you who are over the age
2 of 65, this exemption would apply to you. However,
3 you have amassed a tremendous amount of wisdom and
4 experience in your time, and we would love for you
5 to stay with us if you are so inclined.

6 However, if this exemption applies to
7 you and you wish to exercise it, please stand.

8 I find -- yes, sir, would you come
9 forward? Good morning, sir.

10 MR. SHULER: Good morning.

11 THE COURT: What's your juror number?
12 Or your name?

13 MR. SHULER: Shuler.

14 THE COURT: Mr. Shuler, 247. Mr.
15 Shuler, you're over 65?

16 MR. SHULER: I am.

17 THE COURT: You sure you don't want to
18 stay with us?

19 MR. SHULER: I'd love to. I have a
20 couple of emergency things that just came up this
21 week. One included my wife who has an appointment
22 tomorrow and my HVAC unit went out over the
23 weekend.

24 THE COURT: Oh, that is an emergency.

25 MR. SHULER: Yes.

1 THE COURT: If you'd like to serve, I
2 can transfer you to a time that would be
3 convenient.

4 MR. SHULER: That would be fine. Yeah.

5 THE COURT: Okay. When would be good
6 for you?

7 MR. SHULER: Probably any time after
8 this week.

9 THE COURT: Maybe March?

10 MR. SHULER: Yeah, they will be fine.

11 THE COURT: We'll transfer him to
12 March. All right, sir. Good luck with all that.

13 MR. SHULER: Thank you.

14 THE COURT: Another exemption concerns
15 prior jury service. No person is required to serve
16 as a juror more often than once every three
17 calendar years. Therefore, you may be exempt from
18 jury service if you have served in the last two
19 calendar years. Again, please be mindful that your
20 service must be in circuit court, not in
21 magistrates' court, municipal court, or in federal
22 court. If this exemption applies to you and you
23 wish to exercise it, please stand.

24 I find that there is no one standing.

25 Persons who have served as grand jurors

1 in the last five calendar years may also be exempt
2 from jury service. If any member of the jury panel
3 has served on a grand jury during the last five
4 calendar years, you may be exempt from service this
5 week. If this applies to you and you wish to
6 exercise it, please stand.

7 I find that there is no one standing.

8 The next exemption deals with those of
9 you who have small children. Please listen very
10 carefully to this exemption as it has several
11 parts, all of which must apply for you to be exempt
12 on this basis.

13 You may be exempt from jury service if
14 you have a small child or small children under the
15 age of seven years; you have legal custody of your
16 child or children; you have the principal care,
17 custody, and control of your child or children; and
18 you are unable to make adequate arrangements for
19 the care of your child or children while performing
20 jury duty. If all of these requirements apply to
21 you and you wish to exercise this exemption, please
22 stand.

23 I find that there is no one standing.

24 The next exemption involves those of
25 you who may be attending school at this time or

1 working in some capacity with a school. If this
2 exemption applies to you and you wish to be
3 exempted, I can transfer your service to another
4 term of court at which time will not conflict with
5 your school responsibilities.

6 Is there any member of this jury panel
7 who is a full-time student, school teacher, school
8 crossing guard, school bus driver, or who serves in
9 any other school related function who is unable to
10 serve on jury duty this week as a result of that
11 school involvement? If so, please stand.

12 I find that there is no one standing.

13 THE DEPUTY: We have one standing, Your
14 Honor.

15 THE COURT: Yes, ma'am, come on up.

16 MS. RAINEY: My last name is Rainey.

17 MR. FARLEY: 218.

18 THE COURT: All right. Yes, ma'am, are
19 you a student?

20 MS. RAINEY: Yes, I go to Claflin
21 University.

22 THE COURT: And you have classes all
23 week?

24 MS. RAINEY: Yes.

25 THE COURT: Is there -- do you want --

1 I mean, you have two options: You can stay to see
2 if you're selected, or if you want to transfer your
3 service to a time that wouldn't conflict with
4 school, I can do that. So I can bring you back in
5 the summertime or spring break or what works better
6 for you?

7 MS. RAINEY: The break will be fine.

8 THE COURT: Do you know what week that
9 is?

10 MS. RAINEY: Can I look at my calendar?

11 THE COURT: Yes, ma'am.

12 MS. RAINEY: It says here, March 9th
13 through the 13th is spring break.

14 THE COURT: Do we have a term March
15 9th? We may have to do the summertime.

16 MS. RAINEY: Okay.

17 THE CLERK: 2nd, the 9th, and 28th --
18 23rd.

19 THE COURT: Is it a trial week then?

20 THE CLERK: Yes.

21 THE COURT: All right. So we'll
22 transfer you to March 9th.

23 MS. RAINEY: So do I just leave?

24 THE COURT: You'll receive a new
25 summons, but make sure you put that on your

1 | calendar.

2 | MS. RAINEY: March 9th?

3 | THE COURT: Yes, ma'am.

4 | MS. RAINEY: Thank you.

5 | THE COURT: Good morning. Your juror

6 | number, please? Or your name?

7 | MR. TYLER: 267.

8 | THE COURT: 267, Mr. Tyler?

9 | MR. TYLER: Yes, ma'am.

10 | THE COURT: Yes, sir, where are you a
11 | student?

12 | MR. TYLER: O.W. Wilkinson High
13 | School.

14 | THE COURT: Oh, you're still in high
15 | school?

16 | MR. TYLER: Uh-huh.

17 | THE COURT: Well, you probably don't
18 | really want to miss school, so we're going to
19 | transfer you to the summertime; is that good for
20 | you?

21 | MR. TYLER: Yes, ma'am.

22 | THE COURT: All right. Anytime in the
23 | summer is good? You want to do June?

24 | MR. TYLER: Uh-huh.

25 | THE COURT: All right. So we'll

1 transfer Mr. Tyler to June. Thank you. Good luck
2 in school.

3 MS. BLEDSOE: 17.

4 THE COURT: 17.

5 MS. BLEDSOE: I'm not sure if this
6 applies, but I'm in a six-week training course. We
7 have to go to the college for training. It ends
8 the end of February. So I don't know if that
9 applies, but it's like...

10 THE COURT: And it's a training course
11 for your job?

12 MS. BLEDSOE: Yes.

13 THE COURT: All right. So March would
14 be better for you?

15 MS. BLEDSOE: Yeah, that will be great.
16 Anytime after February.

17 THE COURT: All right. We'll transfer
18 you to March then.

19 MS. BLEDSOE: Thank you, ma'am.

20 THE COURT: She's No. 17, Ms. Bledsoe.
21 Is there any member of the jury panel
22 who is employed with the Department of Corrections
23 at a penitentiary? If you wish to be exempt on
24 this basis, please stand.

25 I find that there is no one standing.

1 Is there any juror who perform services
2 for a business, commercial, or agricultural
3 enterprise which are so essential to the operation
4 of the enterprise, that if you were required to
5 perform jury duty, the enterprise would have to
6 close or stop functioning? If this applies to you,
7 please stand.

8 Sir, would you come forward?

9 MR. HOLBERT: 1-3-0.

10 THE COURT: Mr. Holbert?

11 MR. HOLBERT: Yes, ma'am.

12 THE COURT: Yes, sir, what's your
13 circumstance?

14 MR. HOLBERT: I mean, if I'm here for a
15 week, my business will close. And I don't work, I
16 don't make money. I don't pay bills. It's just
17 me. Now, my wife does keep the books and pays the
18 bills, but she doesn't do any of the side work.
19 She doesn't cut design. She doesn't weed it out,
20 put it together. So if I'm closed, I'm closed
21 totally.

22 THE COURT: So is there a time that's
23 slower for your business and you could plan ahead?

24 MR. HOLBERT: No, god's good. God's
25 good to me all the time. I have been dismissed

1 | before, but if I need to stay, I will try to. But
2 | through Friday you said?

3 | THE COURT: Potentially.

4 | MR. HOLBERT: See, that's my whole
5 | week. That's my whole week since yesterday was the
6 | snow day or the ice thing.

7 | THE COURT: Right. So here's --

8 | MR. HOLBERT: I'm don't mind, I'm
9 | saying. But --

10 | THE COURT: Because obviously service
11 | is inconvenient for everybody. We get that.

12 | MR. HOLBERT: I understand. Yes,
13 | ma'am.

14 | THE COURT: You've been transferred
15 | once before --

16 | MR. HOLBERT: I mean, I'll stay if
17 | that's okay. But if through Friday, I'm taking a
18 | team to Guatemala from our church on a mission trip
19 | next Saturday. So hope it didn't go that long.

20 | THE COURT: No, we'll be done by
21 | Saturday.

22 | MR. HOLBERT: Okay. Good. I don't
23 | mind. I'll do my civic duty. But it applied to me
24 | so that's why I just wanted to let you know.

25 | THE COURT: All right, sir. Why don't

1 | you just stay with us and see --

2 | MR. HOLBERT: Sure, that's fine. I
3 | just wanted to make sure I followed the law.

4 | THE COURT: Thank you, sir.

5 | Good morning.

6 | MR. JOHNSON: Juror No. 144. I heard
7 | you say business or enterprise. I work for the
8 | Board of Public Works in Bamberg. I'm the only
9 | person in the gas department. I do the utilities
10 | for natural gas and my superior and general manager
11 | gave me a note to bring to y'all. But I didn't
12 | know if I stood up at the right time or not, so I
13 | just...

14 | THE COURT: All right. I understand
15 | that all of us state employees are very essential,
16 | but this technically doesn't really apply to you.
17 | I can transfer your service to another term of
18 | court. However, basically this wouldn't apply to
19 | you since the whole state wouldn't have to shut
20 | down if, you know, you're not -- as important as
21 | the job is, I get it. I can, again, transfer you
22 | to a different term of court or you can stay and
23 | see if you're selected.

24 | MR. JOHNSON: I'll stay around. I just
25 | didn't know. Does that apply to anything or?

1 THE COURT: Pardon me?

2 MR. JOHNSON: Does that apply to
3 anything or does it just...

4 THE COURT: Well, certainly jury
5 service is inconvenient for most businesses. But
6 obviously, being a member of a state agency, that's
7 -- it really applies if it's just you're a
8 one-person show, and you would completely shut down
9 the complete business.

10 MR. JOHNSON: Okay. I'm the only
11 person that's legally --

12 MR. FARLEY: She means self-employed, I
13 think.

14 THE COURT: Yeah.

15 MR. JOHNSON: That's fine. Thank you.

16 THE COURT: Good luck. Good try.
17 Good morning, sir. Your juror number?

18 MR. BROWN: 37.

19 THE COURT: Yes, sir, Mr. Brown?

20 MR. BROWN: I am self-employed. Truck
21 driver.

22 THE COURT: Can you come up a little
23 bit? You're self-employed?

24 MR. BROWN: Truck driver.

25 THE COURT: Okay. And do you work for

1 a company that gives you the logistics business?

2 MR. BROWN: I'm leased to a company,
3 yes.

4 THE COURT: Okay. So the whole company
5 wouldn't have to shut down?

6 MR. BROWN: Just my company side of it.

7 THE COURT: Okay. Is there a time that
8 you can plan ahead in case you're -- or I can
9 transfer you, but you may come back and serve, you
10 know, a whole other week. But you can --

11 MR. BROWN: If it's a matter of
12 transfer, I'd rather just stay.

13 THE COURT: All right, sir. Thank you.

14 MR. CLARK: Juror No. 50.

15 THE COURT: All right, sir. Mr. Clark?

16 MR. CLARK: Yes, ma'am.

17 THE COURT: Yes, sir. What's your
18 circumstance.

19 MR. CLARK: I'm a travel tech --
20 radiology travel tech. So I basically work for
21 myself. If I don't work, I don't get paid.

22 THE COURT: Right. So I understand
23 that that's obviously a hardship for everybody that
24 works, I get it. I can transfer your service and
25 you can plan ahead or you can stay and see if -- or

1 | you can stay and see if you're selected or not.
2 | You've already burned up actually two days. You're
3 | already here.

4 | MR. CLARK: I'll take a chance.

5 | THE COURT: All right.

6 | Good morning.

7 | MS. CULPEPPER: Sharon Culpepper, 58.

8 | THE COURT: 58, yes, ma'am.

9 | MS. CULPEPPER: It's not like it's
10 | going to shut down and everything, I work with the
11 | Department of Mental Health in Orangeburg. I'm the
12 | only HR director there. We're going through
13 | centralization right now with DMH and we have lots
14 | -- as a matter of fact, I got a call at 7:30 this
15 | morning saying we needed to get some stuff. So I
16 | was hoping I could be transferred to another time.

17 | THE COURT: Again, this doesn't apply
18 | to you. But if it is a significant hardship, I can
19 | transfer you. But you must consider you've already
20 | -- this is already the second day of the week.
21 | Next time you may be here the full week.

22 | MS. CULPEPPER: That's fine. We're
23 | just going through that phase right now with the
24 | changes within the department.

25 | THE COURT: All right. So is there a

1 week that would be better for you?

2 MS. CULPEPPER: Into next month.

3 THE COURT: Sometime in February?

4 MS. CULPEPPER: Yes, sometime in
5 February should be fine.

6 THE COURT: All right. We'll transfer
7 58 to February.

8 THE CLERK: We may have to go to the
9 next one, Judge.

10 THE COURT: To March?

11 THE CLERK: Yes.

12 THE COURT: Okay. We'll transfer you
13 to March.

14 MS. CULPEPPER: Thank you so much.

15 THE COURT: Good morning, ma'am.

16 MS. SHULER: I'm Natalie Shuler. My
17 husband and I, we own and operate a small business.
18 And to be -- I sat there and thought about the
19 question. We also have a three-year-old child. So
20 currently, I'm having to close my side of the
21 store. He has the restaurant side. And right --
22 if I'm -- if my mother-in-law's not able to work
23 there, I'm going to have to have my child. It's
24 just not going to be completely covered, but I just
25 figured I would come and talk to you.

1 MR. FARLEY: She's Juror 246.

2 THE COURT: All right. So technically,
3 this doesn't apply. If it's a significant
4 hardship, I can transfer you to another term where
5 you can plan ahead. But that's completely up to
6 you. I mean, obviously --

7 MS. SHULER: What is the transferring?

8 THE COURT: To a different term of
9 court, but you may be here the entire week.

10 MR. FARLEY: If we transfer you, it
11 will be March.

12 THE COURT: Counsel, don't --

13 MR. FARLEY: I'm sorry.

14 THE COURT: We can transfer you to
15 another term, but you may be here the entire week
16 and this is already the second day. You can wait
17 and see if you're selected, or we can transfer you
18 and you can plan ahead.

19 MS. SHULER: Can I be transferred and
20 that way I can plan ahead child care?

21 THE COURT: Yes, ma'am. Do you want to
22 do June? July? What's better for you?

23 MS. SHULER: Yeah, probably in the
24 summer would be better. I can have child care
25 arranged.

1 THE COURT: So June?

2 MS. SHULER: Yes, that will be great.

3 THE COURT: So we'll transfer her to
4 June.

5 MS. SHULER: Thank you.

6 THE COURT: Is there any juror who's
7 the primary caregiver of a person who is severely
8 disabled and is unable to care for himself or
9 herself, and cannot be left unattended? If so,
10 please stand.

11 I find that there is no one standing.

12 And finally, is there any juror who's
13 the primary caretaker of a person aged 65 or older?
14 If you wish to be exempt on this basis, please
15 stand.

16 I find that there is no one standing.

17 Ladies and gentlemen, that concludes
18 the statutory list of qualifications and exemptions
19 for jury service. It may be that you are qualified
20 and no exemption applies to you, but jury service
21 this week would constitute an extreme hardship upon
22 you for a particular reason. I cannot permanently
23 excuse a qualified juror from jury service, but
24 under extreme and compelling circumstances, I can
25 excuse a juror from this term of court and transfer

1 | that juror to a different term of court,
2 | particularly those jurors who have not been
3 | previously transferred.

4 | Please understand that general
5 | inconvenience is not a sufficient reason to
6 | transfer your service to another term of court. To
7 | justify a transfer to another term of court, this
8 | week again must be an extreme hardship upon you for
9 | a particular reason.

10 | Ladies and gentlemen, this is now the
11 | chance for those of you who did not respond earlier
12 | to questions that I asked, and those of you who
13 | have a compelling reason to request a transfer of
14 | your jury service to another week to come forward.
15 | If you believe that you're disqualified or exempt
16 | from jury service, if you have any questions as to
17 | whether you're disqualified or exempted from jury
18 | service, or if you need to transfer your service to
19 | another term of court, please come forward at this
20 | time.

21 | Yes, sir?

22 | MR. SIMPSON: 248.

23 | THE COURT: Mr. Simpson?

24 | MR. SIMPSON: Yes, ma'am.

25 | THE COURT: Yes, sir, Mr. Simpson?

1 MR. SIMPSON: About two months I had
2 got pulled over and I got a ticket and I'm waiting
3 to a have court hearing about it. It's a simple
4 possession case.

5 THE COURT: It's a 30-day misdemeanor?

6 MR. SIMPSON: I haven't had the case --
7 the court hearing yet.

8 THE COURT: Did you go to magistrates'
9 court?

10 MR. SIMPSON: Not yet.

11 THE COURT: So were you arrested or --

12 MR. SIMPSON: I was arrested.

13 THE COURT: Okay. And you don't know
14 what you were charged with?

15 MR. SIMPSON: Simple possession.

16 THE COURT: Of marijuana?

17 MR. SIMPSON: Yes, ma'am.

18 THE COURT: Okay. He can stay.

19 Yes, sir?

20 MR. SINGLETARY: So my wife is in her
21 third trimester --

22 THE COURT: Can you scoot up a little
23 bit and your juror number, please?

24 MR. SINGLETARY: 249.

25 THE COURT: 249. All right. Yes, sir,

1 Mr. Singletary?

2 MR. SINGLETARY: My wife is in her
3 third trimester, they don't offer me any jury duty
4 pay at my job. My wife, since she's not working
5 too, she's in her third trimester, I really need to
6 make some money for our household. I'm a tech
7 specialist, so that's until April 15th. I will try
8 to get employment again with H&R Block because
9 whenever our baby's born, you know, she's probably
10 not going to work for, like, a little while, I
11 guess. It's our first baby.

12 THE COURT: So a couple of things we
13 can do. Obviously, you can stay, see if you're
14 selected, but the trial would be about three days,
15 three and a half days tops. If I transfer you, you
16 could be here the entire week. And it looks like
17 you've already been transferred once before. So
18 I'll give you the option. But obviously, it's
19 financially inconvenience for everybody and we get
20 that. But that doesn't excuse it, but I can
21 transfer you one more time.

22 MR. SINGLETARY: Okay. So Friday would
23 be the cutoff date?

24 THE COURT: Yeah.

25 MR. SINGLETARY: All right. I guess I

1 will roll the dice and stay.

2 THE COURT: All right. Thank you.

3 THE DEPUTY: Come on up, ma'am. Your
4 jury number?

5 MS. GALLOWAY: 96.

6 THE COURT: Ms. Galloway?

7 MS. GALLOWAY: Yes, ma'am.

8 THE COURT: Yes, ma'am, what's your
9 circumstance?

10 MS. GALLOWAY: So I just have a prepaid
11 airplane for -- I leave on Thursday for a wedding
12 for a family member, but I'll be back on Monday.
13 If I could please be transferred, I would greatly
14 appreciate it.

15 THE COURT: Yeah, that's not a problem.
16 When is a good time for you that you can be
17 transferred? You've already been transferred once,
18 so chances of it happening again, won't happen.

19 MS. GALLOWAY: Anytime after Monday.

20 THE COURT: So any month at all?

21 MS. GALLOWAY: Yes, ma'am.

22 THE COURT: You want to do March?

23 MS. GALLOWAY: Yes, ma'am.

24 THE COURT: All right. So we'll put
25 you in March. Thank you.

1 Good morning, sir.

2 MR. BLUME: My name is James Blume.

3 MR. FARLEY: 19.

4 THE COURT: Yes, sir, Mr. Blume?

5 MR. BLUME: Yes, ma'am. Your Honor, my
6 wife has to have oral surgery Thursday morning, I'm
7 her only way of transportation. She had one tooth
8 extracted yesterday and they scheduled for
9 emergency surgery. She's got to be put to sleep
10 for an extraction Thursday morning in Summerville.

11 THE COURT: So she needs -- you
12 obviously her driver and you take care of her?

13 MR. BLUME: Yes.

14 THE COURT: So is there a better time
15 that I can transfer you? Do you want to come back
16 in March?

17 MR. BLUME: Yeah, any other time.

18 THE COURT: All right, sir. We'll
19 transfer you to March. Good luck with that.

20 MR. BLUME: All right. Thank you.

21 THE COURT: Good morning, ma'am. Come
22 on up. Your juror number?

23 MS. GILYARD: It's 100.

24 THE COURT: Ms. Gilyard. Yes, ma'am.

25 MS. GILYARD: I served here as a juror

1 before. It was years back, but I did.

2 THE COURT: Can you say how many years?

3 MS. GILYARD: I think, like, 2014,
4 2015.

5 THE COURT: Aww, you're good to stay.
6 Good try though. Welcome back.

7 MR. LEE: 166.

8 THE COURT: 166. Mr. Lee?

9 MR. LEE: Yes, ma'am.

10 THE COURT: Yes, sir.

11 MR. LEE: It's just a question. What
12 if I -- it's just a question. So my driver's
13 license says, Orangeburg, but I don't live in
14 Orangeburg. So I still have to wait?

15 THE COURT: Well, where do you live?

16 MR. LEE: In Manning.

17 THE COURT: In Colleton County or what
18 county is that?

19 MR. LEE: It's Clarendon.

20 THE COURT: In Clarendon County. All
21 right. So you need to switch your driver's
22 license.

23 MR. LEE: Okay.

24 THE COURT: Because technically you
25 have ten days to do that, so make sure you take

1 | care of that. Okay?

2 | MR. LEE: Yes, ma'am.

3 | THE COURT: All right. So you're good
4 | to go.

5 | Good morning.

6 | THE DEPUTY: Your juror number, ma'am?

7 | MS. JOHNSON: I think it's 146, Rhonda
8 | Johnson.

9 | THE COURT: 148. Yes, ma'am.

10 | MS. JOHNSON: I think I missed the
11 | first question. I'm immunosuppressed, and also
12 | severely depressed.

13 | THE COURT: Okay. So as far as health
14 | complications --

15 | MS. JOHNSON: I'm a transplant. I had
16 | a kidney transplant which makes me
17 | immunosuppressed. These people are --

18 | THE COURT: All right. Obviously,
19 | there's a lot of people in here now --

20 | MS. JOHNSON: It is.

21 | THE COURT: There won't be that many
22 | people if you're selected. We could put you, like,
23 | on the aisle, if you feel comfortable with that.

24 | MS. JOHNSON: Okay.

25 | THE COURT: And obviously, there's 12

1 jurors, so this is probably the worst of it.

2 MS. JOHNSON: Right.

3 THE COURT: Yes, ma'am. And what was
4 the other question?

5 MS. JOHNSON: That one of depression.

6 My son was murdered a few years ago, so --

7 THE COURT: I'm sorry.

8 MS. JOHNSON: This is criminal?

9 THE COURT: Yes, ma'am. It is actually
10 a murder case, so I'm going to go ahead and ask you
11 about that so you don't have to stand up next go
12 around.

13 The fact that that happened to your
14 son, obviously that's traumatic. You know, I can't
15 imagine. So with this being a murder case, do you
16 think you could be fair and impartial sitting as a
17 juror in a case of that nature?

18 MS. JOHNSON: I haven't gone to court
19 yet for my son. They're still doing discovering.

20 THE COURT: Why don't we do this. I'm
21 going to transfer you to a civil term of court, so
22 it doesn't have any type of criminal implications.

23 MS. JOHNSON: Thank you.

24 THE COURT: Can we transfer her to
25 common pleas term?

1 THE CLERK: Yes.

2 THE COURT: I'm so sorry. Thank you.

3 You're free to go.

4 Good morning, sir.

5 THE DEPUTY: Your juror number?

6 MR. JONES: Jones.

7 THE COURT: 152, Mr. Jones?

8 MR. JONES: Yes, ma'am.

9 THE COURT: Yes, sir.

10 MR. JONES: All right. (Inaudible)

11 like, my schedule, I'm in and out, so I'm all over

12 the place. This week, I don't know where I'm

13 going, so I don't want to get up here and not

14 showing up, but I barely made it here.

15 THE COURT: All right. Well, here's

16 the thing. A couple of things that we could do. I

17 could transfer your service to another term of

18 court, or you can see if you're selected, and you'd

19 just have to plan accordingly. Because if you're

20 selected, you still have to show up. Do you want

21 to stay?

22 MR. JONES: I'll stay.

23 THE COURT: All right, sir.

24 THE DEPUTY: Juror number, sir?

25 MR. RICKENBAKER: 2-2-4. My name is

1 Saul Rickenbaker.

2 THE COURT: All right. Yes, sir?

3 MR. RICKENBAKER: I have a family
4 member -- well, a good friend that got murdered
5 five years ago and his family members told me this
6 trial is going to start this week, so I don't won't
7 to be on it.

8 THE COURT: I gotcha. So you actually
9 know -- or in relation to the victims in this
10 trial?

11 MR. RICKENBAKER: Yeah.

12 THE COURT: All right. I'm going to
13 transfer you to a different term of court. Is
14 there a time that's good for you? A better week?

15 MR. RICKENBAKER: A week or something
16 like that.

17 THE COURT: No, can you give me a
18 month?

19 MR. RICKENBAKER: No, I just don't want
20 to be on this one.

21 THE COURT: You want summertime or
22 March? April?

23 MR. RICKENBAKER: Summertime.

24 THE COURT: How about June? We'll put
25 you in June.

1 MR. RICKENBAKER: Okay.

2 THE COURT: All right. Thank you, sir.

3 THE DEPUTY: Juror number, sir?

4 MR. MENDEZ-RAMOS: 187.

5 THE COURT: 187. Yes, sir.

6 MR. MENDEZ-RAMOS: So I'm a truck
7 driver for Reynolds Fence & Guardrail, a company in
8 North Carolina, and I leave today at 3 o'clock on
9 the road, so I don't know when I'm going to back
10 until like Friday. So I was wondering if it's okay
11 with you, like, to set up for another term or
12 something.

13 THE COURT: So another term to come
14 forward?

15 MR. MENDEZ-RAMOS: Yes, sir.

16 THE COURT: So did your employer know
17 you were going to be here today?

18 MR. MENDEZ-RAMOS: No, ma'am. So I
19 came in here because I don't leave till three
20 thinking I was going to be okay. Because I didn't
21 know it was continuous days afterwards, so I know
22 I'm not going to be able to make it because I'm on
23 the road. So that's why I was questioning so I let
24 them know ahead of time next time, you know, that I
25 got to do stuff.

1 THE COURT: All right. Well, you were
2 previously transferred one time before. I'll
3 transfer you again. Next time, but chances of you
4 getting transferred again --

5 MR. MENDEZ-RAMOS: Yeah, I'll let them
6 know. Because the way they work, it's like, it's
7 not a set schedule. So one day and, like, two days
8 later they might switch me to nightshift and stuff
9 like that.

10 THE COURT: All right. So when would
11 be a good month for you to serve where you can tell
12 them not to schedule you?

13 MR. MENDEZ-RAMOS: Whatever. I mean, I
14 just let them know today when I go to work that I
15 have to do this.

16 THE COURT: All right. So do you want
17 to come in April?

18 MR. MENDEZ-RAMOS: That's fine.

19 THE COURT: All right. We'll transfer
20 him to April.

21 MR. MENDEZ-RAMOS: Thank you.

22 THE COURT: Good morning, ma'am. Your
23 juror number, please? Or your name?

24 MS. CARSON: Carson. Arieonna Carson.

25 THE COURT: Carson.

1 MR. FARLEY: 45.

2 THE COURT: All right. Yes, ma'am.

3 MS. CARSON: I'm in college. I go to
4 Claflin and I don't know if I will be able to,
5 like, transfer because I have to take summer
6 classes. And right now my schedule is (inaudible).

7 THE COURT: Yeah, so that's kind of
8 where we give you a choice. I mean, if it's
9 something where you can miss class and you'd be
10 okay because we'll finish this trial definitely by
11 Friday. If you've already missed class today, I
12 mean, you want to see if you're selected or not, or
13 I can transfer your term, you know, at which time
14 hopefully doesn't conflict either during spring
15 break or summertime or, you know, that. So I'll
16 let you pick.

17 MS. CARSON: I'll just stay.

18 THE COURT: You just want to stay.
19 Okay. Thank you, ma'am.

20 MR. MOORER: I have a question about my
21 place of residence.

22 THE COURT: Yes, sir?

23 MR. MOORER: So I currently live in
24 Ladsen, South Carolina, and my permanent residence
25 is in Orangeburg, but I don't live there. I live

1 with my girlfriend.

2 THE COURT: So if your permanent
3 residence is in Orangeburg, that's what counts.
4 You can stay with us. What's your juror number?

5 MR. MOORER: 1-9-6.

6 THE COURT: 1-9-6. All right, sir.
7 You can stay with us. Thank you.

8 THE DEPUTY: Ma'am, your juror number,
9 ma'am?

10 MS. ODOM: 2-0-6.

11 THE COURT: 2-0-6. Yes, ma'am.

12 MS. ODOM: I just wanted to know how
13 long the process is going to last if I'm selected.
14 Because I am a traveling nurse, and I'm suppose to
15 start my job February 2nd, but I have respond to
16 February 9th.

17 THE COURT: You're fine. We'll finish
18 this week.

19 MS. ODOM: Okay.

20 THE COURT: All right. Would Juror No.
21 129 please come forward, Mr. Hilliard? Juror 129,
22 Mr. Hilliard. Norman Hilliard. Come on up, sir.
23 Good morning, sir. How are you today?

24 MR. HILLIARD: Pretty good.

25 THE COURT: So, Mr. Hilliard, come on

1 up a little bit so I can show you this. I see you
2 had this DUI.

3 MR. HILLIARD: Yep.

4 THE COURT: Do you recall what the
5 blood alcohol content was or what your sentence
6 could have carried? Do you recall what it could
7 have carried? Because there's different charges on
8 this. Could it carry more than a year?

9 MR. HILLIARD: No, not to my knowledge.

10 THE COURT: You were in magistrates'
11 court? Were you in magistrates' court when it
12 happened?

13 MR. HILLIARD: I was in traffic court.

14 THE COURT: Okay. All right. So you
15 should be able to stay with us. Thank you.

16 MR. HILLIARD: Okay.

17 MR. HOLBERT: Can I ask a question,
18 please?

19 THE COURT: Yes, sir.

20 MR. HOLBERT: I just thought about it.
21 My son-in-law is an investigator for Orangeburg
22 County Sheriff's Office. Does that have anything
23 to do with your case?

24 THE COURT: Well, we're going to get to
25 those questions --

1 MR. HOLBERT: I was just --

2 THE COURT: You can stay up here while
3 we got it. Tell me your name again.

4 MR. HOLBERT: 1-3-0, Mike Holbert.

5 THE COURT: All right. Mr. Holbert --

6 MR. HOLBERT: Yes, I just thought about
7 it.

8 THE COURT: So what I'm going to do is
9 -- when they call the case, we're going to read a
10 list of witnesses to see if you have any
11 information or if you have any social -- but
12 obviously, you said your son-in-law --

13 MR. HOLBERT: He's an investigator for
14 Orangeburg County Sheriff's Office.

15 THE COURT: Okay. So has he talked to
16 you about this particular case?

17 MR. HOLBERT: No, I don't even know
18 what kind of case it is.

19 THE COURT: All right. So if the
20 question applies to you when it comes up as far as
21 the witnesses then you can come forward.

22 MR. HOLBERT: Okay. I didn't want to
23 get in the way. Thank you.

24 THE COURT: That's fine.

25 Thank you, ladies and gentlemen, the

1 jury panel is now qualified. Solicitor, you may
2 call your first case.

3 MS. MILES: Your Honor, at this time,
4 the State would call State versus Calik Guinyard
5 and State versus Sayquan Harrison.

6 THE COURT: Yes, ma'am. May I have the
7 indictments?

8 MS. MILES: May I approach?

9 THE COURT: Yes, ma'am. Counsel for
10 the Defense, would y'all please approach?

11 MR. FARLEY: Yes, ma'am.

12 (WHEREUPON, there was a bench
13 conference.)

14 THE COURT: Ladies and gentlemen of the
15 jury panel, we are now about to begin the trial of
16 the case of the State of South Carolina versus
17 Sayquan Harrison. And there is an indictment for
18 murder and that is Indictment 2021GS382029.

19 Mr. Harrison is present in the courtroom.

20 Mr. Harrison, how do you plead?

21 MR. HARRISON: (No response.)

22 THE COURT: Not guilty? Do you wish to
23 be tried by a jury?

24 MR. HARRISON: (No response.)

25 MR. FARLEY: Your Honor, I'm sorry.

1 Give me one second.

2 THE COURT: And, Mr. Farley, if your
3 client waives formal arraignment that is absolutely
4 fine. Ms. Gay had requested it, so that is
5 absolutely fine. You can have a seat, sir.

6 MR. FARLEY: He's waiving formal, Your
7 Honor.

8 THE COURT: All right, sir. Thank you.
9 The next indictment, ladies and gentlemen, is
10 Indictment 2021GS381748 -- 1784, the State of South
11 Carolina versus Calik Travone Guinyard. And,
12 Mr. Guinyard, how do you wish to plead?

13 MR. GUINYARD: Not guilty.

14 THE COURT: And how do you wish to be
15 tried?

16 MR. GUINYARD: My god and my community.

17 THE COURT: All right, sir. You may
18 have a seat. Ladies and gentlemen of the jury
19 panel, I'm going to read to you these indictments
20 and this is solely for the purpose to see if you
21 know anything about this case, have heard anything
22 about this case, or if any of the questions that I
23 will ask to you during the jury selection process
24 would apply to you.

25 And I'm going to read these indictments

1 to you, and again, both Defendants are pleading not
2 guilty to these indictments. Again, these
3 indictments are merely the charging documents which
4 bring the case into the court and they're not
5 evidence of any of the allegations that they may
6 contain.

7 The First indictment again, is
8 Indictment 2021GS382029 and that is the State of
9 South Carolina versus Sayquan Harrison. Indictment
10 states that in Orangeburg County on or about
11 December 14th of 2020, with malice aforethought,
12 the Defendant, Sayquan Harrison, did kill one Karl
13 M. Williams by means of shooting the victim. The
14 victim did die as a proximate result thereof. This
15 offense being in violation of the South Carolina
16 Code of Laws.

17 The next indictment is 2021GS381784,
18 the State of South Carolina versus Calik Travone
19 Guinyard. And this indictment states that in
20 Orangeburg County on or about December 14, 2020,
21 with malice aforethought, the Defendant, Calik
22 Travone Guinyard, did kill one Karl Williams by
23 means of shooting the victim and the victim did die
24 as a proximate result thereof. This offense being
25 in violation of the laws of South Carolina.

1 Ladies and gentlemen, again, I read
2 those indictments merely for the purpose to see if
3 you know anything about this case or any of the
4 questions that I may ask apply to you. And again,
5 they're not evidence of any of the allegations that
6 they contain, but merely the charging documents.

7 Before we start, I'm going to ask the
8 solicitors to please stand and introduce themselves
9 and the members of their office.

10 MS. MILES: Thank you, Your Honor. May
11 it please the Court?

12 THE COURT: Yes, ma'am.

13 MS. MILES: My name is Bethany Miles.
14 I'm the deputy solicitor here in Orangeburg and
15 Calhoun County. Here with me is Gabrielle
16 Williams, she's one of our assistant solicitors.
17 Other assistant solicitors in our office are Phil
18 Giese, Ted Lupton, Caroline Land, Nicholas Pauley,
19 Savannah Hobby, Brad Riley, and Taylor Wise. Our
20 elected solicitor is David Pascoe, and we also have
21 Scott Schmidt.

22 THE COURT: Thank you, Solicitor.
23 Ladies and gentlemen of the jury panel, anyone
24 related by blood or marriage, have a close personal
25 or social relationship with any members of the

1 | solicitor's office, has ever had a case handled by
2 | them or against them? If so, please stand.

3 | I find that there is no one standing.

4 | Mr. Farley, I'll allow you to go first,
5 | sir.

6 | MR. FARLEY: Thank you, Your Honor.
7 | May it please the Court?

8 | THE COURT: Yes, sir.

9 | MR. FARLEY: Ladies and gentlemen, my
10 | name is Andrew Farley. I am a solo practitioner
11 | throughout the Midlands of South Carolina. I
12 | represent people in many counties in this area and
13 | today I'm representing Mr. Sayquan Harrison.

14 | THE COURT: Thank you, Counsel. Ladies
15 | and gentlemen, same question applies. Anyone
16 | related by blood or marriage, have a close personal
17 | or social relationship with Mr. Farley, any members
18 | of his firm, has ever had a case handled by him or
19 | against him? If so, please stand.

20 | I find that there is no one standing.

21 | And, Ms. Gay?

22 | MS. GAY: Thank you, Your Honor. My
23 | name is Melisa Gay. I'm -- work throughout the low
24 | country. My office is actually in the Charleston
25 | County area. I have the pleasure of representing

1 Mr. Guinyard -- Calik Guinyard today and I
2 represent people in all kinds of general practice
3 as well as primarily criminal law.

4 THE COURT: Thank you, Ms. Gay.

5 MS. GAY: The other thing, there
6 probably will be someone else sitting with me at
7 some point, her name is Sara Norton. She is also
8 an attorney from the Charleston area who works with
9 me. She's just not here this morning.

10 THE COURT: Same question, ladies and
11 gentlemen. Anyone related by blood or marriage,
12 have a close personal or social relationship with
13 Ms. Gay, Ms. Norton, or any members of their office
14 has ever had a case represented by them or against
15 them? If so, please stand.

16 I find that there is no one standing.

17 Ladies and gentlemen, I'm going to read
18 to you a list of potential witnesses in this case.
19 If you're related by blood or marriage or have a
20 close personal or social relationship or business
21 relationship with any of the potential witnesses, I
22 will ask you to please stand.

23 The potential witnesses are:

24 Investigator Terry Logan;

25 Captain James Shumpert;

1 Sergeant Lakeisha Gillard;
2 Sergeant Hartwell;
3 Investigator John Stuke;
4 Investigator Cody McCormack;
5 Lieutenant Steven Thompson;
6 Marty Carrigg;
7 James Rice;
8 C. McPearson;
9 Rob Boyne;
10 Elliot Parler;
11 James Rice;
12 Agent Jason Green with the FBI;
13 Agent Carletta Carter also with the
14 FBI;
15 Agent Michelle Eichemiller with SLED;
16 Doctor Kelly Rose with Newberry
17 Pathology;
18 Elston Williams;
19 Shawn Williams;
20 Tracey Tobin;
21 Jasmine Stokes;
22 Gracie Mimms;
23 Derwin Evans;
24 Zawati Felder;
25 Wahleia Felder;

1 Starkaysa Mason;

2 Tateayna Ulmer;

3 Nadia Monestime;

4 Lavore Guinyard;

5 Michelle Jobes;

6 Desirre Guinyard;

7 Lee Moody;

8 Hassan Frye;

9 Eddie Lee;

10 Malik Hartley.

11 Anyone related by blood or marriage, or
12 have a close personal or social relationship with
13 any of these potential witnesses? If so, please
14 stand.

15 Yes, if y'all would please come
16 forward.

17 Good morning, ma'am. Your juror
18 number, please?

19 MS. BRAILEY: 24.

20 THE COURT: Ms. Brailey?

21 MS. BRAILEY: Yes.

22 THE COURT: And who do you know?

23 MS. BRAILEY: Hassan Frye.

24 THE COURT: And how do you know him?

25 MS. BRAILEY: We grew up in church

1 together and I had him for Sunday School. Very
2 close with the family.

3 THE COURT: So do you visit with him in
4 his house socially?

5 MS. BRAILEY: No. But we have a
6 relationship in church.

7 THE COURT: Obviously, a small town
8 that happens a lot in church relationships. Has he
9 talked to you about this case at all?

10 MS. BRAILEY: No.

11 THE COURT: Do you know anything about
12 this case whatsoever?

13 MS. BRAILEY: No.

14 THE COURT: The fact that you have a
15 relationship with him through church, can you set
16 that aside and be fully fair and impartial to both
17 parties?

18 MS. BRAILEY: It's hard. Because he
19 grew up with my little boy. And he -- I just saw
20 him in church.

21 THE COURT: And so you couldn't set
22 aside and just listen to the facts as they come
23 from the witness stand?

24 MS. BRAILEY: Yeah, I could.

25 THE COURT: Okay. So you can set that

1 aside and listen to the facts and make your
2 determination of the facts from what you hear and
3 not from his relationship --

4 MS. BRAILEY: Yes.

5 THE COURT: -- you can do that? And
6 will you be fully fair and impartial to both sides?

7 MS. BRAILEY: Yes.

8 THE COURT: All right, ma'am. And will
9 you follow the law as I give it to you?

10 MS. BRAILEY: Yes.

11 THE COURT: All right. You can stay
12 with us. Thank you, ma'am.

13 THE DEPUTY: Ma'am, your juror number?

14 MS. HORNSBY: 131.

15 THE COURT: Yes, ma'am. Who do you
16 know?

17 MS. HORNSBY: I know Mr. Elston and
18 Tracey Tobin. I work with both of them.

19 THE COURT: All right. In what
20 capacity do you work with them?

21 MS. HORNSBY: Close. Mr. Elston I work
22 nearby. He's up front with us. I'm a cashier. He
23 does maintenance. Grab the buggies. He does lots
24 of stuff. And now Tracey, I use to work with at
25 the other Walmart. I don't have any...

1 THE COURT: Okay. And they work at
2 Walmart with you?

3 MS. HORNSBY: Uh-huh.

4 THE COURT: Obviously, it's a big
5 company and you know them, but --

6 MS. HORNSBY: Yes, really well.

7 THE COURT: Do you go to their homes
8 and socialize with them?

9 MS. HORNSBY: I have.

10 THE COURT: You have. And have they
11 told you anything about this case?

12 MS. HORNSBY: No.

13 THE COURT: Do you know anything about
14 this case?

15 MS. HORNSBY: I've heard about it.

16 THE COURT: Like, the media or how?

17 MS. HORNSBY: Through the media.

18 THE COURT: Through the media. Do you
19 think you can set that aside and listen to the
20 testimony solely as it comes from the witness
21 stand?

22 MS. HORNSBY: I worked with Tracey for
23 a very long time and I know her son, so.

24 THE COURT: All right. So it would be
25 a difficult case for you based upon the information

1 | that you have about this case? You couldn't be
2 | fair and impartial?

3 | MS. HORNSBY: No, I know Tracey really
4 | well.

5 | THE COURT: All right. So I'm going
6 | the transfer you to another term of court. Is
7 | there a better week that works for you or any other
8 | time?

9 | MS. HORNSBY: Just my July vacation
10 | that's the only important date.

11 | THE COURT: What week in July?

12 | MS. HORNSBY: Ma'am?

13 | THE COURT: What week in July will you
14 | be gone?

15 | MS. HORNSBY: The 4th through the 20th
16 | I'm going on a cruise.

17 | THE COURT: All right. Do you want to
18 | come back in August?

19 | MS. HORNSBY: That's fine -- oh, my
20 | son's going to college.

21 | THE COURT: You're not going with him;
22 | right?

23 | MS. HORNSBY: No, but we got to take
24 | him there.

25 | THE COURT: Okay. So how about June?

1 MS. HORNSBY: June.

2 THE COURT: All right. So we'll
3 transfer her to June. Thank you, ma'am.

4 MS. HORNSBY: All right. Thanks.

5 THE COURT: Ladies and gentlemen of the
6 jury panel, you've had an opportunity to meet
7 Mr. Guinyard, and also Mr. Harrison, seated to my
8 right and your left. Anyone related by blood or
9 marriage, have a close personal or social
10 relationship or business relationship with either
11 Mr. Sayquan Harrison or with Mr. Calik Guinyard?
12 If so, please stand.

13 I find that there is no one standing.

14 Ladies and gentlemen of the jury panel,
15 any member of the jury panel had a close or
16 personal relationship with the victim in this
17 matter, Mr. Karl Williams? If so, please stand.

18 I find that there is no one standing.

19 Is there any member of the jury panel
20 who is a member or contributor to or has a close
21 affiliation with any group which has its primary
22 concern the promotion of law enforcement or
23 victims' rights? These groups would include, but
24 are not limited to, MADD, SADD, or Citizens Against
25 Violent Crime, or in the alternative, is there any

1 member of the jury panel who is a member of an
2 organization that opposes such groups? If so,
3 please stand.

4 I find that there is no one standing.

5 Has any member of the jury panel heard
6 anything about this case, read anything about this
7 case, or have any information about this case
8 whatsoever whether it's before today before you
9 arrived in the courthouse or anything in the media
10 or newspapers or anything or even your time here
11 this morning? If so, please stand.

12 I find that there is no one standing.

13 Ladies and gentlemen of the jury, I
14 read to you the indictments in this case and the
15 indictments charge both Defendants with the crime
16 of murder. Is there anything in your background
17 whether it's your family, your friends, your work,
18 anything whatsoever that would cause you to
19 hesitate in your ability to be able to serve as a
20 fair and impartial juror in this case, based on the
21 type of case that it is? If so, please stand.

22 I find that there is no one standing.

23 Is any member of the jury panel aware
24 of any bias or prejudice towards either the State
25 or the Defense in this case? If so, please stand.

1 I find that there is no one standing.

2 Is there any member of the jury panel
3 that was a member of the grand jury which issued
4 the indictments in this case? If so, please stand.

5 I find that there is no one standing.

6 Has any member of the jury panel formed
7 or expressed any opinion about any potential issue
8 in this matter involved in this case? If so,
9 please stand.

10 I find that there is no one standing.

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

17 I find that there is no one standing.

18 Ladies and gentlemen, that will
19 conclude the list of questions before we begin the
20 selection process. Madam clerk?

21 THE CLERK: It's going to take us a few
22 minutes.

23 THE COURT: All right. Ladies and
24 gentlemen, we're going to take a ten minute break.
25 So if you would be back in the courtroom right at

1 12 o'clock -- be right back at 12 o'clock -- hold
2 on before you leave this courtroom. Please
3 remember that it is extremely important that you're
4 not to talk about this case whatsoever with any --
5 with each other or with anyone else. See you back
6 in the courtroom at 12 o'clock.

7 (WHEREUPON, there was a short break.)

8 THE COURT: All right. Counsel,
9 everyone ready to proceed?

10 MS. MILES: Yes, ma'am, the State's
11 ready.

12 MR. FARLEY: Yes, ma'am, Your Honor.

13 THE COURT: All right. Madam clerk?

14 THE CLERK: Good afternoon. When I
15 call your juror name and number, please come up
16 front and stand in the middle of the two tables and
17 bring all your belongings with you.

18 Juror No. 154, Arreonna Joyner.

19 MS. GAY: Your Honor, may we approach
20 for one second?

21 THE COURT: Yes, ma'am.

22 (WHEREUPON, there was a bench
23 conference.)

24 THE COURT: You may proceed, madam
25 clerk.

1 THE CLERK: Juror 154, Arreonna Joyner.

2 What says the State?

3 MS. MILES: Please present this juror.

4 THE CLERK: What says the Defense?

5 MR. FARLEY: Please seat the juror.

6 THE COURT: Counsel, have y'all

7 discussed how you wish to split them?

8 MR. FARLEY: Yes, ma'am.

9 THE COURT: Okay.

10 MS. GAY: Please seat the juror for the
11 trial of this case.

12 THE CLERK: Juror No. 161, Natorie
13 Ladson. What says the State?

14 MS. MILES: Please present this juror.

15 THE CLERK: What says the Defense?

16 MR. FARLEY: Please seat the juror.

17 MS. GAY: Please seat the juror for the
18 trial of this case.

19 THE CLERK: Can we pause for one
20 second, Judge? Make sure I'm --

21 THE COURT: Yes, ma'am. You ask each
22 Defense individually and they each combined they
23 have ten strikes. But they can each exercise their
24 strikes independently.

25 THE CLERK: Juror No. 182, George

1 McCarty. What says the State?

2 MS. MILES: Please present this juror.

3 THE CLERK: What says the Defense?

4 MR. FARLEY: Please excuse this juror.

5 THE CLERK: Sir, you may return to your
6 seat.

7 Juror No. 236, Caleb Rutland. What
8 says the State?

9 MS. MILES: Please present this juror.

10 THE CLERK: What says the Defense?

11 MR. FARLEY: Please seat this juror.

12 MS. GAY: Please seat the juror for the
13 trial of this case.

14 THE CLERK: Juror No. 203, Robert
15 Nettles. What says the State?

16 MS. MILES: Please present this juror.

17 THE CLERK: What says the Defense?

18 MR. FARLEY: Please seat this juror.

19 MS. GAY: Please seat the juror for the
20 trial of this case.

21 THE CLERK: Juror No. 275, Woodrow
22 Watford. What says the State?

23 MS. MILES: Please present this juror.

24 THE CLERK: What says the Defense?

25 MR. FARLEY: Please excuse the juror.

1 THE CLERK: Sir, you may return to your
2 seat.

3 Juror No. 287, Khalil Williams. What
4 says the State?

5 MS. MILES: Please present this juror.

6 THE CLERK: What says the Defense?

7 MR. FARLEY: Please seat the juror.

8 MS. GAY: Please seat the juror for the
9 trial of this case.

10 THE CLERK: Juror No. 190, Chalmers
11 Mikell. What says the State?

12 MS. MILES: Please present this juror.

13 THE CLERK: What says the Defense?

14 MR. FARLEY: Please excuse the juror.

15 THE CLERK: Sir, you may return to your
16 seat.

17 Juror No. 219, Dana Rasmussen. What
18 says the State?

19 MS. MILES: Please excuse the juror
20 from the trial of this case.

21 THE CLERK: Ma'am, you can return to
22 your seat.

23 Juror No. 124, Ann Hawkins. What says
24 the State?

25 MS. MILES: Please present this juror.

1 THE CLERK: What says the Defense?

2 MR. FARLEY: Please seat the juror.

3 THE COURT: Ms. Gay?

4 MS. GAY: Yes, please seat the juror
5 for the trial of this case. We're sort of
6 conferring at this point.

7 THE COURT: All right. Just wanted to
8 make sure it was on the record.

9 THE CLERK: Juror No. 56, Kaylee Cowan.
10 What says the State?

11 MS. MILES: Please present this juror.

12 THE CLERK: What says the Defense?

13 MR. FARLEY: Please seat the juror.

14 MS. GAY: Please seat the juror.

15 THE CLERK: Your Honor, a juror just
16 went out. The deputy said she was throwing up. So
17 I don't know how you want me to proceed.

18 THE COURT: If she's ill, we'll let her
19 go to the restroom. Do we happen to have the juror
20 number?

21 THE CLERK: I don't know. Juror No.
22 293, Victoria Wilson. What says the State?

23 MS. MILES: Please present this juror.

24 THE CLERK: What says the Defense?

25 MR. FARLEY: Please excuse the juror.

1 THE CLERK: Ma'am, you may return to
2 your seat.

3 Juror No. 60, Avery Daniels. What says
4 the State?

5 MS. MILES: Please present this juror.

6 THE CLERK: What says the Defense?

7 MR. FARLEY: Please seat the juror.

8 MS. GAY: Please seat the juror.

9 THE CLERK: Juror No. 135, Courtney
10 Jackson. What says the State?

11 MS. MILES: Please present this juror.

12 THE CLERK: What says the Defense?

13 MR. FARLEY: Please seat the juror.

14 THE COURT: Ms. Gay?

15 MS. GAY: Please seat the juror.

16 THE CLERK: Juror No. 79, Little
17 Farman. What says the State?

18 MS. MILES: Please present this juror.

19 THE CLERK: What says the Defense?

20 MR. FARLEY: Please seat the juror.

21 THE COURT: Ms. Gay?

22 MS. GAY: Please seat the juror.

23 THE CLERK: Juror No. 33, Gerald Brown.
24 What says the State?

25 MS. MILES: Please present this juror.

1 THE CLERK: What says the Defense?

2 MR. FARLEY: Please excuse the juror.

3 MS. GAY: Please excuse the juror.

4 THE CLERK: Juror No. 183, Mary McCree.

5 What says the State?

6 MS. MILES: Please present this juror.

7 THE CLERK: What says the Defense?

8 MR. FARLEY: Please excuse the juror.

9 THE CLERK: You may return to your
10 seat, ma'am.

11 Juror No. 23, Deshynai Brabham. What
12 says the State?

13 MS. MILES: Please present this juror.

14 THE CLERK: What says the Defense?

15 MR. FARLEY: Please seat this juror.

16 MS. GAY: Please seat the juror.

17 THE CLERK: Juror No. 217, Julius
18 Poole. What says the State?

19 MS. MILES: Please present this juror.

20 THE CLERK: What says the Defense?

21 MR. FARLEY: Please seat the juror.

22 MS. GAY: Please seat the juror for the
23 trial of this case.

24 THE CLERK: Now we have our first
25 alternate?

1 THE COURT: Yes, ma'am.

2 THE CLERK: Juror No. 93, Antonio

3 Gaillard.

4 MR. FARLEY: Your Honor, if I may?

5 THE COURT: Yes, sir.

6 MR. FARLEY: We have two strikes for

7 alternate?

8 THE COURT: Yes, sir.

9 MS. GAY: What's the number, ma'am?

10 THE CLERK: 93. What says the State?

11 MS. MILES: Please excuse the juror for
12 the trial of this case.

13 THE CLERK: Sir, you may return to your
14 seat.

15 Juror No. 137, Trent Jackson. What
16 says the State?

17 MS. MILES: Please present this
18 alternate.

19 THE CLERK: What says the Defense?

20 MR. FARLEY: Please excuse this juror.

21 THE CLERK: Sir, you may return to your
22 seat.

23 Juror No. 121, Paul Hamilton. What
24 says the State?

25 MS. MILES: Please present this juror.

1 THE CLERK: What says the Defense?

2 MR. FARLEY: Please seat the juror.

3 THE COURT: Ms. Gay?

4 MS. GAY: Oh, please seat the juror.

5 THE CLERK: Second alternate. 244,

6 Frances Shuler. What says the State?

7 MS. MILES: Please present this

8 alternate.

9 THE CLERK: What says the Defense?

10 MR. FARLEY: Your Honor, please excuse

11 the juror.

12 THE CLERK: Ma'am, you may return to

13 your seat.

14 Juror No. 202, Klaudia Myers. What

15 says the State?

16 MS. MILES: Please present this

17 alternate.

18 THE CLERK: What says the Defense?

19 MR. FARLEY: Please seat the alternate.

20 MS. GAY: Please seat the juror,

21 please.

22 THE COURT: Are there any exceptions or

23 objections to the selection of this jury from

24 either the State or from the Defense?

25 MS. MILES: None from the State, Your

1 Honor.

2 MR. FARLEY: None, Your Honor.

3 MS. GAY: One moment, Your Honor. No
4 issues, Your Honor.

5 THE COURT: All right. Ladies and
6 gentlemen of the jury panel that were not selected
7 for the trial of this case, it's your lucky day
8 because you have fulfill your jury service. If you
9 need anything from the clerk's office for excuses
10 from work or such, you may get those from the clerk
11 of court's office downstairs. Thank you and have a
12 great day.

13 (WHEREUPON, the potential jurors left
14 the courtroom.)

15 Counsel, would y'all approach?

16 (WHEREUPON, there was a bench
17 conference.)

18 THE COURT: All right. Ladies and
19 gentlemen of the jury that were selected for the
20 trial of this case, I know you've had a long
21 morning and we have some other matters that we must
22 take up outside of your presence. So I don't want
23 you just sitting in the jury room waiting for us,
24 so what I'm going to do is I'm going to excuse you
25 for the afternoon. We will start the trial of this

1 case in the morning. If you would report to your
2 jury room, this nice lady right here is going to
3 show you where you are to report at 9:15 in the
4 morning. We will start the trial once we have
5 everyone together. I would anticipate we'll be
6 ready to roll by 9:30, but we need everyone here by
7 9:15.

8 Please remember that it is extremely
9 important that you do not do any independent
10 research on this case, you don't talk to anybody
11 about this case. That would include your family
12 members, friends, or each other because it is very
13 important that you make your determination of the
14 facts solely from what you hear from the witness
15 stand in this courtroom. So please don't do any
16 research or talk to anybody about this case.

17 Have a nice evening and we will see you
18 bright and early in the morning. Thank you.

19 (WHEREUPON, the jury left the courtroom
20 at 12:23 p.m.)

21 THE COURT: All right. Counsel, y'all
22 want to go ahead and take a quick lunch break and
23 then get started? How long do y'all need?

24 MR. FARLEY: For lunch, Your Honor?

25 THE COURT: Uh-huh.

TERRY LOGAN - DIRECT EXAMINATION BY MS. MILES

1 MS. MILES: I think our witnesses said
2 they would get here between 1 and 1:30.

3 MS. GAY: I would like to go to
4 Starbucks and I have to drive there and get back.
5 So, it's really important for me to drink some
6 Starbucks today. So if we could have one hour that
7 would be great.

8 THE COURT: All right. If you get here
9 earlier we'll start earlier. Let's shoot for 1:15
10 if you can get there and come back. If it takes
11 till 1:30, we'll do 1:30.

12 All right. We'll be at recess until
13 then.

14 (WHEREUPON, there was a lunch break.)

15 THE COURT: All right. Counsel,
16 everyone ready to proceed? We're missing Ms. Gay.

17 (Ms. Gay entered the courtroom.)

18 All right. So I understand we have
19 *Jackson v. Denno* motion for each Defendant.
20 Solicitor, are you ready to call your first
21 witness?

22 MS. MILES: Yes, ma'am, Your Honor, and
23 I believe we only have one. Mr. Guinyard did not
24 give a statement and so we only have one for
25 Sayquan Harrison.

TERRY LOGAN - DIRECT EXAMINATION BY MS. MILES

1 THE COURT: Okay.

2 MS. MILES: And so we would first call
3 Investigator Terry Logan to the stand.

4 TERRY LOGAN,
5 being first duly sworn, was examined and testified
6 as follows:

7 THE COURT: Sir, if you would please
8 have a seat and state your full name for the
9 record.

10 MR. LOGAN: Terry Logan.

11 THE COURT: Your witness.

12 MS. MILES: Thank you, Your Honor. May
13 it please the Court?

14 DIRECT EXAMINATION

15 BY MS. MILES:

16 Q. Mr. Logan, where are you currently
17 employed?

18 A. I'm the assistant chief at the Pelion
19 Police Department in Pelion, South Carolina.

20 Q. Okay. And were you previously employed
21 at the Orangeburg County Sheriff's Office?

22 A. Yes, I was.

23 Q. And what was your position there back
24 in December of 2020?

25 A. I was an investigator with the criminal

TERRY LOGAN - DIRECT EXAMINATION BY MS. MILES

1 | investigations division.

2 | Q. Okay.

3 | A. Worked major crime, I'm sorry.

4 | Q. Okay. And what were some of your
5 | duties at that time?

6 | A. I investigated major crimes. Mostly
7 | your heinous crimes. People crimes. They had it
8 | split up burglary and criminal, I was on the
9 | criminal side.

10 | Q. Okay. And just tell us a little
11 | briefly about your law enforcement background and
12 | training.

13 | A. I'm a 34-year law enforcement
14 | professional. Of course, I graduated from the
15 | Criminal Justice Academy. I've been through
16 | different federal training and law enforcement
17 | training, various ones throughout my tenure in law
18 | enforcement.

19 | Q. Okay. And would you please relay to
20 | the Court any training that you have received in
21 | regards to obtaining statements from suspects or
22 | witnesses or such investigations.

23 | A. Of course. Well, you're trained at the
24 | Academy -- Criminal Justice Academy a little bit on
25 | statements, but most of our training comes once you

1 finally hit the road as a deputy, you get some
2 training taking statements. But once I went to
3 investigations in 2004, I was mentored and shadowed
4 by a supervisor and you learn the proper way to
5 take statements in investigations.

6 Q. Okay. And during that time that you
7 were at the sheriff's department, did that include
8 the period of December of 2020?

9 A. Correct.

10 Q. Okay. And were you involved in a
11 homicide investigation that took place then?

12 A. Yes.

13 Q. And did you interview any witness or
14 suspects involved in that case?

15 A. Yes, I did.

16 Q. And does that include Sayquan Harrison?

17 A. Yes.

18 Q. Okay. And was he advised of his
19 Miranda rights?

20 A. Yes, ma'am, he was.

21 Q. Okay. And who was he advised by?

22 A. That would be me.

23 Q. Okay.

24 MS. MILES: May I approach, Your Honor?

25 THE COURT: Yes, ma'am.

TERRY LOGAN - DIRECT EXAMINATION BY MS. MILES

1 Q. I'm going to hand you what's been
2 marked as State's Exhibit 13. Do you recognize
3 this?

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

5 Q. Okay. And how do you recognize this?

6 A. Well, it's my handwriting.

7 Q. Okay. And what is it?

8 A. It's a rights advisement waiver.

9 Q. And what is the date, time, and place
10 that's listed on this form?

11 A. It's 1032 Chestnut Street, Orangeburg,
12 South Carolina. The date is 3/23/21. And it is,
13 looks like, 13:25 initialed by me.

14 Q. Okay. And whose signature appears
15 after the advice of rights?

16 A. Sayquan Harrison.

17 Q. Okay. And whose signature after the
18 waiver of rights?

19 A. Sayquan Harrison, myself, Investigator
20 Terry Logan, and Captain James Shumpert.

21 Q. Okay. And when y'all do these
22 interviews and you give Miranda, do you go through
23 that entire form with them?

24 A. Yes.

25 Q. Okay. Can you read out for us what the

TERRY LOGAN - DIRECT EXAMINATION BY MS. MILES

1 different numbers say? And then I'll ask you about
2 something beside each one.

3 A. Sure.

4 (1) You have the right to remain
5 silent, anything you say can be used against you in
6 court.

7 Q. Okay. And is there anything else to
8 the side of that?

9 A. Yes.

10 Q. And what is that?

11 A. Sayquan Harrison's initials.

12 Q. Okay. SH?

13 A. Yes.

14 Q. Okay. And what is the next one?

15 A. (2) You have the right to talk to a
16 lawyer for advice before we ask you any questions
17 and to have him or her with you during questioning.

18 Q. Okay. And what's to the side of that?

19 A. Sayquan Harrison's initials, SH.

20 Q. Okay. And what's the next line?

21 A. (3) If you cannot afford a lawyer, one
22 will be appointed for you before any questioning,
23 if you wish.

24 Q. Okay. And is there anything to the
25 side of that?

TERRY LOGAN - DIRECT EXAMINATION BY MS. MILES

1 A. Yes, ma'am. It's SH, Sayquan
2 Harrison's initials.

3 Q. Okay. And what about the next line?

4 A. (4) If you decide to answer questions
5 without a lawyer present, you will still have the
6 right to stop answering at any time.

7 Q. Okay. And is there anything to the
8 side of that?

9 A. Yes, ma'am. SH for Sayquan Harrison.

10 Q. Okay. Is there another line?

11 A. Yes, number five. You also have the
12 right to stop answering at any time until you talk
13 to a lawyer. And the initials of SH, is Sayquan
14 Harrison.

15 Q. Okay. And the next one?

16 A. I understand my rights. And it has a
17 signature -- it says signature and then has a line
18 above it and it says, Sayquan Harrison.

19 Q. Okay. And for his initials and his
20 signature, did he write those himself?

21 A. Yes.

22 Q. Okay. At any point, did you or anyone
23 else threaten Mr. Harrison either off or on camera?

24 A. Absolutely not.

25 Q. Okay. Were his statements brought

1 freely and voluntarily given?

2 A. Yes.

3 Q. Did he seem to understand and
4 appreciate the setting and environment that he was
5 in?

6 A. Absolutely.

7 Q. Okay. What was his demeanor like?

8 A. To me he seemed remorseful. That's my
9 opinion. My observation.

10 Q. Okay. Did he appear to be under the
11 influence of any intoxicating substances, drugs, or
12 alcohol?

13 A. No.

14 Q. Did he appear to have any physical or
15 mental disabilities that would interfere with his
16 ability to understand his rights?

17 A. Not that I observed, no.

18 Q. Did he ever ask to stop the interview?

19 A. No.

20 Q. Did he ask to take a break?

21 A. No.

22 Q. Did he ever ask to speak to a lawyer?

23 A. No.

24 Q. Did he ever indicate if he had a
25 lawyer?

TERRY LOGAN - CROSS-EXAMINATION BY MR. FARLEY

1 A. No, ma'am.

2 Q. Was he threatened or coerced to give a
3 statement?

4 A. No, ma'am.

5 Q. Was he promised or offered anything to
6 give a statement?

7 A. No, ma'am.

8 Q. At some point was he allowed to
9 actually make a phone call and speak to someone
10 else he wanted to speak to?

11 A. Yes, ma'am. We decided to let him
12 speak with a family member and he talked with some
13 other family members while he was on the phone.

14 Q. Okay. I meant to ask you earlier, but
15 was this interview, this was recorded at the
16 sheriff's office?

17 A. Yes, ma'am.

18 Q. To include where you went through his
19 rights?

20 A. Correct.

21 Q. Okay. And was that preserved?

22 A. Yes, ma'am.

23 Q. Okay.

24 MS. MILES: And, Your Honor, I'm
25 actually going to admit that through someone else,

TERRY LOGAN - CROSS-EXAMINATION BY MR. FARLEY

1 | so that's all my questions that I have for him.

2 | THE COURT: All right. Yes, ma'am.

3 | Cross-examination?

4 | CROSS-EXAMINATION

5 | BY MR. FARLEY:

6 | Q. Is it Investigator Logan?

7 | A. Back then, yes, sir.

8 | Q. What's your current title?

9 | A. I'm the major, assistant chief.

10 | Q. Now, is Chief Logan the proper way to
11 | address you then?

12 | A. Major Logan.

13 | Q. Major Logan?

14 | A. Yes, sir.

15 | Q. Thank you, sir. Thank you for
16 | clarifying that for me. Major Logan, again, you
17 | interviewed my client, Mr. Harrison, on March 23rd
18 | of 2021; is that correct?

19 | A. Yes, sir.

20 | Q. All right. And it -- just for clarity
21 | I may have missed it in your prior questioning, so
22 | please forgive me if I did. When you gave him the
23 | Miranda warnings, was that before or after you had
24 | placed him under arrest?

25 | A. He was already, I believe, just from

TERRY LOGAN - CROSS-EXAMINATION BY MR. FARLEY

1 | memory, I'm sorry, already under arrest, I believe,
2 | once we got in the interview.

3 | Q. So your testimony is he was already
4 | under arrest when you provided him his Miranda
5 | warnings?

6 | A. Pick up order -- on a pick up order,
7 | yes, sir, from family court.

8 | Q. Okay. I guess what I mean is he was
9 | already in law enforcement custody; is that --

10 | A. Yes, sir.

11 | Q. All right. And you said you read that
12 | form to Mr. Harrison before you began questioning
13 | him; right?

14 | A. Correct.

15 | Q. All right. And I think you testified
16 | earlier, you did believe that my client did
17 | understand you; correct?

18 | A. Yes, sir.

19 | Q. All right. And was he able -- I mean,
20 | was he able to have any kind of snacks or water if
21 | he needed to?

22 | A. We asked him if he wanted anything, but
23 | he said he didn't want anything.

24 | Q. And he was allowed to use the restroom
25 | if he needed to?

1 A. I'm sure, yes, sir.

2 Q. All right. And you kind of described
3 his demeanor as remorseful, is there anything else
4 you can tell us about his physical condition?

5 A. No, he appeared okay. He was a little
6 quite, but just what I stated earlier.

7 Q. Okay. Did you make any kind of
8 promises or hold out any sort of reward in order
9 for him to make a statement or anything like that?

10 A. No, sir.

11 Q. How long do you think the interview
12 actually took?

13 A. I can't remember the exact time, an
14 hour maybe.

15 Q. All right. And you think during the
16 entire time, because if I understand correctly,
17 Mr. Harrison, my client, was 16 at the time; isn't
18 that correct?

19 A. I can't remember the exact age, I'm
20 sorry.

21 Q. He was a young man? You could tell
22 that he was a young man; right?

23 A. Yes, sir.

24 Q. But do you think given his age and
25 demeanor that you do really believe he understood

JAMES SHUMPERT - DIRECT EXAMINATION BY MS. MILES

1 | what was happening in that?

2 | A. I do, yes, sir.

3 | Q. All right.

4 | MR. FARLEY: No further questions, Your
5 | Honor.

6 | THE COURT: Any redirect?

7 | MS. MILES: None from the State, Your
8 | Honor. We would just have one additional witness.

9 | THE COURT: You may step down, Major.

10 | MR. LOGAN: Thank you.

11 | MS. MILES: The State would call
12 | Captain James Shumpert.

13 | JAMES SHUMPERT,
14 | being first duly sworn, was examined and testified
15 | as follows:

16 | THE COURT: Your witness.

17 | MS. MILES: Thank you, Your Honor. May
18 | it please the Court?

19 | DIRECT EXAMINATION

20 | BY MS. MILES:

21 | Q. Good afternoon, Captain?

22 | A. Good afternoon.

23 | Q. Where are you currently employed?

24 | A. Orangeburg County Sheriff's Office.

25 | Q. And what's your position there?

JAMES SHUMPERT - DIRECT EXAMINATION BY MS. MILES

1 A. Captain of criminal investigations.

2 Q. And how long have you worked for the
3 sheriff's department?

4 A. Going on 27 years.

5 Q. Okay. And so that includes the
6 December of 2020?

7 A. Yes, ma'am.

8 Q. And what was your position at that
9 time?

10 A. Lieutenant of criminal investigations.

11 Q. Okay. And what were your duties then?

12 A. Supervision, scheduling,
13 investigations, et cetera.

14 Q. Okay. Tell us a little bit about your
15 law enforcement background and training.

16 A. I started -- I went to the Academy back
17 in 1998. I took several courses through the
18 Criminal Justice Academy. Graduated. Been through
19 several conferences, schools for investigations.

20 Q. Okay. And have you had any training
21 specifically in regards to obtaining statements
22 from suspects during investigations?

23 A. Yes, ma'am. I went back through the
24 South Carolina Criminal Justice Academy, I forgot
25 the year, but I took the detective course I and II.

JAMES SHUMPERT - DIRECT EXAMINATION BY MS. MILES

1 | There was a week long, two week courses, they
2 | taught us how to take statements and then
3 | on-the-job training.

4 | Q. Okay. Were you involved in a homicide
5 | investigation that took place on December 14th of
6 | 2020?

7 | A. Yes, ma'am.

8 | Q. Okay. And did you interview or help
9 | interview any witnesses and suspects in that case?

10 | A. I did.

11 | Q. Does that include the Defendant,
12 | Sayquan Harrison?

13 | A. Yes, ma'am.

14 | Q. Okay. And to your knowledge, was he
15 | advised of his rights?

16 | A. He was.

17 | Q. And who was he advised of those by?

18 | A. Major Logan. Investigator Logan at the
19 | time.

20 | Q. Okay.

21 | MS. MILES: Your Honor, may I approach?

22 | THE COURT: Yes, ma'am.

23 | Q. I'm going to show you what's been
24 | marked as State's Exhibit 13. Can you tell me who
25 | all signed this?

1 A. You have Mr. Harrison's signature. I
2 assume that's Mr. Logan's signature and my
3 signature.

4 Q. Okay. And is that the advice of rights
5 form?

6 A. Correct. It is.

7 Q. Okay. And is that what Investigator --
8 or Major Logan and you would have gone through with
9 Mr. Harrison before the interview?

10 A. Yes, ma'am.

11 Q. Okay. Captain, at any point, did you
12 or anyone in your presence threaten or coerce
13 Mr. Harrison?

14 A. No, ma'am.

15 Q. Were his statements freely and
16 voluntarily given?

17 A. They were.

18 Q. Okay. Did he seem to understand and
19 appreciate where he was and what was he doing?

20 A. Yes, ma'am.

21 Q. And what was his demeanor like?

22 A. Calm. He wasn't irate.

23 Q. Okay. Did he appear to be under the
24 influence of any drugs, alcohol, any substances?

25 A. No, ma'am.

JAMES SHUMPERT - DIRECT EXAMINATION BY MS. MILES

1 Q. Okay. Did he appear to have any
2 physical or mental disabilities or deformities that
3 would interfere with his ability to understand what
4 was going on or understand his rights?

5 A. None that I know of, no, ma'am.

6 Q. Okay. Did he ever ask for -- to stop
7 the interview or ask to take a break?

8 A. Not that I could remember, no, ma'am.

9 Q. Okay. Was he ever offered bathroom
10 breaks, drinks, food, anything like that?

11 A. Yes, he was.

12 Q. Okay. Did he ever request to speak
13 with a lawyer?

14 A. No.

15 Q. Did he ever say if he had a lawyer?

16 A. No, he didn't.

17 Q. Okay. Was he promised or offered
18 anything to give a statement?

19 A. No, ma'am.

20 Q. Okay. And was he allowed to call other
21 people if he needed to?

22 A. Yes. I believe Investigator Logan let
23 him call his mother.

24 Q. Okay. So he spoke with someone --

25 A. Yes.

1 Q. -- while he was there?

2 A. Yes.

3 Q. Was your interview with Mr. Harrison
4 recorded at the sheriff's office?

5 A. It was.

6 Q. Okay. And how do y'all do that
7 recording --

8 A. Normally.

9 Q. -- back then?

10 A. We had a system called Watchdog. I
11 can't remember if we recorded it by the camera or
12 the body-worn camera. But we had a Watchdog system
13 that usually sit up in the corner of the room and
14 we'll hit the switch before we go into the
15 interview room. We start recording before we enter
16 into the room.

17 Q. Okay. And was that done in this case?

18 A. Yes, ma'am.

19 Q. Okay. And was that interview
20 preserved?

21 A. Yes, it was.

22 Q. And do you recognize this flash drive
23 right here that's been marked as Exhibit 14?

24 A. Yes, ma'am.

25 Q. Okay. And have you had a chance to

JAMES SHUMPERT - DIRECT EXAMINATION BY MS. MILES

1 review it?

2 A. I did.

3 Q. And is your interview with Mr. Harrison
4 located on this flash drive?

5 A. It is.

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

8 A. No, ma'am.

9 Q. Is it a fair and accurate
10 representation of the conversation that you and
11 Major Logan had with Sayquan Harrison on that day?

12 A. Yes, ma'am.

13 Q. Okay.

14 MS. MILES: Your Honor, we would ask
15 permission to enter that into evidence just for
16 this hearing and permission to publish the video?

17 THE COURT: Any objection?

18 MR. FARLEY: Your Honor, I'm going to
19 object just because I think the age and the
20 understanding, you know, given the age and
21 development of my child -- as my client because he
22 was a child, I think that this should be
23 suppressed.

24 THE COURT: Well, at this juncture
25 though as far as the flash drive of the actual, I

1 would like to see that, so your motion at this
2 juncture is respectfully overruled.

3 MR. FARLEY: Yes, ma'am.

4 MS. MILES: Your Honor, if there's no
5 objection by the Defense, if I can skip ahead 30
6 seconds to where people come in. Are y'all fine
7 with that?

8 MR. FARLEY: No objection, Your Honor.

9 THE COURT: All right.

10 MS. MILES: Just abundance of time.

11 (WHEREUPON, playing the video.)

12 Q. Captain Shumpert, to your recollection,
13 is the rest of this just where he talks to his
14 mother on the phone?

15 A. Yes.

16 Q. Okay. There's no more conversations
17 that are had between any of y'all, I don't believe?

18 A. None that I know of.

19 Q. Okay. I believe that is -- and the
20 entirety of y'all's conversations, all of that was
21 recorded right there?

22 A. Yes.

23 Q. Okay. I believe that's all the
24 questions the State has. Please answer any
25 questions the Defense has. Okay.

1 THE COURT: Cross-examination?

2 MR. FARLEY: Thank you, Your Honor.

3 I'll be brief.

4 CROSS-EXAMINATION

5 BY MR. FARLEY:

6 Q. How long did he -- how long did
7 Mr. Harrison speak to his mother, Captain Shumpert?

8 A. Five minutes. I don't know. I don't
9 remember.

10 Q. Okay. Given that this is a minor and
11 certainly you were aware of his age as you
12 mentioned he was 16 several times in the video, did
13 you not think it would be prudent to have his
14 parents present at the time of the police
15 interrogation?

16 A. No.

17 Q. Did he --

18 MR. FARLEY: No further questions.

19 THE COURT: Anything further?

20 MS. MILES: Just briefly, Your Honor.

21 REDIRECT EXAMINATION

22 BY MS. MILES:

23 Q. Is there anything that requires you to
24 have their parents there when they're 16?

25 A. No.

1 MS. MILES: That's all the questions
2 the State has, Your Honor.

3 THE COURT: You may step down,
4 Detective. Thank you.

5 MS. MILES: May he be excused for
6 today?

7 THE COURT: Any objection?

8 MR. FARLEY: No objection, Your Honor.

9 THE COURT: All right. You're free to
10 go.

11 MS. MILES: Your Honor, there would be
12 portions of that that we will discuss in regards to
13 redaction. That I think certain things are not
14 admissible, just certain things they talked about
15 and I believe that's a different conversation than
16 this. But we would submit that you can clearly see
17 from where he goes through the Miranda, he signs
18 the Miranda, and they go through it individually.
19 Their entire interactions are, you know, recorded
20 for us. We've been able to review them. We've
21 seen him be able to interact with law enforcement
22 at length at this point, and we would submit that
23 the statement was voluntarily given, and that we
24 have met the burden for *Jackson v. Denno* for his
25 statement to be admissible.

1 THE COURT: Thank you, Counsel.

2 MR. FARLEY: Your Honor, I'm just going
3 to review my previous objection and the grounds for
4 it.

5 THE COURT: All right, sir. I do find
6 that it's really voluntarily given in compliance
7 with the Miranda. He was given his Miranda rights.
8 He indicated he could read. He was read his
9 Miranda rights and told that he could read them
10 again, and certainly, the detectives gave him the
11 benefit of seeing what the codefendants had to say
12 against him, so your motion is respectfully denied.

13 Anything else we need to take care of
14 at this time?

15 MS. GAY: Your Honor, I just would like
16 to say something. I think that Bethany is
17 resolving or thinking about what I'm talking about.
18 There's a lot of stuff in Lavore's statement about
19 bad acts that has to be figured out.

20 THE COURT: So that's something that
21 y'all need to talk about? Certainly -- obviously,
22 the gang mentions --

23 MS. MILES: Yes, ma'am, Your Honor.
24 The redactions and things involving other incidents
25 that are not involved in this. What I have done is

1 kind of kept up with a list of things that the
2 State does not believe would come in that I'd like
3 to send them with the periods of time and then send
4 them the redacted version. I don't anticipate we
5 would get to this until later tomorrow afternoon.
6 As far as admissibility. And so my intent would be
7 to send them that this afternoon kind of where, you
8 know, we intend on taking things out and then they
9 let me know if there's other things that they
10 believe in regards to prior bad acts and regard to
11 *Bruton*. I do think that *Bruton* would require us to
12 take out some things and so we can have those
13 conversations.

14 THE COURT: Certainly, y'all can get
15 that video to the Defense, have that conversation,
16 review it in the morning. If you can't agree on
17 certain portions of it, then we can discuss that
18 during the lunch break.

19 MS. MILES: Yes, ma'am, Your Honor. We
20 can put that on the record then.

21 MS. GAY: Also, the Lavore video itself
22 has all the same issues, so that would be what
23 we're also going to be talking about.

24 THE COURT: And I think y'all can work
25 through those. I think most of those are pretty

1 clearcut.

2 MS. MILES: Yes, ma'am. I think we
3 will all agree, but certain things are just not --

4 MS. GAY: A lot going on in there.

5 THE COURT: There is.

6 MS. MILES: I believe that as well,
7 Your Honor. I don't believe that the State has any
8 additional motions at this time.

9 MS. GAY: I would like to take a
10 comfort break, if possible.

11 THE COURT: Well, can we just see if
12 there's other motions before we take a break?

13 MS. GAY: I have a motion about prior
14 bad acts which is what ultimately what we're
15 talking about here, Your Honor.

16 THE COURT: So that may be premature.

17 MS. GAY: Right. And then I did have a
18 motion to sequester. It's kind of -- I don't know
19 who's in the room at this point, but -- and my
20 client didn't make any statements, Your Honor, and
21 any prior convictions that may be applicable to my
22 client I talked about.

23 THE COURT: So certainly we can look at
24 Rule 609 and see which ones you intend on using, if
25 any, and y'all can discuss that. If there's an

1 issue with those, we can certainly address that in
2 the morning or prior to his testimony.

3 MS. MILES: And, Your Honor, we don't
4 oppose the sequestration. I don't think we talked
5 about it before pretrial, so I'm sure some people
6 are in. But in regards to going forward with the
7 trial, if you want impact or put that in after
8 openings, however Your Honor wishes to handle that,
9 we're fine with that. Other than the victim's
10 family and then our chief officer.

11 THE COURT: Certainly. And I think
12 pursuant to Victim Rights Act, I think that's
13 appropriate for them to remain in the courtroom as
14 well as your chief case officer.

15 MS. MILES: Thank you, Your Honor.

16 THE COURT: Anything further before we
17 recess?

18 MR. FARLEY: No, Your Honor.

19 THE COURT: And both Defendants are in
20 custody; correct?

21 MR. FARLEY: That is correct, Your
22 Honor.

23 MS. GAY: Yes.

24 THE COURT: Okay. So if y'all could be
25 here at 9:15, so we get everybody ready to start at

1 9:30, that would be great.

2 (WHEREUPON, court was adjourned.)

3 **(JANUARY 28, 2026)**

4 THE COURT: All right. Are we ready
5 for the jury?

6 MS. MILES: State's ready, Your Honor.

7 THE COURT: Defense Counsel, ready?

8 MR. FARLEY: Yes, ma'am.

9 THE COURT: All right. Let's have our
10 jury, please.

11 (WHEREUPON, the jury entered the
12 courtroom at 9:59 a.m.)

13 THE COURT: Good morning, ladies and
14 gentlemen of the jury. Thank you for your time
15 this morning. I certainly apologize for the delay.
16 Sometimes things logistically don't work out
17 exactly timely as we would like and that's
18 certainly through no fault of the parties, but
19 we're certainly very mindful of your time and we
20 appreciate your patience.

21 Madam Clerk, if you would please swear
22 in the jury.

23 (WHEREUPON, the jury was sworn in.)

24 THE COURT: Ladies and gentlemen of the
25 jury, thank you for accepting the important

1 responsibility of jury service and for your
2 contribution today to our system of justice. What
3 I will now say to you is intended to serve as an
4 introduction to the trial of this case. These
5 remarks are not a charge on the law in this case.
6 I will instruct you on the law applicable to this
7 case at the end of the trial before you retire to
8 consider your verdict. This is merely an
9 explanation of the procedure that we will follow so
10 that you may better understand what is happening
11 during the trial of this case. You may not take
12 notes during the trial of this case.

13 The Defendants in this case are charged
14 with an indictment filed in the court with the
15 crime of murder. The elements of which I will
16 explain to you later. The indictments are simply
17 the charge by which the case is brought into court
18 and it is not in any sense any evidence of the
19 allegations that it contains. The Defendants have
20 pled not guilty to these indictments. The State,
21 therefore, has the burden of proving each of the
22 elements of the indictments beyond a reasonable
23 doubt.

24 It will be your duty, ladies and
25 gentlemen, to decide whether the State has met that

1 | burden. Your purpose as jurors is to find and
2 | determine the facts. You are the sole judges of
3 | the facts. If at any time I make any comment
4 | regarding the facts, you must disregard that. You
5 | are to determine the facts from the testimony that
6 | you hear and other evidence that is introduced in
7 | court. It is up to you to determine the inferences
8 | which you feel may be properly drawn from the
9 | evidence.

10 | It is especially important that you
11 | perform your duty of determining facts diligently,
12 | and conscientiously. Because ordinarily there is
13 | no way to correct an erroneous determination of the
14 | facts by a jury. On the other hand and with equal
15 | emphasis, the same law that makes you the judges of
16 | the facts, makes me the judge of the law.

17 | The law as given by the Court is the
18 | only law that you may consider. You must accept it
19 | and follow it even though you may disagree with it.
20 | I cannot tell you what the facts are and you cannot
21 | disagree with me about what the law is or the law
22 | should be. Your job is to take the law as I give
23 | it to you and apply it to the facts as you find
24 | them from the testimony of the witnesses and any
25 | other evidence that is introduced during the trial

1 of this case.

2 After doing that, you will render a
3 verdict under the solemn oath that you just took as
4 jurors. Until I advise you to begin your
5 deliberations, you must not discuss this case with
6 anyone. This includes your fellow friends, your
7 family, your fellow jurors, or anyone involved in
8 this case. This includes any discussions which are
9 face-to-face, anything by telephone, email, text,
10 blogs, or any other method of communication.

11 You may not use a computer, a
12 cellphone, or any other electronic device with any
13 type of communication capabilities at any time
14 while you're in the courtroom or during your
15 deliberations. During meals or for breaks or
16 overnight if necessary, of course, you may use
17 these devices, but you may not use these devices at
18 any time to get or send any information about this
19 case. This includes any information about a party,
20 a witness, an attorney, a court officer, any news
21 accounts about this case, any research on any
22 topics that may be raised, or any topics that you
23 think might be helpful in determining this case.

24 During the trial, do not read, listen
25 to, or watch any potential news reports about this

1 case, this would include anything that would be on
2 TV, newspaper, internet, or radio. You must not
3 consider anything that you have read or heard about
4 this case outside of this courtroom whether before
5 or during the trial of this case. After the case
6 is submitted to you, you must discuss it only in
7 your jury room with your fellow jurors.

8 The attorneys and the parties in this
9 case have been advised that they are not to talk to
10 you at all. So if you see anyone involved in this
11 case and they do not even say, hello, they're not
12 being unfriendly, they're just following the
13 Court's instructions. It is important that you
14 keep an open mind and not decide any issue in this
15 case until all of the evidence has been presented,
16 the parties have made their closing arguments, and
17 I have instructed you on the law of this case.

18 It is your solemn responsibility to
19 determine the guilt or the innocence of the
20 Defendants and your verdict must be based solely on
21 the evidence as it is presented to you during the
22 trial and the law as I instruct you at the end of
23 the trial and during the trial.

24 In just a moment, the Solicitor will
25 make what is called an opening statement in which

1 the Solicitor will explain to you what the issues
2 in this case are or at least what the Solicitor
3 thinks the issues in this case are. The attorneys
4 for the Defense may also make an opening statement,
5 although, what they tell you -- although, they are
6 not required to make an opening statement. What
7 the attorneys tell you during their opening
8 statements is not evidence in this case, it is only
9 their contention as to what the issues are. The
10 evidence in this case will be presented by the
11 testimony of sworn witnesses and any exhibits which
12 are properly introduced during the trial of this
13 case.

14 From time to time during the trial, you
15 may hear one of the lawyers say something like, I
16 have a question of law, may we approach the bench?
17 Or sometimes myself, I might find it necessary to
18 excuse you from the courtroom for a short while so
19 the attorneys and I can discuss a matter of law.
20 The reason for this is because you are the judges
21 of the facts in this case and sometimes when I'm
22 discussing matters of law with the attorneys, it
23 may be necessary for me to make some comment as to
24 the facts in connection with ruling as to whether
25 or not a particular law applies.

OPENING STATEMENTS BY MS. WILLIAMS

1 I'm not supposed to tell you what I
2 think the facts are, so I will excuse you from the
3 courtroom for a short while while these discussions
4 take place so that you in no way will be influenced
5 by anything I might say or do in connection with
6 the facts of this case.

7 In determining what the true facts are
8 in this case, you must decide whether the testimony
9 of the witnesses is believable. It will be my
10 responsibility to rule as a matter of law whether
11 or not certain testimony is admissible at all or
12 not, but whether or not you believe that testimony
13 is solely for you to determine.

14 In deciding whether to believe a
15 witness, you have the right to consider the
16 interest of any witness, the bias of any witness,
17 the prejudice of any witness, the opportunity for
18 the witness to have seen the matters and things
19 about which the witness may testify, and the way
20 that the witness acts on the witness stand. You
21 have the right to consider anything that is in the
22 record that will help you evaluate the testimony of
23 the witnesses. That means it is your duty to pay
24 close attention to these witnesses, to observe the
25 witnesses, to listen to the witnesses, and please

OPENING STATEMENTS BY MS. WILLIAMS

1 pay close attention to the attorneys and to the
2 Court.

3 Don't let your thought wonder, but give
4 strict attention to the testimony of the witnesses
5 so at the end of the trial, after the arguments of
6 counsel, and you have been instructed on the law,
7 you will be in a position to render a verdict under
8 the solemn oath that you just took as jurors.

9 Are there any exceptions or objections
10 to the remarks from the Court from either the State
11 or the Defense?

12 MS. MILES: None from the State, Your
13 Honor.

14 MR. FARLEY: No, Your Honor.

15 MS. GAY: No, Your Honor.

16 THE COURT: Solicitor?

17 MS. WILLIAMS: Thank you, Your Honor.
18 May it please the Court?

19 THE COURT: Yes, ma'am.

20 OPENING STATEMENTS

21 BY MS. WILLIAMS:

22 Gunned down. No questions. No mercy.
23 Just a careless disregard for human life. That's
24 what this case is about. How these Defendants,
25 Calik Guinyard, Sayquan Harrison, and Aloysius

OPENING STATEMENTS BY MS. WILLIAMS

1 Green, made a calculated conscious choice to shoot
2 up a house without a care for who it would harm and
3 the life that they would take.

4 On December 14th of 2020, Karl Williams
5 was in the safety of his home with his elderly
6 mother. And what you will learn throughout this
7 trial is that this was a typical night for them --

8 THE COURT: Solicitor, hold on one
9 second. I apologize. We're not having anybody
10 coming in and out of the courtroom while opening
11 arguments -- or opening statements are happening.
12 Let's have either everybody come in or out and then
13 shut the door, please. And everyone must maintain
14 quiet during testimony and during arguments of
15 counsel or you will be kicked out of the courtroom.

16 All right. You may proceed, Solicitor.

17 MS. WILLIAMS: Thank you, Your Honor.

18 CONTINUED OPENING STATEMENTS

19 BY MS. WILLIAMS:

20 What you will hear is that this was a
21 typical night for them. It was nothing out of the
22 ordinary. And they had settled in for the night.
23 His mom was on the couch in the living room and
24 Karl Williams was in the back bedroom. Completely
25 unaware of the violence that was lurking outside of

OPENING STATEMENTS BY MS. WILLIAMS

1 | their home.

2 | Now, these Defendants, they were loaded
3 | and ready. And they traveled to [REDACTED] Myers Road,
4 | hidden behind tinted windows, and covered in the
5 | darkness of night, their plan was in motion. Now,
6 | this wasn't just a house visit. This wasn't a
7 | mistake. This wasn't an accident. No, these
8 | Defendants knew exactly what this night was about
9 | and it was about retaliation. Retaliation that had
10 | absolutely nothing to do with Karl Williams.

11 | When they arrived, they backed into the
12 | driveway for an easy escape. One's in the driver's
13 | seat and two exits the vehicle. And Sayquan
14 | Harrison goes to the front door and he knocks
15 | luring Karl Williams into their trap. He slipped
16 | away from the door waiting for his signal to
17 | attack. Karl Williams, he opened the door, and
18 | stepped into a nightmare.

19 | Silence. And then the reign of gunfire
20 | ripping through the glass screen door, into the
21 | walls in the living room, the kitchen, and a nearby
22 | bedroom, gunshots that struck Mr. Williams in his
23 | chest. The fatal shot that left him dying. And
24 | the Defendants drove away because they got exactly
25 | what they wanted. A life. And that is why we are

OPENING STATEMENTS BY MS. WILLIAMS

1 here today. And that is why the Defendants have
2 been charged with murder.

3 Now, murder is the unlawful killing of
4 another person with malice aforethought. And when
5 you hear malice, it's been described as ill will.
6 As hatred. As an intentional act to cause harm.
7 And when you hear aforethought, that simply means
8 that the malice existed at the time the act was
9 committed.

10 Now, as the State, we bear the burden
11 to prove this to you beyond a reasonable doubt.
12 And beyond a reasonable doubt is the highest burden
13 in our justice system, but it's a burden that's met
14 in courtrooms across this country every single day
15 and it is a burden we will meet.

16 Now, it's not enough for me to stand in
17 front of you today and just say it, we've got to
18 prove it. And to do so, you'll hear testimony from
19 this witness stand and you'll see the evidence in
20 this case. You'll hear from law enforcement and
21 see the investigative steps that they took from the
22 time they were called out to the scene to the time
23 the Defendants were arrested.

24 You'll get to hear from our CSI
25 investigator. And I want you to pay close

OPENING STATEMENTS BY MR. FARLEY

1 attention to the steps that he took as he found
2 shell casings in the front yard, at the front door,
3 and signs of gunshots throughout this home. And
4 you'll get to learn about Karl Williams. Who he
5 was. What he meant to his community. How it's the
6 Defendants' choices that took the life of a
7 brother, of a son. How they made a calculated and
8 conscious choice to shoot up this home. It's their
9 careless disregard for human life. It's their
10 calculated choices and their conscious decision to
11 drive to this home with vengeance in their heart,
12 with retaliation as the plan, and with no care for
13 who they would harm.

14 At the end of this trial, you have a
15 choice to make. You would have heard all of the
16 witness testimony, you would see all of the
17 evidence in this case. And it is your duty to
18 return a verdict. And I am asking just as my
19 cocounsel will ask you then, return a verdict that
20 aligns with the facts. A verdict that aligns with
21 the evidence. A verdict that looks at the choices
22 of these Defendants in the death of Karl Williams.
23 Find them guilty. Thank you.

24 THE COURT: Counsel?

25 MR. FARLEY: Thank you, Your Honor.

OPENING STATEMENTS BY MR. FARLEY

1 May it please the Court?

2 THE COURT: Yes, sir.

3 OPENING STATEMENTS

4 BY MR. FARLEY:

5 Ladies and gentlemen of the jury, I'm
6 Andrew Farley. I introduced myself yesterday.
7 Again, I'm here representing Mr. Sayquan Harrison
8 who you see seated right here. I know this is not
9 exactly what you wanted to do this morning, but I
10 do want to start by thanking you, and this is a
11 very important role that you hold in our society
12 and that is the role of being, you know, justice --
13 delivering justice in this case.

14 This is a very serious case.
15 Mr. Harrison, as you see sitting over here, is
16 accused of murder. Probably the most serious
17 charge that can be leveled at anyone in our
18 society. And today you're going to hear from a lot
19 of witnesses, a lot of law enforcement, and we're
20 certainly asking that you reserve all judgment
21 until you can hear from all the witnesses in this
22 case. Review all the evidence in this case.

23 Because the evidence in this case is
24 going to show that my client, Mr. Harrison, was a
25 16-year-old boy at the time of this incident. And

OPENING STATEMENTS BY MS. GAY

1 we all know that teenagers, I'm sure some of you
2 probably have some teenagers, but teenagers, they
3 don't have good decision-making abilities. They
4 don't have good impulse control. They don't -- and
5 always do the right thing because they're not
6 adults. They're minors. And there's a reason why
7 we designate them as minors. Because their brains
8 aren't fully developed. And sometimes they don't
9 make the right decision as adults would.

10 So we want you to listen to all the
11 evidence. And we want you to take in everything
12 before you start thinking about making any kind of
13 deliberations today. And the standard that we have
14 in criminal cases is different than any other
15 cases. Reasonable doubt, and you're going to hear
16 a lot about reasonable doubt today.

17 And reasonable doubt is where someone
18 who was -- a reasonable person would pause,
19 consider, and we certainly think that when you hear
20 all of the evidence, that you will have reasonable
21 doubt. That you will have a lot to consider. And
22 we certainly hope that you take this and -- this
23 charge with the most seriousness.

24 Now, the State is going to ask you to
25 look at my client, Mr. Harrison, and he's going to

OPENING STATEMENTS BY MS. GAY

1 want -- they're going to want you to see a
2 murderer. But I think that at the end of this case
3 when you hear all the evidence, which you're gonna
4 see, is a scared, confused, overwhelmed,
5 16-year-old boy who has been certainly influenced
6 by the older kids and in this case, his
7 codefendants. Who found himself at the wrong place
8 and the wrong time with the wrong crowd.

9 I think that after you review all the
10 evidence and you look at everything in totality
11 that you'll be able to come back and render a
12 verdict, a verdict of not guilty, and that's what
13 we will be asking for at the end of this case.
14 Thank you, ladies and gentlemen.

15 THE COURT: Ms. Gay?

16 MS. GAY: Thank you, Your Honor.

17 OPENING STATEMENTS

18 BY MS. GAY:

19 I come with something to hold on to.
20 You know, one thing about trials is the people
21 involved in the trials. All of us. We have our
22 own infirmities and our own problems, so I need
23 something to hold me up a little better. And, you
24 know, that's one of the important things about
25 trials is that no matter what happens in this case,

OPENING STATEMENTS BY MS. GAY

1 | please do not hold anything that I may do against
2 | my client or, you know, because we're just people
3 | here trying to help get this community a decision
4 | on all this, Your Honor -- ma'am.

5 | So a trial is really so so very
6 | important. What y'all know about having gotten
7 | this process is how difficult it is to pick the
8 | trial of my client's peers. A trial of Mr.
9 | Harrison's peers. We went to great lengths to have
10 | y'all selected and, you know, some people were
11 | excused from being on this jury, but y'all were
12 | chosen to be the trial of the peers for my client
13 | and Mr. Harrison.

14 | And what that does is it creates you as
15 | the fact-finders. Now, fact-finders means that the
16 | decision about the facts of the case is yours. So
17 | the Judge explained to you that she's the judge of
18 | the law, but ultimately, you're the judge of the
19 | facts. No matter what happens in this case in the
20 | future, if ever, the factual decision is yours to
21 | make about what happened that day. And our -- is
22 | my client somebody that the State can prove beyond
23 | a reasonable doubt of a murder conviction.

24 | So when you're having this situation
25 | and you're the most important thing, today is --

OPENING STATEMENTS BY MS. GAY

1 | this week is the most important time in Mr.
2 | Guinyard's life. Mr. Guinyard has specifically
3 | chosen you as his jury and he is going to tell you
4 | through me at the end of this case that the State
5 | has not proven that he is a murderer. That he has
6 | -- they have not proven that he was even present at
7 | the time of this incident.

8 | So what we're going to find is, and as
9 | the Solicitor said, you know, you're going to have
10 | people testifying. And a lot of those people are
11 | law enforcement people and some other people who
12 | openly admit that they were involved in the
13 | incident. Keep in mind that when you have a
14 | person, there's three pictures up there, when you
15 | have a person come in to say, well, I was there. I
16 | did it. I was involved. This is who else was
17 | there. Or other statements that were made, well,
18 | yeah, this is what happened. I was there and this
19 | person was too.

20 | So no person is going to actually say
21 | by physical evidence that Calik Guinyard was
22 | present at the scene. So one of the things that's
23 | going to happen is they're going to have somebody
24 | who's going to come in and they're going to talk
25 | about bullet shells and things like that. None of

OPENING STATEMENTS BY MS. GAY

1 that is evidence that's going to connect my client,
2 Mr. Guinyard, to this situation.

3 Those are things that we call facts
4 beyond change. Facts beyond change are not
5 people's opinions. They're not people's
6 impressions. They're not statements made by a
7 person which has either -- is either a lie outright
8 or is subject to interpretation. Facts beyond
9 change are things that are physical in nature. And
10 there is no evidence at all in this case that is
11 physical in nature that connects Mr. Guinyard to
12 this case. There's actually going to be evidence
13 presented that he wasn't even around in this
14 community in Orangeburg County when this happened.

15 So we are going to sit through a whole
16 bunch of evidence about a case where a person who
17 admits that he was involved is going to testify.
18 Another statement is going to be shown about
19 Mr. Harrison who says that he was there, but
20 nothing is going to actually confirm that Calik
21 Guinyard was present at the scene. And there is
22 going to be evidence presented that he wasn't.

23 So ultimately, it will be your decision
24 to decide the facts in this case and both of these
25 other attorneys have alluded to the fact, you know,

OPENING STATEMENTS BY MS. GAY

1 | what is -- that the State has the burden to prove
2 | beyond a reasonable doubt that my client would be
3 | guilty of this charge.

4 | And -- so what was referred to as what
5 | is reasonable doubt, the Judge is going to explain
6 | that to you and I'm just going to briefly sort of
7 | give you, like, little laymen's version. But
8 | ultimately, everything about the law is going to be
9 | explained by Judge Murphy.

10 | The laymen's version would be a
11 | reasonable person would hesitate to act. It was
12 | referred to by Mr. Harrison's counsel, pause to
13 | consider. So what does that mean? It means at the
14 | end of all the evidence in this case, the State has
15 | to make you, a reasonable person, not hesitate to
16 | act to convict. That's kind of the reverse of it.
17 | Must decide that you don't want to hesitate to
18 | convict and that you want to convict.

19 | So what does it mean when they don't
20 | prove something by a reasonable doubt? That you do
21 | as a reasonable person have a pause to consider.
22 | Have a reasonable hesitation about conviction. And
23 | at the end of this case, you're not going to
24 | convict my client. You're going to find that the
25 | State did not prove beyond a reasonable doubt that

1 he's guilty of this offense, and you're going to
2 find him not guilty, and I'm going to ask you to do
3 that at the end of this case.

4 My client is a man that's innocent. He
5 is cloaked in innocence just like every other
6 person in this courtroom. He is innocent. And he
7 is innocent until proven guilty by the State. And
8 as an innocent man, he is asking you to see these
9 stuff, the facts, as presented by the State,
10 realize the deficiencies of that, realize the
11 limitations and the reason, if you want to call it,
12 why certain people would say certain things to help
13 themselves. You know, have motive or bias to throw
14 someone else under the bus because it's helping
15 them. That's reality. That's what reasonable
16 people know.

17 You bring your common sense to this
18 trial. That is why you've been chosen. Each one
19 of you has specific life experiences that we
20 believe were appropriate and great to have on our
21 trial -- on our jury today. So as a man who's
22 innocent who's asking you to review this evidence
23 in the filter of doubt. Mr. Harrison's attorney
24 said it, there will be doubt. Particularly, for
25 Mr. Guinyard who will prove to you that he was

STEVEN THOMPSON - DIRECT EXAMINATION BY MS. MILES

1 | somewhere else, not involved in this case, and not
2 | a murderer and you will find him not guilty.

3 | THE COURT: Solicitor, you may call
4 | your first witness.

5 | MS. MILES: Thank you, Your Honor. The
6 | State calls Steven Thompson.

7 | STEVEN THOMPSON,
8 | being first duly sworn, was examined and testified
9 | as follows:

10 | THE CLERK: Can you please state your
11 | name for the record.

12 | MR. THOMPSON: Deputy Steven Thompson.

13 | THE CLERK: Thank you.

14 | MS. MILES: Thank you, Your Honor. May
15 | it please the Court?

16 | THE COURT: Yes, ma'am.

17 | DIRECT EXAMINATION

18 | BY MS. MILES:

19 | Q. Mr. Thompson, where are you currently
20 | employed?

21 | A. The Orangeburg County Sheriff's Office.
22 | I work for courthouse security.

23 | Q. Okay. And how long have you been with
24 | the sheriff's department?

25 | A. I originally started 2001. I left

1 | briefly and I've been back since 2010.

2 | Q. Okay. And you mentioned you're
3 | courthouse security now, what are some of the other
4 | roles and positions you've had with the sheriff's
5 | department?

6 | A. I've worked field services. I started
7 | out here in the courthouse. I worked here for
8 | almost a year before going to the Academy back in
9 | 2001. From the Academy, was in field services. I
10 | worked in investigations a few years later for a
11 | couple of years. I had left. When I came back, I
12 | worked field services again as a road deputy. I
13 | was promoted to corporal. I made sergeant. I went
14 | to investigations again and worked the burglary
15 | task force in 2017. And in 2019, I took on the
16 | role of lieutenant in field services of a bravo
17 | shift. And then after an incident with some
18 | medical, I was assigned to the courthouse back,
19 | this will be four years in April.

20 | Q. Okay. And before you said your
21 | medical, you were a lieutenant over field services?

22 | A. Field services. Yes, ma'am.

23 | Q. And does that include the period time
24 | of December of 2020?

25 | A. It does.

STEVEN THOMPSON - DIRECT EXAMINATION BY MS. MILES

1 Q. Okay. And let's talk about the night
2 of December 14, 2020. Were you working that night?

3 A. I was.

4 Q. Okay. And what position -- you said
5 that was lieutenant on field services?

6 A. I was lieutenant on field services.

7 Q. And how did you become involved in a
8 homicide case that night?

9 A. As a lieutenant, one of the things we
10 do is we respond to some of the major incidents,
11 assess the scenes, get the proper personnel, if
12 any, that need to respond other than my field
13 service units.

14 So that night, we got reports of shots
15 fired, possible subject -- or subject had been
16 shot. I had some deputies arrive prior to. They
17 confirmed that we did have a victim while I was
18 responding. When I arrived, I kind of took over
19 briefly and made the proper phone calls to some of
20 the duty personnel which might be a captain of
21 crime scene, victim advocates, made those phone
22 calls and immediately started to get the scene
23 ready for them to arrive.

24 Q. Okay. And was that address [REDACTED] Myers
25 Road?

1 A. It was.

2 Q. And is that within the County of
3 Orangeburg?

4 A. It is.

5 Q. Okay. Walk the jury through what you
6 saw when you arrived that night.

7 A. When I arrived that night, of course,
8 there were several people there. Some victims'
9 family, I was assuming, because they were pretty
10 upset. Inside the home there was someone on the
11 floor and EMS was already there. They were working
12 on them. And I noticed that there was some shell
13 casings on the ground that we were kind of roping
14 off and getting ready for crime scene and stuff to
15 get there and investigations, and also possible
16 bullet holes into the home which it appeared
17 projectiles hit.

18 Q. Okay. And you say the victim was still
19 present on the scene?

20 A. Yes, ma'am, he was.

21 Q. Okay. Could you observe any injuries
22 to the victim at that time?

23 A. I wasn't close enough. They were
24 working on him. I had saw some blood, but I
25 couldn't see actual injuries.

1 Q. Okay. Could you tell whether or not he
2 appeared to be alive?

3 A. I couldn't tell originally until they
4 said that they were going to be transporting to the
5 hospital. So I knew then he must have still been
6 alive if they were transporting to the hospital.

7 Q. Okay. What did you do next?

8 A. They -- due to the type of injuries and
9 the state of the victim, they needed all of the
10 paramedics or EMS -- EMT's to include their
11 supervisor in the back of the truck to work on the
12 victim, so they needed someone to drive, so I drove
13 the ambulance to the hospital.

14 Q. Okay. And is that something you would
15 do regularly or on occasion at a crime scene?

16 A. It is. Not just crime scenes.
17 Sometimes we got regular cardiac arrests and if
18 they need a driver while they're in the back
19 performing CPR and stuff, it's something we have
20 done regular. Especially that close to the city
21 where the city is covering the fire area, because
22 if it was out in the county, where it was the
23 county fire department, sometimes they get first
24 responders or county fire department members to
25 drive. But being that close, the city fire

1 department wasn't there. So when we got incidents
2 like that, if they need a driver, we will.

3 Q. Kind of all hands on deck situation?

4 A. Yes.

5 Q. Okay. What happened after you drove
6 the ambulance to the hospital?

7 A. When I got the ambulance to the
8 hospital, it wasn't long after I was advised that
9 they had pronounced the victim as being deceased.

10 Q. Okay. And who was the victim
11 identified as?

12 A. Karl Williams. Who was a teacher here
13 in Orangeburg County.

14 Q. Okay. Thank you, Mr. Thompson. Please
15 answer any questions the Defense may have, okay?

16 A. Okay.

17 THE COURT: Cross-examination?

18 MR. FARLEY: Thank you, Your Honor.

19 CROSS-EXAMINATION

20 BY MR. FARLEY:

21 Q. Officer Thompson?

22 A. Yes.

23 Q. It is fair to say that when you
24 responded to the incident location, you were not
25 aware of anyone who was involved as a perpetrator

1 in this case; is that correct?

2 A. I was not. I was not part of that
3 aspect of it.

4 Q. And you didn't observe any kind of
5 vehicle or anything else in that regard; is that
6 correct?

7 A. I did not.

8 Q. So it's fair to say that your testimony
9 today can't address any of those issues; is that
10 correct?

11 A. It cannot.

12 Q. Thank you, Officer Thompson.

13 MR. FARLEY: No further questions, Your
14 Honor.

15 THE COURT: Thank you. Ms. Gay?

16 MS. GAY: I have no questions for this
17 Officer.

18 THE COURT: Any redirect?

19 MS. MILES: No, ma'am, Your Honor. We
20 would ask that he be excused.

21 THE COURT: You may step down, sir.

22 MR. FARLEY: No objection.

23 MS. GAY: No objection.

24 THE COURT: You may call your next
25 witness.

LAKEISHA GILLARD - DIRECT EXAMINATION BY MS. MILES

1 MS. MILES: Thank you, Your Honor. The
2 State would call Sergeant Lakeisha Gillard.

3 LAKEISHA GILLARD,
4 Being first duly sworn, was examined and testified
5 as follows:

6 THE CLERK: Can you please state your
7 name for the record?

8 MS. GILLARD: Lakeisha Gillard.

9 THE CLERK: Thank you.

10 THE COURT: Your witness.

11 MS. MILES: Thank you, Your Honor. May
12 it please the Court?

13 DIRECT EXAMINATION

14 BY MS. MILES:

15 Q. Good morning, Sergeant Gillard.

16 A. Good morning.

17 Q. Where are you currently employed?

18 A. Orangeburg County Sheriff's Office.

19 Q. And how long have you worked at the
20 sheriff's office?

21 A. About 15 years now.

22 Q. Okay. And what's your current
23 position?

24 A. First Sergeant over major crimes and
25 investigations.

LAKEISHA GILLARD - DIRECT EXAMINATION BY MS. MILES

1 Q. Okay. And what about in December of
2 2020, what was your position at the time?

3 A. I was the interim sergeant at that
4 time.

5 Q. Okay. At some point in December -- on
6 the 14th of 2020 in December, what did you do or
7 how you did you become involved in investigation
8 involving the death of Karl Williams?

9 A. I was the on-call supervisor on that
10 evening and responded to the incident location on
11 that night.

12 Q. Okay. So you were involved from the
13 beginning?

14 A. Correct.

15 Q. Okay. And what did you do when you
16 first arrived on the scene?

17 A. When I got there, I ended up speaking
18 with Deputy Parler. He advised me that Ms. Barbara
19 Williams was still in the home and I went inside.
20 I spoke briefly with her, her daughter, Tracey
21 Tobin, and her son, Elston Williams. I requested
22 that they take her down to our headquarters on
23 Chestnut Street so we could interview her.

24 Q. Okay. You said Ms. Barbara Williams,
25 was she the homeowner?

1 A. Yes.

2 Q. Okay. And where -- you said she was in
3 the home, what about anyone else that lived in the
4 home, where were they?

5 A. The only other individuals that was in
6 the home was her daughter and her son at that time
7 when I got there.

8 Q. Okay. Was anyone else living in the
9 home at the time?

10 A. Oh, yes. The victim in the case, Karl
11 Williams.

12 Q. Okay. And was he still on scene at the
13 time you arrived?

14 A. He was not. He was transported to the
15 hospital by EMS.

16 Q. Okay. Did you learn overall what type
17 of investigation you were there for?

18 A. Correct. I did. We got information
19 that the victim, Mr. Karl, did pass as he was in
20 route to the hospital. After speaking with Ms.
21 Barbara, she advised that there was a knock at the
22 door --

23 MS. GAY: Your Honor, I would object to
24 hearsay.

25 THE COURT: Sustained.

1 Q. Without going into anything she
2 specifically said, what was the nature of the
3 investigation?

4 A. It turned into a homicide.

5 Q. Okay. And what type of weapons, if
6 any, did it appear had been used in the homicide?

7 A. I think it was a 9mm four count. It
8 was multiple shell casings there.

9 Q. So firearm --

10 A. Firearm.

11 Q. There was evidence of firearms present?

12 A. Correct.

13 Q. Okay. And did you canvas the area that
14 night for anybody who would have witnessed the
15 shooting?

16 A. Yes. A neighbor told us that she
17 observed a white colored car, tinted windows with
18 black rims was parked in the driveway for at least
19 15 minutes.

20 Q. Okay. And based on that information,
21 did that cause you to do anything in your
22 investigation, start looking for vehicles or
23 something of that nature?

24 A. Yes, we started canvassing the area for
25 that vehicle and also we got information that maybe

1 the target was the grandson of Ms. Williams.

2 Q. Okay. And without going into any
3 hearsay. Based on information you received, did
4 you develop any suspects in regards to the nature
5 of relationship or anything involving that
6 grandson?

7 A. We did.

8 Q. Okay. And who was that?

9 A. Aloysius Green.

10 Q. Okay. What did you do then?

11 A. We pretty much canvassed the area.
12 Tried to make -- attempt to make contact with
13 Mr. Green at locations that we discovered that he
14 may either visited, hung out at, or lived.

15 Q. Okay. And as the sergeant, was this
16 case then assigned to other people to continue
17 working this and to continue the investigation?

18 A. Yes, it was.

19 Q. Okay. Thank you so much, Sergeant
20 Gillard. Please answer any questions the Defense
21 may have.

22 A. Yes.

23 THE COURT: Cross-examination?

24 CROSS-EXAMINATION

25 BY MR. FARLEY:

SHAWN WILLIAMS - DIRECT EXAMINATION BY MS. MILES

1 Q. Sergeant Gillard, I understand that you
2 had developed some potential people that you wanted
3 to witness -- or discuss as far as possible
4 witnesses. But you weren't there and didn't see
5 any of the incident; correct?

6 A. Yeah.

7 Q. You weren't able to see -- you were not
8 present at the time that this incident occurred; is
9 that correct?

10 A. At the time of the shooting?

11 Q. That's correct.

12 A. Not at the time of the exact shooting.

13 Q. And you didn't see any vehicles or
14 anything like that?

15 A. No.

16 Q. Everything that you had determined, you
17 determined at a later time; isn't that correct?

18 A. Yes, speak with witnesses.

19 Q. All right. Thank you, Sergeant
20 Gillard.

21 MR. FARLEY: No further questions.

22 THE COURT: Ms. Gay?

23 MS. GAY: I have no questions for this
24 witness. Thank you.

25 THE COURT: Any redirect?

SHAWN WILLIAMS - DIRECT EXAMINATION BY MS. MILES

1 MS. MILES: No, ma'am, Your Honor. We
2 would just ask that Sergeant Gillard be released
3 from her subpoena if that's okay with them.

4 MR. FARLEY: No objection, Your Honor.

5 MS. GAY: No objection.

6 THE COURT: You're free to go,
7 Sergeant. Thank you.

8 You may call your next witness.

9 MS. MILES: Thank you, Your Honor. The
10 State would call Shawn Williams.

11 SHAWN WILLIAMS,
12 being first duly sworn, was examined and testified
13 as follows:

14 THE CLERK: Can you please state your
15 name for the record?

16 MR. WILLIAMS: Shawn Williams.

17 THE CLERK: Thank you. You may be
18 seated.

19 THE COURT: Your witness.

20 MS. MILES: Thank you, Your Honor. May
21 it please the Court?

22 DIRECT EXAMINATION

23 BY MS. MILES:

24 Q. Good morning, Mr. Williams. Where do
25 you currently live?

SHAWN WILLIAMS - DIRECT EXAMINATION BY MS. MILES

1 A. I currently live in Charlotte, North
2 Carolina.

3 Q. Okay. Where are you from originally?

4 A. I'm originally from Orangeburg.

5 Q. Okay. Did you grow up here?

6 A. Yes, I did.

7 Q. Okay. Are you related to the victim in
8 this case, Karl Williams?

9 A. Yes. I am the oldest of four siblings
10 to the late parents of Howard and Barbara Williams
11 of [REDACTED] Myers Road.

12 Q. Okay. And tell me a little bit about
13 your family. How far apart were you and the
14 siblings, you and Karl and everything?

15 A. Karl and I were about six years apart.
16 Basically, two years apart for each of my siblings.
17 My brother Elston, my sister Tracey, and then, of
18 course, Karl.

19 Q. Okay. And what were -- what was your
20 brother like?

21 A. My brother was a fun-loving, jokester.
22 He loved classic hip-hop. He loved the Chicago
23 Cubs. He loved the Philadelphia Eagles. He was,
24 you know, he was the baby brother. He was that
25 guy. And he had a heart for community. He had a

1 heart for people and had a heart for students
2 because he was a school teacher. He was a mentor,
3 as well as a coach. He coached baseball as well as
4 football. So he was definitely involved with the
5 community and had a strong kinship towards his
6 students there to see them do better in life.

7 Q. Okay. You said he was a teacher?

8 A. Yes.

9 Q. Okay. And he was living there at [REDACTED]
10 Myers Road at the time of this incident?

11 A. Yes.

12 Q. Okay. And he was living there with
13 your mom?

14 A. Yes.

15 Q. Okay. How did he come to live with
16 your mom at that time? Tell me about your mom and
17 tell me about how Karl came to be living there.

18 A. My mother was a very loving mother and
19 also a devoted wife to my deceased father, Howard.
20 She was known as a cake lady. She was, you know,
21 great at baking red velvet cakes, German chocolate
22 cakes, pound cakes. People would order during the
23 course of the year and she would provide that for
24 them. Karl, by the fact of everyone leaving the
25 household as we continued to grow up and start our

1 | own careers, was remaining at the house basically,
2 | to become my mother's caregiver because she was at
3 | the beginning stages of dementia and -- Lewy Body
4 | Dementia and Parkinson's.

5 | So it was during that time, you know,
6 | Karl was the -- considered the caregiver for my mom
7 | during that time. So they had a loving
8 | relationship. Karl was as what we know, born on
9 | her actual birthday, so he was a gift as we
10 | considered to be from god. And, of course, when
11 | this happened, this was a very traumatic event.

12 | Q. Okay. So your mother -- he was staying
13 | there with your mother and she began to kind of
14 | suffer from old age and dementia and everything,
15 | how would she spend her days at that time?

16 | A. My mom was spending days watching the
17 | Price is Right, watching the Wheel of Fortune,
18 | conversating on the phone with, you know, my
19 | brother and my sister who were still here as well
20 | as Karl, and still being a part of the community,
21 | being part of the church. She was still able to do
22 | the things that she liked to do, but at a much
23 | slower pace during that time.

24 | Q. Okay. And where is your mom now?

25 | A. My mom is now deceased as of December

1 12, 2023, there in the Belleville Cemetery. She
2 was living with me in Charlotte, North Carolina
3 since 2021 up until the time she passed.

4 Q. Okay. So after this incident, she
5 moved to Charlotte to be with you?

6 A. Yes. The decision was made out of
7 abundance of caution not knowing exactly what was
8 happening, what just transpired, to move her to a
9 safer location. So she end up living with my
10 family, my wife Monica, and we at that point, we
11 became her caregivers.

12 Q. Okay. Let's go back to around December
13 10th -- or December 14th of 2020. How often would
14 you see your mom and Karl?

15 A. I would see my mom and Karl probably at
16 least once a month or if there was a special
17 occasion such as coming home for homecoming or a
18 family event or cookout or something of that
19 nature. So at least once a month that I would pay
20 a visit. Even when I was away in the military, I
21 would, you know, try to get home as much as
22 possible.

23 Q. Okay. And would you speak with them or
24 text with them by phone, your mom or your brother
25 to stay in touch as well?

SHAWN WILLIAMS - DIRECT EXAMINATION BY MS. MILES

1 A. Yes. Most of the time my brother, you
2 know, my mom by phone, of course, and my brother by
3 text and phone calls.

4 Q. Okay. And you said your brother was
5 living there with your mom, was anybody else living
6 there at the time?

7 A. Not at that time.

8 Q. Okay. I want to ask specifically about
9 December 14th of 2020. That would have been a
10 Monday night. Would you -- when was the last time
11 that you had spoken with either of them?

12 A. It probably been that weekend. But on
13 that night of December 14th of 2020, is a Monday
14 night. And typically, every Monday night we have a
15 family prayer call. And we have families from
16 around the country calling in and we have prayer
17 and that was the end of it. But on that particular
18 night, I was not on the prayer call because my
19 daughter was visiting me from Detroit in Charlotte.
20 And, you know, she wanted to go out and get some
21 plants, so we went out to grab some plants, you
22 know, that evening, you know, at the local Home
23 Depot or Lowe's. I can't remember. I think it was
24 Lowe's. You know, to get some supplies. It was
25 not until when I returned back to the home that I

1 received a phone call from my brother Elston,
2 explaining or trying to explain what exactly had
3 happened.

4 Q. Okay. And so you learned from your
5 brother this Monday night had been different than
6 the normal Monday night for them?

7 A. Yes.

8 Q. Okay. What did you learn had happened?

9 A. What I've learned, Elston said, hey,
10 man, somebody came by and shot at mom's house. I'm
11 like, what? Just -- it was just so so surreal and
12 understanding not knowing what was happening
13 because I was in Charlotte and it was very
14 difficult for me to try to, you know, gather myself
15 and prepare to come to Orangeburg to find out
16 exactly what was going on.

17 Q. Okay. And what did you do after
18 learning what had happened?

19 A. My plan was to really get into my
20 vehicle and come down to Orangeburg to find out
21 exactly what was going on. My wife instructed my
22 daughter, no, don't let your dad drive, you drive.
23 You bring him down. So my daughter and I drove
24 down to Orangeburg. And by the time we got into
25 Orangeburg, and I said -- I told my daughter this

SHAWN WILLIAMS - DIRECT EXAMINATION BY MS. MILES

1 specifically, I said, listen, we're in Orangeburg.
2 I said, this may take a little bit of time, so
3 let's go ahead and check into the motel and then
4 we'll go to the hospital.

5 Because at that time, it was
6 unbeknownst to me what had actually occurred.
7 Because when I talked to my brother Elston, he said
8 that when he got there he couldn't get in. The
9 investigators wouldn't let him in initially. And I
10 said where was Karl? He said, you know, Karl was
11 taken out on the stretcher but he wasn't making any
12 sounds.

13 So at that time, I didn't think the
14 worst. Okay. I was expecting to at least find him
15 alive. It was not until when I got to the hospital
16 when my brother told me, hey, man, just get over
17 here to the hospital, our brother's gone.

18 Q. Okay. And so your brother was at the
19 hospital and he passed away by the time you got
20 into town?

21 A. Yes.

22 Q. Okay. Where was your mother at this
23 time?

24 A. My mother was waiting at the hospital
25 when I arrived.

1 Q. Okay. And where did she go after?

2 A. She went with Elston after, you know,
3 those events.

4 Q. Okay. And after that, you stated that
5 she had gone then to live with you?

6 A. Yes. The decision was made to move her
7 to Charlotte. So she began to live with me January
8 of 2021, up until her death, December 10th of 2023.

9 Q. Okay. Are there other ways besides her
10 leaving her house that it changed her life and
11 yours?

12 A. It changed our lives tremendously.
13 One, she was taken out of an environment that she
14 only knew. She only knew Orangeburg. She only
15 knew that environment. She knew the people of
16 Orangeburg. She knew her family. She knew her
17 friends. And I told my mom, I said, I know this is
18 difficult, but this is something that we have to
19 do. I mean, you don't like it. I don't like it.
20 But out of abundance of safety and caution, you're
21 living with me and that was the decision that was
22 made.

23 Q. Okay. Thank you, Mr. Williams. That's
24 all the questions I have. Please answer any
25 questions the Defense may have, okay?

MONICA WILLIAMS - DIRECT EXAMINATION BY MS. WILLIAMS

1 A. Thank you.

2 THE COURT: Cross-examination?

3 MR. FARLEY: Your Honor, I have no
4 questions for this witness.

5 THE COURT: Ms. Gay?

6 MS. GAY: Neither do I, Your Honor.

7 THE COURT: You may step down, sir.

8 Thank you.

9 You may call your next witness.

10 MS. WILLIAMS: Your Honor, the State
11 calls Monica Williams.

12 MONICA WILLIAMS,
13 being first duly sworn, was examined and testified
14 as follows:

15 THE CLERK: Can you please state your
16 name for the record?

17 MS. WILLIAMS: Monica Williams.

18 THE CLERK: Thank you.

19 THE COURT: Your witness.

20 MS. WILLIAMS: Thank you, Your Honor.

21 May it please the Court?

22 THE COURT: Yes, ma'am.

23 DIRECT EXAMINATION

24 BY MS. WILLIAMS:

25 Q. Good morning, Ms. Williams.

1 A. Good morning.

2 Q. How do you know the victim, Karl
3 Williams, in this case?

4 A. Karl was my brother-in-law. I'm
5 married to Shawn Williams.

6 Q. And how long have you been a part of
7 the Williams family?

8 A. I became a part of the Williams family
9 since 1989. Met my husband in the military. We're
10 both veterans of the United States Army and that's
11 how we met and that's how I came to -- come into
12 the family.

13 Q. How often would you and your husband
14 get to visit your mother-in-law and Karl?

15 A. Over the years, we did a lot of
16 visiting, driving down. I'm originally from
17 Philadelphia, so we would drive down from Philly.
18 Then we moved to Charlotte. We would just passing
19 through always come through Orangeburg to visit the
20 family.

21 Q. Can you just kind of describe what Karl
22 and what Ms. Williams were like?

23 A. Karl definitely was a jokester. He
24 loved the kids. Education was extremely important
25 to Karl. He was an unofficial hip-hop historian of

1 old school original hip-hop. Fascinated with just
2 lifestyle of New York. I remember talking to him
3 so much about New York, New York City. Just
4 hip-hop apparel. Just knowing computers like the
5 back of his hand. Knowing how to work that space
6 of computer science. So when I see how far science
7 and technology has come, I just -- it's saddens me
8 that he's not here to witness that.

9 Q. I know you said a little bit earlier
10 that y'all would visit when you were driving
11 through or just different times that you might be
12 heading to different places. Around 2020, how
13 often were y'all visiting then?

14 A. Pretty often because my mother-in-law
15 had become, you know, slowing down. Shawn was
16 worried about her as well as all of the kids, all
17 of the family, so we would make our way through
18 especially for holidays, special occasions. We
19 would come through Orangeburg just to -- even if it
20 was for just a few minutes just to drop something
21 off to do a check-in. Going back and forth to
22 Charleston or Myrtle Beach, we would come back
23 through. Make a shortcut through Orangeburg to
24 check on the family. But the phone calls were
25 constant. Always in communication.

1 Q. Specifically, on December 14th of 2020,
2 how did you learn about what happened?

3 A. So Shawn was just hysterical from a
4 phone call. And we were just trying to figure out
5 what had went on. That the house had gotten shot
6 up. So I did not let him drive. I said you got to
7 let, you know, our daughter drive you. My son was
8 there too, but I think the grandkids were there, so
9 we had to make that administrative and responsible
10 choice, let her drive him down there. Drive to
11 Orangeburg. All kinds of things were playing in
12 our head about what actually had happened. So it
13 was just super surreal. I can't believe I'm doing
14 this.

15 Q. You can take your time, Ms. Williams.

16 A. This is so unbelievable.

17 Q. Let me ask you this. Were you ever
18 able to make it down to Orangeburg yourself?

19 A. I couldn't go.

20 Q. Yes, ma'am.

21 A. My daughter called back, she was a
22 basket case. She said, mommy, daddy is just
23 hysterical. I said what in the world? And she
24 said, Karl didn't make it. So then my grandkids
25 are falling out. My son is falling out. We were

1 | in Charlotte, mind you, and it was just
2 | unbelievable. I'm like, are you kidding me? So, I
3 | mean, you know, all kind of things go through your
4 | mind. That this man did not deserve this. You
5 | know, I was just, like, what in the world? We was
6 | just trying to get to the root of it.

7 | I'm worrying about the safety of the
8 | rest of the family. Where is everybody at? You
9 | know, Jordan was like, we're here. She was just
10 | hysterical. And then Shawn called me back and he
11 | was hysterical. Oh, god, it was -- I think for me,
12 | the prayer call had just happened and Karl was on a
13 | call with his mom. So he -- this happened about an
14 | hour, I guess, or so after the prayer call. So
15 | that's what makes it even more horrific.

16 | Q. Thank you, Ms. Williams. No further
17 | questions at this time. Please answer any
18 | questions that the Defense may have.

19 | THE COURT: Cross-examination?

20 | MR. FARLEY: I have no questions for
21 | this witness.

22 | MS. GAY: Me neither, Your Honor.
23 | Thank you.

24 | THE COURT: You may step down, ma'am.
25 | Thank you.

ELSTON WILLIAMS - DIRECT EXAMINATION BY MS. MILES

1 You may call your next witness.

2 MS. MILES: Thank you, Your Honor. The
3 State calls Elston Williams.

4 ELSTON WILLIAMS,
5 being first duly sworn, was examined and testified
6 as follows:

7 THE CLERK: Can you please state your
8 name for the record?

9 MR. WILLIAMS: Elston Williams.

10 THE CLERK: Thank you.

11 THE COURT: Your witness.

12 MS. MILES: Thank you, Your Honor. May
13 it please the Court?

14 THE COURT: Yes, ma'am.

15 DIRECT EXAMINATION

16 BY MS. MILES:

17 Q. Mr. Williams, are you from Orangeburg?

18 A. Yes, ma'am.

19 Q. Okay. And do you still live here?

20 A. Yes.

21 Q. Okay. How long have you lived here?

22 A. All my life.

23 Q. Okay. How do you know Karl Williams,
24 the victim?

25 A. Karl was my younger brother.

ELSTON WILLIAMS - DIRECT EXAMINATION BY MS. MILES

1 Q. Okay. He was your younger brother.

2 How far apart in age were you guys?

3 A. We about six years apart.

4 Q. Okay. And tell me about your family.

5 A. We was, like, we was close-knit and
6 whatnot, you know. Everybody got along together
7 and whatnot. We go to church on Sunday's. You
8 know, different things like that. Just like Shawn
9 said earlier, we have family cookouts, gatherings.

10 Q. Okay. And living here in Orangeburg,
11 would you see your brother pretty often?

12 A. Yes, just about every day.

13 Q. Okay. And how about your mom?

14 A. Every day.

15 Q. Okay. And what was your brother like?

16 A. He was down-to-earth. Very cool. You
17 know, he's one of those guys, you know, all the
18 kids at school loved him. You know, people in the
19 neighborhood loved him. Wherever he went. If it
20 was at homecoming. So Claflin, you know, he always
21 was, like, may as well say, the guy that put the
22 word out and whatnot. But other than that, he was
23 very down-to-earth.

24 Q. Okay. You said that you would see them
25 pretty often almost every day. Where would you see

1 | them at?

2 | A. At the house on [REDACTED] Myers Road.

3 | Q. Okay. And is that the house you all
4 | grew up in?

5 | A. Yes, ma'am.

6 | Q. Okay. I want to talk about December of
7 | 2020. How often would you see your mom and brother
8 | then?

9 | A. I saw them earlier that day and
10 | whatnot. It was, like, I saw my brother, like, 5
11 | and I saw my mother probably about 4 that evening.

12 | Q. Okay. And when you say, that day, do
13 | you mean December 14, 2020?

14 | A. Yes.

15 | Q. Okay. Tell me about when you saw your
16 | mom.

17 | A. When I called her?

18 | Q. When you talked to her, yes, on that
19 | day.

20 | A. When I talked to her that evening?

21 | Q. Tell me -- any time that day.

22 | A. I talked to her, like -- most of the
23 | time I talk to her, like, at least 7:30 or 8
24 | o'clock in the morning and stuff like that and
25 | whatnot.

ELSTON WILLIAMS - DIRECT EXAMINATION BY MS. MILES

1 Q. Okay. And you said you had seen her
2 earlier in the day?

3 A. Yes.

4 Q. Okay. And what time was that?

5 A. That was about 5 o'clock. Between 4
6 and 5, yeah.

7 Q. At her house?

8 A. Yes.

9 Q. Okay. And how was she then?

10 A. She was doing good.

11 Q. Okay. What about your brother, was he
12 home then?

13 A. No, ma'am. I ran into him at the store
14 in the parking lot at a store and that was the last
15 time I talked to him.

16 Q. Okay. And this was a Monday night.
17 What do y'all normally do on Monday nights?

18 A. We have, just like I say, we have
19 family prayer call. You know, Monday Night
20 Football, so we watch the games and stuff like
21 that.

22 Q. Okay. So y'all would have prayer call
23 and then watch Monday Night Football and all?

24 A. Yes, ma'am.

25 Q. Okay. Now, this was around December

1 14th and y'all mentioned that he was a school
2 teacher, but school wasn't out yet?

3 A. No.

4 Q. Okay. And Mr. Williams, Karl, was
5 living with your mom?

6 A. Right.

7 Q. Okay. Had anybody else prior been
8 living with your mom?

9 A. Not at that point and whatnot. My
10 sister and her family was staying there earlier,
11 you know, for a couple of months, but then they
12 left.

13 Q. Okay. When you say, early, like,
14 earlier in the year?

15 A. No, for probably about three or four
16 months before that happened. Yeah.

17 Q. Okay. But not at that time no one else
18 lived there?

19 A. No, ma'am.

20 Q. Okay. So how did you learn about what
21 had happened?

22 A. Getting a phone call from my mom.

23 Q. Okay. And when you -- and you can't --
24 without telling me specifically what she told you,
25 what did you learn had happened to the house?

ELSTON WILLIAMS - DIRECT EXAMINATION BY MS. MILES

1 A. Came over there whatnot and you saw the
2 sheriff department, you had the house surrounded
3 and pretty much we know exactly probably what
4 happened right then and whatnot because they had it
5 taped off and they wouldn't let nobody, you know,
6 go inside and see what was going on. Yes.

7 Q. Okay. So after you talked to your mom
8 you went over there?

9 A. Yes, ma'am.

10 Q. Okay. And what all did you see? You
11 said you saw some sheriff's tape there, what all
12 did you see else on the scene?

13 A. We saw a lot of, you know, neighbors
14 and, you know, people bypass -- passing by. They
15 was out in the street, standing around watching,
16 and whatnot just to see what was going on.

17 Q. Okay. Did you see your brother?

18 A. No, ma'am, until he came out the house.
19 When I was standing out in the road and when he
20 came out the house I did.

21 Q. Okay. When you say, he came out of the
22 house, what do you mean?

23 A. He was on the stretcher and whatnot.
24 He was taken to the ambulance.

25 Q. Okay. So EMS had him?

1 A. Yes, ma'am.

2 Q. Okay. How about your mom, where was
3 she?

4 A. She was still in the house at the time.
5 They was in there questioning her, interviewing
6 her, you know, just asking her different questions
7 and stuff like that.

8 Q. Okay. And how was she?

9 A. She was very shook up. She was very
10 shook up. She didn't know exactly what to do and
11 whatnot.

12 Q. Okay. What did you do next?

13 A. Once they went to the hospital, we went
14 to the hospital and we sat there and waited for the
15 people to come out the back and whatnot. And then
16 they came around there and told us what was
17 happening.

18 Q. Okay. And what did you learn had
19 happened?

20 A. They said that he was deceased and
21 whatnot. They wouldn't let us see him because they
22 say he was shot up too bad and they wouldn't let us
23 see him. Yes, ma'am.

24 Q. Okay. And what all -- what happened
25 next with your family and all?

TRACEY TOBIN - DIRECT EXAMINATION BY MS. WILLIAMS

1 A. Just how you say, just what we did. We
2 sat down and we talked and whatnot and, you know,
3 try to piece this thing together and whatnot. You
4 know, with everybody that was involved and as far
5 as my family members and stuff like that, so we try
6 to piece it together trying to see exactly what was
7 going on.

8 Q. Okay.

9 MS. MILES: Beg the Court's indulgence.

10 Q. Mr. Elston, that's all the questions I
11 have. Please answer any questions the Defense may
12 have, okay?

13 THE COURT: Cross-examination?

14 MR. FARLEY: Your Honor, I have no
15 questions for this witness.

16 MS. GAY: Nor do I, Your Honor.

17 THE COURT: Sir, you may step down.
18 You may call your next witness.

19 MS. WILLIAMS: Thank you, Your Honor.
20 State calls Tracey Tobin.

21 TRACEY TOBIN,
22 being first duly sworn, was examined and testified
23 as follows:

24 THE CLERK: Can you please state your
25 name for the record?

TRACEY TOBIN - DIRECT EXAMINATION BY MS. WILLIAMS

1 MS. TOBIN: Tracey Tobin.

2 THE CLERK: Thank you.

3 THE COURT: Your witness.

4 MS. WILLIAMS: Thank you, Your Honor.

5 DIRECT EXAMINATION

6 BY MS. WILLIAMS:

7 Q. Ms. Tobin, where do you live?

8 A. I live in Orangeburg.

9 Q. And how long have you lived in
10 Orangeburg?

11 A. Fifty-seven years.

12 Q. And how are you related to Mr. Karl
13 Williams?

14 A. Karl is my baby brother.

15 Q. And do you have other siblings?

16 A. Uh-huh, two more.

17 Q. Can you tell me a little bit about your
18 family?

19 A. My family? I mean, we're a nice, you
20 know, kind person. You know, everybody get along
21 with each other, you know, at all times.

22 Q. So I want us to just go ahead and talk
23 about December of 2020. Around that time, how
24 often were you seeing your mom and brother?

25 A. I went over to the house every day. I

TRACEY TOBIN - DIRECT EXAMINATION BY MS. WILLIAMS

1 call my mother every day. Even when I'm on lunch,
2 I call her. And after work I go over there.

3 Q. And that's the same that happened on
4 December 14th of 2020?

5 A. Uh-huh.

6 Q. Tell me a little bit about that day.
7 When did you see your mom?

8 A. I saw her when I went to lunch that
9 afternoon and she asked me to do something for her
10 and I went over there and got what she wanted me to
11 do. And then when I came back to work, I got off
12 and I told her I'd bring her receipt back later on.
13 So when I got off from work, I went home.

14 Q. Now, on that day, did you ever see Karl
15 Williams?

16 A. Yeah, I had saw Karl in the store
17 because I work the Walmart and Karl was in there
18 shopping. And that's when I saw Karl and I asked
19 him, are you going to get mom something to eat? He
20 said, yeah, I'll get her something to eat. You
21 don't have to bring nothing. And that's the last
22 time I saw him.

23 Q. Now, at that time, who all lived in the
24 home?

25 A. My mother and my brother.

1 Q. And prior to that, had you ever lived
2 in the home with your mom and brother?

3 A. Uh-huh. I lived there. Me and my
4 three kids.

5 Q. Can you tell us about your kids?

6 A. My daughter Adrianna, that's my baby
7 girl, and she was in school at the time. She was
8 working on her master's. And Keisha, she's a
9 pharmacy tech. And Trey, that was my baby boy.
10 That was my heart. And Trey was a good person and
11 everything. I mean, every now and then he do
12 wrong, but, you know, he was a good person, you
13 know.

14 Q. Now, how did you learn about what
15 happened on December 14th of 2020?

16 A. My brother Elston had called me when I
17 was at the house. And he was -- he say, momma
18 house just got shot up, you need to come. So me
19 and my older daughter got in the car and we went
20 over there.

21 Q. And what happened when you got there?

22 A. I saw, like, all these people outside.
23 The police, EMS, and everything. And then I went
24 to go find my mother. They let me come through the
25 backdoor and I went in there just to check on her.

TRACEY TOBIN - DIRECT EXAMINATION BY MS. WILLIAMS

1 Q. And where was Karl at that time?

2 A. He was still on the floor. They was
3 putting him on the stretcher getting ready to take
4 him out the door.

5 Q. And how was your mother when you got to
6 the house?

7 A. She was sad and everything.

8 Q. What could you tell us about Karl's
9 condition once you got there?

10 A. Well, he wasn't moving and I figured,
11 you know, like that.

12 Q. And what happened after EMS took your
13 brother to the hospital?

14 A. We all left and went to the hospital.

15 Q. Does that include your mom and your
16 daughter?

17 A. Yes.

18 Q. Now, do you know Aloysius Green?

19 A. I know him because him and my son
20 played ball together and I use to take him home
21 from practice. But he was a nice young man. I
22 never expect this out of him. You know, all of
23 them was well-mannered and everything. And I
24 never, you know, seen the other side of him like
25 that.

1 Q. What about Calik Guinyard?

2 A. Calik was the same way. Nice young
3 man. Well-mannered. And I took him home from
4 basketball practice because him and my son, they
5 all played ball together. They played for the
6 city. They played for the middle school and
7 everything.

8 Q. And when was the last time that you
9 would have seen either one of those individuals?

10 A. Those guys?

11 Q. Yes, ma'am.

12 A. I hadn't seen them in a while. Because
13 I told my son, you got to know who you hang with,
14 you know. Because, you know, a parent always know
15 when something is wrong. And I always tell him,
16 make your circle small. Don't hang with people you
17 don't -- you know. He said, always got friends. I
18 said, no, you don't have friends. The only friends
19 you got is your mother and the lord and that's it.
20 And that's what I always tell my kids.

21 Q. Thank you, Ms. Tobin.

22 MS. WILLIAMS: No further questions
23 from the State.

24 THE COURT: Any cross-examination?

25 MR. FARLEY: Briefly, Your Honor.

CROSS-EXAMINATION

BY MR. FARLEY:

Q. Ma'am, do you know my client,
Mr. Sayquan Harrison?

A. Sir?

Q. Do you know Mr. Harrison, my client?

A. No, sir, I don't.

Q. Thank you.

MR. FARLEY: No further questions, Your
Honor.

THE COURT: Ms. Gay?

MS. GAY: No questions, Your Honor.

THE COURT: You may step down, ma'am.
Thank you.

You may call your next witness.

MS. MILES: Your Honor, may we approach
briefly?

THE COURT: Yes, ma'am.

(WHEREUPON, there was a bench
conference.)

THE COURT: Ladies and gentlemen of the
jury, we're going to take a brief morning recess.
If you would please go to your jury room. Again,
please remember not to discuss this case amongst
yourselves. We will be with you momentarily.

1 Thank you.

2 (WHEREUPON, the jury left the courtroom
3 at 11:07 a.m.)

4 THE COURT: Would counsel please
5 approach?

6 (WHEREUPON, there was a bench
7 conference.)

8 THE COURT: All right. Ladies and
9 gentlemen, we're going to take a brief five minute
10 recess and we'll be right back.

11 (WHEREUPON, there was a short break.)

12 THE COURT: All right. Thank you,
13 Counsel. I have had the opportunity to meet with
14 Counsel in chambers regarding certain concerns that
15 were brought to the Court's attention. At this
16 time, I am going to ask security to please ask all
17 -- to escort out all members of the gallery that
18 are not essential members of this particular trial
19 other than, of course, the Defendants, Defense
20 counsel, members of the solicitor's office, but
21 other members of the gallery are to be escorted out
22 at this time. The media may stay in at this time
23 and I can certainly put my findings on the record
24 as to why I wish to exclude members of the gallery.

25 It will be just for a short limited

1 period of time during this trial and will just be
2 limited to the testimony of one witness. If you
3 would please take the time to do that and you can
4 take turns if we need to have different sides going
5 out at different times.

6 Would counsel please approach?

7 (WHEREUPON, there was a bench
8 conference.)

9 THE COURT: All right. Solicitor, you
10 can have one representative from the family in the
11 courtroom to comply with the Victim Rights Act.
12 And if you would explain to that of absent their
13 objection, certainly, I think that would be the
14 best course of action.

15 All right. Counsel, if both sides
16 would look around the courtroom to ensure that
17 everyone is comfortable with the remaining people
18 in the courtroom. Yes, Mr. Farley?

19 MR. FARLEY: Yes, Your Honor.

20 THE COURT: Ms. Gay?

21 MS. GAY: Yes.

22 THE COURT: Solicitor?

23 MS. MILES: Yes, ma'am, Your Honor. We
24 believe everybody else works here or somebody who
25 is supposed to be here.

1 THE COURT: All right. Thank you,
2 ma'am. And just for the record, the Court is very
3 mindful obviously of the courtroom being a public
4 and open place for proceedings to be held; however,
5 there has been some credible threats to the safety
6 of the next witness and out of an abundance of
7 caution, and without the objection of either side,
8 the Court is going to exclude members of the
9 gallery for this next witness' testimony.

10 Certainly, it is a bit difficult in the
11 way this courthouse is set up logistically to not
12 do that and to still ensure the safety. Very
13 appreciative of the sheriff's department to provide
14 extra security here in the courtroom. So certainly
15 they are taking necessary steps to protect the
16 safety of everyone; however, considering what has
17 been brought to the Court's attention which I will
18 mark as a Court's exhibit to protect the record as
19 to the reason as to why we are excluding members in
20 the gallery for this next witness.

21 Obviously, I understand that members of
22 the media might be present and I'll leave it within
23 your discretion. Obviously, this is a sensitive
24 issue, I certainly would not be one to order you
25 not to report, but certainly, please be mindful of

1 the potential danger and certainly to wait after
2 the trial might be more reasonable approach to take
3 as far as reporting this concern, but that
4 obviously would be within your discretion.

5 Are we ready for the jury and the next
6 witness?

7 MS. MILES: State's ready, Your Honor.

8 MR. FARLEY: Yes, Your Honor.

9 MS. GAY: Yes, ma'am.

10 THE COURT: And, again, there's no
11 objection from either side. I would find that
12 neither side would be prejudiced by the Court's
13 decision to act in this manner.

14 MS. MILES: None from the State, Your
15 Honor. One quick question. Do we need -- because
16 he is an inmate, do we need to have him on the
17 stand before they come in just because of -- I
18 don't know how that works?

19 THE COURT: Is he in street clothes?
20 Or is he -- how is he dressed?

21 THE DEPUTY: He's in street clothes
22 with restraints, Your Honor.

23 THE COURT: Are the restraints visible
24 at all?

25 THE DEPUTY: No, ma'am.

ALOYSIUS GREEN - DIRECT EXAMINATION BY MS. MILES

1 THE COURT: Is he able to walk freely
2 without being visible?

3 THE DEPUTY: Just like these
4 individuals get.

5 THE COURT: All right. Just remind him
6 to walk slowly so it's not visible.

7 THE DEPUTY: Yes, ma'am.

8 THE COURT: All right. And again,
9 there was no objection from Defense counsel; is
10 that correct?

11 MR. FARLEY: No objection, Your Honor.

12 MS. GAY: No objection.

13 THE COURT: All right. Let's have our
14 jury, please.

15 (WHEREUPON, Court's Exhibit No. 1 was
16 marked and entered.)

17 (WHEREUPON, the jury entered the
18 courtroom at 11:40 a.m.)

19 THE COURT: Solicitor, you may call
20 your next witness.

21 MS. MILES: Thank you, Your Honor. The
22 State calls Aloysius Green.

23 ALOYSIUS GREEN,
24 being first duly sworn, was examined and testified
25 as follows:

ALOYSIUS GREEN - DIRECT EXAMINATION BY MS. MILES

1 THE CLERK: Can you please state your
2 name for the record?

3 MR. GREEN: Aloysius Green.

4 THE CLERK: Thank you.

5 THE COURT: Your witness.

6 MS. MILES: Thank you, Your Honor. May
7 it please the Court?

8 THE COURT: Yes, ma'am.

9 DIRECT EXAMINATION

10 BY MS. MILES:

11 Q. Good morning, Aloysius.

12 A. Good morning.

13 Q. How old are you?

14 A. Twenty-three.

15 Q. Twenty-three. Okay. Where are you
16 from?

17 A. Orangeburg, South Carolina.

18 Q. Okay. Did you live here your whole
19 life?

20 A. Yes, ma'am.

21 Q. Okay. Tell me about your family. You
22 have siblings? Mom?

23 A. Yes, ma'am. Three brothers.

24 Q. Okay. How many?

25 A. Three.

1 Q. Okay. How old are they?

2 A. Sixteen, 29, 32.

3 Q. Okay. Aloysius, how you do know Calik
4 Guinyard?

5 A. We went to school together.

6 Q. Okay. How long did you know him?

7 A. For a good amount of years.

8 Q. Okay. When you say, school, what
9 school did you first go to school with him at?

10 A. Middle.

11 Q. Okay. How about Sayquan Harrison?

12 A. I ain't knew him that long.

13 Q. You didn't know him as long?

14 A. No, about 2019.

15 Q. Okay. Was he younger than you?

16 A. Yes, ma'am.

17 Q. Okay. Back in 2020, would you all
18 spend time together sometimes?

19 A. Yes, ma'am.

20 Q. Okay. Would that be a part of a big
21 group? Smaller groups? Tell me about that.

22 A. Not a big group or a small group.

23 Q. Okay. I want to talk about December
24 14th of 2020. Were you at your house earlier in
25 the day?

ALOYSIUS GREEN - DIRECT EXAMINATION BY MS. MILES

1 A. Yes, ma'am.

2 Q. Okay. Who came to pick you up?

3 A. Harrison and Guinyard.

4 Q. Okay. And so they were already in the
5 car?

6 A. Yes, ma'am.

7 Q. Okay. Do you remember what kind of
8 car? What color car? Anything like that?

9 A. Like, a white Equinox.

10 Q. Okay. And was it a car you were
11 familiar with?

12 A. No, ma'am.

13 Q. Okay. Where did you go first after
14 they picked you up?

15 A. Went to the Gardens -- first of all,
16 went to get some gas first. It was on E.

17 Q. Okay. All right. And then you said
18 you went where after?

19 A. To the Gardens.

20 Q. Okay. At some point in the night, did
21 you go to [REDACTED] Myers Road?

22 A. Yes, ma'am, I believe that's the
23 address.

24 Q. Okay. And whose idea was it to go
25 there?

ALOYSIUS GREEN - DIRECT EXAMINATION BY MS. MILES

1 A. Calik.

2 Q. Okay. And what purpose were you going
3 there?

4 A. My purpose -- well, I think, was buying
5 weed.

6 Q. Okay. So you thought y'all were going
7 to buy weed?

8 A. Yes, ma'am.

9 Q. Who was driving?

10 A. I was.

11 Q. Okay. And where was Calik sitting?

12 A. Like, right behind me.

13 Q. Okay. And what about Sayquan, where he
14 was sitting?

15 A. He was in the passenger seat.

16 Q. Okay. Now, when you pulled up, how did
17 you position the car?

18 A. I back in.

19 Q. Okay. You backed in. Did you back
20 into the yard? A driveway? Or something else?

21 A. I mean, the yard and the driveway is
22 basically like the same thing. Looked like a white
23 vehicle in the yard.

24 Q. Okay. And did you back up against that
25 vehicle?

ALOYSIUS GREEN - DIRECT EXAMINATION BY MS. MILES

1 A. Yeah, right behind it.

2 Q. Okay. So you were bumper-to-bumper?

3 A. Something like that almost.

4 Q. Okay. Went you pulled up, who got out
5 of the car?

6 A. Harrison.

7 Q. Okay. And where did he go?

8 A. I guess he went to knock on the door.

9 Q. Okay. What did you hear at that point?

10 A. I heard nothing but, there he go, and
11 then I heard shots.

12 Q. Okay. When you say, there he go, who
13 did that come from?

14 A. I'm not sure.

15 Q. Okay. Was it someone with you?

16 A. Yes, ma'am.

17 Q. Okay. And you said you heard shots.
18 Do you recall how many shots you heard?

19 A. Multiple.

20 Q. Okay. Aloysius, did you have a gun
21 that night?

22 A. No, ma'am.

23 Q. What about Calik and Sayquan, did they
24 have a guns that night?

25 A. Yes.

1 Q. Okay. What happened when they got back
2 in the car?

3 A. Ain't nothing but one person got out
4 the car.

5 Q. Okay. When you say, only one person
6 got out of the car, you meant Mr. Harrison?

7 A. Yes, ma'am.

8 Q. Okay. And that's when he went to knock
9 on the door?

10 A. (Nodded.)

11 Q. Okay. Where was Calik when you heard
12 the gunshots firing?

13 A. Right behind me.

14 Q. Okay. Where all did you hear the
15 gunshots coming from?

16 A. From right behind me.

17 Q. Okay. Do you know whether or not the
18 door was open or the window was down or anything
19 behind you?

20 A. No, ma'am.

21 Q. Okay. But you heard them coming from
22 behind you where he was?

23 A. Yes, ma'am.

24 Q. Okay. Did they say anything when they
25 got back in the car regarding the shooting or

ALOYSIUS GREEN - DIRECT EXAMINATION BY MS. MILES

1 | anything?

2 | A. No, ma'am. Because when the shots rang
3 | out, I pull off.

4 | Q. Okay. And when you pulled off, was
5 | Sayquan able to catch up with you?

6 | A. Yes, ma'am. Because I had stopped.

7 | Q. Okay. So he got back in the car as
8 | well?

9 | A. Uh-huh.

10 | Q. Okay. Where did you go next?

11 | A. I went to Coleman Avenue.

12 | Q. Okay. What did you do there?

13 | A. I left.

14 | Q. You left them there. And then where
15 | did you go?

16 | A. I went to one of my homeboy's house.

17 | Q. Okay. So y'all parted ways later?

18 | A. Yes, ma'am.

19 | Q. Okay. Aloysius, did you know Karl
20 | Williams?

21 | A. Yes, ma'am. He teach me third, fourth,
22 | and fifth grade.

23 | Q. Okay. And what did he teach you then?

24 | A. He was a computer teacher.

25 | Q. Okay. How was he as a teacher?

1 A. He was a good teacher. He was all
2 right teacher. I had wanted to be a computer
3 technician. I wanted to go to college for.

4 Q. Okay. Is that because of him as a
5 teacher?

6 A. Yes, ma'am.

7 Q. Okay. Were you aware he lived at that
8 house?

9 A. No, ma'am. Back in the day I did, yes.

10 Q. Okay. But not then?

11 A. No, ma'am.

12 Q. Okay. Who did you think lived there?

13 A. I didn't know who live there honestly.

14 Q. Okay. When did you learn that it was
15 Mr. Karl Williams that had gotten killed that
16 night?

17 A. Like the next day.

18 Q. Okay. Aloysius, are you also charged
19 with murder in this case?

20 A. Yes, ma'am.

21 Q. Okay. Have you signed anything or been
22 promised anything specific in this case?

23 A. No, ma'am.

24 Q. Thank you. Please answer any questions
25 the Defense may have, okay?

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 THE COURT: Cross-examination?

2 MR. FARLEY: Thank you, Your Honor.

3 CROSS-EXAMINATION

4 BY MR. FARLEY:

5 Q. Mr. Green, on the night in question,
6 December 14, 2020, your testimony is that you were
7 in the vehicle with my client, Mr. Harrison, as
8 well as Mr. Guinyard; is that correct?

9 A. (Nodded.)

10 MS. SPIRES: I need you to answer out,
11 please.

12 A. Oh, yeah, that correct.

13 Q. You have to speak up so the court
14 reporter can take --

15 A. Yeah, that's right.

16 Q. You don't need to lean that far into
17 the microphone. Just answer direct. Can't nod
18 your head, okay.

19 Mr. Green, you said that you were
20 driving the vehicle; correct?

21 A. Yes, sir.

22 Q. Whose vehicle was it?

23 A. I don't know.

24 Q. How was it you were driving a vehicle
25 you didn't know?

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 A. I don't know.

2 Q. How -- where -- why did you get into a
3 vehicle you didn't know and was driving it?

4 A. Because my peers had it.

5 Q. Who?

6 A. My peers had it.

7 Q. Your peers. Which peers are you
8 referring to?

9 A. The Defendants.

10 Q. So Mr. Harrison and Mr. Guinyard
11 arrived to pick you up in this car?

12 A. Yes, sir.

13 Q. And then said they wanted you to drive
14 the vehicle?

15 A. Yes, sir.

16 Q. Okay. And then -- but they arrived at
17 -- were you at your house when they picked you up?

18 A. Yes, I was at my house.

19 Q. Okay. And why were they coming to pick
20 you up? Was there a reason?

21 A. No, it was no reason.

22 Q. Just that Calik was a friend of yours?
23 Or did they call you up and say, let's get together
24 and go do something? Or what was the reason?

25 A. No, they didn't call me up or nothing.

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 Q. They just surprised you at your house?

2 A. No, not really. I was going through
3 something.

4 Q. Going through something?

5 A. Yes, sir.

6 Q. What does that mean?

7 A. I had something going on with my
8 girlfriend at the time.

9 Q. You were having romantic issues?

10 A. Yeah, you could say that.

11 Q. I'm asking you to say that. You tell
12 me.

13 A. Yeah.

14 Q. Okay. And so they surprised you
15 because you were having girlfriend issues?

16 A. Uh-huh. Yes, sir.

17 Q. And you didn't have any plan or
18 organization as far as why they were picking you
19 up, they just surprised you?

20 A. That's right.

21 Q. Okay. Whose idea was it to purchase
22 marijuana?

23 A. All our idea.

24 Q. Sorry?

25 A. All of ours.

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 Q. You collectively came to this idea or
2 did someone suggest it?

3 A. We was already smoking.

4 Q. So you were already smoking marijuana
5 and who decided to get more marijuana?

6 A. We all did.

7 Q. Just at one time you all said to each
8 other, let's go get more marijuana?

9 A. We were like, yeah, we need some more
10 weed.

11 Q. Who said that?

12 A. We all did.

13 Q. All right. So they drove to your
14 house, provided you with marijuana, and then they
15 decided that they needed to get more marijuana.
16 Whose idea was it to go get more marijuana at this
17 specific house on Myers Road?

18 A. It was Guinyard's.

19 Q. Mr. Guinyard's idea?

20 A. Yeah.

21 Q. Okay. An extensive -- well, Mr.
22 Guinyard said that's where he knew someone that
23 would sell you marijuana?

24 A. That's right.

25 Q. Did he name that person?

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 A. No.

2 Q. He just said, I know this place, let's
3 go there?

4 A. Right.

5 Q. And then he said he wanted you to
6 drive?

7 A. Yeah, I was already driving.

8 Q. Why were you already driving?

9 A. Because I can drive.

10 Q. They couldn't drive?

11 A. I guess not.

12 Q. They drove to your house?

13 A. Yeah, they did.

14 Q. Okay. All right. So you drove over
15 there and you're telling -- your testimony today is
16 the reason why you drove over there was only
17 because you thought they were going to purchase
18 marijuana; is that correct?

19 A. That's right.

20 Q. All right. Earlier you said that Mr.
21 Guinyard had a weapon; is that correct?

22 A. That's right.

23 Q. How did you know that?

24 A. How did I know that?

25 Q. How did you know he had a weapon?

1 A. Because I seen it.

2 Q. You saw it on his person?

3 A. I did.

4 Q. Okay. Where was it? In his waistband?

5 Where was it?

6 A. In his hands.

7 Q. Oh, he had it out in his hand in the
8 car. Did that not make you concerned?

9 A. No.

10 Q. No? Somebody had it in the car, you're
11 not driving -- I mean, a car you don't own that you
12 just decided to drive, somebody pulled out a weapon
13 and that wasn't a concern to you?

14 A. No, it wasn't.

15 Q. Okay. All right. And he was in the
16 backseat behind you; is that correct?

17 A. That's right.

18 Q. And my client, Mr. Harrison, was in the
19 passenger seat next to you; is that correct?

20 A. Yes, sir.

21 Q. And then you got gasoline; is that
22 right? And then went to the Garden. Which Garden
23 you mean? You mean the Edisto Gardens?

24 A. Roosevelt Gardens.

25 Q. Roosevelt Gardens. What did you guys

1 do there?

2 A. Smoke.

3 Q. Okay. And is that where you concocted
4 the plan to go get more marijuana?

5 A. That's right.

6 Q. Okay. And that's when Mr. Guinyard
7 said we need to go to Myers Road to get more; is
8 that correct?

9 A. He ain't never say nothing about Myers
10 Road, he said that's where we need to go though.

11 Q. But he directed you there; is that
12 correct?

13 A. That's right.

14 Q. All right. So, was there any
15 discussion as to why if this is Mr. Guinyard's drug
16 connection, why was my client, Mr. Harrison, sent
17 to the front door?

18 A. Can you repeat that question again?

19 Q. Mr. Harrison went to the front door?

20 A. That's right.

21 Q. Did you -- I mean, why would
22 Mr. Harrison go buy marijuana from this person on
23 Myers Road, why not Mr. Guinyard if he was the one
24 who knew the drug connection?

25 A. I can't answer that question for you.

1 Q. There's no discussion inside the car as
2 to why Mr. Harrison was sent to go purchase
3 marijuana?

4 A. No, it wasn't.

5 Q. Did Mr. Harrison say he knew somebody
6 at the house?

7 A. No, he didn't.

8 Q. So why did you send him up there?

9 A. I didn't send nobody to no --

10 Q. He just got out of the car said he was
11 going to go up there?

12 A. I guess so. I believe so.

13 Q. You don't remember anything about any
14 discussion between you guys as far as why
15 Mr. Harrison and not Mr. Guinyard went to the door;
16 is that correct?

17 A. That's correct.

18 Q. You don't remember -- I mean, Mr.
19 Guinyard's sitting behind you with a weapon; right?

20 A. That's right.

21 Q. And then Mr. Harrison, the youngest of
22 you; is that correct?

23 A. That's right.

24 Q. Is the one that's sent to the front
25 door to go buy marijuana?

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 A. That's right.

2 Q. You don't think that there is any kind
3 of intimidation or peer pressure? Threats? Do you
4 recall anything like that?

5 A. No, I don't.

6 Q. You guys are just very silent deciding
7 to go get marijuana and nobody says anything and
8 then the youngest one gets out of the car; is that
9 correct?

10 A. That's right.

11 Q. Okay. So I guess you guys just don't
12 talk a whole lot for friends; huh?

13 A. No, I wouldn't say that.

14 Q. Oh, you wouldn't. Well, then what
15 would you say?

16 A. I mean, we talk, but it wasn't nothing
17 being said.

18 Q. You were talking but nothing was being
19 said?

20 A. I said we would talk, but there was
21 nothing being said.

22 Q. Explain that. If you were talking but
23 nothing's being said, what do you mean by that,
24 sir?

25 A. You just asked me, we wouldn't talk.

1 Obviously, we friends; right? So we wouldn't talk,
2 so how could we be friends if we wouldn't talk. I
3 said we would talk. But on that night in that car
4 there was nothing being said.

5 Q. Nobody said anything?

6 A. No.

7 Q. Okay. So Mr. Harrison is only 16 years
8 old; is that correct?

9 A. Back then, yeah.

10 Q. That's what I'm saying. December 14,
11 2020, he was 16 years old; correct?

12 A. That's correct.

13 Q. Did he have any money on him?

14 A. He did.

15 Q. How do you know that?

16 A. You say how do I know that? Because we
17 all gave him money.

18 Q. Okay. So you gave -- so there must
19 have been some discussion; right?

20 A. Yeah, discussion to go buy marijuana.

21 Q. That's what I'm asking you, sir. And
22 you said there wasn't any discussion earlier. So
23 I'm asking you, sir, who decided that you were
24 going to give money to Mr. Harrison, the youngest
25 one of you, to go to the front door, who was that?

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 A. Nobody idea.

2 Q. No one's idea?

3 A. No.

4 Q. You just give him money for no reason?

5 A. Yeah.

6 Q. Your testimony is you just gave him
7 money for no reason whatsoever?

8 A. Yeah.

9 Q. Mr. Green, I don't think you're
10 explaining things fully. Mr. Green, there must
11 have been a discussion as to why Mr. Harrison was
12 going to go to the door and how much money there
13 was to give him to extensively go purchase this
14 marijuana; correct?

15 A. Correct.

16 Q. Please tell us about that discussion.

17 A. I just did.

18 Q. No, sir, you didn't. What was the
19 discussion? How much was it that you gave him?
20 Who gave him what? And why was it Mr. Harrison
21 decided, not Mr. Guinyard, to go to the door?

22 A. I can't answer that question because it
23 been five years.

24 Q. But you seem to be very clear on other
25 details though.

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 A. Right, because I studied my paperwork.

2 Q. I'm sorry.

3 A. Because I studied my paperwork.

4 Q. You studied what paperwork?

5 A. My motion.

6 Q. You mean your discovery?

7 A. That's right.

8 Q. You don't remember any of the other
9 details of that evening?

10 A. Nah.

11 Q. No?

12 A. (Nodded.)

13 Q. Are you sure it was Mr. Harrison in the
14 car then?

15 A. Yes, I am.

16 Q. Well, I'm just saying, you're certain
17 about some things, but not about other things;
18 correct?

19 A. (No response.)

20 Q. Is that correct?

21 A. That's right.

22 Q. How much marijuana were you going to
23 purchase?

24 A. I don't have no idea.

25 Q. You don't remember?

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 A. No.

2 Q. How much money did you give him?

3 A. I can't remember.

4 Q. You don't remember how much money you
5 gave him?

6 A. No.

7 Q. How much money did Mr. Guinyard give
8 him?

9 A. I don't know.

10 Q. You don't remember that either?

11 A. No.

12 Q. So you just remember the things that
13 are convenient for you to remember?

14 A. I can remember things that I can
15 remember.

16 Q. Again, but you don't seem to remember
17 any details except for the ones that are convenient
18 to you; isn't that correct, Mr. Green?

19 A. No, I don't remember much. Near
20 crossing me for five years at Orangeburg County
21 Detention Center, you won't remember so much.

22 Q. But again, the things that are
23 convenient for you, you remember a lot about.

24 A. Right.

25 Q. Right?

1 A. (Nodded.)

2 Q. All right, Mr. Green. So again, no
3 discussion as to why a 16-year-old was sent to the
4 front door, not you, who you were 18; right?

5 A. That's right.

6 Q. You had a driver's license; right?

7 A. No, I didn't.

8 Q. You didn't have a driver's license.
9 You said you were the only who can drive?

10 A. I can.

11 Q. Explain that. How is it you could
12 drive if you didn't have a driver's license?

13 A. It don't mean necessary to have a
14 driver's license to know how to drive.

15 Q. Sir, that's the law. That's exactly
16 what it means.

17 A. Not everybody follow the law.

18 Q. Including you?

19 A. Yeah, you could say that.

20 Q. So you don't follow the law either, do
21 you?

22 A. Obviously, because I was driving
23 without no license.

24 Q. So, Mr. Green, do you know if
25 Mr. Guinyard had a license?

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 A. No, I don't think so.

2 Q. He didn't have a license either?

3 A. No, I don't think so.

4 Q. Did Mr. Harrison have a license?

5 A. No, he couldn't, he was young.

6 Q. He was 16-years-old?

7 A. That's right.

8 Q. You can have a license at 16 in this
9 state. So why was it you chosen to drive and not
10 Mr. Guinyard or Mr. Harrison?

11 A. I just told you because I can drive.

12 Q. No, you can't, sir. You didn't have a
13 driver's license. None of you could drive. That's
14 your testimony; correct? None of you could drive
15 because none of you had a license and none of you
16 were following the law is what your testimony is;
17 correct?

18 A. That's right.

19 Q. And you don't remember how much money
20 you gave him?

21 A. No.

22 Q. You don't know whose house it was?

23 A. Nah.

24 Q. Do you know how many shots were fired?

25 A. No, I don't. It was multiple.

1 Q. You don't know anything, do you?

2 A. Nah.

3 Q. About -- okay. So what happened after
4 you sent a 16-year-old to the door to go purchase
5 drugs apparently because you and Mr. Guinyard,
6 what, you just didn't feel like going to purchase
7 drugs? I mean, as the older kids, why did you send
8 the younger kid to go do that?

9 A. I ain't never send nobody to do
10 nothing.

11 Q. You didn't get out of the car?

12 A. No, I didn't.

13 Q. Why did you let him get out of the car?

14 A. I don't know.

15 Q. You don't know?

16 A. No.

17 Q. You don't know how much money you gave
18 him?

19 A. No.

20 Q. How much marijuana did you want to
21 purchase?

22 A. I don't know.

23 Q. You don't remember how much marijuana
24 you wanted?

25 A. No.

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 Q. Okay. So Mr. Harrison, the younger one
2 of your group, gets out of the car and goes to the
3 front door. And what were you doing?

4 A. I was on my phone.

5 Q. Meaning you were looking at social
6 media? Making a phone call? Texting? What were
7 you doing?

8 A. I was looking at social media.

9 Q. How do you remember that but not
10 anything else?

11 A. Because I had my phone in my hand.

12 Q. But you remember you were looking at
13 social media five years ago, but you don't seem to
14 remember why you were going there, how much money
15 you gave him, whose house it was, how many shots
16 were fired; is that correct?

17 A. That's correct.

18 Q. But you certainly seem to know what you
19 were doing precisely at that moment even though it
20 was five years ago; is that correct?

21 A. That's correct.

22 Q. Oh, interesting memory you have,
23 Mr. Green. So, Mr. Green, you testified that right
24 after you sent Mr. Harrison to the front door, you
25 heard shots?

1 A. That's right.

2 Q. From directly behind you; is that
3 correct?

4 A. That's right.

5 Q. And what did you do next?

6 A. I pulled off.

7 Q. You just put the car in gear?

8 A. That's right.

9 Q. And why did you do that?

10 A. Because I thought we was getting shot
11 at.

12 Q. You thought you were getting shot at.
13 But those shots must have been extremely loud if
14 they were that close to you; correct?

15 A. Right.

16 Q. So the shot -- you were getting shot at
17 from inside your car; is that your testimony?

18 A. When I heard the shots, I pulled off.

19 Q. Okay. From inside your car? Did Mr.
20 Guinyard get out of the car?

21 A. Nah, he didn't.

22 Q. Because that's what I believe your
23 previous testimony was Mr. Guinyard didn't even
24 leave the vehicle; correct?

25 A. (No response.)

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 Q. Correct?

2 A. He didn't.

3 Q. Okay. So the shots were coming inside
4 the car?

5 A. No, it wasn't coming inside the car.
6 It just sound real close.

7 Q. So your testimony is, the person
8 sitting directly behind you with a weapon, opens
9 fire without leaving the vehicle, but somehow they
10 sounded close, but not directly behind you?

11 A. That's right.

12 Q. Okay. What happened after that?

13 A. I just tell you, I pull off.

14 Q. You left the driveway and then what
15 happened?

16 A. And they were like, you leaving him.
17 I'm like, leaving who?

18 Q. Who said?

19 A. Calik.

20 Q. Calik says what?

21 A. That you're leaving him.

22 Q. Leaving who?

23 A. I was like, leaving who?

24 Q. You said, leaving who? What did Calik
25 say?

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 A. He say, Harrison.

2 Q. And what did you do?

3 A. I stopped.

4 Q. But somebody was shooting at you;
5 correct?

6 A. Correct.

7 Q. And you're saying to me, that your
8 impression was you were being fired upon?

9 A. Right.

10 Q. And yet you stopped the vehicle?

11 A. Right.

12 Q. Allow Mr. Harrison to catch up to you?

13 A. Exactly.

14 Q. But you were going to leave
15 Mr. Harrison even though you thought someone was
16 firing upon you guys?

17 A. Yeah.

18 Q. Forget Mr. Harrison; huh?

19 A. First instinct.

20 Q. So you were just going to desert
21 Mr. Harrison to whatever his fate may be; is that
22 correct?

23 A. That's correct.

24 Q. A 16-year-old?

25 A. Right.

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 Q. You're not a very good friend, are you,
2 Mr. Green?

3 A. I guess not.

4 Q. Okay. And then you dropped off
5 Mr. Harrison and Mr. Guinyard. Where was that?

6 A. Coleman Avenue. I ain't drop nobody
7 off, I left.

8 Q. So you drove the car to where?

9 A. Coleman Avenue.

10 Q. Colmie (phonetic)?

11 A. Coleman.

12 Q. Coleman Avenue.

13 A. C-O-L-E-M-A-N.

14 Q. Why did you drive to Coleman Avenue?

15 A. You say, why?

16 Q. Why?

17 A. No particular reason.

18 Q. All right. So you just been -- you
19 just heard gunshots; right?

20 A. Right.

21 Q. So you must have figured out by that
22 point, Mr. Guinyard was the one who fired; correct?

23 A. Yeah.

24 Q. How did you figure that out?

25 A. You say, how did I figure that out?

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 Q. Correct.

2 A. Because he highlight he been shooting
3 guns.

4 Q. Sorry. He --

5 A. He highlight he been shooting guns.

6 Q. He said, I'm shooting guns?

7 A. Right.

8 Q. Was that before or after you picked up
9 Mr. Harrison?

10 A. It's after.

11 Q. So Mr. Harrison got back in the
12 vehicle?

13 A. Yeah, he did.

14 Q. But you had no plan on doing this
15 before?

16 A. No.

17 Q. So Mr. Harrison was under the belief
18 that he was going to purchase marijuana?

19 A. Yes, sir.

20 Q. So Mr. Harrison had no idea that you
21 were going to hit somebody; is that correct?

22 A. No, sir.

23 Q. Sir?

24 A. No, sir.

25 Q. He didn't know?

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 A. No, ain't nobody know.

2 Q. Well, someone must have known; correct?

3 A. Right.

4 Q. But Mr. Harrison didn't know that; is
5 that your testimony?

6 A. I believe so.

7 Q. Okay. Because you gave him some money;
8 is that your testimony?

9 A. Right.

10 Q. You just don't know how much?

11 A. Right.

12 Q. And you asked him to go buy a certain
13 amount of marijuana; correct?

14 A. Right.

15 Q. You just don't remember how much?

16 A. No.

17 Q. Did he come back with marijuana?

18 A. Say again?

19 Q. Did he come back with any marijuana?

20 A. How could he come back with marijuana
21 when I tell you that shots were being hired?

22 Q. Sir, I wasn't there. I'm asking you.

23 A. And what I just tell you?

24 Q. And what did you tell me?

25 A. (No response.)

1 Q. Shots were fired extensively. He went
2 up there to go purchase marijuana; correct?

3 A. Right.

4 Q. Shots were fired, you took off. Calik
5 says stop the car because you're leaving Harrison;
6 right?

7 A. Right.

8 Q. It's amazing Mr. Guinyard has more
9 concern for Mr. Harrison than you do, but, okay.
10 So my client gets back in the vehicle and you drive
11 to Coleman Avenue; correct?

12 A. Right.

13 Q. And you just randomly driving around
14 now?

15 A. Say again?

16 Q. You are randomly driving around or you
17 just went to Coleman Avenue for a purpose?

18 A. No, that's where we normally be at.

19 Q. Sorry?

20 A. That's where we normally be at.

21 Q. You normally be at Coleman Avenue. Why
22 is that?

23 A. Because we got peers that stay up over
24 there.

25 Q. You have -- I'm sorry, sir.

ALOYSIUS GREEN - CROSS-EXAMINATION BY MR. FARLEY

1 A. We got peers that stay over there.

2 Q. You've got friends?

3 A. Yeah, that's right.

4 Q. So you have friends. So you went to a
5 friend's house?

6 A. Right.

7 Q. Okay. So you got out of the vehicle
8 and they drove off? What happened?

9 A. I got out. I don't know what he did.

10 Q. I'm asking you, did you -- did
11 Mr. Harrison leave with Mr. Guinyard or did he get
12 out --

13 A. I'm not sure.

14 Q. You don't remember?

15 A. No, I don't.

16 Q. So another thing you don't remember?

17 A. No, because I left.

18 Q. Well, no, you drove to Coleman Avenue;
19 correct?

20 A. I did.

21 Q. You don't remember -- you got out of
22 the car. Do you remember who else got out of the
23 car?

24 A. No, I do not.

25 Q. So don't remember anything about that

1 either?

2 A. No.

3 Q. Okay. So what happened after that?

4 Somebody got off -- who drove away in the car?

5 A. I don't know.

6 Q. You don't remember?

7 A. No, I don't.

8 Q. A whole lot you don't remember about
9 that night, Mr. Green.

10 A. Not --

11 Q. Sir?

12 A. No, I don't.

13 Q. Anything else you want to tell us about
14 that night, Mr. Green?

15 A. No, it's not.

16 Q. Do you remember anything else about
17 that night, Mr. Green?

18 A. No, I do not.

19 Q. How is it you found out the next day
20 that the victim was killed, Mr. Green?

21 A. I got phone calls.

22 Q. By whom?

23 A. Numerous of people.

24 Q. Friends of yours?

25 A. No, not even friends of mine.

ALOYSIUS GREEN - CROSS-EXAMINATION BY MS. GAY

1 Q. Random strangers?

2 A. No, I wouldn't say they strangers.

3 Q. Not friends? Not strangers?

4 A. Right. Associates.

5 Q. Acquittances? Is that fair to say?

6 A. Yeah, something like that.

7 Q. Do you remember though?

8 A. No, I do not.

9 Q. You don't remember that either?

10 A. No.

11 Q. A whole lot you don't remember about
12 this incident, do you, Mr. Green?

13 A. No.

14 MR. FARLEY: No further questions, Your
15 Honor.

16 THE COURT: Ms. Gay, any questions?

17 MS. GAY: Yes, ma'am. Thank you.

18 CROSS-EXAMINATION

19 BY MS. GAY:

20 Q. Mr. Green, I'm Melisa Gay. How are
21 you?

22 A. I'm all right.

23 Q. So, Mr. Farley asked you a bunch of
24 things that you said you can't remember and I
25 appreciate that. So, the person that lived at this

1 house was a kid by the name of Trevon. You know
2 that; right?

3 A. No, I do not.

4 Q. So your testimony is that you didn't
5 even know that Trevon's family is the family of the
6 house that you went to?

7 A. That's right.

8 Q. Okay. And also, you said that -- so
9 pursuant to all the stuff going on, the white car
10 that you were driving that day was a stolen
11 vehicle, wasn't it?

12 A. I'm not sure.

13 Q. You don't know that it was a stolen
14 vehicle?

15 A. No, ma'am.

16 Q. Now, you told the jury that you've read
17 your paperwork, read your discovery, it's clear
18 that the car was stolen; right?

19 A. No, I ain't seen that.

20 Q. So you don't even know that?

21 A. No.

22 Q. Okay. So, when the car came up, who
23 was driving it when it came to pick you up?

24 A. Calik.

25 Q. Okay. Mr. Guinyard was driving that

ALOYSIUS GREEN - CROSS-EXAMINATION BY MS. GAY

1 white car?

2 A. That's right.

3 Q. That you don't know that it was stolen?

4 A. No.

5 Q. Do you know what happened to that car
6 after that evening?

7 A. No, I do not.

8 Q. So you don't know that it eventually
9 was just found by the police as a stolen car?

10 A. No.

11 Q. Okay. So, when you were -- came in the
12 area, the neighborhood, your testimony is that you
13 were the driver and that you backed up, like,
14 tail-end first towards the house; right?

15 A. Right.

16 Q. Okay. And then you said that -- I
17 think that Mr. Farley said, so you got close enough
18 to almost be bumper-to-bumper?

19 A. No.

20 Q. Like, when you were backing up, there
21 was another car in the driveway?

22 A. There was.

23 Q. And so you had to, like, make space and
24 pull up behind it; right?

25 A. No.

1 Q. Okay. So how did that work?

2 A. I just backed in. Didn't have to make
3 no space.

4 Q. So, when you backed in, how far were
5 you from the car that was already in the driveway?

6 A. I'm not sure.

7 Q. Okay. So -- and then you said, which
8 Mr. Farley went over, that when you heard shots,
9 you decided to put it in gear and drive?

10 A. Yes, ma'am.

11 Q. And that's when Mr. -- you claim, Mr.
12 Guinyard, but somebody said that wait a minute,
13 you're leaving him behind which is Mr. Harrison?

14 A. That's right.

15 Q. And so for sure, Mr. Harrison is
16 supposed to be the guy who walked up and knocked on
17 the door. But your testimony was is that there had
18 been no discussion in the car what he was supposed
19 to do when he got to the door?

20 A. (No response.)

21 Q. Okay. So you said you didn't talk
22 about it?

23 A. No.

24 Q. Nobody talked about what he was
25 supposed to say or do when he went to the door?

ALOYSIUS GREEN - REDIRECT EXAMINATION BY MS. MILES

1 A. Our reason for going there was buying
2 weed.

3 Q. Well, your reason for going there, but
4 Mr. Farley specifically asked what was said in the
5 car about it and you said, I don't remember; right?

6 A. You said what was said in the car when
7 we was there.

8 Q. Correct. That you said --

9 A. There was nothing said in the car we
10 was there about anything. The discussion was
11 already made to go buy marijuana before we even got
12 there.

13 Q. So this is the question. So you're
14 supposed to be sending Mr. Harrison up to the door
15 with money to buy weed. But your testimony here is
16 that you had no conversation about here's the
17 money, go get some weed. None of that was
18 discussed in the car, that's your testimony?

19 A. It was discussed in the car, but it was
20 discussed when we got there.

21 Q. Oh, okay. So now you're changing the
22 story.

23 A. No, it wasn't never changing the story.
24 You're trying to mix my story up.

25 Q. Well, what you actually said before was

1 | that there was no conversation?

2 | A. Say again?

3 | Q. You said before that there was no
4 | conversation about it, but now you're saying there
5 | was? Your story, your version is that now when you
6 | got to the house there was some talking about
7 | buying the weed?

8 | A. I never said when we got to the house.
9 | You're trying to twist my words up.

10 | Q. Just can you tell the jury, that's
11 | these people over here, what it is that happened
12 | when you got to the house about the marijuana.

13 | A. It was never no marijuana being
14 | purchased. Shots being fired. That's it. That's
15 | all.

16 | MS. GAY: I have no further questions.

17 | THE COURT: Any redirect?

18 | MS. MILES: Just briefly, Your Honor.

19 | REDIRECT EXAMINATION

20 | BY MS. MILES:

21 | Q. Aloysius, Defense counsel asked you a
22 | lot about Sayquan being 16. You were 18 at the
23 | time; correct?

24 | A. Yes, ma'am.

25 | Q. So y'all weren't too far apart in age?

ALOYSIUS GREEN - REDIRECT EXAMINATION BY MS. MILES

1 A. No, ma'am.

2 Q. And they asked you if you were having
3 issues, if you were having romantic issues. Were
4 you and your girlfriend in an argument?

5 A. Yes, ma'am.

6 Q. Okay. Defense counsel also asked you
7 what your plan was when they picked you up. Being
8 16 and 18-year-old kids, would y'all always have a
9 specific plan when you hung out together?

10 A. Not necessarily.

11 Q. Okay. Was sometimes the plan just to
12 get together?

13 A. Yeah, smoke.

14 Q. Okay. Defense counsel asked you about
15 the marijuana, how much you wanted, how much money
16 you gave them, did y'all frequently smoke
17 marijuana?

18 A. Yes, ma'am.

19 Q. Did y'all frequently purchase
20 marijuana?

21 A. Yes, ma'am.

22 Q. Okay. Is it fair to say that you
23 wouldn't have a memory about a lot of the times
24 that you purchased marijuana?

25 A. Right.

1 Q. Okay. Is it fair to say that you would
2 remember that less than the shooting of a person
3 that killed someone?

4 A. Yes, ma'am.

5 Q. Okay. Defense counsel asked you about
6 who had weapons and whether that concerned you. In
7 your group of friends, was it common that people
8 had weapons on them?

9 A. Yes, ma'am.

10 Q. Was it common that Calik would have a
11 weapon on him?

12 A. Yes, ma'am.

13 Q. Was it common that Sayquan would have a
14 weapon on him?

15 A. Sometimes.

16 Q. Okay. So that didn't unnerve you
17 because you were used to that?

18 A. Yes, ma'am.

19 Q. Okay. They asked you a lot about
20 Sayquan going to the door. Do you know why he went
21 to the door?

22 A. To buy weed, yes, ma'am.

23 Q. Okay. Did you send him to the door?

24 A. No, ma'am.

25 Q. Okay. I know there's some confusion

1 over this conversation. Y'all did have a
2 conversation about purchasing weed?

3 A. Yes, ma'am.

4 Q. Okay. Was that before y'all left where
5 you were and got in the car?

6 A. Yes, ma'am.

7 Q. Okay. Was there also some in the car?

8 A. Say again?

9 Q. Did y'all also talk about it while you
10 were in the car driving?

11 A. No, ma'am. We discussed already --

12 MS. GAY: Your Honor, I would object to
13 leading at this point.

14 THE COURT: Sustained.

15 MS. MILES: I'll rephrase.

16 Q. When Defense counsel asked you about
17 whether you had a conversation about purchasing
18 weed and you said you didn't have a conversation.
19 When were you referring to?

20 A. Talking we had a conversation about
21 buying marijuana?

22 Q. Yes.

23 A. Like, when we was at Roosevelt Gardens.

24 Q. Okay. And so what you're saying is
25 there had been previous conversations about it?

1 A. Yes, ma'am. Just wasn't never no
2 conversation when we got to that location.

3 Q. Okay. So when Defense counsel asked
4 you if you had a conversation at this specific
5 location, you said, no. Why? Because the
6 conversation had happened prior?

7 A. Yes, ma'am.

8 Q. Okay. Defense counsel asked you about
9 that you just drove off and left Sayquan. Did you
10 know what was happening when you heard gunshots?

11 A. No, ma'am. I felt like we was getting
12 shot at.

13 Q. Okay. And so you weren't even sure
14 what was happening in general. And where did you
15 feel like they were coming from?

16 A. I don't know where they was coming
17 from.

18 Q. Okay. Did you tell Defense counsel
19 that you felt like they were close?

20 A. Yes, ma'am, they was close.

21 Q. Okay.

22 MS. MILES: Beg the Court's indulgence.

23 Q. Aloysius, I believe that's all the
24 questions that I have. Thank you.

25 A. You're welcome.

ALOYSIUS GREEN - RECROSS-EXAMINATION BY MR. FARLEY

1 MR. FARLEY: Your Honor, can I have a
2 brief recross?

3 THE COURT: Just very briefly because
4 there's really nothing new brought out, Counsel.

5 MR. FARLEY: Well, Your Honor, I still
6 think that the discussions and I think the witness
7 did not understand my question. My question was,
8 was there any discussion about the purchase of
9 marijuana? His earlier answer was, no. But
10 apparently he misunderstood my question and thought
11 at the time you were at the home was there any
12 discussion.

13 May I rephrase that one question?

14 RECROSS-EXAMINATION

15 BY MR. FARLEY:

16 Q. Was there any discussion, and please
17 describe the discussion as you recall it or at
18 least as best as you can recall it, whether that be
19 when you were picked up at Roosevelt Gardens or in
20 transit about marijuana, what you were going to do
21 at the house, and who was going to go purchase it?

22 A. I can't describe all that to you. Only
23 thing I can tell you that we went there to buy
24 weed.

25 Q. But you said there was a discussion at

1 | Roosevelt Gardens now?

2 | A. To go buy weed, yeah.

3 | Q. What was that discussion?

4 | A. To go buy some weed.

5 | Q. That was it?

6 | A. That was it.

7 | Q. Let's go buy weed?

8 | A. Yeah, that's right.

9 | Q. And nobody said at this specific house
10 | because I know this guy?

11 | A. Yeah.

12 | Q. Please tell us about that.

13 | A. Calik tell me to, oh, pull right up
14 | over here.

15 | Q. Calik told you -- so now there is
16 | discussion. Okay. So Calik tells you to go to
17 | this person's house?

18 | A. That's right.

19 | Q. Did he tell you whose house it was?

20 | A. No, sir.

21 | Q. Did he tell you -- what was the
22 | discussion about purchasing marijuana?

23 | A. There was never no discussion about
24 | purchasing -- we discussed to go buy weed. That's
25 | it.

ALOYSIUS GREEN - RECROSS-EXAMINATION BY MR. FARLEY

1 Q. When?

2 A. You keep asking me the same question.
3 Stop asking me the same question.

4 Q. Well, tell me about the conversation.

5 A. I just tell you about the conversation.

6 Q. No, you didn't. You've not discussed
7 this prior conversation at all, Mr. Green. Please
8 tell us what the conversation was.

9 A. I ain't got no more to say.

10 MS. MILES: Your Honor, we would
11 object. We believe it's been asked and answered as
12 to what the conversation was. He has testified his
13 knowledge on what the conversation and the extent
14 of the conversation. I think at this point we're
15 kind of going in circles.

16 MR. FARLEY: Your Honor --

17 THE COURT: I think, Mr. Farley, just
18 break down your question. I think the question is
19 very broad. You talked about Roosevelt Gardens,
20 the ride at the home. If you can break down your
21 question as to specifically, you can ask him just
22 specifically one more time exactly at each location
23 instead of one linked together.

24 MR. FARLEY: Well, Your Honor, I was
25 simply asking him -- and again, I would disagree

1 with fellow counsel. I've asked the question, he
2 has not yet answered the question. He keeps
3 alluding to a conversation. But then he doesn't
4 seem to be able to describe any -- the specifics of
5 the conversation, just a generalize, we went to go
6 buy weed.

7 Q. Do you not recall why you were going to
8 this house? Who was it you were going to meet?
9 Whose idea --

10 THE COURT: Break those down one at a
11 time, Counsel. Why --

12 Q. Who suggested to go buy weed?

13 A. All of us.

14 Q. You earlier you said it was Calik. Was
15 it Calik?

16 A. No, I don't remember saying that
17 earlier.

18 Q. You just don't remember a whole lot, do
19 you?

20 A. (No response.)

21 MR. FARLEY: All right. No further
22 questions, Your Honor.

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

25 MS. MILES: Your Honor, may we

1 approach?

2 THE COURT: Yes, ma'am.

3 (WHEREUPON, there was a bench
4 conference.)

5 THE COURT: All right. Ladies and
6 gentlemen of the jury, it's about 12:22, so it is a
7 good time for us to take our lunch break. If you
8 would be back in your jury room in one hour then
9 we'll resume with the trial of the case. So maybe
10 you can be back a couple of minutes early then we
11 can get started right back on time.

12 And again, please remember my previous
13 instruction not to discuss this case amongst
14 yourselves or with anyone else. If you need lunch
15 recommendations, this fine gentleman here will
16 direct you in the right direction and have a nice
17 lunch. We'll see you in an hour.

18 (WHEREUPON, the jury left the courtroom
19 at 12:23 p.m.)

20 THE COURT: All right, Counsel. We'll
21 be at recess for one hour.

22 MS. MILES: Okay. Thank you, Your
23 Honor.

24 (WHEREUPON, there was a lunch break.)

25 THE COURT: Can we go ahead and get the

1 Defendants?

2 THE DEPUTY: Yes, ma'am.

3 MS. MILES: Your Honor, may I approach?

4 THE COURT: Yes, ma'am.

5 (WHEREUPON, there was a bench
6 conference.)

7 THE COURT: Is everyone ready for the
8 jury?

9 MR. FARLEY: I'm ready, Your Honor.

10 MS. MILES: I think we're ready as soon
11 as she's up. I don't know if we're going to wait
12 on her before the jury comes in or just wait --

13 THE COURT: Why don't we do this, we'll
14 go ahead and put her on the witness stand so that
15 the way she comes in is no different from any other
16 witness in the jury's mind.

17 MS. MILES: Okay. Thank you.

18 THE COURT: And this is Jasmine Stokes;
19 is that correct?

20 MS. MILES: Yes, ma'am.

21 (WHEREUPON, Ms. Stokes entered the
22 courtroom.)

23 THE COURT: You can just stay right
24 there, we're going to bring in the jury first and
25 then we'll have you sworn in.

JASMINE STOKES - DIRECT EXAMINATION BY MS. MILES

1 All right. Let's have our jury,
2 please.

3 (WHEREUPON, the jury entered the
4 courtroom at 1:51 p.m.)

5 THE COURT: Welcome back, ladies and
6 gentlemen of the jury. We're now ready to proceed.

7 Solicitor, if you'd please call your
8 next witness.

9 MS. MILES: The State calls Jasmine
10 Stokes.

11 JASMINE STOKES,
12 being first duly sworn, was examined and testified
13 as follows:

14 THE CLERK: Can you please state your
15 name for the record?

16 MS. STOKES: Jasmine Stokes.

17 THE CLERK: Thank you.

18 DIRECT EXAMINATION

19 BY MS. MILES:

20 Q. Ms. Stokes, where did you live in
21 December of 2020?

22 A. Whittaker Parkway.

23 Q. Okay. Is that by [REDACTED] Myers Road?

24 A. Well, actually, it's in front of the
25 Whittaker Parkway. The elementary school, yeah.

1 Q. Okay. And were you a neighbor in the
2 area of [REDACTED] Myers Road?

3 A. Yeah.

4 Q. Okay. On the night of December 14,
5 2020, were you able to see a car pull up at that
6 address?

7 A. I didn't see anyone pull up at the
8 time. I just know when I looked outside, I seen a
9 vehicle outside.

10 Q. Okay. You saw a vehicle outside?

11 A. Yeah.

12 Q. Okay. And what did you see next?

13 A. Well, before I even did any of that, I
14 called the police because I heard, like, shooting.
15 And I was a little bit worried. I didn't know what
16 was going on. All I know was, I look out the
17 window. I see somebody walking to a car. It was a
18 white car. And that was it.

19 Q. Okay. You said you heard shooting?

20 A. Yeah.

21 Q. Okay. Did you recognize anybody?

22 A. (Nodded.)

23 MS. MILES: That's all the questions I
24 have. Thank you.

25 THE COURT: Cross-examination?

JASMINE STOKES - CROSS-EXAMINATION BY MS. GAY

1 CROSS-EXAMINATION

2 BY MR. FARLEY:

3 Q. Ms. Stokes; is that right? And just to
4 be clear, Ms. Stokes, your testimony was that you
5 looked out the window because you heard shots?

6 A. Yeah.

7 Q. And then when you looked out the
8 window, you saw a vehicle?

9 A. Uh-huh.

10 Q. That you didn't recognize; is that
11 correct?

12 A. Yes.

13 Q. And you said you saw a figure walking?

14 A. Just basically someone walking towards
15 the vehicle.

16 Q. Were you able to identify that figure
17 at all?

18 A. No.

19 Q. Okay. Did you see anything else,
20 Ms. Stokes?

21 A. No.

22 Q. That's all the questions I have. Thank
23 you.

24 THE COURT: Ms. Gay?

25 MS. GAY: Thank you, Your Honor.

1 CROSS-EXAMINATION

2 BY MS. GAY:

3 Q. I'm just going to stand right over
4 here. So my name is Melisa Gay. Hey, how are you?
5 So you're in your house and you heard the shots.
6 And then you said you called 9-1-1 first?

7 A. Yes.

8 Q. Okay. And then you looked out the
9 window? Your door? Or what?

10 A. Out the window. Because my -- the way
11 that my window is positioned is basically close by
12 the house.

13 Q. Okay. So when you looked, did you see
14 the house also when you were looking out?

15 A. Yeah, I could see the house.

16 Q. And did you see that there was a car
17 parked in the parking space of the house?

18 A. I didn't see anyone parked there. I
19 only seen when someone came out and they just drove
20 off.

21 Q. Okay. When you say, came out, came out
22 of what?

23 A. As in walking out the home.

24 Q. Out of the home.

25 A. Walking out the home.

TERRY LOGAN - DIRECT EXAMINATION BY MS. MILES

1 Q. Away from the house?

2 A. The way that they were parked, it was
3 basically in front of the home. Like, you know how
4 you park in your garage or something like that?
5 You back in. That's how it was.

6 Q. Okay. So there was someone like that
7 and then someone came out from the front door area?

8 A. I didn't see anyone come out.

9 Q. I'm not asking if you saw them come out
10 --

11 A. I'm just going to say this, okay. All
12 I saw was someone walking towards the vehicle.
13 They got in and they left. I didn't see who the
14 person was. I didn't see their figure. I didn't
15 see anything. All I know was, I hear somebody
16 shooting. I look out the window. I called the
17 police. That was it.

18 Q. I have no further questions. Thank you
19 very much.

20 THE COURT: Anything?

21 MS. MILES: Nothing from the State and
22 we would ask that she be released from her
23 subpoena.

24 THE COURT: Any objection?

25 MR. FARLEY: No objection, Your Honor.

TERRY LOGAN - DIRECT EXAMINATION BY MS. MILES

1 MS. GAY: No objection, Your Honor.

2 THE COURT: All right. Ms. Stokes,
3 you're free to go.

4 You may call your next witness.

5 MS. MILES: Thank you, Your Honor. The
6 State calls Terry Logan.

7 TERRY LOGAN,
8 being first duly sworn, was examined and testified
9 as follows:

10 THE CLERK: Can you please state your
11 name for the record.

12 MR. LOGAN: Terry Logan.

13 THE CLERK: Thank you.

14 THE COURT: Your witness.

15 MS. MILES: Thank you, Your Honor. May
16 it please the Court?

17 DIRECT EXAMINATION

18 BY MS. MILES:

19 Q. Investigator Logan, where are you
20 currently employed?

21 A. I'm the assistant chief of Pelion
22 Police Department, Pelion, South Carolina.

23 Q. Okay. And what do you do there?

24 A. I'm the assistant chief. I run
25 day-to-day operations at the police department.

TERRY LOGAN - DIRECT EXAMINATION BY MS. MILES

1 Q. Okay. And prior to going to Pelion for
2 that position, at some point, did you work for the
3 Orangeburg County Sheriff's Department?

4 A. Yes, I did.

5 Q. Okay. Would that have included the
6 timeframe of back in 2020?

7 A. Yes.

8 Q. Okay. In the months of December 2020,
9 what type of things would you be doing at the
10 sheriff's department? What were some of your roles
11 then?

12 A. Major crimes. You have burglary tasks
13 which would be major crimes. I was working in the
14 major crimes section which dealt with most of the
15 shootings and people crimes.

16 Q. Okay. And were you involved in a
17 homicide investigation of Karl Williams in December
18 of 2020?

19 A. Yes, I was.

20 Q. Okay. And when did you first become
21 involved in that investigation?

22 A. I believe it was December 15th, the day
23 after the actual incident.

24 Q. Okay. Would you have been assigned the
25 case by a supervisor or somebody else who had been

1 on the scene?

2 A. That's correct.

3 Q. Okay. So you didn't respond to the
4 scene that night however?

5 A. No.

6 Q. Okay. For the first few days after a
7 homicide generally speaking, what steps does your
8 department do to try and identify or apprehend
9 people involved, things of that nature?

10 A. It's all hands on deck. We canvas the
11 area of the incident, go door to door, talk to
12 anybody that potentially may have information about
13 the incident, and we look for surveillance video of
14 the incident.

15 Q. Okay. And you mentioned looking for
16 video, were you able to find any video?

17 A. Yes.

18 Q. Okay. Tell me about that.

19 A. Dr. Simpson at Whittaker, the school
20 right there, was able to find some video matching a
21 vehicle that we were looking for.

22 Q. Okay. When you tell me you were
23 looking for a vehicle, what type of vehicle or what
24 color vehicle? Tell me more about the vehicle you
25 were looking for.

TERRY LOGAN - DIRECT EXAMINATION BY MS. MILES

1 A. A white vehicle. Couldn't tell you
2 much more than that. We knew it was white, maybe a
3 medium size vehicle.

4 Q. Okay. And were you able to yourself
5 observe video surveillance of a white vehicle?

6 A. Yes.

7 Q. Tell me a little bit about where Myers
8 Road is, particularly this address, in relation to
9 where the school would be.

10 A. Almost directly across the street.
11 Sitting at the crossroads there. And it's directly
12 across from that corner of Myers Road and Whittaker
13 Parkway.

14 Q. Okay. So Myers Road and Whittaker
15 Parkway kind of cross --

16 A. Right.

17 Q. Okay. And so that's why that video
18 would have -- was helpful?

19 A. Correct.

20 Q. Okay. What was Dr. Simpson going to
21 try and do with the video?

22 A. She was trying to download the video
23 for us. We reviewed the video, but she was going
24 to try to download it for us.

25 Q. Okay. Do you know whether or not she

1 | was ever able to do that?

2 | A. I honestly don't know.

3 | Q. Okay. But in reviewing that video
4 | yourself, you were able to -- what color was the
5 | vehicle?

6 | A. White.

7 | Q. Okay. What did you do next in the
8 | investigation after you talked with Dr. Simpson at
9 | Whittaker School?

10 | A. We tried to locate Ms. Mary Tobin.

11 | Q. Okay. Now, Ms. Tobin, who would she
12 | have been related to in this investigation?

13 | A. She's the sister of the victim, Karl
14 | Williams, and the mother of Andrew Tobin.

15 | Q. Okay. And you mentioned that she was
16 | the mother of Andrew Trey Tobin. Why did you want
17 | to speak with Tracey Tobin and her son?

18 | A. Well, we had information that he was
19 | having issues or words with another subject.

20 | Q. Okay. And based on your investigation,
21 | were you having concerns? Or were you
22 | investigating the potential that that could have
23 | been involved with this? Or tell me about that.

24 | A. A little bit of all of that because we
25 | wasn't sure of what the involvement was. We just

TERRY LOGAN - DIRECT EXAMINATION BY MS. MILES

1 | knew that they had had words on Facebook from our
2 | understanding.

3 | Q. Okay. And what was your understanding
4 | of who all lived in the home on Myers Road?

5 | A. At the time of the shooting, it was
6 | just Ms. Barbara Williams and our victim, Karl
7 | Williams.

8 | Q. Okay.

9 | A. Months prior to that, Ms. Tobin and her
10 | son lived at the residence.

11 | Q. Okay. So Ms. Tobin and Trey had lived
12 | there at some point prior?

13 | A. Correct.

14 | Q. But had moved out?

15 | A. Correct.

16 | Q. Okay. At some point, were you able to
17 | talk with Trey Tobin?

18 | A. Initially, he didn't want to speak to
19 | law enforcement. When we finally did get to talk
20 | to him, he said that he hadn't dealt with Aloysius
21 | Green in years and didn't have any issues with
22 | anyone.

23 | Q. Who was Aloysius Green in your
24 | investigation at that time?

25 | A. At the time, he was friends -- or they

1 | was some type of associate with Andrew Tobin. We
2 | were still trying to establish that.

3 | Q. Okay. And so you were trying to
4 | determine what the nature of their current
5 | relationship had been?

6 | A. Right.

7 | Q. Okay. And I think you had just stated
8 | that he had denied any issues at the time dealing
9 | with him?

10 | A. Right.

11 | Q. Who did you begin looking for next
12 | after Mr. Tobin?

13 | A. Lavore Guinyard.

14 | Q. Okay. And what is Lavore Guinyard's
15 | connection to any of these people?

16 | A. From the information we were getting,
17 | he was some type of associate with Aloysius,
18 | Aloysius Green.

19 | Q. Okay. And were you able to speak with
20 | him at some point?

21 | A. Yes.

22 | Q. All right. Without going into any
23 | specific information or hearsay, after speaking
24 | with Mr. Lavore Guinyard, what did you do next in
25 | the investigation or who did you begin to

TERRY LOGAN - DIRECT EXAMINATION BY MS. MILES

1 | investigate?

2 | A. We continued to investigate Sayquan
3 | Harrison, Calik Guinyard, and Aloysius Green.

4 | Q. Okay. Were they all people who were
5 | known to associate with one another?

6 | A. Correct.

7 | Q. Were you able in doing this
8 | investigation to formulate any theories as to why
9 | this would have occurred?

10 | A. It appeared --

11 | MS. GAY: Your Honor, I object to
12 | speculation.

13 | THE COURT: Based upon his
14 | investigation, he can talk about how your
15 | investigation proceeded.

16 | MS. MILES: Okay.

17 | Q. Tell us about how your investigation
18 | proceeded. What things were you investigating and
19 | what theories were you looking at?

20 | A. Still trying to identify the connection
21 | of the people. And the information came that there
22 | apparently had been a shooting on Mays Street in
23 | Orangeburg of Calik Guinyard and Lavore Guinyard's
24 | grandmother's house, and they believed Andrew told
25 | them was responsible for that shooting incident.

1 Q. Okay. And is Andrew Tobin known by
2 Trey?

3 A. Yes.

4 Q. Okay. At some point later, were you
5 able to interview Aloysius Green?

6 A. Yes.

7 Q. Okay. And again, without getting into
8 anything he specifically said, after your interview
9 with Aloysius Green, what happened next?

10 A. Based off that information, we were
11 able to obtain murder warrants for Calik Guinyard
12 and Aloysius Green and a family court pickup order
13 on Sayquan Harrison.

14 Q. Okay. Is that because he was 16 at the
15 time?

16 A. Correct.

17 Q. Okay. Was he later waived up to adult
18 court?

19 A. That's my understanding.

20 Q. Okay.

21 MS. MILES: Beg the Court's indulgence.

22 Q. Just briefly. Were there search
23 warrants or phone records that were requested and
24 received or not received in this case?

25 A. Yes.

TERRY LOGAN - CROSS-EXAMINATION BY MR. FARLEY

1 Q. Okay. Were you able to get anything
2 back from any carriers in regards to those?

3 A. I can't remember anything specific. I
4 know it took a long time. I don't if they got
5 anything after the fact or not.

6 Q. Okay. But there wasn't anything in
7 your case file in those regards?

8 A. No, ma'am.

9 Q. Okay. Thank you, Mr. Logan. That's
10 all the questions the State has. Please answer any
11 questions the Defense might have.

12 A. Yes, ma'am.

13 THE COURT: Cross-examination?

14 MR. FARLEY: Thank you, Your Honor.

15 CROSS-EXAMINATION

16 BY MR. FARLEY:

17 Q. Investigator Lloyd (verbatim), it would
18 be fair to say that you weren't present at the
19 incident; isn't that correct?

20 A. The night of the shooting, no, sir.

21 Q. Were you at the incident location at
22 the night of the shooting at all?

23 A. No, sir.

24 Q. So all of your investigation took place
25 after the events occurred; correct?

1 A. The next day, yes, sir, I started.

2 Correct.

3 MR. FARLEY: No further questions, Your
4 Honor.

5 THE COURT: Ms. Gay?

6 MS. GAY: I have no further questions
7 for this witness. Thank you.

8 THE COURT: Any redirect?

9 MS. MILES: Not at this time, Your
10 Honor. That's all we have for Mr. Logan.

11 THE COURT: You may step down. Thank
12 you.

13 MR. FARLEY: Your Honor, may we
14 approach on something?

15 THE COURT: Yes, sir.

16 (WHEREUPON, there was a bench
17 conference.)

18 THE COURT: All right. Ladies and
19 gentlemen of the jury, we have a little bit of a
20 technical issue which we need to address. It
21 shouldn't take us very long but just a few minutes.
22 So I'm going to let you go to your jury room
23 momentarily. As soon as we get it figured out, we
24 will bring you right back in again. Please
25 remember not to discuss the case amongst

JAMES SHUMPERT - DIRECT EXAMINATION BY MS. MILES

1 | yourselves, we'll be right back with you. Thank
2 | you.

3 | (WHEREUPON, the jury left the courtroom
4 | at 2:05 p.m.)

5 | THE COURT: And, Counsel, would y'all
6 | please approach?

7 | (WHEREUPON, there was a bench
8 | conference.)

9 | THE COURT: All right. Let me know
10 | when you're ready.

11 | (WHEREUPON, there was a short break.)

12 | MS. MILES: Your Honor, can we approach
13 | briefly?

14 | THE COURT: Yes, ma'am.

15 | (WHEREUPON, there was a bench
16 | conference.)

17 | THE COURT: Ready, Solicitor?

18 | MS. MILES: Yes, ma'am.

19 | THE COURT: Let's have our jury,
20 | please.

21 | (WHEREUPON, the jury entered the
22 | courtroom at 2:40 p.m.)

23 | THE COURT: Welcome back, ladies and
24 | gentlemen of the jury. Thank you so much for your
25 | patience. The parties are now ready to proceed.

JAMES SHUMPERT - DIRECT EXAMINATION BY MS. MILES

1 You may call your next witness.

2 MS. MILES: Thank you, Your Honor. The
3 State calls James Shumpert.

4 JAMES SHUMPERT,
5 being first duly sworn, was examined and testified
6 as follows:

7 THE CLERK: Can you please state your
8 name for the record?

9 MR. SHUMPERT: James Shumpert.

10 THE CLERK: Thank you.

11 THE COURT: Your witness.

12 MS. MILES: Thank you, Your Honor. May
13 it please the Court?

14 THE COURT: Yes, ma'am.

15 DIRECT EXAMINATION

16 BY MS. MILES:

17 Q. Captain Shumpert, where are you
18 currently employed?

19 A. The Orangeburg County Sheriff Office.

20 Q. Okay. And how long have you worked at
21 the sheriff's office?

22 A. Twenty-six years.

23 Q. Okay. And what's your current position
24 there?

25 A. I'm captain over criminal

1 | investigations.

2 | Q. Okay. What are some of the different
3 | positions that you've held at the sheriff's
4 | department?

5 | A. Twenty-six years? I was a deputy. I
6 | was FTO on patrol. I was the sergeant on patrol.
7 | I was lieutenant on patrol. Then I came to
8 | investigations and became sergeant of
9 | investigations. Then I became the lieutenant over
10 | investigations. Now, I'm currently the captain.

11 | Q. Okay. Now, Captain, were you -- what
12 | position were you in with the sheriff's office in
13 | December of 2020?

14 | A. Lieutenant.

15 | Q. Okay. And in that position, were you
16 | involved in the investigation of the murder of Karl
17 | Williams?

18 | A. Yes, I was.

19 | Q. Okay. How did you become involved in
20 | that investigation?

21 | A. I became involved the next day helping
22 | with interviews.

23 | Q. Okay. And so you weren't there the
24 | night of the incident, they brought you in the next
25 | day?

1 A. Yes, I wasn't there that night.

2 Q. Okay. And did you respond to the
3 incident -- no, sorry. Explain for us a little bit
4 when you first get involved in a murder case. How
5 do you all go about starting your investigation?
6 What all do you do?

7 A. First, the initial investigators, once
8 they respond to the scene, they try to gather
9 witness, evidence, knock on doors, talk to people.
10 And then what we do from whatever the evidence
11 develops that night, we try to develop suspects.
12 Then we look at videos. It's a plethora of things
13 we do.

14 Q. Okay. And do you all work as teams
15 doing this? Tell me a little bit about that.

16 A. We one unit, we work all together.

17 Q. Okay. Who all did you have an
18 opportunity to interview in this case?

19 A. I think I spoke with two individuals,
20 Mr. Harrison and Mr. Green.

21 Q. Okay. And when you spoke with
22 Mr. Harrison, who all spoke with him with you?

23 A. When I spoke to Mr. Harrison, it was at
24 the time, Investigator Logan. And I think I -- an
25 FBI agent, I can't remember his name.

JAMES SHUMPERT - DIRECT EXAMINATION BY MS. MILES

1 Q. Okay. And you said Terry Logan?

2 A. Yes.

3 MS. MILES: Your Honor, may I approach?

4 THE COURT: Yes, ma'am.

5 Q. I am going to show you what's been
6 marked as State's Exhibit 13 and see if you
7 recognize this.

8 A. Yes, I do.

9 Q. Okay. And how do you recognize this?

10 A. This is the Orangeburg County Sheriff's
11 Office advisement of right form. We usually read
12 them their Miranda warnings before we interview
13 them or speak with them.

14 Q. Okay. And can you tell us a little bit
15 about how you go about going through that form with
16 them?

17 A. I don't know if you can see or not, but
18 it's a statement on each line. We read each
19 statement to them. Have them initial that they
20 understand their rights. And after advisement of
21 rights, we go through this other portion which is
22 the waiver of rights. We read that to them. If
23 they understand it, have them sign it, and we
24 witness it, then the investigator signs it himself.

25 Q. Okay. And can you tell me who has

1 signed and initialled that form?

2 A. Mr. Harrison, myself, and Logan. Major
3 Logan.

4 Q. Okay. Can you read out loud, what does
5 the first part that's initialled say?

6 A. You have the right to remain silent.
7 Anything you say can be used against you in court.

8 Q. Okay. And is there an initial or
9 signature beside that?

10 A. It's initials.

11 Q. Okay. And tell me what those initials
12 are?

13 A. It's SH.

14 Q. Okay. And whose initials are those?

15 A. Sayquan Harrison.

16 Q. Okay. What's the next line say?

17 A. You have the right to talk to a lawyer
18 for advice before we ask you any questions, to have
19 him or her with you during questioning.

20 Q. Okay. And is there anything placed
21 beside that?

22 A. Yes.

23 Q. Okay. Whose signature -- or, no.
24 What's the next line you see? I'm sorry.

25 A. The next line has SH which is also

1 Sayquan Harrison.

2 Q. Okay. What's the next line say?

3 A. If you can't afford a lawyer, one would
4 be appointed to you -- for you before any questions
5 if you wish.

6 Q. Okay. And is there initials there?

7 A. SH, Sayquan Harrison.

8 Q. Okay. And what about the next line?

9 A. If you decide to answer questions
10 without a lawyer present, you still have the right
11 to stop answering at any time. Which is also
12 Sayquan Harrison.

13 Q. Okay.

14 A. SH.

15 Q. And what about the next line?

16 A. You also have a right to stop answering
17 questions until you talk to a lawyer. Which is
18 Sayquan Harrison, SH.

19 Q. Okay. Is there another one after that?

20 A. Yeah. At the bottom here it says, I
21 understand my rights and we get the individual to
22 sign. Which Sayquan signed. His signature.

23 Q. Okay. He signed that as well?

24 A. Yes.

25 Q. Okay. Who else signed that form?

JAMES SHUMPERT - DIRECT EXAMINATION BY MS. MILES

1 A. At the bottom, again, myself and
2 Investigator Logan at the time.

3 Q. Okay. Is this form the same pretty
4 much as it was on the night that you all signed it?

5 A. Yes, it is.

6 Q. Has it been changed or altered in any
7 way?

8 A. No, ma'am.

9 Q. Okay.

10 MS. MILES: Your Honor, we would move
11 State's Exhibit 14 into evidence -- is it 13?

12 A. 13.

13 MS. MILES: 13 into evidence.

14 THE COURT: Any objection?

15 MR. FARLEY: No objection, Your Honor.

16 MS. GAY: No, ma'am.

17 THE COURT: All right. It's in.

18 (WHEREUPON, State's Exhibit No. 13 was
19 entered.)

20 Q. Captain Shumpert, when y'all have these
21 interviews where you go through Miranda and
22 everything, is that done on video?

23 A. It is.

24 Q. Okay. And how is that preserved?

25 A. We had a system that we -- I forgot the

JAMES SHUMPERT - DIRECT EXAMINATION BY MS. MILES

1 name of it. Our recording system in our interview
2 room, it records our interviews. We turn the
3 switch on and we preserve, we download the video to
4 a disk or maybe a flash drive.

5 Q. Okay. Was that the WatchGuard system?

6 A. WatchGuard, yes, ma'am.

7 Q. Okay. And would that have been
8 recording back in December of 2020?

9 A. Yes.

10 Q. Okay. Was that, to your knowledge, was
11 the interview involving you and Investigator Logan
12 preserved at that time?

13 A. Yes, ma'am.

14 Q. Okay. I'm going to --

15 MS. MILES: Your Honor, may I approach?

16 THE COURT: Yes, ma'am.

17 Q. I'm going to show you what's been
18 marked as State's Exhibit 14. Do you recognize
19 this?

20 A. Yes, ma'am.

21 Q. Okay. Have you been able to review
22 that? Does that fairly and accurately depict the
23 video of the interview that took place with
24 Mr. Harrison on that day?

25 A. Yes, it does.

1 Q. Okay. Has it been altered or changed
2 in any way outside of the ways that we would have
3 to change something for court?

4 A. No.

5 Q. Okay.

6 MS. MILES: Your Honor, we would move
7 State's Exhibit 14 into evidence.

8 THE COURT: Any objection?

9 MR. FARLEY: Your Honor, I just want to
10 renew and preserve all previous objections.

11 THE COURT: Yes, sir, and the same
12 rulings would apply.

13 MR. FARLEY: Yes, ma'am.

14 THE COURT: Any, Ms. Gay?

15 MS. GAY: No objection.

16 THE COURT: All right. Thank you.

17 (WHEREUPON, State's Exhibit No. 14 was
18 entered.)

19 MS. MILES: Permission to publish, Your
20 Honor?

21 THE COURT: Yes, ma'am.

22 MS. MILES: Thank you. Your Honor, may
23 he step down just so they can see this portion?

24 THE COURT: Yes, ma'am.

25 MS. MILES: Beg the Court's indulgence.

JAMES SHUMPERT - DIRECT EXAMINATION BY MS. MILES

1 MS. GAY: Your Honor, may we approach
2 for just a second?

3 THE COURT: Yes, ma'am.

4 (WHEREUPON, there was a bench
5 conference.)

6 THE COURT: So, ladies and gentlemen of
7 the jury, while you wait for the technical issues,
8 you may notice that the tape may jump around a
9 little bit and that's through no fault of the
10 parties, but just to what I have ruled as
11 admissible for you to be able to see. And
12 certainly that would be the explanation if it looks
13 a little bit disjointed.

14 (WHEREUPON, playing the video.)

15 MS. MILES: Beg the Court's indulgence
16 just a second.

17 THE COURT: Yes, ma'am.

18 Q. All right. Captain Shumpert, during
19 your interview with Sayquan, there were some parts
20 where we had to, you know, cut it in and out and we
21 weren't able to show the contents of the video, but
22 what did you show him before he started opening up
23 to you?

24 A. I showed him interviews that we
25 previously had with other individuals.

1 Q. Okay. Was that with Lavore Guinyard
2 and Aloysius Green?

3 A. Yes, it was.

4 Q. Okay. And after reviewing those
5 statements, is that what y'all were doing with the
6 laptop when we saw y'all opening and closing it?

7 A. Yes.

8 Q. Okay. After that, is that when he
9 began opening up about that night?

10 A. Yes, he did.

11 Q. Okay. And he admitted that he went to
12  Myers Road?

13 A. He did.

14 Q. And he said that Aloysius was driving?

15 A. Correct. Yes.

16 Q. Okay. And he stated that he was the
17 one that went up to the door; correct?

18 A. Mr. Harrison, yes. Correct. Yes.

19 Q. Yes, sorry. Okay. And Mr. Harrison
20 said that he was one who decided to do that, no one
21 told him to do that?

22 A. Correct. Yes.

23 Q. Okay. And he stated that after he went
24 to the door that that's when shots rang out?

25 A. Yes.

JAMES SHUMPERT - DIRECT EXAMINATION BY MS. MILES

1 Q. Okay. I know it's kind of cutting in
2 and out with some of the technology stuff, but
3 Mr. Harrison said that Aloysius Green had a gun?

4 A. Yes.

5 Q. Okay. And Mr. Harrison also said that
6 he himself had a gun?

7 A. Correct. Yes.

8 Q. Okay. At some point during and after
9 all these interviews and everything, people were
10 arrested for this; correct?

11 A. Yes.

12 Q. Okay. Does that include Calik
13 Guinyard?

14 A. Yes.

15 Q. Do you see Mr. Guinyard here in the
16 courtroom today?

17 A. Yes, I do.

18 Q. Okay. And where is he sitting?

19 A. Right there.

20 Q. Okay. Can you please identify him for
21 the court?

22 A. With the long dreads on, white long
23 sleeve shirt, sitting right there by that young
24 lady.

25 Q. Okay. What pants is he wearing?

JAMES SHUMPERT - CROSS-EXAMINATION BY MR. FARLEY

1 A. I can't see his pants.

2 Q. Okay.

3 A. Khakis, look like.

4 Q. Okay.

5 MS. MILES: Your Honor, would the
6 record reflect that he has identified the
7 Defendant, Calik Guinyard.

8 THE COURT: Yes, ma'am.

9 Q. Does that also include Sayquan Harrison
10 being arrested?

11 A. Yes.

12 Q. Okay. And is Sayquan Harrison in the
13 room with us today?

14 A. He is.

15 Q. And where is he sitting?

16 A. Sitting right there by the gentleman
17 with the gray suit on with a white shirt on.

18 Q. Okay. And -- okay. So he's sitting
19 right there.

20 MS. MILES: Your Honor, will the record
21 reflect that he's also identified Sayquan Harrison?

22 THE COURT: Yes, ma'am.

23 MS. MILES: Thank you. Beg the Court's
24 indulgence.

25 Q. Captain, that's all the questions the

JAMES SHUMPERT - CROSS-EXAMINATION BY MR. FARLEY

1 State has at this time. Please answer any
2 questions the Defense may have.

3 A. Yes, ma'am.

4 THE COURT: Cross-examination?

5 MR. FARLEY: Thank you, Your Honor.

6 May it please the Court?

7 THE COURT: Yes, sir.

8 CROSS-EXAMINATION

9 BY MR. FARLEY:

10 Q. Captain Shumpert, you weren't at the
11 incident at the time that the incident occurred;
12 correct?

13 A. No, I was not.

14 Q. You were only involved after the fact;
15 correct?

16 A. Yes, sir.

17 Q. All right. And you interviewed my
18 client, Mr. Harrison; correct?

19 A. I did.

20 Q. On video. And he had every opportunity
21 to have food and drink and water and he wasn't
22 under any pressure; is that correct?

23 A. Yes, he did.

24 Q. All right. And what would you say his
25 demeanor was like? Do you think he was nervous?

1 A. Not to me. He didn't appear nervous to
2 me until, I guess, if you want to say he was
3 nervous, was after we complete the recordings and
4 the videos.

5 Q. Well, they've seen it. I'm going to
6 let the jury judge what they --

7 A. No, I'm answering what you asked me.
8 You said did I -- did he seem to appear to be
9 nervous? I said, after the fact he watched the
10 videos.

11 Q. Oh, so you're saying that --

12 A. I said he appeared to be nervous after.
13 I'm responding to what you asked me.

14 Q. Oh, I misunderstood. I apologize,
15 Captain Shumpert. So he did appear to be a little
16 nervous --

17 A. Not initially.

18 Q. Not initially?

19 A. No.

20 Q. But as the questions proceeded?

21 A. Correct. After we played the
22 recordings.

23 Q. Oh, I understand. I apologize. I did
24 not understand. So by the time you really got into
25 the grit of the interview, my client was obviously

1 a little flustered; is that fair to say?

2 A. That's fair to say.

3 Q. All right. Thank you. No further
4 questions, Captain Shumpert.

5 THE COURT: Any cross-examination,
6 Ms. Gay?

7 MS. GAY: No, I don't think so, Your
8 Honor. I think he said it all.

9 THE COURT: Any redirect?

10 MS. MILES: None from the State, Your
11 Honor. Thank you.

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

14 MR. SHUMPERT: Thank you, Your Honor.

15 THE COURT: You may call your next
16 witness.

17 MS. MILES: Your Honor, may we
18 approach?

19 THE COURT: Yes, ma'am.

20 (WHEREUPON, there was a bench
21 conference.)

22 THE COURT: Ladies and gentlemen of the
23 jury, we've got some scheduling issues, so I think
24 it's probably a good time for us to call it an
25 afternoon. Again, please remember to not discuss

1 this matter amongst yourselves or with anyone else.
2 And please do not do any independent research or
3 look at any news accounts about this trial. Again,
4 we will see you in the morning. If you can again,
5 be here at 9:15, we will get started as soon as we
6 have everyone revved up and ready to roll which I
7 am assured that it will happen right at 9:15. So
8 we will see you in the morning.

9 (WHEREUPON, the jury left the courtroom
10 at 3:32 p.m.)

11 THE COURT: All right. Counsel,
12 anything else we need to address? I see the
13 Defendants have left, but otherwise be here at 9:15
14 and we'll be ready to start.

15 MS. MILES: We'll be ready, Your Honor.
16 Thank you.

17 MR. FARLEY: Nothing from us.

18 (WHEREUPON, court was adjourned at 3:40
19 p.m.)

20 **(JANUARY 29, 2026)**

21 THE COURT: Are the parties ready to
22 proceed?

23 MS. MILES: Yes, ma'am, Your Honor, the
24 State's ready. If I can just put a couple of
25 different things on the record just real quick?

1 THE COURT: Bring the Defendants in
2 then.

3 MS. MILES: All right. It's just
4 regarding some of the evidence.

5 THE COURT: All right.

6 MS. GAY: Your Honor, while they're
7 doing that. I got here just a few minutes late and
8 I'm just going to run to the restroom very quickly.
9 I know we're bringing them in. Just give me one --
10 very quickly.

11 THE COURT: Okay.

12 (WHEREUPON, there was a pause in the
13 hearing.)

14 THE COURT: Are you ready, Ms. Gay?

15 MS. GAY: Yes, ma'am.

16 THE COURT: All right. Yes, ma'am.

17 MS. MILES: Thank you, Your Honor. May
18 it please the Court? Just as an update on some of
19 the exhibits. On No. 14, we had initially had
20 during the *Denno*, Sayquan Harrison's entire
21 confession on that drive, that has been updated
22 with the redacted version that we all had copies of
23 and looked at everything. And so I did want to
24 make that on the record that the entire thing was
25 redacted from that and taken off that and then the

1 redacted version was put on that flash drive.

2 Also, for time purposes, we have
3 already gone through Exhibits 15 through 93 in
4 regards to the photos that were taken as part of
5 the crime scene investigation. The investigator as
6 well as both the Defense counsels have reviewed
7 them. And in abundance of caution, we would like
8 to just ask him the basic evidentiary questions to
9 get them in all at one time, if that's okay with
10 the Court?

11 THE COURT: That's fine with me.
12 Without objection from the Defense?

13 MR. FARLEY: Your Honor, Madam
14 Solicitor did go over this beforehand and I have no
15 objection.

16 THE COURT: Thank you, sir.

17 MS. GAY: Nor do I, Your Honor.

18 THE COURT: All right. That works.

19 MS. MILES: Thank you, Your Honor.

20 THE COURT: Are we ready for the jury?

21 MS. MILES: Yes, ma'am.

22 MR. FARLEY: Yes, ma'am.

23 THE COURT: All right. Let's have our
24 jury, please.

25 THE BAILIFF: Yes, Your Honor.

WILLIAM MCCORMACK - DIRECT EXAMINATION BY MS. MILES

1 (WHEREUPON, the jury entered the
2 courtroom at 9:39 a.m.)

3 THE COURT: Welcome back, ladies and
4 gentlemen of the jury. I hope that you had a nice
5 evening. We're now ready to proceed with the trial
6 of this case. You may call your witness.

7 MS. MILES: Thank you, Your Honor. May
8 it please the Court? The State would call Cody
9 McCormack to the stand.

10 CODY MCCORMACK,
11 being first duly sworn, was examined and testified
12 as follows:

13 THE CLERK: Can you please state your
14 name for the record?

15 MR. MCCORMACK: William Cody McCormack.

16 THE CLERK: Thank you.

17 THE COURT: Your witness.

18 MS. MILES: Thank you, Your Honor. May
19 it please the Court?

20 THE COURT: Yes, ma'am.

21 DIRECT EXAMINATION

22 BY MS. MILES:

23 Q. Investigator McCormack, where are you
24 currently employed?

25 A. With the Orangeburg County Sheriff's

1 Office.

2 Q. And what is your position there?

3 A. I'm a crime scene investigator.

4 Q. Okay. And how long have you been with
5 Orangeburg County Sheriff's Department?

6 A. Eleven years.

7 Q. Okay. And where did you work prior?
8 Tell me a little about that.

9 A. I worked for the North Police
10 Department for three years before coming to the
11 sheriff's office.

12 Q. Okay. Tell me a little about your
13 duties with the sheriff's office as a crime scene
14 investigator.

15 A. We respond to various different crime
16 scenes. Once we are there, we process, document,
17 and analyze these things for items of evidentiary
18 value in an attempt to try to identify all parties
19 involved and to possibly reconstruct the scene.

20 Q. Okay. And how long have you worked in
21 crime scene investigations?

22 A. Eight years.

23 Q. Okay. Have you received any type of
24 training on crime scene investigations?

25 A. Yes, I have.

1 Q. Okay. Back in 2020, on the night of
2 December 14th, were you involved in the crime scene
3 investigation of a homicide of Karl Williams?

4 A. Yes, I was.

5 Q. Okay. And did you respond to [REDACTED]
6 Myers Road that evening?

7 A. Yes, I did.

8 Q. And is that in Orangeburg County?

9 A. It is.

10 Q. When you arrived on the scene, had the
11 scene been secured?

12 A. Yes, it was secured.

13 Q. Okay. And how is a scene secured?
14 Tell me a little about that.

15 A. The two methods we use are what you see
16 when you see the yellow crime scene tape called
17 barrier tape and also presence.

18 Q. Okay. And can you describe the
19 location of the crime scene?

20 A. [REDACTED] Myers Road is a brick home. If
21 you're facing the home, there's a driveway to the
22 left. There was a car in the driveway and a small
23 type front yard in front of the residence. And the
24 front door is, like, directly center, almost in
25 front of the house.

1 Q. Okay. Can you walk the jury through
2 what you did and what you saw when you first
3 arrived on the scene?

4 A. When I first get on the scene, I
5 usually meet with the first responding officers,
6 kind of get an idea of what information we had up
7 to that point. And then from there, I start
8 searching the scene for items of evidentiary value
9 while documenting the scene with general
10 photography.

11 Q. Okay. And when you say, processing the
12 scene, generally, what does processing the scene
13 entail in different cases?

14 A. It can mean different things for
15 different scenes. There are certain things that we
16 do on every scene. Like, we're going to always
17 take pictures at every crime scene we go to.
18 Certain scenes we may dust for fingerprints, swab
19 for DNA or in this case, collect casings.

20 Q. Okay. And generally speaking, how did
21 you go about processing this specific crime scene?

22 A. Like I typically do. I started
23 processing by taking general photography of the
24 area, looking for potential items of value
25 pertaining to the case, and then marking and

1 | locating those items.

2 | Q. Okay. And where did you physically
3 | start in this case processing?

4 | A. I started in the front yard driveway
5 | area of this residence.

6 | Q. Okay. And what, if anything, did you
7 | locate there?

8 | A. I located multiple cartridge casings in
9 | the driveway, front yard area just off the
10 | driveway.

11 | Q. Okay. And before you got on the
12 | witness stand, I asked you to review some of the
13 | Court's exhibits. And were you able to do that?

14 | A. Yes, I was.

15 | Q. Okay. And did that include State's
16 | Exhibits 15 through 95?

17 | A. Yes, it did.

18 | Q. And did you recognize those
19 | photographs?

20 | A. Yes, I did.

21 | Q. Okay. And how did you recognize them?

22 | A. I recognized them from reviewing this
23 | case and remembering them from that night.

24 | Q. Okay. Did you take those photographs?

25 | A. Yes, I did.

1 Q. Okay. And do those photographs fairly
2 and accurately depict the crime scene on late night
3 hours of December 14th of 2020?

4 A. Yes, they do.

5 MS. MILES: Your Honor, the State would
6 move to admit Exhibits 15 through 95 into evidence
7 at this time.

8 THE COURT: Any objection?

9 MR. FARLEY: No objection, Your Honor.

10 MS. GAY: No, ma'am.

11 THE COURT: All right. They're in.

12 (WHEREUPON, State's Exhibits 15 through
13 95 were entered.)

14 MS. MILES: Thank you, Your Honor. And
15 may I sit down as I publish them?

16 THE COURT: Yes, ma'am.

17 MS. MILES: Okay. Thank you.

18 Q. Investigator McCormack -- Investigator,
19 what is a cartridge casing? Tell me a little about
20 that.

21 A. So if you look at a unfired bullet, you
22 have casing and then the bullet. The casing holds
23 the primer, the powder. Once the primer has been
24 ignited, the bullet goes down the barrel of the
25 gun, the casing is typically ejected out of a

1 semiautomatic weapon and it usually falls, you
2 know, wherever it ends up landing.

3 Q. Okay. Tell me a little bit about,
4 like, a semiautomatic pistol.

5 A. So like I said, they're typically a
6 magazine fit, once to the ground it's fired. They
7 eject out the ejection port and they typically
8 eject out to the right and usually towards the
9 back.

10 Q. Okay. And you stated you were able to
11 find some cartridge casings in this case?

12 A. Yes, I did.

13 Q. Okay. How many did you locate in front
14 of the residence when you began your investigation?

15 A. I located 12 that night.

16 Q. Okay. And do you recall the calibers
17 that you found at that time?

18 A. I located .40 Smith & Wesson and 357
19 Sig.

20 MS. GAY: Can you repeat that, please,
21 the second one?

22 A. 357 Sig.

23 Q. Okay. And how many .40 caliber
24 cartridge casings did you collect?

25 A. Five.

1 Q. Okay. And how about how many 357
2 caliber cartridges did you collect?

3 A. Seven.

4 Q. Okay.

5 MS. MILES: Your Honor, may I approach?

6 THE COURT: Yes, ma'am.

7 MS. MILES: Thank you.

8 Q. All right. Investigator McCormack, I'm
9 going to show what has been marked as State's
10 Exhibit 1 through 12, I'll hand them to you in two
11 batches. If you could review those, please.

12 Do you recognize these items?

13 A. Yes, I do.

14 Q. Okay. And how do you recognize them?

15 A. The item numbers are in my handwriting
16 and the initial on the sealed tape is mine.

17 Q. And what did you do with these
18 particular casings?

19 A. Once they are marked and they're
20 photographed, we collect them. And then after we
21 clear the scene, they're submitted into evidence.

22 Q. Okay. And have they been altered or
23 tampered with since you did that?

24 A. No, they have not.

25 Q. Okay. Are they in the same condition

1 | they were at the time that you collected them?

2 | A. Yes, they are.

3 | MS. MILES: Your Honor, the State would
4 | ask to move in State's Exhibit 1 through 12 into
5 | evidence, please.

6 | MR. FARLEY: No objection, Your Honor.

7 | MS. GAY: No objection, Your Honor.

8 | THE COURT: All right. They're in.

9 | (WHEREUPON, State's Exhibit Nos. 1
10 | through 12 were entered.)

11 | Q. Investigator, typically what is done
12 | with the cartridge casings, bullets, and any
13 | firearms or anything of that nature that you
14 | collect during an investigation?

15 | A. Once they're collected, they're then
16 | submitted to the SLED lab for further analysis.

17 | Q. Okay. And was that done with the
18 | cartridge casings in this case?

19 | A. Yes, it was.

20 | Q. Okay. And you said that you did
21 | recognize those cartridge casings. And is that all
22 | 12 of the ones that you mentioned finding in front
23 | of the home?

24 | A. Yes, they are.

25 | Q. Okay. And with there being two

1 different types of cartridge casings, what does
2 that indicate to you regarding the firearms used?

3 A. At least possibly two different
4 firearms were used.

5 Q. Okay. I want talk to you about where
6 you found these shell casings. Do you recognize
7 this photo?

8 A. Yes, I do.

9 Q. Okay. And how do you recognize this?

10 A. This is the picture I took on the night
11 of the incident.

12 THE COURT: Solicitor, could you turn
13 that a little bit so we could see as well?

14 (Solicitor complies.)

15 That's good. Thank you.

16 Q. So if you would tell us a little bit
17 about what we're looking at in this picture.

18 A. This is a general photo of the front of
19 the residence at [REDACTED] Myers Road.

20 Q. Okay. And you mentioned when you were
21 kind of describing it where the front door was and
22 everything and that there was a car in the
23 driveway. Is this the car you were referring to?

24 A. Yes, it is.

25 Q. Okay. Let's talk about Exhibit 16.

1 | What are we looking at here?

2 | A. This is again, a general photo of the
3 | front yard of the residence. At this point, I've
4 | already located the 12 cartridge casings we talked
5 | about and they already have placards next to them.

6 | Q. Okay. Tell me about the location of
7 | these cartridge casings.

8 | A. The majority of them are either in the
9 | driveway or just off the driveway to the right in
10 | the front yard.

11 | Q. Okay. What is this?

12 | A. This is again, another general photo of
13 | the area just showing a different angle of where
14 | the casings are located.

15 | Q. Okay. And if we're looking at this
16 | photograph, where is the house oriented?

17 | A. It would be to your left.

18 | Q. Okay. To the left of the yard, behind
19 | the car kind of?

20 | A. Yes.

21 | Q. Okay. And tell me what we see here?

22 | A. This is just another general photo of
23 | the front of the residence showing the front door.
24 | I've already located some other items and had
25 | marked them on the front door.

1 Q. Okay. And is that some of what we see
2 on the front door?

3 A. Yes.

4 Q. Okay. And tell me about this?

5 A. Again, it's another more midrange shot
6 of the front yard again, just showing a different
7 angle where the casings are located.

8 Q. Okay. So that would be some kind of
9 behind the car?

10 A. Yes. So basically from that angle, the
11 house would be to your right.

12 Q. Okay. Is this the back of the car
13 again?

14 A. Yes, it is.

15 Q. Okay. I want to talk to you about
16 State's Exhibit 21. What do we see in this
17 picture?

18 A. It is a midrange shot showing items of
19 -- my Items 1, 2, and 3.

20 Q. Okay. And what did you find that you
21 marked as Items 1, 2, and 3?

22 A. No. 1 was a PMC .40 Smith & Wesson
23 cartridge casing. No. 2 is another PMC .40 Smith &
24 Wesson cartridge casing. And No. 3 is a PMC .40
25 Smith & Wesson cartridge casing as well.

1 Q. Okay. And so those markers are noting
2 the three cartridge casings that you just had right
3 there?

4 A. Yes, they are.

5 Q. Okay. And is 22, 23, and -- 22 and 23,
6 are these just additional photographs of the same
7 markers of 1, 2, and 3?

8 A. Yes, they are.

9 Q. Okay. What about in this photograph?
10 Tell me about markers 4 and 5.

11 A. This is another midrange shot showing
12 the location of Items 4 and 5 where they are in the
13 driveway.

14 Q. Okay. Tell me about what you noted in
15 Item 4.

16 A. No. 4 is a PMC .40 Smith & Wesson. No.
17 5 is a GFL 357 Sig round casing.

18 Q. Okay. So 1 through 4 were all the PMC
19 .40 and then Item 5 was the -- I'm sorry, what did
20 you say?

21 A. GFL 357 Sig.

22 Q. Okay. And is this a close-up of 4?

23 A. It's a midrange close-up shot, yes.

24 Q. And then 5 and 6, this is a midrange as
25 well?

1 A. Yes.

2 Q. Okay. And is this a midrange of 7?

3 A. Yes, it is.

4 Q. Okay. Tell me about Item 6 and 7.

5 What did you find there?

6 A. Item 6 is a PMC .40 Smith & Wesson
7 cartridge casing. And 7 is a Sig 357 Sig cartridge
8 casing.

9 Q. Okay. And tell me about this
10 photograph. What did you find in 8?

11 A. No. 8, I found another Sig. A 357 Sig
12 cartridge casing.

13 Q. Okay. After you found those, did you
14 continue looking for other cartridge casings next
15 to the driveway?

16 A. Yes, I did.

17 Q. Okay. And tell me about this
18 photograph. What do we see here?

19 A. A midrange shot showing Items 9, 10,
20 11, and 12, just off the driveway in the grass.

21 Q. Okay. And tell me about what you found
22 in Items 9, 10, 11, and 12.

23 A. No. 9 is a Sig 357 Sig cartridge
24 casing. And No. 10 is also a Sig 357 Sig cartridge
25 casing.

1 Q. Okay. Is this a closer in view of 9
2 and 10?

3 A. Yes, it is.

4 Q. Okay. And it's kind of difficult to
5 see in these pictures. Do they kind of blend in
6 with the leaves somewhat? How are you able to kind
7 of determine where --

8 A. The brass, a lot of times on grass,
9 especially at night will blend in somewhat with the
10 terrain. It will be hard to pick out.

11 Q. Okay. So that's why we can only kind
12 of see them in these photos?

13 A. Yes. Close-ups, I believe show up
14 better like you see right here on 10.

15 Q. Okay. So this is a close-up of 10 so
16 we can see it?

17 A. Yes, ma'am.

18 Q. Okay. And 11, is this a midrange shot?

19 A. Yes, it is.

20 Q. Okay. And 12 as well?

21 A. Yes, it is.

22 Q. Okay. And all of those were the 357
23 Sig?

24 A. Yeah. One was a Sig 357 Sig, and No.
25 12 was a GFL 357 Sig.

1 Q. Okay. Did you observe -- after you
2 were looking at all that, did you observe any
3 bullet impacts to the vehicle?

4 A. Yes, I did. I located one bullet
5 impact to the vehicle.

6 Q. Okay. I'm going to show you what's
7 been marked -- or entered as Exhibit 35. What are
8 we looking at here?

9 A. This would be a nonperforating bullet
10 impact to the roof area just above the rear
11 passenger door on the Chevy Equinox in the front
12 yard.

13 Q. Okay. Now, when you say,
14 nonperforating, tell me, what does that mean?

15 A. Perforating is when something pierces
16 the object. Actually makes a hole in it. This
17 didn't pierce the siding of the car. It basically
18 ricocheted off of it.

19 Q. Okay. So perforating can mean it's
20 going through?

21 A. Yes.

22 Q. And nonperforating means it's not
23 really there anymore, it's somewhere else?

24 A. Yeah, it didn't enter the object that
25 it struck.

1 Q. Okay. And in 36, is this a close-up of
2 that impact?

3 A. Yes, it is.

4 Q. Okay. After you examined the car, did
5 you observe any bullet impacts at the front of the
6 residence?

7 A. Yes, I did.

8 Q. Okay. How many did you find in total?

9 A. Nine the first evening. Correction, 8.

10 Q. Okay. I want to talk about the first
11 place you observed bullet impacts. I'm showing you
12 Exhibit 37. Do you recognize this?

13 A. Yes, I do.

14 Q. Okay. What are we looking at here?

15 A. This is the front living room window of
16 the residence. It's just to the left of the front
17 door.

18 Q. Okay. And what did you note about this
19 window?

20 A. There's two perforating bullet impacts
21 to the window.

22 Q. Okay. Tell me about Item 15.

23 A. Item 15 is going to be the impact to
24 your left if you're looking at it, more towards the
25 center of the window.

1 Q. Okay. And what about Item 16?

2 A. Item 16 is to the right. It's further
3 down closer to the windowsill.

4 Q. Okay. And you said these were
5 perforating?

6 A. Yes, ma'am.

7 Q. Okay. And so you told that
8 nonperforating means it didn't go through. Does
9 this mean the bullet did go through this?

10 A. Yes. The bullet went through the
11 window into the residence.

12 Q. Okay. Is 38 another shot of that same
13 window?

14 A. Yes, it is.

15 Q. Okay. And can we see the car in the
16 front door kind of in this?

17 A. Yes. The car is to the left. Front
18 door is to your right.

19 Q. Okay. Tell me, what is in 39?

20 A. It is a midrange shot showing where 15
21 and 16 are in relation to each other.

22 Q. Okay. So the closer up view of the
23 bullet impacts?

24 A. Yes.

25 Q. Okay. Let's move on to the next place

1 | you observed bullet impacts. I'm going to show you
2 | what's been marked as Exhibit 40. What are we
3 | looking at here?

4 | A. You're looking at multiple impacts to
5 | the front storm door of the residence.

6 | Q. Okay. And was this door screen?
7 | Glass? Tell me about that.

8 | A. It's a storm door, so it's a mixture of
9 | glass and screen.

10 | Q. Okay. And is this door open at this
11 | time?

12 | A. Yes, it is. I had it propped open.

13 | Q. Okay. And are we looking at it from
14 | the front side of the door or the backside of the
15 | door?

16 | A. The front side of the door.

17 | Q. Okay. I want to ask you about No. 41
18 | here. What is this that you have noted in Item 17?

19 | A. Item 17 is a perforating bullet impact
20 | to the bottom portion of the door as you see a few
21 | inches below the window.

22 | Q. Okay. So that's to the door itself,
23 | not the glass at the bottom there?

24 | A. Yes, it is.

25 | Q. Okay. And what did you observe

1 specifically about Item 17?

2 A. That it went through the storm door.

3 Q. Okay. So it went completely through?

4 A. Yes, it did.

5 Q. Okay. Let's look 18. What are we
6 looking at here in 18?

7 A. 18 is going to be Item No. 17.1. This
8 is where the bullet has gone through the screen
9 door. I'm marking that.

10 Q. Okay. So that's the other side of the
11 door after the bullet has gone through?

12 A. Yes, it is.

13 Q. Okay. Now, were you -- for No. 18,
14 were you able to mark with scale tape everything
15 that came through that door?

16 A. No. Due to the broken glass on the
17 inside of it, I wasn't able to mark everything with
18 scale tape.

19 Q. Okay. Let's talk about here in
20 number -- is this another photograph that shows
21 some of the bullet impacts?

22 A. Yes. A midrange shot of those bullet
23 impacts of the storm door.

24 Q. Okay. And this is another front shot?

25 A. Yes, it is.

1 Q. Okay. Let's talk about No. 45. What
2 did you mark as Item 19 here?

3 A. That is a bullet impact to the upper
4 portion, I believe. Do you have another -- or can
5 I approach so I can see?

6 THE COURT: You can stand.

7 Q. I'll go to the next one for you. 46?

8 A. This is where Item 18 where I was
9 unable to mark, enter through the front storm door.

10 Q. Okay. Is that the divider of the storm
11 door that we can see right there?

12 A. Yes, it is.

13 Q. Okay. Tell me about 47. What is this
14 showing us?

15 A. Just a photo just trying to show the
16 damage on the interior and kind of -- trying to
17 show the exterior of the door as well.

18 Q. Okay. And what are we looking at in
19 48?

20 A. That is where the bullet would have
21 gone through the screen and impacted the glass on
22 the interior of the door.

23 Q. Okay. And how can you tell in this
24 photograph that it went through the screen and
25 impacted the glass?

1 A. You can see the screen and you can tell
2 that the glass is in between, basically where
3 you're standing and the screen. You can see
4 somewhat of what's left of the bullet impact where
5 it exited through in the glass.

6 Q. Okay. And so does it appear that it
7 came through the screen first and then through the
8 glass?

9 A. Yes, it does.

10 Q. Okay. And in image 49, what are we
11 looking at here?

12 A. This is an impact that I marked as Item
13 No. 21. This is towards the upper portion of the
14 storm door.

15 Q. And is some of the glass still present?

16 A. Yes, it is.

17 Q. And what about 50?

18 A. Again, another picture trying to show
19 the interior of the door just from another angle
20 and tying it into the front door of the residence.

21 Q. Okay. Where else did you notice bullet
22 impacts? I'm going to show you 51. Tell me about
23 this, please.

24 A. This is a bullet impact to the windows,
25 a front bedroom to the right of the living room

1 area. So this is an impact to that window.

2 Q. Okay. In looking at the front door,
3 where would this window be in relation to that?

4 A. To the right.

5 Q. To the right of it. Okay. And when
6 you talked to us about the other window, that was
7 to the left?

8 A. Yes, it was.

9 Q. Okay. So there were impacts to the
10 left window of the door and then to the right
11 window as well?

12 A. Yes, it was.

13 Q. Okay. And what is this?

14 A. This is the scale tape where it shows
15 that I marked it as Item No. 22.

16 Q. Okay. Is that a close-up of the bullet
17 impact to the window?

18 A. Yes, it is.

19 Q. What did you examine next for bullet
20 impacts?

21 A. I next moved to the wooden front door
22 of the residence where I observed multiple impacts.

23 Q. Okay. And is that what we're looking
24 at in this picture?

25 A. Yes, it is.

1 Q. Okay. And can we still see some of the
2 impacts from the screen door and some to the door
3 itself?

4 A. Yes, you can.

5 Q. Tell me a little bit about what all you
6 marked here. What numbers were you marking on the
7 front door?

8 A. So these would be 17, 18, 19, and 20.

9 Q. Okay. And how did you document them
10 specifically?

11 A. So when you're chasing bullet paths,
12 you try to keep the same number. So if it starts
13 out at 17, the exit on the inside would be 17.1.
14 Where it impacts something else, it would be 17.2,
15 and then so on. So these should all be marked as
16 17.2.

17 Q. Okay. So if you had the initial impact
18 on the screen door or storm door as 17, the initial
19 impact would be just 17 and the other side of the
20 door is 17.1?

21 A. That is correct.

22 Q. Okay. And so when you have 17.2 on the
23 wooden door, that's where that same bullet then hit
24 the wooden door?

25 A. That is correct.

1 Q. Okay. And so how many bullets did you
2 note that did that?

3 A. Five.

4 Q. Okay. So there were five bullets that
5 went through the storm door and into the front
6 door?

7 A. That is correct.

8 Q. Okay. What happened to those bullets
9 next?

10 A. They then exited the wooden door into
11 the living room.

12 Q. Okay. Are these some close-ups of
13 where they're entering the door?

14 A. Yes, they are.

15 Q. Is this the -- still the front of the
16 door as well?

17 A. Yes, it is.

18 Q. Okay. Just some other shots of the
19 impact?

20 A. Yes.

21 Q. Okay. And this 18.2 is as well?

22 A. That is correct.

23 Q. Okay. And what's this up here?

24 A. It is another bullet impact that
25 impacted the glass towards the upper portion of the

1 front door.

2 Q. Okay. And this is also on the outside
3 of the front door?

4 A. Yes, it is.

5 Q. Inside close-up of the glass?

6 A. Yes, it is.

7 Q. Okay. I want to talk to you about No.
8 60. What are we looking at here?

9 A. This would be the backside of the front
10 door to the left. You have a closet door that is
11 literally almost right behind the front door as you
12 open it.

13 Q. Okay. Tell me about what you've marked
14 on the back of the front door.

15 A. These would be where the bullets have
16 exited through the front door and on the closet
17 door you'll see where some of the blunt strikes
18 have impacted the front door of the closet.

19 Q. Okay. And how were you able to
20 document those?

21 A. I kept -- as you can see from this
22 picture, you can see how they line up and what
23 they're consistent with. So then I marked them
24 again, keeping the same item number and just adding
25 another point to it. So these would be .3 on the

1 front door and then .4 on the closet door.

2 Q. Okay. Show you some close-ups. Is
3 this the .3 where they're going out the back of the
4 front door?

5 A. Yes, it is.

6 Q. Okay. And this as well?

7 A. Yes, it is.

8 Q. And what is this?

9 A. That's where the impact, sometimes
10 you'll see this is some wood that kind of spun off
11 as it went through.

12 Q. Okay. And how about this?

13 A. That is another exit as exit point to
14 the front door.

15 Q. And that as well?

16 A. Yes, it is.

17 Q. Okay. And you said that these lined up
18 with the closet door impacts?

19 A. Yes, it did.

20 Q. And what does that indicate to you?

21 A. That the bullet impacts that went
22 through the screen door into the front door, that
23 four of them ended up going to the closet door.

24 Q. Okay. And what angle did it appear it
25 would have done that?

1 A. So it appears that they're looking at a
2 left to right angle.

3 Q. Okay. And how would the doors have
4 been positioned to have gone through in that angle?

5 A. I believe the front door would have
6 been slightly open.

7 Q. Okay. And how were you able to kind of
8 ascertain this?

9 A. When you look at this picture, you can
10 see where they're lined up at. I believe I said
11 the front door would have been open at a slight
12 angle to make those impacts there.

13 Q. Okay. And you said that you would then
14 note after it went through both of those doors and
15 went into the closet door, it would receive like a
16 17.4, 18.4, and things of that nature?

17 A. That is correct.

18 Q. Okay. So after -- if they went into
19 the closet door, what are we looking at here?

20 A. This is where I marked the impacts to
21 the closet door.

22 Q. Okay. How many of those bullets went
23 into the closet door?

24 A. Four.

25 Q. Okay. What do we see here in No. 70?

1 A. This is where I opened up the closet
2 door and observed where the bullets exited through
3 on the interior of the closet.

4 Q. Okay. Now, we have more bullet impacts
5 on the back of the door than we have on the front
6 of the closet door. Tell me about that.

7 A. Three of them exited through and one of
8 them did not.

9 Q. Okay. And what happened to the one
10 that did not?

11 A. It's either still stuck in the door or
12 it could be possibly the one that I located later.

13 Q. Okay. I want to talk to you about some
14 additional bullets. Now, let's take a look at
15 Exhibit 71. Tell me -- along with the bullets to
16 the impact -- or to the back of the door here, what
17 else do we see in this photograph?

18 A. You're seeing where Items 15 and 16
19 exited through the front living room window and
20 entered the residence.

21 Q. Okay. And earlier you told us that
22 that was to the left of the front door, so now
23 we're seeing the inside of that; is that correct?

24 A. That is correct. Now we're facing back
25 out towards the road.

1 Q. Okay. And so this is what you refer to
2 as perforating because it came through the glass?

3 A. That is correct.

4 Q. Okay. And tell me about this picture.

5 A. It's just another angle where I'm
6 trying to show the impacts as it exited into the
7 residence.

8 Q. And this one?

9 A. Again, just another shot just from a
10 different angle.

11 Q. Is that the same?

12 A. Yeah, it's more of a midrange shot
13 where you can see the item numbers.

14 Q. Okay. I want to talk to you about 75.
15 What do we see here?

16 A. This is a general shot of the living
17 room. Again, you can see the front door to the
18 right, the closet door, and I have located what
19 appears to be another impact just above the couch
20 in the living room.

21 Q. Okay. You said above the couch. Can
22 you point out where that would be? You can step
23 down.

24 A. Right here.

25 Q. Okay. And what did you note about the

1 path of that bullet?

2 A. That is consistent with the impact that
3 cause item No. 18.

4 Q. Okay. And where would that have gone
5 next?

6 A. That exited through this wall right
7 here and into the front bedroom.

8 Q. Okay. When you say, front bedroom --

9 A. This one stayed in the wall right
10 there.

11 Q. Oh, that one stayed in the wall?

12 A. Yes.

13 Q. Okay. Were there additional ones that
14 did go into the bedroom?

15 A. Yes, they were.

16 Q. Okay. Tell me about that.

17 A. The impact that hit the front bedroom
18 window to the right of the front door exited
19 through that window as well.

20 Q. Okay. And what are we looking at here
21 in 76?

22 A. This is where -- this is from the front
23 bedroom, this should be where Item No. 22 has
24 exited through and hit the interior wall.

25 Q. Okay. So it's gone into that first

1 | bedroom?

2 | A. Yes, it has.

3 | Q. Okay. And tell me about No. 77. Where
4 | has this come from and where is it going?

5 | A. This is again, a bullet path consistent
6 | with Item No. 22, this is where the bullet exited
7 | into another bedroom further back in the house.

8 | Q. Okay. So tell me about the path of
9 | this specific bullet. What all has it gone
10 | through?

11 | A. It has gone through a front bedroom
12 | window, a interior bedroom wall, exited out that
13 | wall and entered into another wall.

14 | Q. Okay. Is this another picture of a
15 | bullet impact?

16 | A. Yes, it is. It's consistent with Item
17 | No. 22.

18 | Q. Okay. Is that the same back bedroom?

19 | A. Yes, it is.

20 | Q. Okay. And is this the same bedroom as
21 | well?

22 | A. Yes, it is.

23 | Q. Okay. I want to talk to you -- well,
24 | first let me talk to you about what you said
25 | something about the path and how the bullet went

1 through different things. Tell me, how is a bullet
2 path determined?

3 A. So what we do, there's several
4 different ways. We can use trajectory rods.
5 Sometimes you can divide them up and just look at
6 them and say, if this impact is here and there's
7 another impact here, and they're consistent with
8 each other, the same height, then you can match
9 them up that way.

10 Q. Okay. Now I'm going to show you what's
11 been marked as -- entered as State's Exhibit 80.
12 What are we looking at here?

13 A. This is a fired bullet that I located
14 in between the front door and the closet door on
15 the floor.

16 Q. Okay. Is this that as well?

17 A. Yes, I have it labeled as Item No. 23.

18 Q. I'm going to show you what's been
19 entered as State's Exhibit 98. Can you tell me
20 what that is?

21 A. That is a fired bullet that you see in
22 the picture right here.

23 Q. Okay. So that's the fired bullet that
24 we're looking at there in the photograph?

25 A. That is correct.

1 Q. Okay. Tell me about this photograph.

2 A. This is a general midrange shot of the
3 kitchen.

4 Q. Okay. And what is this right here?

5 A. This is another fired bullet that I had
6 located that I marked with scale tape on the floor.

7 Q. Okay. And is that what this is?

8 A. Yes, it is.

9 Q. Okay. Tell me, why do you put scale
10 tape there?

11 A. In this case, I had scale tape in my
12 hand. Sometimes you would put a placard right here
13 so it would be a little easier to see. But like I
14 say, I had scale tape in my hand, as soon as I
15 located it, I just went ahead and marked it that
16 way.

17 Q. Okay. Showing you what's been marked
18 as State's Exhibit 99. Do you recognize this?

19 A. Yes, I do.

20 Q. Okay. And how do you recognize this?

21 A. This is the fired bullet that you see
22 in the picture right here. The envelope has my
23 handwriting and my initials on it.

24 Q. Okay. Did you find a third bullet as
25 well?

1 A. Yes, I did.

2 Q. Okay. Tell me about where you found
3 that third bullet.

4 A. It was more towards the center of the
5 living room kind of close to where it was described
6 to me where the victim was located.

7 Q. Okay. And we're having some
8 technological difficulties in pulling up those
9 photos, but can you tell me about this photograph?

10 A. This photograph is where it was
11 described to me that the victim was located when
12 EMS and first responders arrived on the scene.

13 Q. Okay. And in looking at 86, is that
14 another angle?

15 A. Yes, it is.

16 Q. Okay. And how can you tell that the
17 victim had been there?

18 A. You can see there was some remnants, of
19 what I call it, where EMS had left some debris
20 behind and you can also see what appears to be
21 blood right here on the living room floor.

22 Q. Okay. And I'm going to show you No.
23 100. What is this?

24 A. This would be a fired bullet or bullet
25 fragment that I located on the floor kind of close

1 to where the victim was located.

2 Q. Okay. And those fired bullets that you
3 just looked at, are those bullets that you
4 collected on the night of December 14th?

5 A. They are.

6 Q. Okay. And are they in the same
7 condition that they were at that time?

8 A. They are.

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

11 A. They have not.

12 MS. MILES: Your Honor, we'd ask to put
13 those into evidence, please.

14 THE COURT: Any objection?

15 MS. GAY: No, ma'am.

16 MR. FARLEY: No objection.

17 THE COURT: All right. They're in.

18 (WHEREUPON, State's Exhibit Nos. 98, 99
19 and 100 were entered.)

20 MS. MILES: Thank you, Your Honor.

21 Q. After you noted all of the different
22 casings and the bullets and bullet impacts in the
23 house, what did you go do at that time?

24 A. I went back outside and I observed some
25 more evidence that I needed to document out there.

1 Q. Okay. Tell me about that. I'm going
2 to show you what's been marked as State's Exhibit
3 89. What is this?

4 A. This is two nonperforating bullet
5 impacts to the brick. This would be the front
6 living room window that had two go through it.
7 These would be to the left of that window if you're
8 facing it.

9 Q. Okay. And is this a closer up view of
10 that?

11 A. Yes, it is.

12 Q. Okay. Is there any way to determine --
13 you said those were nonperforating?

14 A. That is correct.

15 Q. Is there any way to determine where
16 those bullets could have gone?

17 A. Unless they fell close by, no.

18 Q. Okay. What happens when a bullet hits
19 something that is nonperforating?

20 A. It depends on what the object is and
21 how much force it has. It can ricochet and go in a
22 number of different directions.

23 Q. Okay. So it could be near? It could
24 be far? It could kind of be anywhere?

25 A. That's correct.

1 Q. Is it possible that the impact that the
2 car took could have been some sort of a ricochet of
3 some sort?

4 A. Possibly, yes, ma'am.

5 Q. Okay. I want to talk to you about the
6 next day. Tell me about when y'all went back to
7 the scene the next day. Why did y'all do that?

8 A. The next morning I went back to the
9 scene just to have a look at it in the daylight
10 just to see if there's any other items that we
11 could have overlooked the night before.

12 Q. Okay. We talked a little bit about how
13 some of the cartridge casing or bullets can kind of
14 blend in with some of the leaves and darkness and
15 everything?

16 A. That's correct.

17 Q. Okay. Let's look at this photograph.
18 What do you see here?

19 A. This is what I marked as Item A5 and A6
20 in the background behind it.

21 Q. Okay. Tell me about what is A5 and A6.

22 A. A5 and A6 are 357 Sig rounds.

23 Q. Okay. And do those match the ones from
24 the day before?

25 A. They're consistent with them.

1 Q. Okay. And is this another picture of
2 that?

3 A. Yes, it is.

4 Q. And this is where you can kind of see
5 --

6 A. That is correct.

7 Q. -- the casing? Okay. And this is A6?

8 A. Yes, ma'am.

9 Q. And if my eyes were better, I could
10 probably see where the casing is supposed to be.

11 A. It's right in front of Placard 6.

12 Q. Okay. Tell me about A7.

13 A. A7 is another 357 Sig cartridge casing
14 that I located in the front yard.

15 Q. Okay. I am going to show you what's
16 been marked as 101, 102, and 103. Do you recognize
17 these exhibits?

18 A. Yes, I do.

19 Q. Okay. And how do you recognize them?

20 A. The case number, item number, and
21 description is in my handwriting and my initials
22 are on it.

23 Q. Okay. And what do you recognize them
24 to be?

25 A. Item A5 is a Sig 357 Sig cartridge

1 casing. Item No. A6 is a GFL 357 Sig cartridge
2 casing. And A7 is a GFL 357 Sig cartridge casing.

3 Q. Okay. And are those in the same
4 condition as they were on the night that you
5 retrieved them?

6 A. Yes, they are.

7 Q. Okay. Have they been changed or
8 altered in any way?

9 A. No, they have not.

10 MS. MILES: Your Honor, the State would
11 ask to move those into evidence.

12 THE COURT: Any objection?

13 MR. FARLEY: No, Your Honor.

14 MS. GAY: I just have one question. I
15 see a lot of, like, close-ups. Do you have a
16 picture of it out so we know where they are in the
17 yard?

18 MS. MILES: Yes. Okay.

19 MS. GAY: Thank you. No objection.

20 THE COURT: All right. They're in.

21 (WHEREUPON, State's Exhibit Nos. 101,
22 102, and 103 were entered.)

23 Q. And A7 here, what's to this corner
24 right here?

25 A. That would be the edge of the driveway.

1 Q. Okay. And in this picture you can see
2 the driveway there as well?

3 A. You can see the edge of the driveway
4 and where the casings are located in the grass.

5 Q. Okay. Tell me about No. 94. What are
6 we looking at here?

7 A. This is an impact to the railing on the
8 front porch stoop.

9 Q. Okay. Tell me about what you
10 documented and what you found in looking at that.

11 A. As you can see, there's an impact to
12 the almost front of the railing right here. I
13 marked that as, I believe, A9 or A8.

14 Q. Okay. And were there other impacts to
15 the railing as well?

16 A. Yes, they were.

17 Q. Okay. Are these some of the impacts?

18 A. Yes, they are.

19 Q. Okay. Tell me kind of where is this
20 handrail in relation to the stairs and the front
21 door.

22 A. So if you're looking at the front door
23 facing from the road, the handrail would be to your
24 left as you're entering the residence.

25 Q. Okay. So this is another shot of that?

1 A. Yes, it is.

2 Q. Okay. And so that would be before you
3 get to the doors right here?

4 A. That is correct.

5 Q. Okay. Investigator, did you prepare a
6 crime scene sketch in this case?

7 A. Yes, I did.

8 Q. Okay. I'm going to ask you if you
9 recognize No. 97.

10 A. Yes, I do.

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

12 A. The -- all the handwriting is in my
13 handwriting. My name is on it and the case number.
14 Attached is the incidents on it.

15 Q. Okay. Tell me a little bit about crime
16 scene sketches. How are these done?

17 A. They're done to kind of give an
18 overview of -- to show people where potential items
19 of evidence were located in relation to a house or
20 individuals or vehicles.

21 Q. Okay. And what all did you put on this
22 crime scene sketch?

23 A. I marked where all the casings were
24 located, their general area. And I also marked the
25 interior of the residence where -- a general area

1 of where all the fired bullets were located.

2 Q. Okay. And what all else did you put on
3 there? Tell me, do you put roads? Do you -- tell
4 me kind of how you orient everything.

5 A. I mark the roads so you can orient it.
6 As you can see, this is Myers Road. And if you
7 continue this way, this is Whittaker Parkway and
8 Whittaker Elementary School is right across the
9 intersection.

10 Q. Okay. Is this sketch, the sketch that
11 you did as part of this investigation?

12 A. It is.

13 Q. Okay. And has it been changed or
14 altered in any way?

15 A. No, it has not.

16 Q. Okay. And so it's a fair and accurate
17 representation of your original?

18 A. It is.

19 MS. MILES: Your Honor, we would ask to
20 move this into evidence as State's Exhibit 97.

21 MR. FARLEY: No objection, Your Honor.

22 MS. GAY: No objection.

23 THE COURT: All right. It's in.

24 (WHEREUPON, State's Exhibit No. 97 was
25 entered.)

1 MS. MILES: Thank you, Your Honor.

2 Permission to publish?

3 THE COURT: Yes, ma'am.

4 Q. And behind our nice little set up
5 thing, is this your crime scene sketch?

6 A. Yes, it is.

7 Q. Okay. So you told us a little bit
8 about the house. How is it oriented? What are we
9 looking at here?

10 A. May I approach real quick?

11 Q. Absolutely.

12 A. So we talked about earlier, here's
13 Myers Road.

14 MR. FARLEY: Your Honor, I'm going to
15 -- excuse me one second. I just want to get over
16 here a little bit. Investigator, please continue.
17 I'm sorry.

18 A. This is Myers Road. If you continue
19 this direction, this would be Whittaker Parkway
20 here. As I said, Whittaker Elementary would be
21 across the intersection. This is the vehicle in
22 the front driveway that I marked right here. This
23 box would be like the front porch stoop area. Here
24 is the door. And as you can see, I have --
25 whatever number I had marked here is what

1 corresponds to the casings I collected, and also
2 the fired bullets that were collected.

3 Q. Okay. So those numbers match up with
4 the placards that we saw of where you found casings
5 or bullet impacts?

6 A. Yes, they do.

7 Q. Okay. Tell me the top right corner,
8 what is that?

9 A. That's just another way to orient. We
10 always try to mark where true north is at.

11 Q. Okay. And then you had the Myers Road
12 and then the Whittaker Parkway and everything over
13 there?

14 A. That is correct.

15 Q. Okay. Now, where on this sketch was --
16 did you find the majority of the cartridge casings?

17 A. As I stated earlier, you have a mix of
18 cartridge casings in the driveway and just off the
19 edge of the driveway in the grass in the front
20 yard.

21 Q. Okay. So they're all pretty much in
22 one generalized area?

23 A. Yes, they are.

24 Q. Okay. And where on the sketch did you
25 see the majority of the bullet impacts?

1 A. The majority, if we go from left to
2 right, you have two impacts that are nonperforating
3 to the brick. Two to the front window here. A
4 total of six hit the storm door and then five of
5 those went through the front door. And then you
6 have one to the front bedroom window as well as
7 three to the railing on the front porch.

8 Q. Okay. And when the ones that hit the
9 storm door and then the front door, where did they
10 go on this sketch?

11 A. So like I said, if you saw and remember
12 from the pictures, once you enter the front door,
13 the closet door is directly behind the front door.
14 So you have four that impacted the closet door and
15 then one that impacted the interior wall.

16 Q. Okay. And where are the two bedrooms
17 that the one bullet went through?

18 A. This would be the first one and this
19 would be the second one right here.

20 Q. Okay. And tell me about 24 that's up
21 there kind of by itself.

22 A. That is one of the fired bullets that I
23 located in the kitchen.

24 Q. Okay. That's the one from the kitchen?

25 A. Yes, it is.

1 Q. Okay. And what is -- is that 23 that's
2 kind of --

3 A. 23 is the one that I located in between
4 the front door and the closet door.

5 Q. Okay. And what's the other one?

6 A. 25 is the one that I located on the
7 living room floor close to where the victim was
8 located.

9 Q. Okay. Can you tell -- you talked to us
10 a little bit about, like, a bullet path. Can you
11 tell us -- or can you show us on the crime scene a
12 little bit the path from the shell casings to the
13 bullet impacts?

14 A. So, like, again, if we're going left to
15 right, these two over here would be consistent with
16 a straight on angle. Again, the two to the window
17 up here, has a slight left to right angle. And the
18 ones to the door appear to be going left to right
19 angle in this direction.

20 Q. Okay. You can sit down. Sorry. As
21 part of your crime scene investigation, do you also
22 attend autopsies?

23 A. Yes, I do.

24 Q. Okay. And did you attend the autopsy
25 of Karl Williams?

1 A. Yes, I did.

2 Q. And do you remember when that was?

3 A. If I can refer to my report real quick.

4 Q. Absolutely.

5 A. I attended autopsy of Karl Williams on
6 12/16/2020.

7 Q. Okay. And who performed that autopsy?

8 A. Dr. Kelly Rose at Newberry Pathology.

9 Q. Okay. And at the conclusion of that
10 autopsy, did you collect any items?

11 A. Yes. They collect items and then
12 submit them over to us. And they turned over the
13 victim's clothing, a toxicology packet, and a fired
14 bullet.

15 Q. Okay. And so that was provided to you
16 by Dr. Rose?

17 A. Yes, it was.

18 Q. All right. I'm going to show you
19 what's been marked as State's Exhibit 105. Do you
20 recognize this?

21 A. Yes, I do.

22 Q. Okay. And how do you recognize this?

23 A. I see the initials for Dr. Rose on it
24 and the labeling that they put on it at autopsy.

25 Q. Okay. And is that in the same

1 condition that you received it in from the autopsy?

2 A. Yes, it is.

3 Q. Okay. Has it been changed or altered
4 in any way since you received it?

5 A. No, it has not.

6 MS. MILES: Your Honor, the State would
7 move Item 105 into evidence.

8 THE COURT: Any objection?

9 MR. FARLEY: No objection, Your Honor.

10 MS. GAY: No, Your Honor.

11 THE COURT: All right. That's in.

12 (WHEREUPON, State's Exhibit No. 105 was
13 entered.)

14 Q. Okay. And can you tell us what is 105?

15 A. 105 is labeled as a bullet from
16 posterior -- I can't see the rest of the label that
17 they have on it.

18 Q. Okay. And it was given to you by the
19 person who did the autopsy where would they have
20 located that?

21 A. Where would they have located --

22 Q. Where would they have taken that bullet
23 from? Was that taken from --

24 A. From the victim.

25 Q. Okay. So that was something that was

1 taken from the victim and then given to you to put
2 into evidence --

3 A. That is correct.

4 Q. -- is that correct? Okay. And what
5 did you do with it after you received it from Dr.
6 Rose?

7 A. Like all evidence in this case, it was
8 then submitted into evidence back at the sheriff's
9 office.

10 Q. Okay.

11 MS. MILES: Beg the Court's indulgence.

12 Q. Thank you, Investigator McCormack.
13 That's all from the State. Please answer any
14 questions the Defense may have.

15 THE COURT: Cross-examination?

16 MR. FARLEY: Yes, Your Honor.

17 CROSS-EXAMINATION

18 BY MR. FARLEY:

19 Q. Investigator McCormack, and again, I
20 just wanted a little clarity on what you were
21 saying especially in regards to this exhibit that's
22 still up right here. You were saying that the
23 driveway -- if I could just be clear again. The
24 driveway is -- where on -- is it in the bottom near
25 the collection of --

WILLIAM MCCORMACK - CROSS-EXAMINATION BY MS. GAY

1 A. May I come back over?

2 Q. Yes, please.

3 A. So as we talked about earlier, the
4 driveway is to the left of the residence. Right
5 here you can see the lines where it's outlined.

6 Q. I see. And where is the driveway?

7 A. Right here.

8 Q. And I'm sorry. I just got to this
9 angle. Okay. And then the front door?

10 A. Right here.

11 Q. Okay. And you found the largest
12 collection of shell casings?

13 A. Right here behind the vehicle just off
14 the edge of the driveway.

15 Q. And that's the vehicle that was parked
16 when you arrived at the scene; correct?

17 A. Yes, it was.

18 Q. Okay. And the majority of the shell
19 casings are in a pretty close proximate area; is
20 that fair to say?

21 A. That's fair to say. They're in close
22 proximity to the vehicle.

23 Q. And that is just, if you're looking at
24 the home that's just to the right --

25 A. Left.

1 Q. -- of the driveway?

2 A. If you're looking at the house, the
3 driveway is to the left and the vehicle placed on
4 the right side of the driveway.

5 Q. Right. I'm just saying, but the shell
6 casings -- the driveway is like this and the shell
7 casings were found to the right if you're looking
8 --

9 A. Yeah, behind and just off to the right
10 of the driveway.

11 Q. Okay. And that's where you found all
12 the shell casings; is that correct?

13 A. That is correct.

14 Q. All right. Thank you, Investigator
15 McCormack.

16 MR. FARLEY: No further questions.

17 THE COURT: Ms. Gay, any
18 cross-examination?

19 MS. GAY: Yes.

20 CROSS-EXAMINATION

21 BY MS. GAY:

22 Q. So -- hey, how are you?

23 A. How are you, ma'am?

24 Q. I'm Melisa Gay. So I just want to
25 understand. You did a bunch of the -- looking at

1 | everything in the nighttime. And so there were
2 | certain things that you could see in the dark, but
3 | not everything?

4 | A. That would be fair, yes, ma'am.

5 | Q. Right. And so the next day when you
6 | went in the daylight is when you found these other
7 | ones, A5, A6, and A7?

8 | A. That is correct.

9 | Q. Okay. And so I'm going to walk up here
10 | just a minute. Sorry. So these -- these all down
11 | here were the ones that you found in the night?

12 | A. Everything that has a single number is
13 | what I located that night.

14 | Q. Right. And you said that the ones --
15 | if we're looking at the house sort of on the right
16 | hand side, most of those were .40's?

17 | A. No. The majority -- as far as what
18 | item numbers are where?

19 | Q. Right. So like Item No. 1, 2, these
20 | numbers right here, those were .40's? 40 caliber
21 | bullets?

22 | A. 1 through -- if I can refer back?

23 | Q. Sure. Of course.

24 | A. Item No. 1 is a .40. Item No. 2 is a
25 | .40. Item No. 3 is a .40 because there were only

1 five .40's that were located. No. 4 is a .40. And
2 I believe No. 6 is a .40.

3 Q. Okay. So we've got these in the lower
4 down here. 1, 2, 3, 4, and 6, these are .40
5 caliber bullets?

6 A. That is correct.

7 Q. They came out of a .40 caliber gun?

8 A. That is correct.

9 Q. For simple people like me who don't
10 really understand guns. And so then the rest of
11 them, 8, 9, is that 10?

12 A. 10.

13 Q. 11 and 12, those are the 357's?

14 A. That is correct.

15 Q. Okay. So on the night of, you found
16 the .40's down closest to the street. And then the
17 other 357's were sort of between where that car was
18 alleged to be and the car that was parked in the
19 driveway?

20 A. That's correct.

21 Q. Okay. And then the next day when you
22 came back, and that comes out of some kind of gun
23 that shoots a 357, obviously?

24 A. Correct.

25 Q. Okay. And so then the next day you

1 | come and there's more 357's, A5, A6, and A7 on the
2 | grassy area that you didn't see the night before?

3 | A. That is correct.

4 | Q. And okay. Is it fair to say that these
5 | all -- these shell casings that I just talked about
6 | that are 357's are closer to the house?

7 | A. Yes.

8 | Q. Okay. And you said --

9 | A. In the sense of they're in between the
10 | vehicle and the impacts.

11 | Q. Right. Not close to the street. So
12 | they're closer to the house than the street?

13 | A. That would be correct.

14 | Q. Okay. And so you mentioned when you
15 | were testifying to the State that these two bullets
16 | that went through the window seem to be straight
17 | on?

18 | A. More straight on angle.

19 | Q. And then you said that these were ones
20 | that were sort of more at a right angled out?

21 | A. That is correct.

22 | Q. Okay. So based on what you know and I
23 | know that you're not to ballistic guy, you're the
24 | crime scene guy, so it appears that these bullets,
25 | the casings that came from the A5, A6, A7, could

1 possibly be the casings involved in the bullets
2 that went through the door?

3 A. From the angle -- I mean, both .40
4 entered at 7.

5 Q. These down here and the .40 is down
6 here --

7 A. What you have to consider -- if I may?

8 Q. Okay.

9 A. Yes. So I talked about earlier, when
10 you have a semiautomatic, if I'm standing here, the
11 casing typically ejects out to the right and back.
12 Now, one thing to consider is you have pavement
13 right here. So what happens when something hits
14 pavement? It could bounce. It could roll. I
15 don't know what type of moving around as people
16 between were fleeing the scene happened. So these
17 are where I located the casings.

18 So that could be the original location.
19 They could have bounced and rolled. It could have
20 been, like I say, kicked by people fleeing. But
21 that is where I located them at.

22 Q. Okay. So -- but they're not -- none of
23 these bullets are 9mms? None of these casings --

24 A. No.

25 Q. So these .40 calibers are not 9mm

1 | casings, not shot out of a 9mm gun?

2 | A. No.

3 | Q. And these 357's, they're not 9mm gun
4 | ammunition either?

5 | A. That is correct.

6 | Q. Okay. And I think you said that this
7 | No. 25 right here is the one that was closest to
8 | where the body was?

9 | A. Where the body was at when the first
10 | responders arrived on scene.

11 | Q. Okay. And so that's an actual bullet
12 | that you found for 25; right?

13 | A. Can I look at it again just to make
14 | sure?

15 | Q. A piece of a bullet?

16 | A. I believe it's more of a bullet
17 | fragment.

18 | Q. Fragment?

19 | A. Yep. As you can see, the lead core is
20 | missing, this is the copper jacket of the bullet.

21 | Q. So this is 25. And this was found kind
22 | of right here. And then they also found one in the
23 | victim's body.

24 | A. A piece of fragment, yes, ma'am.

25 | MS. GAY: Okay. I have no further

1 questions. Thank you.

2 THE COURT: Any redirect?

3 MS. MILES: Just one, more of a
4 housekeeping matter.

5 REDIRECT EXAMINATION

6 BY MS. MILES:

7 Q. You were talking about the different
8 places where it was found. Is the front porch on
9 this drawing?

10 A. Yes, it is.

11 Q. Okay. And you have the impacts that
12 you found on the front porch. Did you also find a
13 bullet fragment on the porch?

14 A. Yes, we did. We found a piece of a
15 bullet fragment on the front porch.

16 Q. Okay. I'm going to show you what's
17 been marked as Item 104. Do you recognize that?

18 A. Yes, I do.

19 Q. Okay. And is that in the same
20 condition it was at the time that you retrieved it
21 from the front porch?

22 A. That is correct.

23 Q. Okay. Has it been altered or changed
24 in any way?

25 A. It has not.

1 MS. MILES: Your Honor, we'd move 104
2 into evidence.

3 THE COURT: Any objection?

4 MR. FARLEY: No objection, Your Honor.

5 THE COURT: Ms. Gay?

6 MS. GAY: No objection.

7 (WHEREUPON, State's Exhibit No. 104 was
8 entered.)

9 RECROSS-EXAMINATION

10 BY MS. GAY:

11 Q. But I just want to be clear. So that
12 was, like, found in the wood?

13 A. That was on the pavement of the front
14 steps where this one was located.

15 Q. Okay. So I just have a question. So
16 if that was found on the pavement of the steps
17 where the brick is?

18 A. Yes, ma'am.

19 Q. So that means that when the bullet came
20 and hit something, a fragment of it landed on that
21 cement brick area of the porch?

22 A. That is correct.

23 Q. And you're -- I know that you're the
24 crime scene guy, but you haven't, as part of this
25 case, made an opinion as to what direction or

1 trajectory these bullets came from?

2 A. What I'm basing -- what I'm seeing off
3 of is where the casings were at and where bullets
4 ultimately ended up at. So you're seeing the
5 casings are to the left and bullets ultimately
6 ended up towards the right.

7 Q. Right. So, I mean, you're saying that
8 it looks as if they went to the right. But you're
9 not actually making a trajectory of which casing
10 hit which location of the house?

11 A. No.

12 Q. Okay.

13 MS. GAY: I have no further questions,
14 Your Honor.

15 THE COURT: Anything further?

16 MS. MILES: Nothing further, Your
17 Honor. Thank you.

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

20 MR. MCCORMACK: Thank you, Your Honor.

21 THE COURT: You may call your next
22 witness.

23 MS. MILES: Thank you, Your Honor. The
24 State would call Michelle Eichemiller.

25 MICHELLE EICHEMILLER,

MICHELLE EICHEMILLER - DIRECT EXAMINATION BY MS. MILES

1 being first duly sworn, was examined and testified
2 as follows:

3 THE CLERK: Can you please state your
4 name for the record.

5 MS. EICHEMILLER: Michelle Eichemiller.

6 THE CLERK: Thank you.

7 THE COURT: Your witness.

8 MS. MILES: Thank you, Your Honor. May
9 it please the Court?

10 THE COURT: Yes, ma'am.

11 DIRECT EXAMINATION

12 BY MS. MILES:

13 Q. Good morning, Ms. Eichemiller. How are
14 you?

15 A. Good morning.

16 Q. Ms. Eichemiller, where are you
17 currently employed?

18 A. I work at the South Carolina Law
19 Enforcement Division, also known as SLED. I work
20 in the forensic lab in the firearms department.

21 Q. Okay. And how long have you worked
22 there?

23 A. Approximately 20 years.

24 Q. Okay. And what's your position there?
25 Tell me a little about that.

1 A. I'm a forensic firearms examiner. So
2 firearms identification is a part of forensic
3 science that deals with fired bullets, fired
4 cartridge cases, and firearms. We also do serial
5 number restorations, and we can also do tool mark
6 analysis.

7 Q. Okay. Can you tell the jury a little
8 bit about your educational background, your
9 qualifications as an examiner?

10 A. In order to get hired at SLED to be an
11 agent, you have to have a bachelor's degree. So I
12 have a bachelor's degree in biology and psychology.
13 I also have a Master of Science in Forensic
14 Science. In order to be a firearms examiner
15 though, there's no college you can attend. So once
16 you're hired somewhere, it's an apprenticeship like
17 program. So you -- ours is a three to four year
18 program where you learn from the examiners that are
19 there. You do a lot of learning on your own.
20 Reading, just like school. You take tests. You do
21 microscopic comparisons. And after the end of
22 three years, I took a comprehensive final. When I
23 passed it, I was able to do casework on my own.

24 Q. Okay. And do y'all do any type of
25 continuing education or continuous training

1 | throughout your careers?

2 | A. We do. We try to go to any meetings
3 | that are relevant to our field. We also try to
4 | keep up with any new products that are out on the
5 | market through the websites.

6 | Q. Okay. And, Ms. Eichemiller, have you
7 | been qualified as expert in the field of firearms
8 | identification in state or federal court before?

9 | A. I have in the state courts of South
10 | Carolina.

11 | Q. Okay. Approximately how many times?

12 | A. Approximately 150 times.

13 | MS. MILES: Okay. Your Honor, the
14 | State would move to qualify Ms. Eichemiller as an
15 | expert in the field of firearms identification.

16 | THE COURT: Any voir dire?

17 | MR. FARLEY: No, Your Honor.

18 | MS. GAY: No. We have no problem with
19 | that. No objection.

20 | THE COURT: The Court finds that she's
21 | qualified.

22 | MS. MILES: Thank you, Your Honor.

23 | Q. Ms. Eichemiller, before we talk about
24 | the examination in this specific case, can you tell
25 | us a little bit about what a semiautomatic pistol

1 is. How it works? What type of analysis you can
2 perform? Things like that.

3 A. A semiautomatic pistol is one that will
4 fire with each pull of the trigger as long as the
5 magazine is loaded. So there's a magazine, it's a
6 little, like, box. You put unfired cartridges in
7 there. You put the magazine into the pistol. You
8 pull the slide back, and then let it go forward.
9 It will take the top cartridge off the magazine,
10 and now the gun is ready to fire. You can pull the
11 trigger, and then a little tiny explosion will
12 happen where the firing pin hits the primer of the
13 cartridge case. That will propel the bullet out
14 the muzzle of the firearm or the front. And then
15 the slide, with that energy from the explosion,
16 will open up, and the cartridge case will get
17 kicked out the slide.

18 Q. Okay. Is that why we'll find cartridge
19 casings left behind at shootings?

20 A. That's correct.

21 Q. Okay. They're coming out of the gun
22 itself?

23 A. Yes.

24 Q. Okay. Is part of your analysis and
25 things, are there types of conclusions that you

1 | come to?

2 | A. Yes. In the field of firearms
3 | identification, we have four different conclusions
4 | that we use. We say positive which it was fired by
5 | that gun or fired by the same firearm. We say
6 | negative, not fired by that firearm. We also have
7 | inconclusive which is there's not enough detail for
8 | me to say if it was fired by that firearm or a
9 | different firearm. We also have unsuitable which
10 | is the item was too damaged or there were no marks
11 | on it to make a determination.

12 | Q. Okay. As part of your employment, were
13 | you involved in an identification and examination
14 | involving a deceased victim, Karl Williams, and the
15 | evidence associated with that case?

16 | A. Yes.

17 | Q. Was that lab number, 20-256?

18 | A. If I can refer to my notes?

19 | THE COURT: Yes, ma'am.

20 | Q. Absolutely.

21 | A. Yes, that's correct.

22 | Q. Okay. And did you receive any
23 | cartridge casings in this case?

24 | A. I did.

25 | Q. Okay. How many?

1 A. I received 15 cartridge casings.

2 Q. Okay. And were they all the same
3 caliber?

4 A. No, they were two different calibers.

5 Q. Okay. Tell me about those calibers,
6 please.

7 A. I received five .40 S&W caliber
8 cartridge cases, and I received ten, 357 Sig
9 caliber cartridge cases.

10 Q. Okay. Tell me about .40 caliber cases,
11 .40 S&W caliber cases in general. Tell me a little
12 about that.

13 A. They're appropriate for -- to use in
14 guns that are -- firearms that are chambered for
15 .40 S&W caliber.

16 Q. Okay. And would the difference though
17 for the 357's be their chamber for 357's?

18 A. That's correct.

19 Q. Okay. I am going to show you --

20 MS. MILES: May I approach, Your Honor?

21 THE COURT: Yes, ma'am.

22 MS. MILES: Thank you.

23 Q. -- what has been marked -- or entered
24 as State's evidence 1, 2, 3, 4, and 6. Do you
25 recognize these?

1 A. Whenever I receive evidence in a case,
2 we'll mark it on the packaging with the case
3 number, the item number, and my initials. I also
4 do the same on the individual pieces of evidence.
5 When I complete the case, I seal it with the date
6 and my initials. These are the five cartridge
7 cases I examined that are the .40 S&W caliber.

8 Q. Okay. And you know that based on what
9 you're identifying?

10 A. Yes.

11 Q. Okay. Now, what are those specifically
12 in those items? What cartridge casings?

13 A. They're SLED Items 1, 2, 3, 4 and 6.

14 Q. Okay. And those are cartridge casings
15 in there?

16 A. Yes.

17 Q. And what type of cartridge casings are
18 inside those?

19 A. These are the .40 S&W cartridge cases.

20 Q. Okay. And were you able to examine or
21 analyze that set of cartridge casings?

22 A. Yes.

23 Q. Okay. How do you examine or analyze
24 things of this nature?

25 A. First when we receive cartridge cases,

1 we kind of group them. The same calibers we'll
2 examine with the same post characteristics
3 together. I use a comparison microscope which is
4 basically two separate microscopes with two
5 different stages. I put one cartridge case on one
6 side and one on the other. I look through what
7 looks like binoculars so I can see one side and the
8 other. I can adjust the lighting and the
9 magnification to examine the microscopic marks that
10 were left by the firearm.

11 Q. Okay. And did you do that in this
12 case?

13 A. Yes.

14 Q. And what, if anything, were you able to
15 determine about these cartridge casings?

16 A. Matching individual identifying
17 characteristics were found. And SLED Items 1
18 through 4 and 6 were fired by the same firearm.

19 Q. Okay.

20 MS. MILES: If I may approach, Your
21 Honor?

22 THE COURT: Yes, ma'am.

23 Q. I'm going to hand you what has been
24 marked as State's 5, 7, 8, 9, 10, 11, 12. Do you
25 recognize these items?

1 A. Yes. These are seven of the fired S&W
2 caliber cartridge cases, 357 Sig caliber cartridge
3 cases that I examined in this case.

4 Q. Okay. And are you able -- how are you
5 able to recognize that those are ones that you
6 examined in this case?

7 A. The same thing. I mark the envelope
8 before I open them and then I mark the evidence
9 with an electric pencil so they're engraved with my
10 initials, the case number, and the item number.

11 Q. Okay. I'm going to show you -- what
12 were you -- were you able to examine those in the
13 same way?

14 A. Yes.

15 Q. Okay. And tell me about your
16 examination of those cartridge casings.

17 A. I examined them in the same manner that
18 I examined the previous ones. I compare them to
19 each other on the comparison scope and determine
20 that -- came to a conclusion.

21 Q. Okay. And what was that conclusion?

22 A. That these cartridge cases were all
23 fired by a different firearm. They're not the same
24 one as the .40, but a different firearm.

25 Q. Okay. Now, I want to ask you about

1 | bullets versus bullet jackets. Tell me a little
2 | bit about that.

3 | A. The bullet is the projectile that will
4 | come out of the cartridge after it's fired. It
5 | travels towards the target and after -- it stops
6 | when it hits the target. Some bullets have jackets
7 | on them. Sometimes these jackets will come off.
8 | You can kind of think of it like an M&M. The
9 | jacket is a hard outer shell and then there's the
10 | soft lead part of a bullet. Depending on the
11 | target and the make of the ammunition, the jacket
12 | could come off or it could stay with the bullet.

13 | Q. Okay. And do you sometimes find both?
14 | Do you sometimes only find one? Tell me about
15 | that.

16 | A. We receive all types of evidence,
17 | jackets and bullets, and then cores even at SLED.

18 | Q. Okay. I want to ask you about this.
19 | I'm going to hand you what's been entered as
20 | State's Exhibit 105. Do you recognize this?

21 | A. This is SLED Item 21.

22 | Q. Okay. And do you recognize this?

23 | A. Yes.

24 | Q. Okay. Tell me how you recognize this.

25 | A. I marked the packaging as I received it

1 with my initials and then each internal package
2 also has the lab number, the item number, and then
3 my initials as well as the item itself.

4 Q. Okay. And what is the item itself?

5 A. It's a fired bullet jacket.

6 Q. Okay. And do you know where that came
7 from?

8 A. Per the packaging, it's from Karl
9 Williams.

10 Q. Okay. And was that the decedent in
11 this case?

12 A. Yes.

13 Q. Okay. Were you able to examine this
14 bullet fragment, and if so, were you able to
15 determine anything?

16 A. Due to the damage, I couldn't determine
17 the caliber of Item 21. I also found limited marks
18 of value and it was concluded that it may not be
19 suitable for identification with other firearms
20 evidence.

21 Q. Okay. When you say, items of value,
22 tell me a little about that. What do you mean?

23 A. I'm looking for the rifling that was
24 left by the firearm. So any remanent of a landing
25 grove, of a direction of twist, anything like that

1 | that I could use for identification.

2 | Q. Okay. And when you say, landing grove,
3 | and twist, what does that mean?

4 | A. Those are characteristics that are to
5 | -- each firearm has different landing groves with
6 | direction of twists. In order to determine
7 | caliber, you take all of that into consideration to
8 | try to figure out what the caliber and perhaps what
9 | kind of firearm could have fired it.

10 | Q. Okay. And you mentioned something
11 | about rifling. Tell me about rifling.

12 | A. Rifling is usually found in
13 | semiautomatic pistols and rifles. It's the cuts
14 | that are made in the barrel that helps with bullet
15 | travel in a straight path.

16 | Q. Okay. And those are some of the things
17 | that you use to determine what types of guns that
18 | it could have come from?

19 | A. Yes.

20 | Q. Okay. And you said that was unsuitable
21 | to determine that?

22 | A. It may not be suitable.

23 | Q. Okay. I'll take that back from you.
24 | Thank you so much. I'm going to show you 98, 99,
25 | 100, 101, 102, 103. I'm going to show you what's

1 | been entered as State's 100, I believe, through
2 | 103. Do you recognize these items?

3 | A. State's Exhibit 101, 102, and 103 are
4 | three additional 357 Sig caliber cartridge cases
5 | that I examined in this case.

6 | Q. Okay. And tell me about that.

7 | A. I also compared these to the previous
8 | 357 Sig caliber cartridge cases.

9 | Q. Okay. And what was your conclusions in
10 | those regards?

11 | A. All of the 357 Sig caliber cartridge
12 | cases were fired by the same firearm, but not the
13 | firearm that fired the .40 S&W cartridge cases.

14 | Q. Okay. Did that indicate to you that at
15 | least two firearms had been used in this case?

16 | A. That's correct.

17 | Q. Okay. And did you examine any of the
18 | other things in this case?

19 | A. I did receive additional evidence. I
20 | have SLED Item 14 which is a fired bullet. I have
21 | SLED Item 15 which is a fired bullet, and SLED Item
22 | 16 which is a fired bullet jacket.

23 | Q. Okay. In looking at -- at the things
24 | that you examined, were you able to determine what
25 | types of guns could have fired the 357 or what

1 types of gun could have fired the .40?

2 A. When we receive just bullets in a case,
3 we are able to take those general characteristics
4 that I spoke about, so the direction of twist, left
5 or right, the number of landing grooves, the width
6 of those lands and grooves, how wide they are, the
7 number, and we put that into a data base of known
8 manufacturers that make firearms with those
9 specifications.

10 Q. Okay. And what did you determine
11 regarding the 357's?

12 A. When I put it in the data base,
13 sometimes the data base will give you a list of 100
14 manufacturers that make firearms with those
15 specifications. Sometimes the list is only one.
16 In this case, when I put the specifications in, we
17 came back with two potential manufacturers.

18 Q. Okay. And what were those two
19 potential manufacturers?

20 A. It was Glock and Heckler and Koch.

21 Q. Okay.

22 MS. MILES: Beg the Court's indulgence.

23 MS. GAY: What was the second gun?

24 A. Heckler and Koch. HK is what normal
25 people refer to it.

MICHELLE EICHEMILLER - CROSS-EXAMINATION BY MS. GAY

1 Q. Thank you, Ms. Eichemiller. I think
2 that's everything the State has. Please answer
3 anything Defense may have.

4 THE COURT: Cross-examination?

5 MR. FARLEY: I actually have no
6 questions for the witness, Your Honor.

7 THE COURT: Ms. Gay?

8 MS. GAY: I have just briefly. I'll
9 just do it from over here, Your Honor.

10 CROSS-EXAMINATION

11 BY MS. GAY:

12 Q. So you said that you were given No. 14,
13 No. 15, and No. 16 which were fired bullets. Were
14 you able to make any type of evaluation about which
15 one of these types of bullets we have, a .40 or a
16 357 that are No. 14, 15, or 16?

17 A. Yes. Items 14 through 16 were most
18 consistent with nominal .38 caliber which includes
19 357 Sig caliber.

20 Q. 357. All right. And so based on that,
21 we could assume that it's not .40's?

22 A. That's correct.

23 Q. That were found wherever these items
24 were found?

25 A. Yes.

1 Q. They were these 357's?

2 A. That's correct.

3 Q. Okay. Thank you.

4 THE COURT: Any redirect?

5 MS. MILES: No, ma'am, Your Honor. We
6 just ask this witness be excused and she can
7 continue on her path.

8 THE COURT: Any objection?

9 MR. FARLEY: No objection, Your Honor.

10 MS. GAY: No objection, Your Honor.

11 THE COURT: You're free to go, Agent.

12 Thank you.

13 You may call your next witness.

14 MS. MILES: Your Honor, can we approach
15 briefly?

16 THE COURT: Yes, ma'am.

17 (WHEREUPON, there was a bench
18 conference.)

19 THE COURT: It looks like everyone is
20 ready for a brief comfort break for the morning.
21 If you would go to your jury room, we'll be right
22 back with you in about ten minutes, that should
23 give us sufficient time. Again, please remember
24 not to discuss the case amongst yourselves or with
25 anyone else.

LAVORE GUINYARD - DIRECT EXAMINATION BY MS. MILES

1 (WHEREUPON, the jury left the courtroom
2 at 10:54 a.m.)

3 THE COURT: Thank you.

4 (WHEREUPON, there was a short break.)

5 THE COURT: Thank you, everyone.

6 Please have a seat. Are the parties ready to
7 proceed?

8 MS. MILES: I think so, Your Honor.

9 MR. FARLEY: Yes, Your Honor.

10 THE COURT: Ready?

11 MS. GAY: Yes.

12 THE COURT: All right. Let's have our
13 jury, please.

14 (WHEREUPON, the jury entered the
15 courtroom at 11:09 a.m.)

16 THE COURT: Welcome back, ladies and
17 gentlemen of the jury. We are now ready to
18 proceed. You may call your next witness.

19 MS. MILES: Thank you, Your Honor. The
20 State would call Lavore Guinyard.

21 Your Honor, may we approach?

22 THE COURT: Yes, ma'am.

23 (WHEREUPON, there was a bench
24 conference.)

25 THE COURT: Ladies and gentlemen, we've

1 got a bit of a little scheduling issue. I hate to
2 do this to you, but we're going to take an early
3 lunch. If you will be back in your jury room in an
4 hour and 15 minutes at 12:30, we'll resume with the
5 trial of the case. Again, please remember not to
6 discuss this matter amongst yourselves or with
7 anyone else. Have a nice early lunch.

8 (WHEREUPON, the jury started leaving
9 the courtroom at 11:16 a.m.)

10 THE COURT: Ladies and gentlemen, we
11 can actually come back. Ladies and gentlemen, he's
12 here.

13 (WHEREUPON, the jury came back in.)

14 THE COURT: Just making sure you get
15 your steps in this morning, ladies and gentlemen.
16 We're actually ready to proceed.

17 You may call your next witness.

18 MS. MILES: Your Honor, the State calls
19 Lavore Guinyard.

20 LAVORE GUINYARD,
21 being first duly sworn, was examined and testified
22 as follows:

23 THE CLERK: Can you please state your
24 name for the record?

25 MR. GUINYARD: Lavore Guinyard.

LAVORE GUINYARD - DIRECT EXAMINATION BY MS. MILES

1 THE CLERK: Thank you.

2 DIRECT EXAMINATION

3 BY MS. MILES:

4 Q. Good morning, Mr. Guinyard. How are
5 you?

6 A. I'm good.

7 Q. Do you prefer Mr. Guinyard? Lavore?
8 What works better for you?

9 A. It don't matter.

10 Q. Okay. Mr. Guinyard, how old are you?

11 A. Twenty-five.

12 Q. Okay. How many siblings do you have?

13 A. Six.

14 Q. Okay. And what are their names?

15 A. Desirre, Calik, Shantashia, Chloe, and
16 Dasia (phonetic).

17 THE COURT: Mr. Guinyard, can you scoot
18 the microphone a little bit closer to you so we can
19 hear you better?

20 (Witness complies.)

21 Q. So Calik is your brother?

22 A. Yes, ma'am.

23 Q. How far apart in age are you guys?

24 A. About two years.

25 Q. Okay. Are you pretty close?

1 A. Yes, ma'am.

2 Q. Okay. At some point back in December
3 or January of 2020 and January of 2021, did you
4 learn that the police suspected your brother and
5 some other people in a homicide on Myers Road?

6 A. Say that again.

7 Q. At some point in January or either --
8 December of 2020 or January of 2021, did you talk
9 with law enforcement and learn that your brother
10 was a suspect in a murder investigation that took
11 place on Myers Road?

12 A. Yes, ma'am.

13 Q. Okay. And did you have a conversation
14 with law enforcement at that time?

15 A. I don't know what day it was. I did
16 talk to them about it, yeah.

17 Q. Would it be fair to say it was possibly
18 around January 21st of 2021?

19 A. I'm not sure. I was locked up in the
20 county and they came and talked to me.

21 Q. Okay. And at some point, did they
22 believe you were a suspect as well?

23 A. They said that at one time, but they
24 never really said that.

25 Q. Okay. But you were not involved;

LAVORE GUINYARD - DIRECT EXAMINATION BY MS. MILES

1 correct?

2 A. No, ma'am.

3 Q. Okay. When they asked you about when
4 you talked with your brother about this case, now
5 this incident happened on December 14th of 2020.
6 And they asked you about what you had done that
7 night and where you had gone and you said that you
8 had gone over to EJ's house after you woke up late;
9 is that right?

10 A. That night -- say that again.

11 Q. After you had woken up late, I guess,
12 in the evening, you told law enforcement you had
13 gone over to EJ's house?

14 A. Yes, ma'am.

15 Q. Okay. And is that just a friend of
16 y'all's, y'all also go hang out there sometimes?

17 MS. GAY: Your Honor, I would object to
18 leading and we might need to approach the bench.

19 THE COURT: Do you need to approach?

20 MS. GAY: Yes.

21 THE COURT: All right.

22 (WHEREUPON, there was a bench
23 conference.)

24 THE COURT: You may proceed, Solicitor.

25 MS. MILES: Thank you, Your Honor.

1 Q. So whose house were you at on that
2 evening? You said EJ's house?

3 A. When that happened?

4 Q. Well, when you talked to your brother
5 on December 14th?

6 A. When I talked to my brother, yeah.

7 Q. Okay. And is that just a friend of
8 y'all's where you hang out sometimes?

9 A. (Nodded.)

10 MS. SPIRES: You need to answer out,
11 please.

12 (No response.)

13 Q. About what time do you recall talking
14 or first seeing your brother that evening?

15 A. I don't know.

16 Q. Okay. Do you recall who he was with?

17 A. I don't know.

18 Q. Okay. Do you recall telling law
19 enforcement who he was with?

20 A. I don't remember.

21 Q. Okay. Would it be fair to say that
22 during your interview with law enforcement, you
23 told them that you saw your brother at EJ's house
24 and you talked to him about Myers Road?

25 A. I did. But when I talked to law

LAVORE GUINYARD - DIRECT EXAMINATION BY MS. MILES

1 enforcement, I was under the influence, so I really
2 don't remember.

3 Q. Okay. But it would be fair to say that
4 when you talked with them that's something you
5 said?

6 A. I don't know.

7 Q. Okay. Now, when you talked with them,
8 you talked a little bit about some things your
9 brother had talked to you about?

10 A. That what I told them, I guess.

11 Q. Okay. Now, I just want to make sure I
12 understand. Are you saying you remember giving a
13 statement and you're not --

14 A. I don't know nothing about it.

15 Q. I'm sorry.

16 A. I don't remember nothing about a
17 statement.

18 Q. Okay. Would it help to review parts of
19 your statement?

20 A. I just seen it the other day. You can
21 if you want to.

22 Q. Okay. So you are familiar with your
23 statement?

24 A. A little bit.

25 Q. Okay. So you were able to see it. And

1 | so would you agree that in that statement you gave
2 | to law enforcement, you talked about talking with
3 | your brother that night?

4 | A. (Nodded.)

5 | Q. Okay. That they came over to EJ's
6 | house?

7 | A. It was at EJ house and what?

8 | Q. Okay. Who did your brother tell you
9 | was driving the car?

10 | A. I don't know.

11 | Q. Okay. Did you tell law enforcement
12 | that it was Aloysius?

13 | A. I only told them that so I could --
14 | they had me in a room so long, I was just ready to
15 | get out the room, so I figured that would have got
16 | me out the room. So when I told them that, they
17 | got me out the room so.

18 | Q. Okay. And you can tell me why you said
19 | it, but I just want to know if that's what your
20 | answer is.

21 | A. Yeah. If you look at the video, if you
22 | look at me, I keep saying I don't know. I keep
23 | telling them that's what I heard. I hear the same
24 | story that they heard. I keep telling them that.

25 | Q. Right.

LAVORE GUINYARD - DIRECT EXAMINATION BY MS. MILES

1 A. But it seem like they was keep trying
2 to make me point the finger at my brother. But I
3 know my brother ain't had northing to do with that.

4 Q. Okay. But when you talked with them,
5 you tell them that he told you he did; correct?

6 A. I did just so I could get out -- so
7 they could get me out the room.

8 Q. Okay. So you could get out of the
9 room, you talked to them and told them that Calik
10 had come to EJ's house?

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

12 Q. Okay. Well, we'll get there then. And
13 that Aloysius, what did y'all call him then?
14 Junior?

15 A. I don't know him like that.

16 Q. You don't know him like that. Okay.
17 But you know his name is Aloysius?

18 A. Yeah.

19 Q. Okay. And Sayquan, did you know him
20 like that?

21 A. A little bit. I don't know him like
22 that.

23 Q. Did you call him Say-K sometimes?

24 A. I guess.

25 Q. Okay. Did you tell law enforcement

1 | that Calik, Aloysius, and Sayquan went to Myers
2 | Road?

3 | A. I don't know.

4 | Q. Now you said you reviewed your
5 | statement and that you -- and you can tell me why
6 | you said it, that's fine, but can you tell me
7 | whether or not that's what you told law
8 | enforcement?

9 | A. Yes.

10 | Q. Okay. And can you tell me whether or
11 | not you told law enforcement that Say-K or Sayquan
12 | is the one that went to the door?

13 | A. I think I did told them that.

14 | Q. Okay. And can you tell me whether or
15 | not you told law enforcement that they had a white
16 | car that night?

17 | A. I don't remember saying nothing like
18 | that.

19 | Q. Okay. You weren't familiar with the
20 | car?

21 | A. No, I don't remember nothing like that.

22 | Q. Okay. Do you remember telling law
23 | enforcement that they came there in a white car to
24 | EJ's house?

25 | A. I don't remember telling them nothing

LAVORE GUINYARD - DIRECT EXAMINATION BY MS. MILES

1 | like that.

2 | Q. Okay. With tint, but you weren't sure
3 | of the rims?

4 | A. No, I never told them nothing like
5 | that. And before they interview me, they showed me
6 | a video -- they showed me a video of Aloysius
7 | Green, they showed me a video of him, them
8 | interviewing him or whatever.

9 | Q. Okay. So they interviewed both of you;
10 | right?

11 | A. I ain't even know that they had
12 | interview him.

13 | Q. Okay. So you didn't know that until
14 | you talked to law enforcement?

15 | A. Logan or whatever the police name is.

16 | Q. Okay. Now, in there, y'all talk about
17 | -- you talked to law enforcement that y'all were
18 | mad at Trey Tobin. Do you remember that?

19 | A. I don't even know who that is.

20 | Q. Andrew Tobin?

21 | A. (Nodded.)

22 | Q. You heard that name before?

23 | A. Yeah.

24 | Q. Okay. Was there some belief that he
25 | had potentially been involved in shooting up your

1 grandmother's house? Is that what you talked to
2 law enforcement about?

3 A. Nah, I never said it was him. I said
4 it was Rashaun or somebody. Like I said, Rashaun
5 that's what I was hearing.

6 Q. Oh, that Rashaun had?

7 A. They say -- I told them that's what I
8 was hearing. I never said nothing about -- I never
9 said Andrew. I never said that.

10 Q. So there were some people that had been
11 suspected of trying to harm your grandmother's
12 house?

13 A. It done got shoot up multiple times by
14 different kind of people. You don't know who shoot
15 it up, it just get shot up.

16 Q. Right. And I'm sure that that can make
17 you angry, make Calik angry, make a lot of people
18 angry because it's your grandma's house; right?

19 A. (Nodded.)

20 Q. Is she okay?

21 A. She ain't here no more.

22 Q. I'm sorry. Not because of that;
23 correct?

24 A. No, ma'am.

25 Q. Okay. I'm sorry about your loss.

LAVORE GUINYARD - DIRECT EXAMINATION BY MS. MILES

1 | Lavore, some of the other things y'all talk about
2 | is y'all talk about some firearms, and you talk
3 | about giving away -- or letting them borrow that
4 | sometimes when you're coming into town, because you
5 | were living in Charlotte sometimes; right?

6 | A. (Nodded.)

7 | MS. SPIRES: I need him to answer,
8 | please.

9 | THE COURT: You just need to answer out
10 | loud, Mr. Guinyard.

11 | A. Yes, ma'am.

12 | Q. Thank you. And that when you would
13 | come into town, you would occasionally give them a
14 | gun or something; is that correct?

15 | A. Yes, ma'am.

16 | Q. Okay. And on -- around December 14th
17 | of 2020, did you give them one of your 9's?

18 | A. I believe so. I gave them a 9, yes.

19 | Q. Do you recall if you got that 9 back?

20 | A. Yes.

21 | Q. Okay. Do you recall telling law
22 | enforcement that it came back empty?

23 | A. A 9, yeah.

24 | Q. Okay. But you had to go basically
25 | replenish the bullets yourself for it?

1 A. (Nodded.)

2 Q. Okay. Do you still have possession of
3 that now?

4 A. No.

5 Q. Okay. Now, when you talked with law
6 enforcement -- y'all attempted to call police; is
7 that correct? And you talked to them on the phone
8 a little bit?

9 A. I don't know if we got in contact with
10 them. But they were trying to make me call him and
11 tell them.

12 Q. Okay. And do you remember just talking
13 to him for a few minutes and I believe with a
14 female where you -- just mostly trying to get out
15 and stuff, but also asking about that 9?

16 A. I don't remember that. I don't even
17 remember talking to him about getting in contact
18 with him.

19 Q. Okay. And do you recall asking if they
20 got rid of the car?

21 A. No, ma'am.

22 Q. Okay. Do you recall law enforcement
23 asking you to talk about that?

24 A. I don't remember. No.

25 Q. Okay. Now, when y'all were at EJ's

LAVORE GUINYARD - DIRECT EXAMINATION BY MS. MILES

1 | house, do you recall what they said to you about
2 | Myers Road?

3 | A. No, ma'am.

4 | Q. Okay. But when you watched your
5 | interview, you did recall talking to them about it;
6 | correct?

7 | A. (Nodded.)

8 | MS. SPIRES: I need an answer.

9 | A. Yes, ma'am.

10 | Q. Yes. Okay. And I think law
11 | enforcement acknowledged that this was hard for you
12 | to talk about your brother; correct?

13 | A. Yeah.

14 | Q. Because you don't want your brother to
15 | get in trouble; correct?

16 | A. No.

17 | Q. And you didn't want to get in trouble;
18 | correct?

19 | A. (Nodded.)

20 | Q. And so it was easier just to talk about
21 | things that you had heard; is that fair to say?

22 | A. (Nodded.)

23 | MS. SPIRES: I need an answer.

24 | A. Yes, ma'am.

25 | Q. Okay. Now, they asked you if you knew

1 | they were sliding. And did you know beforehand
2 | that they were going to be sliding to someone's
3 | house?

4 | A. No, ma'am.

5 | Q. Okay. And you didn't find out until
6 | afterwards; correct?

7 | A. No, ma'am.

8 | Q. Okay. And you didn't know beforehand
9 | that they were going to shoot up anything?

10 | A. No, ma'am. They just told me they was
11 | going to Bowman to hang with some females.

12 | Q. Okay. And what about Myers Road? Did
13 | they ever say anything to you beforehand about
14 | Myers Road?

15 | A. No, ma'am.

16 | Q. Did you know anyone who lived at Myers
17 | Road?

18 | A. No, ma'am.

19 | Q. Did you know Karl Williams?

20 | A. No, ma'am.

21 | Q. Okay. So you didn't learn about the
22 | shooting before, you learned about the shooting
23 | afterwards?

24 | A. Yes, ma'am.

25 | Q. Okay. You talked about some things

1 | that you heard, what all were some of the things
2 | that you heard before law enforcement talked to
3 | you?

4 | A. I don't know.

5 | MS. GAY: Object to hearsay. Hearsay
6 | objection.

7 | THE COURT: Sustained.

8 | Q. You talked to law enforcement about
9 | people saying that you could have done that and
10 | that people say your name a lot; is that correct?

11 | A. Yeah, I was saying they could have say
12 | I did it. They kept saying he did it. He did it.
13 | He did it. They was saying different people.

14 | Q. Okay. But before you left law
15 | enforcement that day, you clarified your
16 | involvement; correct?

17 | A. Say it again.

18 | Q. You clarified your involvement before
19 | you left talking to law enforcement that day that
20 | you had not been involved?

21 | A. Yes, ma'am.

22 | Q. Okay. And you suggested, I think they
23 | could call your girlfriend or another friend or
24 | something to verify that?

25 | A. I guess.

1 Q. Okay. But when you had last spoke with
2 law enforcement, the last story that you had given
3 them was in regards to your brother Calik,
4 Aloysius, and Sayquan going to that house on Myers
5 Road; correct?

6 A. Yes, ma'am, that's the only time I ever
7 talked to law enforcement.

8 Q. Okay. And that a shooting had taken
9 place?

10 A. (Nodded.)

11 Q. And that they came back?

12 THE COURT: You need to answer out
13 loud.

14 A. Yes, ma'am.

15 Q. Okay. And that then you saw them at
16 EJ's house that night around what, 9, 10 o'clock,
17 sometime around there?

18 A. I don't know what time.

19 Q. Okay. I think you had mentioned you
20 had gotten up later in the evening; is that
21 correct?

22 A. Yes, ma'am.

23 Q. Okay. Was it -- because you were young
24 then too; correct?

25 A. Ma'am?

LAVORE GUINYARD - CROSS-EXAMINATION BY MR. FARLEY

1 Q. How old were you at the time?

2 Nineteen? Twenty?

3 A. Whatever year it was.

4 Q. Okay. Is it fair to say that sometimes
5 y'all would spend a lot of time out at night and
6 then get up later in the day as teenagers do a lot
7 of times?

8 A. It depends, I guess.

9 Q. Okay.

10 MS. MILES: Beg the Court's indulgence.

11 Q. Mr. Guinyard, I appreciate you taking
12 the time to answer my questions. That's everything
13 I have and I'll let them ask you anything if they
14 have, okay?

15 A. Yes, ma'am.

16 THE COURT: Cross-examination?

17 MR. FARLEY: Thank you, Your Honor.

18 CROSS-EXAMINATION

19 BY MR. FARLEY:

20 Q. Mr. Guinyard, are you here voluntarily?
21 Did you come --

22 A. No, they told me I had to come.

23 Q. So you're here under subpoena; correct?

24 A. Yes, sir.

25 Q. Thank you. Do you know Trey Tobin?

1 A. No, sir.

2 Q. Okay. You said that you were
3 interviewed by law enforcement after this incident;
4 correct?

5 A. Yes, sir.

6 Q. Okay. And you said during your
7 interview you just told them whatever so you could
8 get out of there?

9 A. Yes, sir. They had me in there three
10 hours and I kept telling them -- I keep telling
11 them the same story. I heard what y'all heard. I
12 heard what y'all heard. I heard what y'all heard.
13 And I just told them, yeah, just so I could go
14 ahead and get out of there. Just whatever story --

15 Q. To the police officer so you could get
16 out of the room?

17 A. Yes, sir. Because they wasn't going to
18 let me leave until I obviously seem like they
19 wasn't going to let me leave, so they would keep
20 trying to get me to blame it on my brother.

21 Q. Do you often lie to law enforcement?

22 A. Sir?

23 Q. Do you often lie to law enforcement?

24 A. I mean, it depends.

25 Q. It depends on what?

LAVORE GUINYARD - CROSS-EXAMINATION BY MR. FARLEY

1 A. I ain't lied to them about the
2 situation. I wasn't lying to them about nothing.

3 Q. Well, you said you lied to them when
4 you were in the interview room?

5 A. Yeah.

6 Q. Okay. You said you were also under the
7 influence?

8 A. Yes, sir.

9 Q. What were you under the influence of?

10 A. Xanax, alcohol, and I told them that
11 when I was in the county and they still forced me
12 to come out to come talk to them.

13 Q. Were you under the influence of
14 anything else?

15 A. Not really.

16 Q. Just Xanax and alcohol?

17 A. Some X pills.

18 Q. I'm sorry.

19 A. X pills.

20 Q. What's XPX?

21 A. X pills.

22 Q. X pills?

23 A. Yes, sir.

24 Q. Okay. And what are X pills? Ecstasy?

25 A. Yes, sir.

1 Q. Okay. So you were on Ecstasy and
2 alcohol and Xanax at the time?

3 A. Yes, sir.

4 Q. Okay. Are you a pretty avid drug user?

5 A. I don't use them no more. I used to
6 use.

7 Q. So at the time you were an avid drug
8 user?

9 A. Yes, sir.

10 Q. All right. And you said Mr. Calik
11 Guinyard is your younger brother by two years;
12 correct?

13 A. Yes, sir.

14 Q. Are you close to Calik?

15 A. Yes, sir.

16 Q. You guys talk often?

17 A. I ain't talked to him since this
18 happened.

19 Q. I'm taking about before that. When you
20 were growing up, did you talk often? Were you
21 close to each other?

22 A. Yeah, he was staying with me at the
23 time.

24 Q. You were living together?

25 A. Yeah, he would come stay there from

LAVORE GUINYARD - CROSS-EXAMINATION BY MS. GAY

1 time to time.

2 Q. Come stay where?

3 A. In Charlotte at my house.

4 Q. Oh, he would stay at your house
5 sometimes?

6 A. (Nodded.)

7 Q. So you guys were pretty close then?

8 A. (Nodded.)

9 Q. All right. So given that you're pretty
10 close to your brother, you probably -- I mean, it's
11 fair to say you love your brother; right?

12 A. (Nodded.)

13 MS. SPIRES: I need an answer.

14 A. Yes, sir.

15 Q. Is it fair to say you do whatever to
16 protect him?

17 A. Yes, sir.

18 Q. Including lying to law enforcement?

19 A. Yes, sir.

20 MR. FARLEY: No further questions.

21 THE COURT: Ms. Gay?

22 CROSS-EXAMINATION

23 BY MS. GAY:

24 Q. So you indicated that during this
25 period of time when the police were talking to you,

1 | you actually resided in Charlotte, North Carolina?

2 | A. Yes, ma'am.

3 | Q. And on the day of the 14th of December,
4 | were you in Charlotte and my client and some people
5 | came to visit you?

6 | A. Yes, ma'am.

7 | Q. In Charlotte?

8 | A. Yes, ma'am.

9 | Q. Okay. And so you saw him in the
10 | Charlotte area at some point during that day?

11 | A. My brother?

12 | Q. Yes.

13 | A. At my house?

14 | Q. At your house; right? Exactly? Yes?

15 | A. Yes, ma'am.

16 | Q. Okay. And so it's the next day that
17 | the police were talking to you; right? Which would
18 | have been the 15th of December?

19 | A. I think so.

20 | Q. Do you remember that? What day it was?

21 | A. I don't remember.

22 | Q. Okay. And you said you were in the
23 | jail at that time and they came to get you or some
24 | other day, not the 15th?

25 | A. Yes, ma'am. I had got pulled over and

1 | they said I had a warrant and they locked me up.

2 | Q. Okay. So they actually brought you
3 | from the incarcerated jail to the detective's
4 | office to talk about all this?

5 | A. Yes, ma'am.

6 | Q. And so you said in your direct that you
7 | felt like they weren't going to let you go unless
8 | you sort of agreed with them on some stuff; right?

9 | A. I already weren't feeling good and they
10 | told me they wasn't going -- I wasn't going to bond
11 | out until I talked to them.

12 | Q. Okay. So -- and I think you said that
13 | they had said some things to you about what they
14 | believed had happened; right?

15 | A. Yes, ma'am.

16 | Q. And your testimony was is that you just
17 | agreed with what they said they heard?

18 | A. Yes, ma'am.

19 | Q. Okay. In terms of your personal
20 | knowledge of any of this, you weren't there when it
21 | happened; right?

22 | A. No, ma'am.

23 | Q. So you don't really know at all
24 | personally what happened?

25 | A. No, ma'am.

1 Q. So everything that you ever said to
2 them in that interview or even today is just
3 because of something you heard?

4 A. Yes, ma'am.

5 MS. GAY: I have no further questions,
6 Your Honor.

7 THE COURT: Any redirect?

8 MS. MILES: Just briefly, Your Honor.

9 REDIRECT EXAMINATION

10 BY MS. MILES:

11 Q. Mr. Guinyard, Ms. Gay just asked you
12 about that you lived in Charlotte at the time and
13 you would come back and forth?

14 A. Yes, ma'am.

15 Q. You had a small child at the time;
16 right?

17 A. Yeah, three month year old.

18 Q. I thought you had said that. And
19 Ms. Gay asked you if you were in Charlotte on the
20 day of December 14th?

21 A. I don't remember.

22 Q. Okay. Because when you talked to law
23 enforcement, you talked about being at EJ's house
24 after waking up; is that correct?

25 A. (Nodded.)

1 THE COURT: Is that a, yes?

2 Q. I'm sorry. Is that a, yes?

3 A. Yes, ma'am.

4 Q. And Mr. Farley asked you about whether
5 or not you lied to law enforcement and you talked
6 about that it was something that you said to
7 basically get out of the room; is that correct?

8 A. Yes, ma'am.

9 Q. Okay. And so when you said that your
10 brother Calik and Sayquan and Aloysius were there
11 at that house, that was to get out of the room?

12 A. Yes, ma'am.

13 Q. Okay. And that was what the story was
14 back around -- within a month or so of December
15 14th; is that correct?

16 A. I guess.

17 Q. Okay. Is it fair to say that sometimes
18 you say whatever story a person wants you to say to
19 get out of the room?

20 A. Nah.

21 Q. No? Just sometimes?

22 A. Yes.

23 Q. Okay. That's fair. Thank you.

24 THE COURT: You're free to go.

25 MS. MILES: He's released from his

1 subpoena and so I don't think the sequestration has
2 to apply anymore if he wants to be in here for the
3 rest of the trial.

4 THE COURT: Mr. Guinyard, you're free
5 to go. You can step down.

6 MS. MILES: Thank you.

7 THE COURT: You may call your next
8 witness.

9 MS. MILES: Your Honor, our next
10 witness is our last witness, it's our autopsy
11 person. I don't believe she's here yet, but should
12 be here after we finish a quick lunch break if
13 that's okay with Your Honor.

14 THE COURT: Yes, ma'am. All right.
15 Ladies and gentlemen, this won't be a false alarm,
16 so now we'll take our lunch break. It's 11:45, if
17 you would be back in your jury room at 12:45, I
18 certainly would appreciate it. Again, please
19 remember not to discuss the case amongst
20 yourselves. Have a nice lunch.

21 (WHEREUPON, the jury left the courtroom
22 at 11:45 p.m.)

23 THE COURT: All right. We'll be back
24 at 12:45. And I understand that you have -- the
25 solicitor's office had a couple of other matters

TATEAYNA ULMER - PROFFER DIRECT EXAMINATION BY MS. GAY

1 | that were scheduled during the lunch break?

2 | MS. MILES: Yes, ma'am.

3 | THE COURT: Just let me know and we'll
4 | do that.

5 | (WHEREUPON, there was a lunch break.)

6 | THE COURT: All right. Yes, ma'am.

7 | MS. GAY: I would like to call for this
8 | proffer hearing, Ms. Tateayna Ulmer.

9 | THE COURT: Come on up, Ms. Ulmer.

10 | TATEAYNA ULMER,
11 | being first duly sworn, was examined and testified
12 | as follows:

13 | THE CLERK: Can you please state your
14 | name for the record?

15 | MS. ULMER: Tateayna Ulmer.

16 | PROFFER TESTIMONY

17 | BY MS. GAY:

18 | Q. Ms. Ulmer, you're hear today and we're
19 | having this hearing outside the presence of the
20 | jury, and you have been subpoenaed by my office, as
21 | well as the solicitor's office, have you not?

22 | A. Yes, ma'am.

23 | Q. And so part of that subpoena is for you
24 | to be a witness in the case for Mr. Calik Guinyard?

25 | A. Yes, ma'am.

1 Q. Okay. And so, could you please tell
2 us, explain to the judge, what you know about the
3 day of December 14, 2020?

4 A. Not much really.

5 Q. You've got to speak up, I can't hear
6 you.

7 A. Not much really. December 13th, that
8 Sunday before I headed back to the college, I was
9 at Allen University. I took him and Starkaysha to
10 Charlotte. After that, I dropped him off to his
11 brother. That's about it. That's my first time
12 ever seeing my cousin in five years. So I really
13 didn't know nothing about everything until, like,
14 he got locked up.

15 MS. GAY: One moment, please. Can I
16 just approach the witness for just a second?

17 THE COURT: Yes, ma'am.

18 (Ms. Gay is speaking with Ms. Ulmer.)

19 THE COURT: Ms. Gay, you can't lead
20 your client.

21 MS. GAY: I'm just asking what happened
22 and she gave me a date that wasn't even consistent
23 with what I thought.

24 A. No, I don't know nothing about that day
25 at all. I wasn't even in Orangeburg.

STARKAYSHA MASON - PROFFER DIRECT EXAMINATION BY MS. GAY

1 MS. GAY: I have no further questions,
2 Your Honor.

3 THE COURT: Any cross-examination?

4 CROSS-EXAMINATION

5 BY MS. MILES:

6 Q. And so you just -- you dropped him off
7 on the Sunday, December 13th?

8 A. Yeah, going back to school, yeah.

9 Q. And that was your last time contact --

10 A. Yeah, this is my first time seeing my
11 cousin. Yeah.

12 Q. Thank you. I have no further
13 questions. And you can be released by my subpoena
14 as well.

15 A. Okay. Thank you.

16 MR. FARLEY: No objection, Your Honor.

17 THE COURT: All right. You're free to
18 go.

19 MS. GAY: One moment, Your Honor. So
20 the next person that I would call, Your Honor, is
21 Starkaysha Mason.

22 STARKAYSHA MASON,
23 being first duly sworn, was examined and testified
24 as follows:

25 THE CLERK: Can you please state your

1 name for the record?

2 MS. MASON: Starkaysha Mason.

3 THE CLERK: Thank you.

4 PROFFER TESTIMONY

5 BY MS. GAY:

6 Q. Ms. Mason, you're here, we don't have a
7 jury present, we're just here to talk before the
8 judge right now.

9 So, at some point, Mr. Guinyard and you
10 were involved in a relationship?

11 A. Yes.

12 Q. And I think you have a child by him?

13 A. A daughter. Yeah, she's four.

14 Q. Okay. And at the time of when all this
15 happened, were you pregnant?

16 A. Yes, ma'am. I think I was, like, five
17 or six months pregnant.

18 Q. Okay. And do you remember him being
19 arrested?

20 A. I was with him when he got arrested.

21 Q. Okay. Do you remember what day of the
22 week or what time it was when he got arrested?

23 A. I know it was, like, just turned
24 nighttime because I wanted to get something to eat.

25 Q. Do you know what day it was?

1 A. I don't remember. That was, like, five
2 years ago.

3 Q. Okay. So there was an occasion where
4 y'all were doing some stuff together. Can you
5 describe to the judge what was going on right
6 before that time?

7 A. What you mean by doing some stuff?

8 Q. Right before he was arrested.

9 A. I'm confused.

10 Q. So my question is that there was a trip
11 that y'all made. Can you tell the judge a little
12 bit about that?

13 A. To Charlotte?

14 Q. Yes.

15 A. I remember Tateayna taking us to
16 Charlotte one day. Because I was at my sister's
17 house in Orangeburg and I stayed in Rock Hill with
18 my uncle. And I had a sister that stayed in
19 Charlotte as well. But we always stayed with each
20 every day, every night. Like, we always was
21 together because I was pregnant.

22 Q. So, it would be your testimony that at
23 some point, you and Mr. Guinyard were in Charlotte
24 during the evening?

25 A. Yes. It was, like, because Tateayna

1 | went to school in Columbia and she took us to
2 | Charlotte one day around noon. It was still
3 | daytime. But it hit nighttime by the time when we
4 | arrived to Charlotte.

5 | Q. And do you remember what day of the
6 | week that was?

7 | A. No, that was five years ago. I'm
8 | sorry.

9 | Q. Okay. So did you come back to
10 | Orangeburg at some point?

11 | A. No, ma'am. Once I left Charlotte, I
12 | went to Rock Hill where I reside at which was my
13 | uncle's house that next morning.

14 | Q. Oh, the next morning you went?

15 | A. Uh-huh.

16 | Q. So what happened to Mr. Guinyard?

17 | A. Well, the next morning, I don't know
18 | where he went, but I know I was in Rock Hill.

19 | Q. Okay. So you were at your uncle's
20 | house in Rock Hill?

21 | A. Yes, ma'am.

22 | Q. All right. So, you know I have
23 | subpoenaed you and even the State subpoenaed you
24 | about this incident --

25 | A. Uh-huh.

1 Q. -- that's here? So is it your
2 testimony that that evening y'all were in Charlotte
3 was during the same period of time that this
4 occurred?

5 A. And what day was --

6 Q. The 14th of December, 2020?

7 A. I don't know what day, honestly. But
8 it had to be in December because that was, like,
9 the last time I seen Calik.

10 Q. Because he got arrested after that?

11 A. Yes, ma'am.

12 Q. Okay.

13 MS. GAY: Hold on, Your Honor. I have
14 no further questions, Your Honor.

15 THE COURT: Any questions, Solicitor?

16 MS. MILES: Yes, ma'am, Your Honor.
17 Just beg the Court's indulgence for just one
18 moment.

19 CROSS-EXAMINATION

20 BY MS. MILES:

21 Q. So, Ms. Mason, Ms. Gay asked you about
22 how you would have gotten to Charlotte when you
23 went with Mr. Guinyard; correct?

24 A. Yes, ma'am.

25 Q. Okay. And Ms. Tateayna Ulmer would

1 have taken you?

2 A. Yes, I remember her taking me and Calik
3 to Charlotte one day.

4 Q. Okay. And she was a student at Allen?

5 A. Yes. She stayed there in Columbia.

6 Q. Okay. And so would she normally have
7 taken y'all on a weekend while she was available
8 and not in classes?

9 A. Yes, because I used to come down to
10 Orangeburg, like, every other weekend, so it had to
11 be a weekend.

12 Q. Okay. And Ms. Gay asked you about if
13 it was around the time that Calik got arrested. Is
14 that around when you remember? Tell me about how
15 --

16 A. I don't think Calik got arrested around
17 that time.

18 Q. Okay. Around that same time. Do you
19 recall whether or not he was arrested in January or
20 was it before or after Christmas?

21 A. I think Calik got arrested back in
22 February, if I'm not mistaken.

23 Q. Okay. And so he wasn't arrested around
24 the same time as this incident occurred?

25 A. When I went to Charlotte; correct?

1 Q. Yes.

2 A. No. Because the last time I seen him,
3 we got into it, and I didn't see him again until
4 around the time he got arrested.

5 Q. Okay. And so I just want to make sure
6 I understand your testimony okay is that y'all were
7 in Charlotte at some point together?

8 A. Yes, ma'am.

9 Q. And that Ms. Tateayna Ulmer would have
10 taken you there?

11 A. Yes, ma'am.

12 Q. And that likely would have been a
13 weekend because based on her availability and your
14 availability when she would have taken you?

15 A. Yes, ma'am.

16 Q. Okay. And then after on one occasion
17 when she took you, that you would have gotten up
18 and gone to your uncle's house and you aren't sure
19 where he would have gone?

20 A. Yes. Like, we always slept together
21 and I was sick a lot, so I always went to go back
22 home to Rock Hill.

23 Q. Right. Well, you're pregnant --

24 A. We separate, I don't know where he went
25 after, yeah.

1 Q. Okay. I think that's all the questions
2 I have for you. So thank you. We appreciate it.

3 THE COURT: Any further questions?

4 MR. FARLEY: No, Your Honor.

5 THE COURT: Ms. Gay?

6 MS. GAY: No.

7 THE COURT: You may step down, ma'am.
8 Thank you. Is she free to go?

9 MS. MILES: She's released from our
10 subpoena, Your Honor, I believe, unless -- I mean,
11 is she released?

12 MS. GAY: Yeah, she still needs to
13 stay. But your witness, your subpoena, would cause
14 her to be sequestered.

15 MS. MILES: I can release mine. Well,
16 I mean, if she's testifying regarding alibi, yeah,
17 I would want her to still stay sequestered.

18 MS. GAY: Then if you'd just stay in
19 the hall.

20 MS. MASON: Okay. Thank you.

21 THE COURT: Any other witnesses, Ms.
22 Gay?

23 MS. GAY: Not at this time, Your Honor.
24 I do have some argument.

25 THE COURT: All right.

1 MS. GAY: So, Your Honor, that was
2 testimony that was not what I anticipated. I mean,
3 obviously. That -- it's kind of interesting how
4 all of these witnesses sort of say something
5 completely different than what, you know, we kind
6 of think they're going to say ahead of time.

7 But -- so, I think that Ms. Mason's
8 testimony was is that she doesn't remember the day,
9 but she remembers going to Charlotte. And
10 certainly, though Ms. Ulmer is now saying that she
11 was -- believes it was the day before, I do think
12 -- and I understand that one, but I do think that
13 Ms. Mason should still be allowed to testify that
14 she remembered going to Charlotte, she just doesn't
15 remember when. Because the brother who, Lavore,
16 testified that they had been in Charlotte.

17 THE COURT: Solicitor?

18 MS. WILLIAMS: Your Honor, the Rule
19 5(e) which talks about notice of alibi, it has a
20 specificity requirement. It requires that the
21 witnesses can say at the time that the incident
22 occurred they were in a different location with
23 that Defendant. The driver that took them to
24 Charlotte, can't say that it was that Monday on the
25 evening time for which the shooting would have

1 occurred. Ms. Mason can't say when they had gone
2 to Charlotte. She testified they would go to
3 Charlotte all the time. She lived in Rock Hill.
4 She had a sister in Charlotte. It's not specific
5 to December 14th.

6 She was confused as to when she would
7 have been with him when it was asked if it was
8 after his arrest. She said he was arrested
9 sometime January/February, that's still not
10 December and that's not around the time they would
11 have gone to Charlotte. So they can't come in and
12 testify to his alibi. The rule doesn't exclude
13 Mr. Guinyard from testifying about his alibi, but
14 it would possibly exclude them from coming in being
15 witnesses for his alibi.

16 THE COURT: And certainly I understand
17 that the Defense has not provided the required
18 notice to the State; however, the State did have
19 the opportunity to subpoena both witnesses and have
20 an opportunity to talk to them to see what their
21 testimony would be to see if whether or not they
22 would have to defend the alleged alibi. Quite
23 frankly after hearing from them, I don't think the
24 State's really prejudiced by allowing the witnesses
25 to testify. Certainly, you can argue to the jury

1 exactly what you've argued to the Court. But I
2 think it would go to the admissibility and not the
3 weight of it, so I will allow her to testify.

4 MS. GAY: Thank you.

5 MS. MILES: And we would just ask that
6 those two witnesses not be together to get their
7 stories lined up.

8 THE COURT: Yes, ma'am. And if you
9 want to double check that right now.

10 MS. GAY: Yes.

11 THE COURT: Because the person was
12 actually already -- the first one was already
13 released so she may have left. You may want to
14 check on that.

15 MS. GAY: We'll walk out there
16 together.

17 THE COURT: If you both would please
18 stand. Mr. Farley, would y'all have any objection
19 -- we'll wait until Ms Gay comes back in too, while
20 we wait for them -- is the pathologist the last
21 witness?

22 MS. MILES: Yes, ma'am.

23 THE COURT: If we can go ahead and
24 question both of your clients as to whether or not
25 they're going to wish to testify. Do you need to

1 talk to them about that real quick?

2 MR. FARLEY: I don't believe so, Your
3 Honor, and I would have no objection if wish to
4 testify to them. But I believe I -- I have already
5 spoken to my client about that and I'm satisfied
6 with his answers.

7 THE COURT: So, Ms. Gay, I was just
8 asking if we could go ahead and knock this out too
9 while we're waiting for the pathologist to arrive
10 is, I could go ahead and question your client
11 regarding whether or not they wish to testify and
12 advise him of his constitutional rights. Are y'all
13 okay if we just jump to that portion of it?

14 MS. GAY: Yes, ma'am.

15 THE COURT: Are y'all prepared to go
16 forward with that?

17 MR. FARLEY: Yes, ma'am.

18 THE COURT: All right. Gentlemen, if
19 you both would please stand. Mr. Harrison and Mr.
20 Guinyard, if y'all would stand, please. And would
21 you please swear them in, madam clerk?

22 CALIK GUINYARD and SAYQUAN HARRISON,
23 being first duly sworn, was examined and testified
24 as follows:

25 THE CLERK: Can you please state your

1 names for the record?

2 MR. GUINYARD: Calik Guinyard.

3 MR. HARRISON: Sayquan Harrison.

4 THE CLERK: Thank you.

5 EXAMINATION

6 BY THE COURT:

7 THE COURT: All right. Mr. Harrison
8 and Mr. Guinyard, after the next State's witness
9 testifies, then it will be your opportunity to
10 present your defense. And at that time, I'm going
11 to go ahead and explain your rights to you. Once
12 the State rests their case and again, it will be
13 your turn to go forward with your defense. And I'm
14 going to read to you certain of your constitutional
15 rights.

16 So we again, have reached the stage of
17 the trial where you may present your defense and
18 you have certain rights that are given to you by
19 the Constitution of the United States. Which
20 states, that at no person shall in a criminal trial
21 shall be forced to testify. That basically only
22 you can make that decision under the protections
23 given to you from the Fifth Amendment of the
24 Constitution of the United States. I'm going to
25 ask you a couple of questions here.

1 Have you discussed with your attorney
2 whether or not you wish to testify?

3 MR. GUINYARD: Yes, ma'am.

4 THE COURT: Have you?

5 MR. HARRISON: Yes, ma'am.

6 THE COURT: All right. And when we're
7 asking here, make sure Mr. Harrison you answer
8 first and then Mr. Guinyard, okay?

9 MR. GUINYARD: Yes, ma'am.

10 THE COURT: And so again, your
11 knowledge as to whether or not you wish to testify
12 must be given with the protections given to you by
13 the Constitution of the United States. If you
14 decide not to testify, I will instruct the jury
15 that they cannot use that against you in any way
16 whatsoever, but it is your constitutional right to
17 remain silent.

18 If you decide to testify, of course, I
19 will -- you may be subject to examination, and
20 cross-examination, and your prior record may be
21 introduced to attack your credibility, and that
22 would include any convictions for dishonesty or
23 false statement. And if I determine that the
24 probative value of these convictions would outweigh
25 the prejudicial effect to you, so you need to

1 | consider whether or not you wish to testify with
2 | the knowing all the protections given to you by the
3 | Constitution of the United States.

4 | Have you talked to your attorney in
5 | sufficient detail as to whether or not you wish to
6 | testify?

7 | MR. HARRISON: Yes, ma'am.

8 | MR. GUINYARD: Yes, ma'am.

9 | THE COURT: And do you need any more
10 | time to talk to your attorney?

11 | MR. HARRISON: No, ma'am.

12 | MR. GUINYARD: No, ma'am.

13 | THE COURT: Because again, this
14 | decision of yours must be made freely, voluntarily
15 | with all the knowledge of the protections given to
16 | you. Do you understand everything that I've
17 | explained to you?

18 | MR. HARRISON: Yes, ma'am.

19 | MR. GUINYARD: Yes, ma'am.

20 | THE COURT: Do you need any more time
21 | to talk to your counsel?

22 | MR. HARRISON: No, ma'am.

23 | MR. GUINYARD: No, ma'am.

24 | THE COURT: All right. Do you wish to
25 | testify, Mr. Harrison?

1 MR. HARRISON: No, ma'am.

2 MR. GUINYARD: No, ma'am.

3 THE COURT: All right. Thank you.

4 Anything else that we can take care of before...

5 MS. MILES: We spoke with their office,
6 apparently it got put on her calendar a little off,
7 but she is very close and should be pulling up
8 momentarily.

9 THE COURT: All right. We'll be in
10 recess until then.

11 (WHEREUPON, there was a short break.)

12 THE COURT: Thank you. Please have a
13 seat.

14 MS. GAY: Your Honor, Starkaysha Mason.

15 THE COURT: Ms. Mason, you're still
16 under oath. There's just a couple of more
17 questions that Ms. Gay needed to ask you. You may
18 proceed, counsel.

19 MS. GAY: Thank you.

20 STARKAYSHA MASON,

21 CONTINUED PROFFER TESTIMONY

22 BY MS. GAY:

23 Q. So I'm going to take you back to that
24 time again in December of 2020. Monday, December
25 14, 2020. Do you recall being in, like, with my

1 client, Mr. Guinyard, sleeping together and
2 creating a video that was posted on either
3 Instagram or Snapchat or something like that? Do
4 you recall that?

5 A. I don't remember no dates, but I do
6 remember the video you're talking about.

7 Q. Okay. You remember having -- it was,
8 like, the two of y'all doing what?

9 A. I think I was asleep in the video, if
10 I'm not mistaken.

11 Q. So where were you when this video was
12 made?

13 A. I probably was in Charlotte.

14 MS. GAY: One moment, Your Honor.

15 A. I don't even know how the video look
16 anymore.

17 Q. I understand.

18 MS. GAY: Hold on, Your Honor.

19 Q. So you say that you don't remember the
20 date, but you do remember being in Charlotte when
21 this happened?

22 A. When what happened?

23 Q. This video that y'all put together?

24 A. Yes, ma'am.

25 Q. And posted?

1 A. Yes, ma'am.

2 Q. Like I said, y'all were sleeping
3 together at that time?

4 A. Yes, ma'am.

5 Q. Okay. And you don't -- do you remember
6 this trip that Ms. Ulmer took you up there and all
7 that, do you remember if it was during that period
8 of time?

9 A. It had to be in December. I just don't
10 remember no dates. That was so long ago.

11 Q. I understand. All right.

12 MS. GAY: I have no further questions,
13 Your Honor.

14 THE COURT: Any questions, Solicitor?

15 MS. WILLIAMS: Yes, Your Honor.

16 CROSS-EXAMINATION

17 BY MS. WILLIAMS:

18 Q. On this particular video, you said you
19 don't remember what's on it exactly?

20 A. No. I know her assistant told me
21 because I was speaking with her and I asked them
22 how the video looked and she said I was asleep in
23 the video.

24 Q. Okay. But you don't have any personal
25 knowledge of what's in the video?

KELLY ROSE - DIRECT EXAMINATION BY MS. WILLIAMS

1 A. I seen the video before.

2 Q. And you don't remember when that video
3 was taken?

4 A. No.

5 Q. It just could have been when you were
6 in Charlotte at some time?

7 A. Yes, ma'am. Because that's where we
8 always been together.

9 Q. Okay. But you can't say exactly it was
10 on December 14, 2020?

11 A. No, it had to be in December though.

12 Q. It could be in December, but not
13 specifically the 14th?

14 A. Yes, I don't know what date.

15 Q. Thank you.

16 MS. WILLIAMS: No further questions.

17 THE COURT: Anything further?

18 MS. GAY: No, ma'am.

19 THE COURT: All right. You can step
20 down, ma'am. You can't leave, but you can step
21 down.

22 All right. Are we ready for the jury?

23 MS. MILES: Yes, ma'am, Your Honor.

24 THE COURT: Defense ready?

25 MS. GAY: Yes.

1 MR. FARLEY: Yes, Your Honor.

2 THE COURT: All right. Let's have our
3 jury, please.

4 (WHEREUPON, the jury entered the
5 courtroom at 1:55 p.m.)

6 THE COURT: Welcome back, ladies and
7 gentlemen of the jury. We are now ready to proceed
8 with the trial of this case.

9 You may call your next witness.

10 MS. WILLIAMS: Thank you, Your Honor.
11 At this time, the State calls Kelly Rose -- Dr.
12 Kelly Rose.

13 KELLY ROSE,
14 being first duly sworn, was examined and testified
15 as follows:

16 THE CLERK: Can you please state your
17 name for the record?

18 MS. ROSE: Kelly Rose.

19 THE CLERK: Thank you.

20 DIRECT EXAMINATION

21 BY MS. WILLIAMS:

22 Q. Good afternoon, Dr. Rose?

23 A. Hello.

24 Q. Can you go ahead and tell the jury what
25 it is you do for a living?

KELLY ROSE - DIRECT EXAMINATION BY MS. WILLIAMS

1 A. I'm a forensic pathologist.

2 Q. And what do you do as a forensic
3 pathologist?

4 A. We are medical doctors that do
5 autopsies to determine cause and manner of death.

6 Q. And how long have you been a forensic
7 pathologist?

8 A. Since 2013 -- my dates, I'm getting so
9 old, it's hard. 2010.

10 Q. And as an estimate, throughout your
11 career, how many autopsies have you performed?

12 A. Eight thousand. Around 8,000.

13 Q. And where do you work as a forensic
14 pathologist?

15 A. I work in Newberry, South Carolina at
16 -- for Newberry Pathology Group. We do autopsies
17 in the hospital there in their morgue.

18 Q. And does the Newberry Pathology Group
19 help across the state?

20 A. We do. We do autopsies for 17 counties
21 in South Carolina.

22 Q. And can you give the jury a little bit
23 of background about your education in becoming a
24 forensic pathologist?

25 A. I went to college at College of

1 Charleston. I got my degree in biology. I then
2 decided I wanted to go to med school and I went to
3 med school at MUSC there in Charleston. I started
4 doing my pathology training after med school. I
5 started there at MUSC. I finished that at Emory in
6 Atlanta and then I stayed on one more year to do
7 subspecialty in just forensic pathology.

8 Q. Now, you testified that you've done
9 quit a number of autopsies. Have you ever had to
10 testify in court?

11 A. I have.

12 Q. And about how many times have you
13 testified in court?

14 A. About 80.

15 Q. Now, as far as being a forensic
16 pathologist, are there specific methods that are
17 required for your field?

18 A. Define method? What do you mean by
19 method?

20 Q. Your best practices. Your process for
21 conducting an autopsy.

22 A. Say that again.

23 Q. Your process for conducting the
24 autopsy?

25 A. How I conduct autopsies?

1 Q. Yes, ma'am.

2 A. We're trained -- there are certain
3 standards that you -- everyone should follow. You
4 can adapt it a little to your style. But in
5 general, an autopsy is a really, really good
6 physical examination once someone has died. So we
7 will, you know, it involves also court and stuff,
8 so you have to document everything. So when a body
9 gets to us, we photograph the bag, the body bag.
10 We open the body bag. We photograph the body. We
11 make note of what they're wearing. We make note of
12 everything on the body from head to toe. We're
13 looking for signs of disease. We're looking for
14 injury. Anything that's kind of identifying we
15 look for certain cases.

16 And then once that's done, whatever we
17 discover, prompts us to do something else. So in a
18 gunshot case we'll do x-rays because we're going we
19 look for any bullets that were left behind. So
20 after we do the x-rays, then we open the body and
21 we look at every organ system in the body. We
22 weigh every organ. We slice the organs and look at
23 them and we make slides out of the tissue that we
24 look at under the microscope.

25 Q. Thank you, Dr. Rose. Now, you talked

1 about testifying in court before, about how many
2 times have you testified in court?

3 A. Eighty. Around 80.

4 Q. And of those times, are you qualified
5 as an expert in the field or forensic pathology?

6 A. I was.

7 MS. WILLIAMS: Your Honor, at this
8 time, the State moves to qualify Dr. Rose in the
9 field of forensic pathology.

10 MR. FARLEY: No objection, Your Honor.

11 MS. GAY: No objection, Your Honor.

12 THE COURT: Court finds that she's
13 qualified.

14 MS. WILLIAMS: Thank you, Your Honor.

15 Q. Now, Dr. Rose, did you perform an
16 autopsy in this case?

17 A. I did.

18 Q. Do you remember the victim, Karl
19 Williams?

20 A. I do.

21 Q. In your process of conducting an
22 autopsy, did you conduct -- did you complete an
23 autopsy report?

24 A. I did.

25 Q. And would you recognize it if I showed

1 | it to you?

2 | A. I would.

3 | MS. WILLIAMS: Your Honor, may I
4 | approach the witness?

5 | THE COURT: Yes, ma'am.

6 | Q. All right. Can you tell us what that
7 | is?

8 | A. This is a copy of my autopsy report.
9 | Once I'm done with everything, we make this big
10 | long document and that's the final autopsy report.

11 | Q. And is that a part of your usual
12 | routine when completing an autopsy?

13 | A. Yes.

14 | Q. Has this particular report been altered
15 | or changed in any way?

16 | A. Not that I can see. No.

17 | Q. So it's a fair and accurate
18 | representation of your report at that time?

19 | A. Yes.

20 | MS. WILLIAMS: Your Honor, at this
21 | time, the State moves what's been marked as Exhibit
22 | 106 into evidence.

23 | MR. FARLEY: No objection, Your Honor.

24 | MS. GAY: No objection, Your Honor.

25 | THE COURT: All right. It's in.

1 (WHEREUPON, State's Exhibit No. 106 was
2 entered.)

3 Q. So, you've already talked about the
4 general sense of what you're doing with your
5 autopsy once you received the body. I'd like to
6 talk about that specifically with Karl Williams.
7 Can you walk us through that process?

8 A. Sure. We received the body of Mr. Karl
9 Williams, it was on December 16, 2020. He was
10 given the number of FA-1028. That is how we keep
11 track of cases with their name, but also with a
12 number. And so he was our 1,007 -- I mean, 28 case
13 that year in 2020. So we -- he was received in the
14 body bag and we did exactly what I said we do for
15 autopsies. He was not wearing clothes. His
16 clothes had been previously removed at the
17 hospital. So the body was nude. We photographed
18 him. We have body diagrams that we do. I did a
19 body diagram on him. We'll get his height, weight,
20 hair color, eye color, stuff like that. And then
21 in this case, he also had some injuries, and so
22 they were gunshot injuries, so we x-rayed him.

23 Q. So, yes, ma'am, that's good. Thank
24 you. Based off of that gunshot wound, were you
25 able to determine where the bullet had entered?

1 A. I was. There was a gunshot entrance
2 wound on his right chest close to his sternum.
3 That's your chest plate. That -- you want me to
4 talk about the path and everything else?

5 Q. Yes, ma'am, if you could go ahead and
6 discuss that.

7 A. So that wound went through his third
8 rib on the right near his chest plate. After it
9 went through that rib, it went through his right
10 lung. It went through the sac around the heart.
11 That's called your pericardial sac. From there, it
12 went through the heart. As it exited the heart, it
13 got the left lung and the aorta, which is the
14 largest artery in your body. It's at least the
15 side of a garden hose. It's usually a little bit
16 bigger than a garden hose. So, it got the aorta.
17 After it got the aorta, it exited through the left
18 posterior rib, so on his back, No. 6.

19 Q. So I just want to clarify. Are you
20 saying the entrance wound was directly into his
21 chest?

22 A. Yes, it was on his right chest.

23 Q. And then that exit wound would have
24 come out of the side on his back?

25 A. The left back, yes.

1 Q. Now, I believe you mentioned that your
2 process is taking photos. Did you take photos in
3 this case?

4 A. We did.

5 Q. And if I show those to you, would you
6 recognize them?

7 A. I would.

8 MS. GAY: Yes, I'm good.

9 MS. WILLIAMS: May I approach the
10 witness, Your Honor?

11 THE COURT: Yes, ma'am.

12 Q. I'm showing you what's been premarked
13 as State's 94, 95, and 96. Can you take a look at
14 those?

15 A. Yes. Okay.

16 Q. Can you tell me what those are photos
17 of?

18 A. 94 -- can I show them like this?

19 Q. Not yet.

20 A. 94 is the entrance wound that I just
21 described. 95 is the exit wound. And 96 was a
22 superficial wound that he had to his head.

23 Q. And are these pictures a fair and
24 accurate representation of those injuries as you
25 remember them?

KELLY ROSE - DIRECT EXAMINATION BY MS. WILLIAMS

1 A. Yes.

2 Q. Have those photos been altered or
3 changed in any way?

4 A. No.

5 MS. WILLIAMS: Your Honor, at this
6 time, the State moves what's been premarked as
7 Exhibits 94, 95, and 96.

8 MR. FARLEY: No objection, Your Honor.

9 MS. GAY: No objection, Your Honor.

10 THE COURT: All right. They're in.

11 (WHEREUPON, State's Exhibit Nos. 94,
12 95, and 96 were entered. Remarked to 107 and 108.)

13 Q. Dr. Rose, I do want to walk through
14 those photos --

15 MS. WILLIAMS: And at this time, Your
16 Honor, may I publish?

17 THE COURT: Yes, ma'am.

18 Q. And you can walk through them with the
19 jury and show them what you were walking about on
20 Exhibit 94.

21 A. Can I approach?

22 Q. Yes, ma'am.

23 A. So this picture, 94, this is an
24 entrance gunshot wound on his chest. It's a
25 close-up.

1 MR. FARLEY: Your Honor, I'm going to
2 stand.

3 THE COURT: That's fine.

4 Q. If you could use the microphone for the
5 court reporter.

6 A. Okay. I can be loud. So this is the
7 entrance wound right here in his chest. Can y'all
8 see that dark spot there, dark area? Okay.

9 Then this is where it exited on his
10 back. That's the exit wound. This right here.

11 And then this is the wound that was to
12 the back of his head. It was a superficial wound.

13 Q. Thank you, Dr. Rose. So for the
14 particular gunshot that went through his chest and
15 exited through his back, how would you describe
16 that wound?

17 A. We have certain terminology in
18 forensics to describe gunshot wounds. There's
19 penetrating and there's perforating. Penetrating
20 means the bullet went in the body, but did not come
21 out. Perforating means it perforated. It went all
22 the way through. It went in and came out. So this
23 would have been a perforating wound because it went
24 in and it came out.

25 We also describe range of fire if we

KELLY ROSE - CROSS-EXAMINATION BY MS. GAY

1 | can. There's certain things we look at to try to
2 | determine how far someone was away from the other
3 | person when they were shooting. It's gunshot
4 | residue that we look for. In this case, I did not
5 | see any and so I called it indeterminate. Meaning
6 | I don't see any indication that lets me know it was
7 | close range. But because he was wearing clothing
8 | and stuff, sometimes we can't tell for sure, so we
9 | call it indeterminate. So it was an indeterminate
10 | range perforating gunshot wound.

11 | Q. And there's another word for
12 | perforating known as a through and through wound?

13 | A. Yes. That means through and through.

14 | Q. And you mentioned that the wound that
15 | we saw, I believe, on Exhibit 96 was a superficial
16 | wound?

17 | A. Yes.

18 | Q. Can you describe what that means?

19 | A. Yes. It means it didn't go in very
20 | far. It went into the scalp -- well, part of it
21 | actually went into the scalp. So in his scalp
22 | underneath this wound was a jacket from a bullet.
23 | It's the part that sits around the actual metal
24 | bullet and it's usually made of copper. We found
25 | the jacket underneath the skin. And so superficial

1 means it just went in his skin, didn't go very
2 deep.

3 Q. Now, Dr. Rose, with reasonable degree
4 of medical certainty, do you have an opinion on
5 what the cause of death for Mr. Williams was?

6 A. I do.

7 Q. And what was that?

8 A. It was perforating indeterminate range
9 gunshot of chest.

10 Q. And concerning his manner of death, do
11 you have an opinion on that?

12 A. I do. It was a homicide.

13 Q. All right. Thank you, Dr. Rose.
14 Please answer any questions Defense may have.

15 THE COURT: Cross-examination?

16 MR. FARLEY: I have no questions for
17 the witness, Your Honor.

18 MS. GAY: I have a question, Your
19 Honor.

20 CROSS-EXAMINATION

21 BY MS. GAY:

22 Q. Hello, how are you?

23 A. Good. How are you?

24 Q. I'm Melisa Gay. So the bullet casing
25 thing that you found, the jacket that you found in

KELLY ROSE - CROSS-EXAMINATION BY MS. GAY

1 his head, was handed over and provided to the
2 ballistics people and the agents in this case?

3 A. Yes. At time of autopsy we transferred
4 it to -- we call him Cody. William McCormack of
5 the sheriff's office.

6 Q. And he's crime scene technician?

7 A. I don't really know what they call
8 themselves. He's a really good investigator that's
9 what I know.

10 Q. All right. So -- and then the through
11 and through bullet would have been gone -- let's do
12 it this way. Came into his right side and exited
13 his left side?

14 A. Yes.

15 Q. And would have landed on the ground?

16 A. I'm not sure where it would have
17 landed. It depends on the position of the body.
18 It was traveling slightly downward though.

19 Q. So likely that the bullet itself would
20 have been outside of the body when they came and
21 did the crime scene?

22 A. Yes. I have a caveat to that though.

23 Q. What is it?

24 A. Sometimes they get caught up in
25 clothing and lost from the hospital to or from the

1 scene to the hospital, there are a lot of
2 scenarios. It could have been found at the scene.
3 It could not have been. I just know it's not in
4 the body.

5 Q. I understand. And with regard to the
6 trajectory of the bullet. So if a man was standing
7 at the front door of the house and slight to right,
8 so we would assume, and this is just a question,
9 you may or may not be able to answer it, that the
10 bullet came from the right hand side of him for it
11 to shoot him in the right hand side and go out the
12 left. You said it was sort of a downward
13 trajectory through the body. Is it fair to say
14 that the gunshot bullet came from the right hand
15 side in order to hit him in the right hand?

16 A. It's fair to say once it hit his body,
17 it went from right to left.

18 Q. Okay. That's all I have. Thank you.

19 THE COURT: Any redirect?

20 MS. WILLIAMS: No redirect, Your Honor.

21 We just ask that Dr. Rose be excused.

22 MR. FARLEY: No objection.

23 MS. GAY: No objection, Your Honor.

24 THE COURT: You're free to go, Doctor.

25 Thank you.

1 Solicitor, you may call your next
2 witness.

3 MS. MILES: Your Honor, at this time,
4 the State rests.

5 THE COURT: Ladies and gentlemen of the
6 jury, we must take up some matters outside of your
7 presence. If you would please go to your jury room
8 momentarily. Although the State has rested their
9 case, again, it's still not time for you to
10 deliberate, so please do not discuss this matter
11 amongst yourselves, we'll be back with you
12 momentarily.

13 (WHEREUPON, the jury left the courtroom
14 at 2:11 p.m.)

15 THE COURT: Any motions?

16 MR. FARLEY: Yes, Your Honor.

17 THE COURT: Yes, sir.

18 MR. FARLEY: Your Honor, my first
19 motion, of course, would be to preserve and renew
20 all objections that had been previously made in the
21 case. And at this time, I'd like on behalf of
22 Mr. Sayquan Harrison to move for a directed
23 verdict, Your Honor. We believe that certainly the
24 State has failed to show the elements required for
25 a murder. Especially chiefly, that I don't think

1 that in any of the witness testimony that has been
2 presented so far has the element of malice
3 aforethought in regards to Sayquan Harrison has
4 been proven by any of the witness or evidence that
5 has been submitted thus far. Thus we feel like, as
6 far as Mr. Sayquan Harrison is concerned, a
7 directed verdict should be granted at this time.

8 THE COURT: All right. Thank you,
9 Mr. Farley. And as you know, considering the like
10 most favorable to the State at this juncture, and
11 the State must look at -- or the Court must look at
12 whether the existence of evidence is there, and
13 there is direct and circumstantial evidence the
14 need to establish the guilt of your client and your
15 motion is respectfully denied.

16 Ms. Gay?

17 MS. GAY: Thank you, Your Honor. With
18 regard to Calik Guinyard, I would also renew all my
19 previous motions and anything that we have asserted
20 in this case, Your Honor, and ask for there to be a
21 directed verdict on his behalf.

22 With regard to Mr. Guinyard. Going
23 through the evidence, Your Honor, we have
24 Mr. Green. Mr. Green said that they weren't even
25 there to shoot anybody or anything like that. They

1 | were there to buy drugs. He claims that
2 | Mr. Guinyard is in the car with him, but that's it.

3 | With regard to Mr. Harrison. He -- his
4 | testimony and his -- the information presented is
5 | that he had a gun. Mr. Green had a gun. He is
6 | vague on all the fact that, you know, what Mr. --
7 | he doesn't even say what Mr. Guinyard is supposed
8 | to be doing and he -- I don't believe that that's
9 | credible -- either of those two people are
10 | credibility information to establish the elements
11 | of the offense of murder in the case on behalf of
12 | Mr. Guinyard.

13 | I think with regard to the officers and
14 | Mr. Lavore Guinyard, who, while, Your Honor, he
15 | said he doesn't remember anything. He only said
16 | things that may have implicated his brother at all
17 | because he wanted to get out of the room. He
18 | indicated that he was on Ecstasy. That he was also
19 | under the influence of Xanax and alcohol. He said
20 | that he only said something just to appease the
21 | officers and that he was repeating what the
22 | officers had told -- or the detectives had told
23 | him, and that he had no personal knowledge and had
24 | no information. Never once even said in his
25 | testimony that his brother, who is my client,

1 Mr. Guinyard, ever told him anything.

2 So I believe that in the like most
3 favorable to the State, that they have not
4 established the elements of the offense of murder
5 and I would ask you to please grant the directed
6 verdict motion on behalf of my client.

7 THE COURT: Thank you, Counsel. And
8 again, I must consider the existence or
9 nonexistence of evidence and there has been
10 evidence presented direct and circumstantial to
11 need to establish each element of the offense for
12 which your clients are charged. Your motions are
13 respectfully denied. And again, the same rulings
14 apply. It's for previously articulated objections
15 and the same rulings apply as previously
16 articulated.

17 So are we ready for your --

18 MS. GAY: If we could take just a brief
19 comfort break.

20 THE COURT: We'll wait for you.

21 MS. GAY: Thank you.

22 (WHEREUPON, we're waiting on Ms. Gay to
23 come back.)

24 THE COURT: Are we ready for the jury?

25 MR. FARLEY: We're ready, Your Honor.

STARKAYSHA MASON - DIRECT EXAMINATION BY MS. GAY

1 THE COURT: Let's have our jury,
2 please.

3 (WHEREUPON, the jury entered the
4 courtroom at 2:20 p.m.)

5 THE COURT: Welcome back, ladies and
6 gentlemen of the jury. Mr. Farley, does your
7 client intend on presenting a defense?

8 MR. FARLEY: Your Honor, he is not
9 going to testify or present a defense. No, Your
10 Honor.

11 THE COURT: All right, sir. Thank you.
12 Ms. Gay?

13 MS. GAY: My client does have a
14 witness, Your Honor.

15 THE COURT: All right. You call your
16 first witness.

17 MS. GAY: Thank you, Your Honor. I
18 call Starkaysha Mason.

19 STARKAYSHA MASON,
20 being first duly sworn, was examined and testified
21 as follows:

22 THE CLERK: Can you please state your
23 name for the record?

24 MS. MASON: Starkaysha Mason.

25 THE CLERK: Thank you.

1 DIRECT EXAMINATION

2 BY MS. GAY:

3 Q. Okay. Hey, Ms. Mason. How are you
4 today?

5 A. I'm fine.

6 Q. So, Ms. Mason, you know Calik Guinyard;
7 correct?

8 A. Yes.

9 Q. Okay. And at some point y'all were in
10 a relationship?

11 A. I wouldn't say a relationship, but we
12 doing relationship things.

13 Q. You had a baby with him?

14 A. Yeah.

15 Q. Okay. That's kind of relationship
16 things?

17 A. Uh-huh.

18 Q. So when was your baby born that you had
19 with Mr. Guinyard?

20 A. [REDACTED] 2021.

21 Q. So during the period of time between
22 during December of 2020, you were pretty pregnant?

23 A. Say that one more time.

24 Q. Pregnant?

25 A. Yes.

STARKAYSHA MASON - DIRECT EXAMINATION BY MS. GAY

1 Q. How pregnant were you in December of
2 2020?

3 A. Probably, like, about to be six months.

4 Q. Okay. So this occasion that we're here
5 about today happened on the 14th day of December,
6 2020. Do you know that that's the day that this
7 happened?

8 A. I didn't know until recently.

9 Q. Okay. So it's my understanding that
10 around the period of this time, that you and
11 Mr. Guinyard had gone on a trip to Charlotte?

12 A. Yes.

13 Q. Can you give the details -- a little
14 bit of the details to the jury about what you
15 remember. I know it's been five years. What you
16 remember about going on that trip to Charlotte?

17 A. What I remember was Tateayna Ulmer
18 taking both of us to Charlotte to Lavore Guinyard
19 house. We stayed --

20 Q. Speak up a little bit. I'm a little
21 deaf.

22 A. Tateayna Ulmer took us to Lavore
23 Guinyard house, that's where we reside for that
24 day.

25 Q. Lavore Guinyard is his brother?

1 A. Correct.

2 Q. In Charlotte?

3 A. Yes.

4 Q. So you went to his house?

5 A. Yes.

6 Q. Okay. And then what happened?

7 A. We stayed there and we parted ways that
8 morning. I went back to where I stayed which was
9 Rock Hill and I don't know where he went
10 afterwards.

11 Q. So when you say that you went back to
12 your uncle's house, I believe in Rock Hill?

13 A. Yes.

14 Q. So, you spent the night during that
15 period of time in Charlotte?

16 A. Like, what period of time? December?

17 Q. Yes.

18 A. Yes, I just don't know, like, what time
19 or what date. I don't remember no dates.

20 Q. So you don't remember if it was a
21 Monday or a Tuesday or a Wednesday or all the way
22 into Saturday or Sunday, you don't remember the
23 day?

24 A. Well, it had to be a weekend Tateayna
25 dropped us off because that's the only time I come

1 down to visit my sister.

2 Q. Your sister lives down here?

3 A. Yes, ma'am. Well, at the time she was.

4 Q. Okay. So, when you went with him and
5 y'all were up there, do you recall there being a
6 video, like some footage, of you and him together
7 in a bed?

8 A. Yes.

9 Q. Okay. Do you remember that was, like,
10 posted on some kind of social media?

11 A. Yes. Well, I don't think it was
12 posted. It was saved.

13 Q. Saved. It was a video?

14 A. Yes, ma'am.

15 Q. Of the two of y'all. What were y'all
16 doing?

17 A. I think I was asleep. I don't know
18 what he was doing in the video. I don't even
19 remember how the video looked.

20 Q. Do you remember that being a date of
21 December 14, 2020?

22 A. I don't know, it was five years ago.

23 Q. Not sure what day it was, but you
24 remember the video?

25 A. Yes, ma'am.

1 Q. And you saw it?

2 A. I seen it, but I don't remember how it
3 look until your assistant told me, like, what was
4 going on in the video and it brought back a little
5 bit of my memory.

6 Q. So that's when you looked at it?

7 A. I didn't look at it, but I remember a
8 little bit of the video. I just don't remember
9 what he was doing in the video.

10 Q. Okay. So you remember that the two of
11 y'all were sleeping in the video?

12 A. Correct.

13 MS. GAY: One moment, Your Honor.

14 Q. So the video that we talked about that
15 you remember y'all were sleeping. Do you remember
16 where you were when that was taken? You said that
17 you saw it.

18 A. It had to be in Charlotte.

19 Q. In Charlotte during this same period of
20 time while you were five months pregnant?

21 A. Yes. Five or six months pregnant.

22 Q. Okay.

23 MS. GAY: One moment, Your Honor. Your
24 Honor, I have no further questions for this
25 witness.

STARKAYSHA MASON - CROSS-EXAMINATION BY MS. WILLIAMS

1 THE COURT: Any cross-examination?

2 MS. WILLIAMS: Just briefly, Your

3 Honor.

4 CROSS-EXAMINATION

5 BY MS. WILLIAMS:

6 Q. Ms. Mason, how often do you go to

7 Charlotte?

8 A. Because he used to stay a lot with me
9 in Rock Hill at my uncle's house and we would go to
10 Charlotte, I don't even know. Like, we used to
11 stay there, but not like a lot, a lot.

12 Q. Okay. Well, let's talk about December
13 specifically. You said Tateayna would take you?

14 A. Yes. I remember her taking us to
15 Charlotte one day.

16 Q. Okay. But you don't specifically
17 remember the day?

18 A. Correct.

19 Q. But you said that it would have had to
20 be a weekend?

21 A. Yes, ma'am.

22 Q. Okay. And so when she asked you about
23 this video, you know it could have happened, but
24 you don't know if it was December 14th?

25 A. Yes.

1 Q. It would have been at any point that
2 you could have been in Charlotte in December?

3 A. Correct.

4 Q. Okay.

5 MS. WILLIAMS: No further questions,
6 Your Honor.

7 THE COURT: Mr. Farley, did you have
8 any questions?

9 MR. FARLEY: I have no questions for
10 this witness.

11 THE COURT: Any redirect?

12 MS. GAY: No, ma'am. And I would ask
13 that she be allowed to sit in the galley at this
14 point.

15 THE COURT: You may step down, ma'am.
16 You may call your next witness.

17 MS. GAY: One moment. At this time,
18 Mr. Guinyard rests, Your Honor.

19 THE COURT: All right. No reply I take
20 it?

21 MS. MILES: None from the State, Your
22 Honor.

23 THE COURT: All right. Ladies and
24 gentlemen, both sides have rested their case. It
25 is -- we'll take a brief moment before we go into

1 closing arguments and the instructions on the law.
2 If you would again, please go to your jury room.
3 Again, do not discuss the case amongst yourselves
4 because you still have to hear the arguments of
5 counsel and the instruction on the law. So please
6 do not discuss this matter. We'll be right back
7 with you.

8 (WHEREUPON, the jury left the courtroom
9 at 2:29 p.m.)

10 THE COURT: All right. Counsel, do
11 y'all just need a few minutes to prep for closings?

12 MS. MILES: Yes, please.

13 THE COURT: And then we'll print out
14 the final jury instruction so y'all can look at it.
15 If y'all want to go ahead and put the matters of
16 the jury instructions on the record?

17 MS. GAY: Yes, ma'am.

18 THE COURT: Okay.

19 MS. GAY: Your Honor, I think I'm
20 supposed to renew my motions for direct verdict now
21 that we have closed and I'm sure he's supposed to
22 do that too just to preserve it for the record.

23 THE COURT: Yes. And again, for the
24 same reasons as previously articulated, the same
25 rulings apply.

1 MR. FARLEY: Your Honor, may I just at
2 least say I'd like to move for a directed verdict,
3 Your Honor?

4 THE COURT: Yes, sir.

5 MR. FARLEY: Thank you.

6 THE COURT: All right. So y'all want
7 to go ahead and put the issues regarding the jury
8 instructions on the record or do you need a minute?

9 MS. GAY: About specific intent?
10 Transferred intent? Yeah --

11 THE COURT: We did find a case, so it
12 is still applicable to the murder charge. It was
13 only after the attempted murder with that change,
14 so it's still applicable to the murder charge, so
15 we will include that in there.

16 MS. GAY: Thank you, Your Honor.

17 THE COURT: Any other issues? I know
18 you had asked for an involuntary manslaughter
19 charge.

20 MR. FARLEY: I'll put that on the
21 record, Your Honor.

22 THE COURT: You want to go ahead and do
23 that?

24 MR. FARLEY: Yes, ma'am. Are you ready
25 now?

1 THE COURT: Yes, sir.

2 MR. FARLEY: Your Honor, I just -- we
3 -- I know we had an in-camera meeting regarding the
4 jury charges and my request was simply that we put
5 an involuntary manslaughter. Again, I go back to
6 the argument that I don't believe the malice
7 aforethought part of the element of the murder had
8 been proven. We believe that it would certainly be
9 appropriate that we include an involuntary
10 manslaughter charge at least in regards to
11 Mr. Sayquan Harrison for the jury to be able to
12 contemplate or deliberate in that regard as well as
13 to -- regard the murder charge as well.

14 I understand that the victim wasn't --
15 wasn't necessarily any kind of target or anything
16 like that and I understand the heat of passion
17 argument. But I still think as a lesser included,
18 it should certainly be given the jury instruction,
19 Your Honor, and that's what we would argue.

20 THE COURT: State's position?

21 MS. WILLIAMS: Your Honor, we don't
22 believe that voluntary manslaughter should be
23 included with the jury charges. That there wasn't
24 any showing within the case of a sudden heat of
25 passion or any form of provocation that would allow

1 for that charge to be given to the jury and ask
2 that it be left out of the jury charge.

3 THE COURT: In considering the evidence
4 that was presented to the court, in order --

5 MS. GAY: I think I did file a motion
6 to join in the codefendant's motion. I think I do
7 need to also join in this request for voluntary
8 manslaughter just as a lesser included as, you
9 know, Mr. Farley did say. I'd like to join in that
10 motion also.

11 THE COURT: Yes, ma'am. Did you have
12 anything else to add other than what he stated to
13 the Court?

14 MS. GAY: No, I think he covered it
15 great.

16 THE COURT: All right. So in looking
17 at the voluntary manslaughter charge, I don't think
18 there has been any evidence presented to the court
19 to warrant that. The evidenced does not state --
20 that there hasn't been anything presented that the
21 Defendant took the life of another in sudden heat
22 of passion or sufficient legal provocation. That
23 there has been zero evidence presented to the court
24 to warrant that instruction, so your motion is
25 respectfully denied.

1 Anything else? Before that, I think
2 we'll add -- make sure we've got everything in the
3 instructions. Y'all just want to take one last
4 look at the instructions before we start? There
5 was one issue on the page -- if y'all want to
6 approach, I can show you the portion I'm going to
7 take out.

8 (WHEREUPON, there was a bench
9 conference.)

10 THE COURT: All right. Counsel, I
11 believe my clerk printed out for y'all the last
12 version of all the jury instructions. Have you had
13 an opportunity to review those?

14 MR. FARLEY: I have, Your Honor.

15 MS. GAY: Yes, ma'am.

16 THE COURT: Solicitor?

17 MS. WILLIAMS: Yes, Your Honor. We
18 don't have any objections or additions to the
19 charges.

20 THE COURT: All right. Thank you.

21 MR. FARLEY: No additions or
22 objections, Your Honor.

23 MS. GAY: We've gone over it, Your
24 Honor, we believe it's okay. Sarah Norton and I.

25 THE COURT: All right. Perfect. Are

CLOSING ARGUMENTS BY MS. MILES

1 | you ready for the jury?

2 | MS. WILLIAMS: Your Honor, we have one
3 | issue that I do want to put on the record
4 | beforehand. We changed the order of photos because
5 | when we were preparing before, the list that we got
6 | has numbers that are mixed up. So there was
7 | already a 94 and a 95 admitted with pictures of the
8 | house, the front porch. When I did the autopsy, it
9 | was also marked as 94 and 95. We were hoping to
10 | just amend the numbers for something that wasn't
11 | already admitted to 107 and 108.

12 | MR. FARLEY: I have no objection to
13 | that, Your Honor.

14 | MS. GAY: Nor do I, Your Honor.

15 | THE COURT: All right. Yes, ma'am, we
16 | can do that.

17 | (WHEREUPON, State's Exhibit Nos. 107
18 | and 108 were marked in place of the autopsy
19 | photos.)

20 | MS. GAY: All right. Thank you, Your
21 | Honor.

22 | (WHEREUPON, the jury entered the court
23 | room at 3:08 p.m.)

24 | THE COURT: Welcome back, ladies and
25 | gentlemen of the jury. We're now ready to proceed

CLOSING ARGUMENTS BY MS. MILES

1 with the closing arguments of counsel. Please pay
2 close attention.

3 MS. MILES: Thank you, Your Honor. May
4 it please the Court?

5 THE COURT: Yes, ma'am.

6 CLOSING ARGUMENTS

7 BY MS. MILES:

8 Defense counsel, members of the jury.
9 A knock at the door. You never know where a knock
10 on the door is coming from and where it's going to
11 go. Is a knock on the door going to be a family
12 member? A friend? A neighbor? Maybe a sales
13 person? Somebody coming to visit. But at 8 p.m.
14 -- or around 8 p.m. on the night of Monday,
15 December 14, 2020, that knock on the door that Karl
16 Williams answered, was murder. It was a murder of
17 Karl Williams by these men, Sayquan Harrison, and
18 Calik Guinyard.

19 You heard from family members of the
20 victim how Monday night was a normal Monday night
21 for them. How on Monday's, that was their night
22 for their family prayer calls, and Monday Night
23 Football. How they would get on the phone and talk
24 with each other, how they were regularly with one
25 another. You heard them talk about how there were

CLOSING ARGUMENTS BY MS. MILES

1 people who would come by their house frequently.
2 They had grown up in this house. They knew tons of
3 members of the community. They were involved in
4 the community. They were involved in the schools.
5 They were involved in the sports. A knock on the
6 door was nothing unusual. They were used to that.
7 People would come over. They would come over for
8 cookouts. They would come over just to hang out.
9 They would have get-togethers, maybe a game of
10 football in the yard.

11 You heard about their mom, Ms. Barbara,
12 how she was known as the cake lady. And how some of
13 those knocks on the door were for people coming by
14 to get their favorite piece of cake. How she had
15 been getting ill and she wasn't really able to work
16 anymore, but she could still make those cakes.

17 You heard Tracey and Elston. They are
18 both still living in town, how they came by the
19 house frequently. How they come see her mom, check
20 in on her. How they talked to their brother and
21 check in with him. A knock wasn't surprising. But
22 what happened next was not only surprising, it was
23 devastating. Because at the same time that the
24 Williams family is on their family prayer call
25 line, three young men are making their own plans.

CLOSING ARGUMENTS BY MS. MILES

1 They get into a white car, dark with tint, and they
2 make their way to Myers Road. They back the car
3 in. They are ready for quick getaway.

4 Sayquan Harrison goes to the door.
5 Because it's not enough to shoot up the house.
6 It's not enough to drive by and shoot the house
7 with bullets. They wanted to make sure that they
8 shot a person. And so they waited, and after that
9 knock, (Ms. Miles knocking on the desk three
10 times), they waited until they saw a person come to
11 that door. There he go. And what happened next as
12 Karl Williams is opening that door, (Ms. Miles is
13 banging on the desk loud and multiple times), 15
14 shots at least fire in to the living room window,
15 the bedroom windows, the storm door, the front
16 door, the closet door, all the way through the
17 bedrooms, and into Karl Williams. That was that
18 knock at the door.

19 Shots rang out. At least 15 of them is
20 what they found shell casings for. One grazing
21 Karl in the head, another, the fatal wound, going
22 in through his body on the right side of his chest
23 and entering the left -- and exiting the left side
24 of his body. Within seconds of that knock, Karl is
25 lying behind his front door dying.

CLOSING ARGUMENTS BY MS. MILES

1 His elderly mother. She lived in the
2 home there. He lived there with her. She was in
3 the early stages of dementia and Parkinson's, and
4 he was her caregiver. She was enjoying a normal
5 evening for her. She was watching some of her game
6 shows. And as she's doing that, that's when the
7 knock on the door comes. And now she's on the
8 phone with 9-1-1. She's calling and having to tell
9 them that her house has been shot up and that her
10 son is lying dying on the floor.

11 You heard from the family as they
12 showed up. How Tracy and Elston showed up on the
13 scene. How their brother was still there on the
14 scene, lying behind the door. How EMS was there
15 trying to save him. How ultimately, they saw him
16 come out on the stretcher and get loaded into the
17 ambulance. How they didn't have much hope because
18 the ambulance wasn't rushing.

19 You heard how Tracey got their mom
20 ready and how Elston and them went to the hospital.
21 How they sat there and waited. Not too long
22 because then the doctors came out and said, I'm
23 sorry. There's nothing we can do. He is gone.
24 And how they had lost one of the most precious
25 members of their family, their brother, Karl

CLOSING ARGUMENTS BY MS. MILES

1 Williams.

2 You heard from law enforcement that
3 showed up on the scene, how when they arrived, EMS
4 was still working on Mr. Karl. You heard from
5 Lieutenant Thompson how he showed up and had to
6 help drive the ambulance because this was a scene
7 where all hands on deck were needed. Where every
8 hand that was available, needed to be there to help
9 save Mr. Williams' life.

10 You heard how Lieutenant Thompson took
11 that ambulance to the hospital, but to no avail
12 because he then had to return after the defendant
13 (verbatim) was pronounced deceased.

14 You heard from the family how traumatic
15 this time was. How they didn't understand what was
16 going on. How they didn't know what to do next.
17 How are we going to keep our mother safe? Our
18 mother lived in this house. How could we send her
19 back here? How she had to stay with Elston that
20 night and ultimately move up to Charlotte with
21 Shawn and his wife, Monica. She didn't feel safe
22 in her own home anymore.

23 You heard from Sergeant Gillard. How
24 she arrived on the scene. How she talked to the
25 neighbors. That same neighbor, Jasmine Stokes, who

CLOSING ARGUMENTS BY MS. MILES

1 | came and sat on that stand. Think about her
2 | demeanor. How she didn't want to be here. How she
3 | didn't want to talk. But what did she tell you?
4 | That she called 9-1-1 that night because she heard
5 | gunshots. She had seen a white car in that
6 | driveway. She saw a person coming from the front
7 | of the house and get into that car and that car was
8 | driving off. Think about what she heard. Think
9 | about those gunshots. Think about what she saw,
10 | that white car, and think about that person coming
11 | from the front and getting into that car as it's
12 | driving off. Think about who else told you
13 | something like that.

14 | Sergeant Gillard told y'all a little
15 | bit about how they start these investigations. How
16 | they try and see who in the world could have
17 | targeted Mr. Karl Williams. He's a school teacher.
18 | He's involved in the community. He's involved in
19 | sports. Why would he be a target?

20 | Through their investigation, you heard
21 | how they determined that maybe he wasn't the
22 | target. That maybe the target was their nephew,
23 | Trey. That Trey and his mother, Tracy, who was
24 | Karl's sister, had lived in that home a few months
25 | prior and had recently moved out. And how Trey had

CLOSING ARGUMENTS BY MS. MILES

1 | been in some altercations or some beef on Facebook.
2 | And so they started investigating those people on
3 | Facebook. That's when the name of Aloysius Green
4 | came up. And they started looking into
5 | Mr. Aloysius Green. Because someone had provided
6 | information that he and Aloysius Green had had this
7 | beef on Facebook.

8 | So what does law enforcement do? They
9 | start looking for Mr. Green and they start trying
10 | to talk to Trey Tobin. You heard how they went and
11 | talked with Aloysius, and how the first time he
12 | didn't really want to say a whole lot. But then
13 | they went and they talked to Lavore Guinyard,
14 | because they knew that he was also a friend of
15 | Aloysius Green. How after they talked with Lavore,
16 | they continued their investigation. They continued
17 | investigating Aloysius, but they also started
18 | investigating Lavore's brother, Calik, and another
19 | friend of theirs, Sayquan Harrison.

20 | Law enforcement then broke -- or
21 | brought Aloysius back in. Now, we couldn't show
22 | you some of this video because he was here
23 | testifying and you needed to hear it from him. But
24 | what did Aloysius tell you? What did he say to law
25 | enforcement? That on December 14th of 2020, that

CLOSING ARGUMENTS BY MS. MILES

1 Calik Guinyard, and Sayquan Harrison came to pick
2 him up. They came to pick him up in a white car
3 and said, let's go. Let's go hang out.

4 Defense counsel asked him, well, what
5 was the plan? He said, we don't know. We didn't
6 really have a plan. Him and his girlfriend had
7 been fighting. He just wanted to get out of the
8 house. And as a lot of 16 and 18 years olds do,
9 they get-together plenty of times. There's not
10 really a plan. Their plan is to hang out. He said
11 their plan, they go smoke weed and they hang out.
12 That's what they did.

13 So Aloysius told you all about how they
14 went to this house and they were smoking weed,
15 having a good time, and they ran out of the weed.
16 And how they had a conversation, we need to go get
17 more weed. I know there's a lot of questions on,
18 how much weed? Who was paying for weed? How much
19 money for the weed? And Aloysius said, we just
20 want to buy weed. Ask yourselves, is it
21 unreasonable that maybe he didn't know at the time
22 how much weed he was going to get? Maybe he
23 doesn't remember now back then how much weed he
24 wanted to get.

25 But what does he remember? He

CLOSING ARGUMENTS BY MS. MILES

1 | remembered that he was told to drive to [REDACTED] Myers
2 | Road, across from the barber shop, and he backed
3 | into the driveway. You were told that Calik was
4 | behind him and that Sayquan got out of that car and
5 | walked up to the front of that house and knocked on
6 | the door. There he go. What Aloysius said he
7 | heard as well. And then gunshots. Gunshots so
8 | close to him, that it scared him. That he didn't
9 | understand what was going on and had to drive off
10 | because he heard it from right behind him. Who did
11 | he say was sitting right behind him? Calik
12 | Guinyard.

13 | He started going off and then they say
14 | Calik said, no. No. No. Don't leave him. He has
15 | to get back in the car with us. And what does
16 | Aloysius do -- or what does Sayquan do? He runs
17 | and gets back in the car. Who saw somebody running
18 | and getting back in the car? Jasmine did. Jasmine
19 | saw that from her window. After she heard the
20 | gunshot, she saw a person running back to the car
21 | that was trying to get away.

22 | What did Aloysius also tell you? That
23 | Calik had a gun and that Sayquan had a gun.
24 | Defense counsel asked, well, weren't you afraid
25 | there was this guy behind you with a gun? Said,

CLOSING ARGUMENTS BY MS. MILES

1 no, I wasn't afraid. Because whenever there's a
2 friend, they had guns. That was just normal for
3 them. They hung out. They had guns. That wasn't
4 unusual. What was unusual was when they pulled up
5 to that house and gunshots range out when Mr. Karl
6 Williams opened that door.

7 You also heard from Aloysius how he
8 heard Calik say, I shot. Did Aloysius want to be
9 here testifying? No. Is he also charged with
10 murder? Yes. And as with any witness, you can
11 decide to take into whatever consideration that you
12 want to what they're saying. And Defense made a
13 lot of concessions about -- or a lot of questions
14 about things he remembered. But I would submit to
15 you that not remembering how much weed you wanted
16 to buy five years, is a little different than
17 remembering the night when shots rang out and a man
18 got killed.

19 You heard Aloysius tell you that he
20 didn't know who had gotten killed until the next
21 day. How he found out it was Karl Williams, and he
22 knew Karl Williams. Karl Williams had been his
23 teacher for years. And that Karl Williams had
24 actually been so important in his life that he
25 wanted to be a software engineer -- or a computer

CLOSING ARGUMENTS BY MS. MILES

1 engineer because of Karl Williams. Think about
2 that.

3 You heard from Aloysius how he drove
4 off after freaking out and Sayquan gets back in the
5 car. They drove to a local house where they go and
6 hang out and that he left them there and went to
7 his homeboy's house. That next morning is when he
8 found out what had happened to Karl.

9 You then heard from Terry Logan and
10 James Shumpert. And through them, you heard about
11 Sayquan. About Sayquan coming in and talking to
12 law enforcement. You learned that there had been
13 prior issues with Calik and Lavore's grandmother's
14 house being shot up. Lavore himself confirmed that
15 on the stand. You heard that he believed that Trey
16 had been involved. But they also believed that
17 Trey lived at [REDACTED] Myers Road. But the truth is,
18 he hadn't lived there in months.

19 Defense counsel asked Aloysius, why is
20 a 16 year old going to the door? Why are y'all
21 sending a 16 year old there? Who's making him go
22 up there? But you heard Sayquan in his statement.
23 He got in that car because he wanted to get in that
24 car. When his boys pull up, he doesn't care what
25 car it is. He's getting in it. And when they

CLOSING ARGUMENTS BY MS. MILES

1 asked him, who made you go to that door? Nobody
2 made him go to that door. Who told you to go to
3 that door? Nobody. Who decided to go to that
4 door? Sayquan decided that Sayquan went to that
5 door. That's who decided.

6 Just like when he was asked about
7 people pulling up. He says, my people pulling up,
8 I'm getting in. And he did get in that car. He
9 got in that car and he drove to Myers Road. And he
10 told you in that statement, that not only did he
11 drive to Myers Road, that he's the one that got out
12 of that car and he's the one that knocked on that
13 door. And he talked about how he could see
14 somebody coming through the top of that door. The
15 little window up there, he saw Karl Williams
16 coming. There he go. Why do we have to say, there
17 he go? So they know he's coming. So they know
18 it's time to unload on whoever opens that door.

19 You heard from Lavore Guinyard. He was
20 the brother of Calik. He admitted that he got
21 brought in to talk to law enforcement. He was
22 there on some other things. He admitted that he
23 told law enforcement he was at EJ's house the night
24 this happened. And that he told law enforcement
25 that when he was at EJ's house, Calik pulled up.

CLOSING ARGUMENTS BY MS. MILES

1 And that Calik told him that him, Sayquan, and
2 Aloysius pulled up on Myers Road. He told y'all
3 that there were times that he would give them a
4 weapon, including a 9 around that time that he then
5 got back empty. He had to refill it himself.
6 Because the gun he borrowed -- or that he let them
7 borrow, that had bullets, came back without it.

8 He admitted he didn't want to get his
9 brother in trouble. But what did he tell law
10 enforcement when he didn't want to get his brother
11 in trouble? That his brother had told him that
12 those three went to that house and fired shots.
13 That he knew them to have weapons.

14 Defense counsel asked him about you lie
15 to law enforcement sometimes, don't you? And he
16 said, yes, he does. Says, okay. Well, you know,
17 you just said these things to get out of that room.
18 And what was his answer? Yes, he will lie when it
19 benefits him. He will lie and say something to get
20 out of a room. I want you to think about when he
21 made what statement. Consider a statement that he
22 gave within a month of this happening back in
23 January of 2021, versus the statement he gave
24 today. Think about what his reasonings might be.
25 Think about what his motives may be. Think about

CLOSING ARGUMENTS BY MS. MILES

1 | what he told Defense counsel. He loves his
2 | brother. He will do anything for him. Remember
3 | that.

4 | You heard from CSI. Investigator
5 | McCormack showed a lot of different things. We saw
6 | a lot of shell casings in a lot of different areas.
7 | We saw a lot of bullet impacts. Think about where
8 | those casings were. Think about what they were
9 | next to. They were next to the driveway where
10 | Aloysius told y'all he backed in almost right up to
11 | the white Equinox so that Sayquan could get out, so
12 | that Calik could stay there at that car and they
13 | could both fire guns. Think about what he said
14 | about how many types of shell casings were found.
15 | How SLED Agent Eichemiller confirmed. There were
16 | at least two types of guns used. There were two
17 | types of shell casings.

18 | Think about how when Defense counsel
19 | was asking, where were the clusters of shell
20 | casings found? Think about the path of where those
21 | bullets went. Of where the groups of shell casings
22 | were, where the two guns of the two shooters would
23 | have been. Think about the path that those bullets
24 | had to take and how many bullets there were. How
25 | many are going into these doors? Going into these

CLOSING ARGUMENTS BY MS. MILES

1 | windows? Going into bedrooms? And going into Karl
2 | Williams? Think about that.

3 | Think about the way that the bullet
4 | impacts hit that storm door and then go into the
5 | front door at an angle to show it was opening.
6 | Because they were making sure that door was opening
7 | when they were firing and then going into that
8 | closet door. You'll have the pictures back there
9 | and you'll be able to take a look at all that.
10 | You'll be able to see where these casings were
11 | found. You'll be able to see where the bullet
12 | impacts were found. You'll be able to look at all
13 | of those things.

14 | You heard from my -- so you'll see all
15 | those different bullets. Where they went. You'll
16 | see a lot of shell casings. Think about the fact
17 | that none of those shell casings have a name. None
18 | of those bullets had a name. None of those
19 | Defendants cared who they hit because none of those
20 | bullets cared who they hit. Shooting into a home
21 | where a person is coming to the door, that's
22 | malice. Think about that.

23 | You heard from Dr. Rose. She told you
24 | how Karl Williams died. She told you about how one
25 | of those shots was that shot to the chest. How it

CLOSING ARGUMENTS BY MS. MILES

1 | was perforating and how it went right through him.

2 | Ladies and gentlemen, the Judge is
3 | going to talk to you about jury charges, and so I
4 | don't want to go into a lot of details on that. If
5 | I say something a little different than what she
6 | says, she is the ruler of the law, y'all listen to
7 | her.

8 | But they talked a little bit about, you
9 | know, what murder is in opening. And murder is --
10 | it doesn't require -- let me explain it a little
11 | better. So murder is the hatred, ill will, or
12 | hostility towards another person. That's malice.
13 | That's what you need to get to murder. And that
14 | doesn't have to be long planned out. That can be
15 | planned in an instant. It just has to exist at
16 | some point in time before that person is killed.
17 | It can be a quick as while you're walking up to
18 | that front door to ring that doorbell. That's
19 | malice.

20 | Murder is the unlawful killing of
21 | another with that malice aforethought. You have
22 | that malice. And you take a gun, you go with your
23 | friend and you take that gun and you fire at that
24 | house, all across that house until that person
25 | comes at that door, and you fired at that person,

CLOSING ARGUMENTS BY MS. MILES

1 | that's what murder is.

2 | We talked about reasonable doubt at the
3 | beginning. How it's nothing beyond all doubt.

4 | Because there's nothing in life that's beyond any
5 | imaginable doubt. But reasonable doubt is

6 | something that leaves you firmly convinced of

7 | someone's guilt. I'll ask that you look at all of
8 | this evidence. That you look at all the bullets.

9 | You listen to what everyone told you. You think

10 | about who said who was where? Who saw who where?

11 | What makes sense? Where was the car? Who all said

12 | where the car was? Who all agreed on who was in

13 | the car? Who all agreed who went to the door? Who

14 | all agreed on who came back to the door? Think

15 | about all the things that people agree on back then

16 | in 2020 and still today.

17 | You'll hear a little bit about hand of

18 | one, hand of all. And what essentially that means

19 | is, when you're together as a group, and you're

20 | going there for a mission, there be two of you

21 | pulling the trigger, but you're all on that hand on

22 | the trigger. It might not have been your bullet

23 | that killed that specific person, but you're all

24 | there together for that purpose, and all of your

25 | hands might as well be on that trigger.

CLOSING ARGUMENTS BY MR. FARLEY

1 And the Judge will tell you a little
2 bit more about that. She'll also tell you a little
3 bit about transferred intent. How they weren't
4 going to kill Karl Williams. And I don't think
5 anybody testified that they were. I believe that.
6 And you'll hear from -- if you think back to the
7 testimony that they thought someone else lived
8 there. They thought his nephew lived there. But
9 they were wrong. They thought that Trey Tobin was
10 going to come to that door. That they were going
11 to unload on Trey Tobin. But instead, they got the
12 innocent school teacher of Karl Williams. That
13 doesn't change the murder. That intent, that
14 malice that they had in their heart to kill a
15 person, that was transferred to the person they
16 killed. It's still murder.

17 I just want you all to take some time
18 and think about what lines up. Think about what
19 happens from the time of that knock on the door.
20 What happens next? Who says what? How long they
21 say what? Who's saying what now? What peoples'
22 stories have changed? What reasons might they have
23 for that changing? Think about the evidence. Look
24 at the evidence. Think about what happened at
25 Myers Road after that knock on the door. And then

CLOSING ARGUMENTS BY MR. FARLEY

1 | when you go back to your jury room and it's time
2 | for you to deliberate, before you knock on that
3 | door and tell them that you're ready, find them
4 | guilty. Find Calik Guinyard guilty of murder and
5 | Sayquan Harrison guilty of murder because that's
6 | what they are. Thank you.

7 | THE COURT: Counsel?

8 | MR. FARLEY: May it please the Court?

9 | THE COURT: Yes, sir.

10 | CLOSING STATEMENT

11 | BY MR. FARLEY:

12 | Ladies and gentlemen, I'm Andrew
13 | Farley. I know I introduced myself earlier this
14 | week. I'm here representing Sayquan Harrison, who
15 | you see right here. I know this has been a really
16 | intense week. Probably a long few days for all of
17 | us and I'm sure this is not exactly what you
18 | planned for this week either. So, I want to start
19 | by saying I thank you for your service. Because
20 | what you're doing here today is probably one of the
21 | most important things that you can do in our civil
22 | society. Because serving justice is one of the
23 | most paramount things in society that we live in.

24 | And this case, this case is an absolute
25 | tragedy. I mean, I don't think there's any doubt

CLOSING ARGUMENTS BY MR. FARLEY

1 in this courtroom that Mr. Williams was a pillar of
2 this community. I mean, he sounds from the
3 testimony of the family, he sounds like an
4 absolutely wonderful man. And I think this is an
5 absolute tragedy that he's not here to continue
6 teaching students and doing all the things that he
7 did for this community.

8 I just don't want to compound that
9 tragedy with another tragedy. Because I believe in
10 regards to Sayquan Harrison, there is a tremendous
11 amount of reasonable doubt in this case. And
12 remember we talked about -- I talked about
13 reasonable doubt earlier and you're going to hear a
14 lot about reasonable doubt, and obviously, Judge
15 Murphy is going to instruct you about reasonable
16 doubt.

17 Reasonable doubt is when -- when
18 presented with the facts, there is a reasonable
19 person could pause and reflect and maybe see things
20 from different angles and that's okay. Because
21 sometimes the answers just aren't always clear.
22 And as far as Mr. Harrison, I think there's a
23 tremendous amount of reasonable doubt, and that's
24 why I think you're going to have to find him not
25 guilty.

CLOSING ARGUMENTS BY MR. FARLEY

1 And let me tell you why further.
2 Because we heard from witnesses today and I'd like
3 to talk about some of those witnesses we heard
4 from. And I'm probably not going to do them in
5 order, but I want to highlight some of the most
6 important ones. First we heard from the family.
7 And we heard what a wonderful person Mr. Williams
8 is -- was. But I think that one of the most
9 important things that they also said was they were
10 familiar with Mr. Aloysius Green. They were
11 familiar with Mr. Calik Guinyard. But I don't
12 believe they were familiar with Mr. Sayquan
13 Harrison. Probably because he was the younger of
14 the bunch.

15 We heard from Mr. Green, Mr. Aloysius
16 Green. And I think Mr. Aloysius Green gave us some
17 of the most interesting testimony. Mr. Aloysius
18 Green came in and said he was the driver of the
19 vehicle. They didn't have a plan. That
20 Mr. Guinyard had showed up with Mr. Harrison, and
21 they all went to Roosevelt Park and then they were
22 all smoking marijuana. And let me point out, these
23 are two older boys who brought a 16-year-old boy
24 along and got him stoned, became -- apparently not
25 having any kind of plan other than let's get stoned

CLOSING ARGUMENTS BY MR. FARLEY

1 | some more.

2 | According to Mr. Green, the person's
3 | idea to go get more marijuana and the person he
4 | knew where to get it from was Mr. Guinyard.
5 | Mr. Guinyard was the one who gave the directions to
6 | the house on Meyers Street. That's Mr. Green's
7 | testimony. Mr. Green testified obviously,
8 | Mr. Guinyard had a weapon, but I think we also
9 | heard Mr. Green had a weapon.

10 | The -- Investigator Shumpert also
11 | wanted -- before I move on to Investigator
12 | Shumpert, the other thing I wanted to bring up was,
13 | Mr. Green also testified that he heard shots and he
14 | heard shots come from the rear of the vehicle. And
15 | that he got so spooked, he took off and left my
16 | client in the yard. And they had to stop because
17 | Mr. Harrison was apparently running to catch up
18 | with them. So he wasn't even at the vehicle when
19 | they took off and left him.

20 | We heard from Investigator Lloyd and
21 | Captain Shumpert. Captain Shumpert said that when
22 | Mr. Harrison was brought in for his interview, he
23 | was respectful. He was eventually helpful. And
24 | even Investigator Lloyd said something that jumped
25 | out to me, he said, you know, there's a big

CLOSING ARGUMENTS BY MR. FARLEY

1 difference between being a person inside the car
2 where the bullets came from than the person being
3 outside the car. I certainly think that is a major
4 difference.

5 But I also want to talk about the video
6 where we saw Captain Shumpert and Investigator
7 Lloyd interviewing my client. Even Captain
8 Shumpert remarked by the end of the video, my
9 client was scared, was nervous, and I think that
10 bears out. Because what we're dealing with here is
11 again, a 16-year-old boy who's in the company of
12 these older boys. These older boys -- I know there
13 wasn't any testimony, but I think that these older
14 boys -- I mean, even Mr. Green said they gave him
15 money to go up and buy marijuana at the house on
16 Myers Street where they didn't even know
17 Mr. Harrison.

18 And then according to Mr. Green, to go
19 back to his testimony, that's when the shots rang
20 out. He was up by the front porch. I guess
21 Mr. Green and Mr. Guinyard, it could be assumed
22 didn't care whether he got hit with gunfire or not.
23 Because obviously, he's running around the yard
24 scared to death. Just as he's still scared to
25 death today.

CLOSING ARGUMENTS BY MR. FARLEY

1 I would also like to point out that we
2 heard from Investigator McCormack, who was at the
3 crime scene, who took all the pictures, who picked
4 up the bullet casings. And he even testified, the
5 bullet casings were in a pretty close proximity.
6 The way I understood it, as he described it, if
7 that car had been backed in and had butted the
8 white car that was already in the driveway, then
9 the driver's side and the driver's passenger side
10 would have been facing the front door of the house.

11 And we know from Mr. Green's testimony,
12 he's in the driver's seat and Mr. Guinyard was in
13 the back passenger -- or the backseat on the
14 driver's side. Again, where the close clustering
15 of the shell casings would have been. Not where my
16 client is. I don't know where my client is at this
17 point, somewhere running around the yard. Probably
18 scared to death with all the gunfire.

19 Ladies and gentlemen, this is a very
20 sad case. This is a very, very hard case. It's a
21 tragic case. Again, my client was a 16-year-old
22 boy who apparently they didn't even care whether he
23 got hurt, whether he got -- didn't care whether he
24 got left. I don't think he had the best idea of
25 what he should do. Just as I said in my closing, a

CLOSING ARGUMENTS BY MS. GAY

1 16-year-old boy doesn't really know how to make
2 good decisions. They don't have the impulse
3 control. And they're often subject to peer
4 pressure. Especially by older kids. Kids they
5 want to seem cool in front of. Kids who can
6 influence them in ways to make them -- make bad
7 decisions.

8 I think it was a bad decision for
9 Mr. Harrison to be even in the company of these
10 kids that night. I wish he weren't. But I
11 certainly don't think Mr. Harrison intended to go
12 there to hurt anybody -- or kill anybody. And I
13 don't know if the same thing can be said for his
14 codefendants. And frankly, I think he was just
15 used. Like a tool, just as he was -- they used
16 these weapons to end Mr. Williams' life.

17 And I just want to remind you that the
18 reasonable doubt is attached to Mr. Harrison is
19 really something that should be considered in your
20 deliberations. And I think when you look at the
21 totality of everything those witnesses said, when
22 you put it all together, when you think about the
23 testimony of Mr. Green, Mr. Harrison, helping
24 Captain Shumpert and Lloyd, when you think of
25 McCormack talking about the close proximity of the

CLOSING ARGUMENTS BY MS. GAY

1 bullet casings, I think that's exactly what you're
2 going to find is reasonable doubt in regards to
3 Sayquan Harrison.

4 And that's why we're asking you today
5 to render a verdict, we believe the only verdict
6 that can be reached by looking at this evidence,
7 and that is a verdict of not guilty, the charge of
8 murder for Mr. Sayquan Harrison. Thank you.

9 THE COURT: Ms. Gay?

10 MS. GAY: Thank you, Your Honor. May
11 it please the Court?

CLOSING ARGUMENTS

12
13 BY MS. GAY:

14 Physical evidence. Remember when I
15 started my opening, I said there's a whole lot of
16 stuff that we're going to hear and some of it is
17 going to be people's testimony or things that may
18 or may not have some kind of ability to know for
19 sure whether or not it's truth or not. But the
20 physical evidence is stuff that is what we are
21 talking about here tonight -- today.

22 So this diagram is -- corroborates some
23 of the testimony that we heard and then it
24 contradicts other parts of it. But this is the
25 physical stuff that's real. This is the stuff when

CLOSING ARGUMENTS BY MS. GAY

1 the CSI guy talked, and he talked about the
2 casings, and the bullets, and you saw those
3 pictures. When you go back to your jury room, you
4 know, look at this because this is this stuff
5 that's real.

6 So what do we have here? So we started
7 this case and the Solicitors told us that they were
8 going to present some, we'll call it credible
9 evidence. You know, credible stuff about who was
10 supposed to -- some people were supposed to be
11 involved in the tragic death of Karl Williams.
12 That stuff is supposed to be credible. That's one
13 of the things that the Solicitor, you know, implies
14 when she said you're going to hear evidence.

15 Make a joke. If this stuff we listened
16 to today was credible, you know, you can say, I've
17 got some ocean front property in Arizona, that
18 comment, because none of that stuff was credible.
19 Every single one of those people that she put up
20 had giant problems with truth. Giant problems with
21 whether or not they adhered to the law. Giant
22 problems about whether or not they were -- had
23 motivation or bias to say the kind of things that
24 they said. Huge credibility issues.

25 So the question becomes, can you

CLOSING ARGUMENTS BY MS. GAY

1 | believe anything they say? Once again, we're going
2 | to talk about these actual real pieces of evidence
3 | during the course of my closing. So, we have in
4 | this situation somebody, you know, Mr. Williams was
5 | shot, officers respond, and then they start doing
6 | investigation. There was mention of maybe some way
7 | to figure out that Mr. Green, who told you
8 | information that made absolutely no sense, that
9 | Mr. Green was somehow had issue with maybe the
10 | nephew of Mr. Williams, the deceased.

11 | So they start doing some investigation
12 | and they start looking into Mr. Green. So the way
13 | that it was described and this is kind of
14 | synopsisized in the closing argument by the Solicitor
15 | is that they don't even talk to Mr. Green first.
16 | They actually figure out that Mr. Green kind of
17 | doesn't want to talk to them, so then they go and
18 | they take to Lavore Guinyard. Who is not charged.
19 | Not a defendant in this case. But, you know, came
20 | and was under a subpoena, so he came and talked to
21 | y'all. He doesn't remember anything. He doesn't
22 | remember anything that implicates his brother. He
23 | doesn't remember anything about what was being said
24 | or anything.

25 | So it was interesting, because in the

CLOSING ARGUMENTS BY MS. GAY

1 closing argument, the Solicitor said he said that
2 his brother said. I'm Mr. Guinyard's attorney. I
3 didn't hear any of that. And y'all will go back
4 and you can hear other parts of testimony, if you
5 want, but there was no part that said my brother
6 said blank to me. That was not what I heard. So
7 what we get from Lavore, is that he said that he
8 was at this place and some people came. But what
9 we ultimately get from him was, they kept me in
10 that room for three hours. They told me I wasn't
11 going to get a bond until I talked to them. And
12 eventually I just started repeating what they said
13 to me. And that was his testimony. And you could
14 choose to believe him or not believe him, but
15 that's what he said on the stand. I don't know
16 what happened. I have no personal knowledge.
17 Nobody told me anything. I repeated basically what
18 the police told me. Which is, that Mr. Guinyard,
19 my client, Mr. Harrison and Mr. Green were supposed
20 to have been involved.

21 So other than him saying, I have
22 absolutely no idea. I don't remember anything.
23 What he did say was, but I was saying what they
24 told me. I said, who is they? The police
25 officers. I was saying what they told me because I

CLOSING ARGUMENTS BY MS. GAY

1 | was tired of being in the room. He said he was on
2 | Xanax. He said he was drunk at the time. He said
3 | he was taking Ecstasy at the time and that's
4 | considered credible evidence? No, that's not
5 | credible evidence.

6 | So that though is how the investigation
7 | went. So they talked to him and somehow they
8 | convince him to implicate his brother somehow. So
9 | they go back to Mr. Green with Mr. Lavore's
10 | statement or discussion or investigation and they
11 | say, we want to talk to you, Mr. Green. You know,
12 | we now know enough information. We need to tell
13 | you what we know and you need to confess or you
14 | need to tell us something.

15 | So keep in mind that Mr. Green is the
16 | next person they talk to. Mr. Green said on the
17 | stand, and once again, if you believe what he says,
18 | they didn't go there to shoot anybody. They didn't
19 | go there to kill anybody. They went in there to
20 | buy marijuana. So how the whole thing evolved into
21 | shooting somebody, he never once said how it ended
22 | up. He specifically said and the Solicitor said,
23 | well, it doesn't matter. Well, it all matters. He
24 | specifically said because, you know, Mr. Farley got
25 | him to say it, but there was, like, no conversation

CLOSING ARGUMENTS BY MS. GAY

1 at all about what they were there for, what they
2 were going to do there, nothing.

3 So his whole demeanor and that's one of
4 the things the Judge is going to describe to you,
5 you know, when you review the credibility of a
6 witness, you can look at what they say. You can
7 look at their demeanor. You can look at how, you
8 know, how they come across. That man wasn't
9 telling the truth. There is absolutely no doubt
10 that whatever he said was absolutely not true.

11 And one of the things that he alluded
12 to, maybe not actually said, was that he didn't
13 have a gun. Well, we have information from
14 Mr. Harrison that Mr. Harrison himself had a gun
15 that night and so did Mr. Green. So just in that
16 little section right there, what he said on the
17 stand was completely not true. So when you go back
18 in your jury room and you look at what Mr. Green
19 said about my client's presence at the time, my
20 client having a gun, my client doing all this
21 stuff, that stuff that he said on the stand is
22 totally not true.

23 So how do you believe him? How do you
24 believe that he puts my client in the car? Because
25 ultimately my client, Mr. Calik Guinyard, was not

CLOSING ARGUMENTS BY MS. GAY

1 even there. So this is what we have. We have two
2 guns and two people who testified that they were
3 present. Two guns, two people. One of the
4 officers specifically says -- I think the Solicitor
5 said, so maybe it's the CSI guy or maybe it's the
6 ballistics lady, so she said, we have two guns;
7 right? Yes, we have two guns. We don't have three
8 guns. We have two guns. Mr. Harrison said he had
9 a gun. Mr. Green -- he said Mr. Green had a gun.
10 So there's two guns and we also have the
11 information which I'm telling you about, to think
12 about, we have casings from two guns. We have .40
13 caliber which is just a few and we have a 357 which
14 is all the rest of the casings. Two guns. Not
15 three, two guns. Mr. Harrison had a gun.
16 Mr. Green had a gun.

17 So as we move forward into the next set
18 of evidence, they eventually get to Mr. Harrison.
19 And Mr. Harrison, they gave the video -- a portion
20 of the video of his interview and he says this part
21 about there's, you know, that he is, like, you
22 know, indicating that they had some kind of beef or
23 some people had some kind of beef with the young
24 man, the nephew of the deceased, and that they went
25 there to roll past there. And he sort of gave

CLOSING ARGUMENTS BY MS. GAY

1 details of some kind of a, you know, shooting. You
2 know, that they were going to go do something.
3 Well, guess what? He's got a gun. He's running to
4 the front door. All of those 357 casings are
5 between where the car was and where the front door
6 was. That's where all those casings are. The
7 majority of these casings, including A5, A6 -- A5,
8 A6, and A7, those ones they found the next day,
9 this is -- you'll get to look at this, and you will
10 see, they are all right here next to the car that
11 was parked in the driveway, but real close to the
12 house. Not near the car where something was
13 supposed to allegedly being ejected out the car.
14 But right there as somebody's running away from the
15 car shooting. You know who the person was that was
16 running away from the car shooting? It was
17 Mr. Harrison. He admitted to that. You watched it
18 on the video. He talked about that. He said, you
19 know, that's what I was doing and I had a gun and
20 Mr. Green had a gun.

21 So as we move forward through this
22 evidence, there is nothing, no physical evidence
23 whatsoever that places Calik Guinyard in the car.
24 None. There's some comments by his brother who he
25 admits is only trying to appease the police to be

CLOSING ARGUMENTS BY MS. GAY

1 | able to get out of a room that they've kept him in
2 | for three hours. There are some comments by
3 | Mr. Green who is a total liar. Who gave complete
4 | inconsistent testimony to what happened in reality.
5 | If Mr. -- if Mr. Harrison or both the people
6 | admitting that they're there, Mr. Green and
7 | Mr. Harrison don't have anything that makes any
8 | sense. They're not the same.

9 | Now, Mr. Harrison, he said what
10 | happened. That he and Mr. Green went to the place
11 | and he was knocking on the door and he had a gun
12 | and he was shooting that 357. That's a fact.
13 | There are two different Defendants sitting at the
14 | table, but you have to look at them completely
15 | separately. Physical evidence does not place my
16 | client on the scene at all. The only thing is
17 | that, you know, somehow some reference to him being
18 | involved from his brother who was completely under
19 | some kind of mental state of duress at the time
20 | that he was talking to them, but no physical
21 | evidence whatsoever.

22 | You know, all of these people are
23 | talking -- everything that we're all taking about
24 | is what is reasonable doubt? Well, I told you in
25 | the beginning in my opening there was going to be

CLOSING ARGUMENTS BY MS. GAY

1 | plenty of doubt. So doubt has been defined as a
2 | lot of different things. It's a doubt, the
3 | Solicitor referred to, as leaves you firmly
4 | convinced. These guys lied. So it would be very
5 | difficult to leave you firmly convinced that Calik
6 | Guinyard was present or involved because they lied.
7 | You can't say, okay. Well, they lied just for a
8 | little piece and then I'm going to believe the
9 | rest. They're liars. None of it made any sense.
10 | So firmly convinced, impossible.

11 | The other thing is and I think that
12 | Mr. Farley kind of mentioned it is that you were --
13 | makes you reflect on things. Makes you what is
14 | referred to as hesitate to act. Like, a reasonably
15 | prudent person would definitely hesitate to act to
16 | convict Mr. Calik Guinyard in this case because
17 | there was absolutely no evidence that's credible
18 | that places him there. Look at the physical
19 | evidence.

20 | So as I said, you know, at the end of
21 | the day, there is doubt, doubt, doubt. And that,
22 | you know, in these things, there's all kinds of
23 | stuff in here that you'll look at. There's this
24 | picture even of Mr. Williams and, you know, about
25 | the death and how this went down. He was shot.

CLOSING ARGUMENTS BY MS. GAY

1 Comes to the door and then he's shot from the right
2 hand side and then it comes out this way in the
3 back. So he is shot. If you look at this diagram,
4 he's shot from these casings that come right here.
5 So .40 caliber, whoever, you know, Mr. Green, he's,
6 like, on this side. But this, Mr. Harrison, right
7 here, he's closer to the house. And those shots,
8 as you recall the CSI guy said, they came in as an
9 angle and they hit the front door. They hit the
10 porch railing. They hit the door. They hit the
11 glass part. They went through and hit a closet
12 and, you know, these things. And then they have
13 some even over here. So, you know, you've got
14 somebody shooting that's aiming over on the right
15 hand side of the door and the left hand side of the
16 door. So all of these bullets that are coming in
17 and hitting that house to the left, are all these
18 357's. They're all the 357's. And that's the
19 truth.

20 And so no evidence whatsoever that my
21 client ever had a 357 gun -- that I think that she
22 said it was a Glock or it was an H something. I'm
23 not a gun person. But -- so, she said that that
24 would be the type of gun that shoots a 357.

25 Now, what's interesting is Item No. 25,

CLOSING ARGUMENTS BY MS. GAY

1 the item that's in the house which is actually the
2 bullet, I think, that went through Mr. Williams and
3 was on the ground. That's consistent with a 357.
4 That's the bullet that killed him.

5 And so, you know, what we have is --
6 what do we have about -- is there any mention
7 whatsoever about Calik Guinyard having a gun?
8 Yeah. His brother claimed that he gave him a 9mm.
9 I asked on multiple occasions because it's
10 important, was there any evidence that any of these
11 casings found on the ground, any of this stuff in
12 the house, anything had anything to do with a 9mm?
13 No.

14 So whatever Lavore said about some, you
15 know, I gave him a gun, a 9mm. There's no 9mm.
16 There's no physical evidence that connects a 9mm to
17 this case at all. There's two guns, a .40 and a
18 357. Two gun holders, Mr. Green, Mr. Harrison.
19 And so Mr. Calik Guinyard wasn't even there.
20 Somehow the police wanted him to be, so they bring
21 his brother in and they try to get a squeeze on his
22 brother to get his brother to say that he's
23 involved. But for that, they then are saying, but
24 we know -- did you watch that video? It was
25 amazing. Well, we already know what happened. We

CLOSING ARGUMENTS BY MS. GAY

1 | already know what you did. We already know exactly
2 | what you need to tell us. And, ultimately, it's,
3 | like, well, he's doing nothing -- Mr. Harrison is
4 | doing nothing but repeating what the officer says
5 | to him about, you know, what it is he's supposed to
6 | have been doing after a long period of time of not
7 | saying anything.

8 | So ultimately, he says, we're going to
9 | help you. You know, the police can help you at a
10 | bond and all these things and they literally tell
11 | him exactly what they believe he should say. That
12 | literally tell him, we know that you were the
13 | person who walked up to the house. We know who was
14 | supposed to have been the shooters. We know who
15 | was driving the car and that's what he says.

16 | So what is reality? I don't know. I
17 | don't know what reality is. I think that after
18 | these people testified and we watched what we saw,
19 | we are still left with a who knows what the heck
20 | happened. Now, who knows, because those people who
21 | were there, two Defendants admitted to you, the
22 | jury, that they were present and involved. Two
23 | Defendants had guns, a .40 and a 357. Two
24 | Defendants. Mr. Harrison said I had a gun -- a
25 | little 16 year old, it's a shame, but, yeah. I had

CLOSING ARGUMENTS BY MS. GAY

1 a gun and Mr. Green had a gun. He says that. And
2 we have two, in the physical evidence in this case,
3 two sets of casings only. No 9mm. No casings that
4 have anything to do with that. And where -- and
5 the way they're projectiled out, you know, the
6 Solicitor is trying to say that somebody was
7 sitting in the backseat shooting out of a car and
8 that while they're shooting, all of these things
9 are landing outside of the car. But who knows that
10 the person who's driving the car didn't get out and
11 shoot? Because, I mean, we can't believe a word
12 they say.

13 So if he, you know, Mr. Green is
14 driving the car, that is certainly on the driver's
15 side and he's got a gun, so he's getting out and
16 shooting. And then Mr. Harrison, who's running
17 from the door back, you know, he's shooting too.
18 That's two people that committed the offense. My
19 client was not present.

20 And, you know, I said in the beginning,
21 you know, my client is cloaked with innocence and
22 the State has the burden of proof. My client has
23 no burden. The young lady came and said that they
24 had been in Charlotte, there had been this video
25 that she had of him sleeping, she wasn't exactly

REPLY CLOSING ARGUMENTS BY MS. MILES

1 | sure when, but you know what? Mr. Lavore said, he
2 | came to visit me in Charlotte. And so he wasn't
3 | even there, he was in Charlotte visiting him. You
4 | know, is it the same day? Is it not the same day?
5 | You know, that girl who's now pregnant, again, she
6 | doesn't remember all the details. But she
7 | remembers being in Charlotte, and she remembers
8 | having this, like, thing that they posted or saw a
9 | video of, and she remembers being with him, and he
10 | wasn't there.

11 | So my client who's cloaked in
12 | innocence, who's still cloaked in innocence,
13 | because the Solicitor cannot prove beyond a
14 | reasonable doubt, firmly convinced reasonable
15 | people to hesitate to act cannot prove that he was
16 | present at all. And I would ask that you please
17 | find my client not guilty when you go back, but do
18 | it on this. Don't believe me, I'm just a town
19 | crier. Do it on this. This is the physical
20 | evidence. This is what you're going to touch.
21 | What you're going to see. The tangibility of
22 | things they found and the picture that it paints.
23 | My client was not there.

24 | THE COURT: Reply?

25 | MS. MILES: Just briefly, Your Honor.

REPLY CLOSING ARGUMENTS BY MS. MILES

1 REPLY CLOSING ARGUMENTS

2 BY MS. MILES:

3 I think Ms. Gay's right that it is
4 important to pay attention to Ms. Mason's
5 testimony. She does talk about being up in
6 Charlotte with Calik, but when did she say that
7 was? She doesn't know. Some time in December.
8 When did she say that it had to of been? Some time
9 over the weekend because that's when she come to
10 Orangeburg to see her sister and so that's when she
11 would have to go back to Charlotte after that. Had
12 to be a weekend.

13 What was December 14th? It was a
14 Monday. It wasn't a weekend. What day did she say
15 it was? She didn't know. They -- she would go up
16 there frequently. She had no idea about December
17 14th. She said maybe there was some video that
18 showed them in a bed. That Ms. Gay's assistant
19 showed it to her. She didn't really know about it.
20 She didn't know when that was taken either. She
21 can't remember it.

22 The alibi that Calik Guinyard was in
23 Charlotte on December 14th is supposedly given by a
24 girl who can't remember when they were up there.
25 She didn't tell you they were up on December 14th.

REPLY CLOSING ARGUMENTS BY MS. MILES

1 And Ms. Gay brought up that Lavore Guinyard said,
2 oh, well, he came to see me in Charlotte. He did
3 say he come to see him in Charlotte. That he would
4 frequently come visit him up there.

5 But what did he say on that stand?
6 Where did Lavore say he was? Well, Lavore said he
7 was at EJ's house. Lavore said Calik came to EJ's
8 house. Where did Aloysius say Calik was? [REDACTED]
9 Myers Road. Where did Sayquan say Calik was? [REDACTED]
10 Myers Road. Ms. Mason doesn't know when she can
11 put him in Charlotte. But people know when they
12 can put him at [REDACTED] Myers Road and that was the
13 night of the murder and that's where Calik was with
14 Sayquan and Aloysius, killing Mr. Karl Williams.

15 Now, there's something interesting
16 about reasonable doubt and being on a jury.
17 Reasonable doubt doesn't mean you all have to agree
18 on what all the different evidence in this case
19 means. You just have to agree that it means that
20 this person and this person is guilty. You don't
21 have to agree on how you reason. You don't have to
22 agree on how much weight you want to given one
23 person's testimony. You might believe what one
24 person said over what you might believe a person
25 said. You might believe this evidence means more.

REPLY CLOSING ARGUMENTS BY MS. MILES

1 You might believe that this other evidence means
2 more. You don't have to agree on how you separate,
3 how you analyze, what weight you give to one
4 witness, and what weight you give to what evidence.

5 You have to come together though and
6 decide that what you are collectively agreeing to
7 is the guilt or innocence of Calik Guinyard and
8 Sayquan Harrison. So you can take all the
9 different things that you think, all the different
10 reasons why you believe what you believe, and then
11 you all get to discuss together why you think that
12 and what you think it means. You get to deliberate
13 however you want to. It just has to mean that you
14 all agree on the guilt or innocence.

15 You know, I have four kids. And the
16 youngest is constantly picking up things off the
17 ground. I'm like, can you please not pick that up.
18 That is trash. It's going to wind up in the dryer.
19 I don't want to deal with it, but it's their
20 treasures and they love it. And so sometimes it's
21 a random hair tie, sometimes it's a rock at mall
22 flower bed. But I can remember a lot of times as
23 when we're in a parking lot going into Walmart,
24 grocery store or something, and he picks up the
25 dirtiest looking thing off the ground. I'm like,

REPLY CLOSING ARGUMENTS BY MS. MILES

1 | why are you picking that up? It has to be trash.
2 | No. No. No, it's a penny. Well, Lincoln, how do
3 | you know it's a penny? I can tell it's a penny.
4 | It had to be an old penny because it's got all the
5 | gunk on it. It's got all the germs and just all
6 | the things that have built up. But he was right.
7 | Underneath all of that, it's still a penny.

8 | And that's a little bit about this
9 | case. What happened to Karl Williams? Sayquan
10 | Harrison and Calik Guinyard murdering Karl
11 | Williams, that's the penny. And Defense counsel
12 | talking about, well, Sayquan was young. He was 16.
13 | He's an impressionable guy. And Ms. Gay saying, my
14 | guy wasn't even there. That's gunk. Don't let all
15 | the gunk get on that penny and stop you from seeing
16 | that it's still the penny.

17 | Think about the things that are the
18 | same in what everyone says. The car pulls up.
19 | Sayquan, Aloysius, and Calik are in that car. They
20 | have guns. Sayquan goes to that door. Knocks on
21 | that door. Karl Williams comes out and gunfire
22 | erupts killing Karl Williams. That is the penny.

23 | What witness says they find over there?
24 | Nobody. Even Sayquan says he was there. Everyone
25 | says he knocked on the door. Even Sayquan says

JURY CHARGE BY JUDGE MURPHY

1 | that. Why are you knocking on a door if you don't
2 | know what's going to happen when it's opened?
3 | You're knocking on the door and you're running, you
4 | not waiting for that person to come to the door to
5 | give you something. To hand you something. You're
6 | knocking on that door to get somebody to come to
7 | that door so that y'all can shoot that person
8 | killing them.

9 | What witness says Calik wasn't there?
10 | Ms. Mason didn't say that. Aloysius didn't say
11 | that. Sayquan didn't say that. Aloysius puts him
12 | in the car directly behind him and tells you how
13 | loud it was when he was firing that gun from
14 | directly behind him. That's where Calik Guinyard
15 | was. Think about all of this. Think about
16 | everything that happened since the knock on that
17 | door when the murder of Karl Williams took place at
18 | the hands of Sayquan Harrison and Calik Guinyard.
19 | Both of their hands on those triggers. You think
20 | about the evidence and you think about the
21 | testimony. You analyze it. You evaluate it. You
22 | deliberate. And then when it's time for you to
23 | knock on that door and say you have your verdict, I
24 | am confident that it will be a verdict that finds
25 | Sayquan and Calik both guilty of murder. Thank

JURY CHARGE BY JUDGE MURPHY

1 | you.

2 | THE COURT: Ladies and gentlemen of the
3 | jury, it's now time for me to charge you on the law
4 | in this case. I remind you, that during this
5 | trial, you and I have certain duties to perform.
6 | As the trial judge, it's my responsibility to
7 | preside over the trial of this case, and I also
8 | have the duty to rule on the admissibility of the
9 | evidence offered during this trial. You are to
10 | consider only the competent evidence before you.
11 | If there was any testimony ordered stricken from
12 | the record in this case during this trial, you must
13 | disregard that testimony. You are to consider only
14 | the testimony which has been presented from the
15 | witness stand, any exhibits which has been made
16 | part of the record, and any stipulations of
17 | counsel.

18 | I have the additional duty to charge
19 | you the law applicable to this case. As the
20 | presiding judge, I am the sole judge of the law of
21 | this case, and it is your duty as jurors to accept
22 | and apply the law as I now state it to you. If you
23 | already have an idea as to what the law is or what
24 | the law ought to be, and it does not agree with
25 | what I now tell you the law is, you must abandon

JURY CHARGE BY JUDGE MURPHY

1 | this idea because you are sworn to accept the law
2 | and apply the law exactly as I state it to you.

3 | In every case tried in this court
4 | before a jury, the jury becomes the sole and
5 | exclusive judge of the facts in the case. A trial
6 | judge cannot intimate, state, comment on, or make
7 | any statement to a trial jury about the facts in
8 | the case. Since you, the jury, are the sole judges
9 | of the facts in this case, you are not to infer
10 | from anything that I have said during the progress
11 | of this trial, in ruling upon the admissibility of
12 | evidence, or otherwise, or anything that I say now
13 | during the course of this instruction to you, that
14 | I have any opinion about the facts in this case.
15 | The law does not allow me to have an opinion about
16 | the facts in this case. This matter is solely for
17 | you, the jury, to determine. As jurors, it is your
18 | duty to determine the effect, value, weight, and
19 | the truth of the evidence that is presented during
20 | this trial.

21 | The indictments charge the Defendants
22 | with murder. I remind you that the fact that the
23 | Defendants were arrested, charged and indicted in
24 | this case, is not evidence in this case. It cannot
25 | be considered by you as evidence of guilt in this

JURY CHARGE BY JUDGE MURPHY

1 case, nor does it create any presumption or
2 inference of guilt. These documents are simply the
3 formal written instruments which contain the charge
4 made against the Defendants. They are the formal
5 documents by which the case is brought into this
6 court.

7 I charge you that there are two
8 Defendants in this case, each of whom is charged
9 with murder. Each -- the case of each Defendant
10 and the evidence and the law concerning that
11 Defendant should be considered separately and
12 individually. Your verdict does not have to be the
13 same for both Defendants. The fact that you may
14 find one Defendant guilty or not guilty should not
15 control your verdict as to the other Defendant.
16 Where more than one person is charged with a crime,
17 if the evidence warrants it, you may convict one
18 and acquit the other, or you may acquit both or you
19 may convict both. It will depend upon your view of
20 the testimony and the evidence. You must take each
21 Defendant and consider the evidence as to that
22 Defendant and my instructions to you on the law.
23 You will then write a separate verdict of guilty or
24 not guilty on each individual Defendant.

25 The Defendants have pled not guilty to

JURY CHARGE BY JUDGE MURPHY

1 | these indictments, and those pleas put the burden
2 | on the State to prove the Defendants are guilty. A
3 | person charged with committing a criminal offense
4 | in South Carolina is never required to prove
5 | himself innocent.

6 | I charge you that it is an important
7 | rule of the law that the Defendant in a criminal
8 | trial, no matter what the seriousness of the charge
9 | may be, will always be presumed innocent of the
10 | crime for which the indictment was issued unless
11 | guilt has been proven by evidence satisfying you of
12 | that guilt beyond a reasonable doubt. This
13 | presumption of innocence does not end when you
14 | begin your deliberations, but it accompanies the
15 | Defendants throughout the trial until you reach a
16 | verdict of guilt based on the evidence satisfying
17 | you of that guilt beyond a reasonable doubt.

18 | The presumption of innocence is like a
19 | robe of righteousness placed about the shoulders of
20 | the Defendants which remains with the Defendants
21 | until it has been stripped from the Defendants by
22 | the evidence satisfying you of the Defendants'
23 | guilt beyond a reasonable doubt.

24 | The presumption of innocence is not a
25 | mere legal theory. It's not just a legal phrase.

JURY CHARGE BY JUDGE MURPHY

1 It is a substantial right to which every defendant
2 is entitled to unless you, the jury, are satisfied
3 from the evidence of the Defendants' guilt beyond a
4 reasonable doubt. The State has the burden of
5 proving the Defendants are guilty beyond a
6 reasonable doubt. Some of you may have served as
7 jurors in civil cases, where you were told that it
8 is only necessary to prove that a fact is more
9 likely true than not true, such as by the greater
10 weight or the preponderance of the evidence. In
11 criminal cases, the State's proof must be more
12 powerful than that. It must be beyond a reasonable
13 doubt.

14 Proof beyond a reasonable doubt is
15 proof that leaves you firmly convinced of the
16 Defendants' guilt. There are very few things in
17 this world that we know with absolute certainty,
18 and in criminal cases the law does not require
19 proof that overcomes every possible doubt. If
20 based on your consideration of the evidence, you
21 are firmly convinced that the Defendants are guilty
22 of the crime charged, you must find the Defendants
23 guilty. If on the other hand, you think there is a
24 real possibility that the Defendants are not
25 guilty, you must give the Defendants the benefit of

JURY CHARGE BY JUDGE MURPHY

1 the doubt and find them not guilty.

2 I remind you that during this trial,
3 you and I have certain duties to perform. Again,
4 it is my responsibility to preside over the trial
5 of the case, and I have to rule on the
6 admissibility of the evidence offered during this
7 trial. You are to consider only the competent
8 evidence before you. If there was any testimony
9 ordered stricken from the record in this case
10 during this trial, you must disregard that
11 testimony. You are to consider only the testimony
12 which has been presented from the witness stand,
13 the exhibits which has been made a part of the
14 record, and any stipulations of counsel.

15 There are two types of evidence which
16 are generally presented during a trial, direct
17 evidence and circumstantial evidence. Direct
18 evidence is the testimony of a person who claims to
19 have actual knowledge of a fact, such as an
20 eyewitness. Circumstantial evidence is proof of a
21 chain of facts and circumstances indicating the
22 existence of a fact.

23 The law makes absolutely no distinction
24 between the weight or value to be given to either
25 direct or circumstantial evidence, nor is a greater

JURY CHARGE BY JUDGE MURPHY

1 degree of certainty required of circumstantial
2 evidence than of direct evidence. You should weigh
3 all of the evidence in the case. After weighing
4 all of the evidence, if you're not convinced of the
5 guilt of the Defendants beyond a reasonable doubt,
6 you must find the Defendants not guilty.

7 The State entered video recordings into
8 evidence for your consideration. The State and the
9 Defense held a hearing before me where I ordered
10 certain portions of the recordings to be redacted
11 or edited out. These redactions were the result of
12 my prior determinations on the admissibility of
13 statements made on the recording. Both the State
14 and the Defense reviewed the redacted video prior
15 to it being submitted into evidence, and they have
16 agreed that the redactions to the video have been
17 done in accordance with my previous rulings. I now
18 charge you that you're not to consider the fact
19 that portions of the video may appear to be edited
20 in any way during your deliberations.

21 Necessarily, you must consider -- or
22 must determine the credibility of witnesses who
23 have testified in this case. Credibility simply
24 means believability. It becomes your duty as
25 jurors to analyze and to evaluate the evidence and

JURY CHARGE BY JUDGE MURPHY

1 | determine which evidence convinces you of its
2 | truth.

3 | In determining the believability of
4 | witnesses who have testified in this case, you may
5 | believe one witness over several witnesses or
6 | several witnesses over one witness. You may
7 | believe a part of the testimony of a witness and
8 | reject the remaining part of the testimony of that
9 | same witness. You may believe the testimony of a
10 | witness in its entirety or reject the testimony of
11 | a witness in its entirety. You may consider
12 | whether the witness has exhibited to you any
13 | interest, bias, prejudice, or other motive in this
14 | case. You may also consider the appearance and the
15 | manner of a witness while on the witness stand.

16 | There has been evidence presented that
17 | a witness has made prior statements which are not
18 | consistent with the witness' present testimony.
19 | You may use this evidence to decide whether to
20 | believe the witness. You may also use evidence of
21 | the earlier contradictory statements to determine
22 | the truth of those statements. It is up to you to
23 | decide whether to believe the earlier statements or
24 | the testimony which was given at trial.

25 | If a witness is shown to have knowingly

JURY CHARGE BY JUDGE MURPHY

1 testified untruthfully concerning any material
2 matter, you may consider this in determining
3 whether to trust the witness' testimony as to other
4 matters. You may reject all testimony of that
5 witness or give all or part of the testimony the
6 weight that you think it deserves.

7 The rules of evidence ordinarily do not
8 permit witnesses to testify as to opinions or
9 conclusions. An exception to this rule exists for
10 witnesses that we call, "expert witnesses." A
11 witness, who by education and experience, has
12 become an expert in some art, science, profession,
13 or calling, may state an opinion as to relevant
14 material matter in which the witness claims to be
15 an expert in, and they may also state the reasons
16 for that opinion.

17 You should consider any expert opinion
18 received in evidence in this case, and like any
19 other evidence, give it the weight that you think
20 it deserves. If you decide that the opinion of the
21 expert witness is not based on sufficient education
22 and experience, or if you conclude that the reasons
23 given in support of the opinion are not sound, or
24 that the opinion is outweighed by other evidence,
25 you may disregard the opinion entirely. An expert

JURY CHARGE BY JUDGE MURPHY

1 witness' testimony is to be given no greater weight
2 than that of other witnesses simply because the
3 witness is an expert. Further, you're not required
4 to accept an expert witness' opinion even though
5 it's not contradicted.

6 I instruct you and emphasize that the
7 fact that the Defendants did not testify is not a
8 factor to be considered by you in any way in your
9 deliberation, and in your consideration on the
10 question of guilt or innocence of the Defendants.
11 It must not be considered by you in any manner
12 whatsoever. A Defendant has the constitutional
13 right to remain silent, and the assertion of this
14 right must not be considered in your deliberations.
15 I repeat, under your oath, you're not to draw any
16 conclusion whatsoever from the fact the Defendants
17 did not testify. The fact that the Defendants did
18 not testify should not even be discussed in the
19 jury room. The burden of proof, as I have stated
20 to you, is on the State. The Defendants are not
21 required to prove their innocence. The burden of
22 proof remains on the State to prove guilt beyond a
23 reasonable doubt.

24 If a crime is committed by two or more
25 people who are acting together in committing a

JURY CHARGE BY JUDGE MURPHY

1 crime, the act of one is the act of all. A person
2 who joins with another to commit an unlawful act is
3 criminally responsible for everything done by the
4 other person which happens as a probable or natural
5 consequence of the acts done in carrying out the
6 common plan and purpose. For example, two people
7 can be guilty of killing another person when only
8 one of the two had a gun, there was only one
9 bullet, and only one of the two fired the shot that
10 caused the death. If two or more people are
11 together, acting together, assisting each other in
12 committing the offense, the act of one is the act
13 of all, or as it is sometimes said, "The hand of
14 one is the hand of all."

15 Prior knowledge that a crime is going
16 to be committed, without more, is not sufficient to
17 make a person guilty of that crime. Mere knowledge
18 that another person is going to commit a crime,
19 even if the Defendant is present when the crime is
20 committed, is not sufficient to convict the
21 Defendant as a principal. Guilt as a principal is
22 shown by actual or constructive presence at the
23 scene as a result of a prior arrangement.
24 Therefore, a finding of a prior arranged plan or
25 common scheme is necessary for a finding of guilt

JURY CHARGE BY JUDGE MURPHY

1 as a principal. The State must prove beyond a
2 reasonable doubt by competent evidence the theory
3 of the hand of one is the hand of all.

4 A principal in a crime is one who
5 either actually commits the crime or who is present
6 aiding, abetting, or assisting in committing the
7 crime. When a person doesn't act in the presence
8 of and with the assistance of another, the act is
9 done by both. Whether two or more acting with a
10 common plan or intent are present at the commission
11 of a crime, it does not matter who actually commits
12 the crime. All are guilty. The hand of one is the
13 hand of all.

14 Present at the commission of a crime
15 means to be sufficiently near to aid and abet and
16 assist in the commission of the crime. However,
17 mere presence at the scene of a crime is not
18 sufficient to convict one as a principal on the
19 theory of aiding and abetting. Intent is also a
20 necessary element for there must have been a common
21 design or intent to commit the crime and the crime
22 must have been committed pursuant thereto with a
23 person aiding and abetting by some overt act.
24 Intent means intending the result which actually
25 occurs, not accidentally or involuntarily. Intent

JURY CHARGE BY JUDGE MURPHY

1 may be shown by acts and conduct of the Defendant
2 and other circumstances from which you may
3 naturally and reasonably infer intent. The State
4 must prove these elements beyond a reasonable
5 doubt.

6 In order to establish criminal
7 liability, criminal intent is required. For
8 example, the mental state required to be proven by
9 the State for a particular crime might be purpose,
10 intent, knowledge, recklessness, or criminal
11 negligence. Criminal intent must be proven by the
12 State beyond a reasonable doubt.

13 Criminal intent is always a matter that
14 must be determined by the jury from the
15 circumstances surrounding the situation. There is
16 no way that mathematical -- there's no way that
17 medical science can dissect a person's brain to
18 determine what the person had in mind, so the law
19 says that criminal intent may be inferred from the
20 circumstances shown to have existed. This is how
21 you make your determination of whether or not the
22 element requiring intent was present. It is not
23 necessary to establish intent by direct and
24 positive evidence, but intent may be established by
25 inference in the same way as any other fact by

JURY CHARGE BY JUDGE MURPHY

1 taking into consideration the acts of the parties
2 and of all of the facts and circumstances of the
3 case.

4 Criminal intent is a mental state, a
5 conscious wrongdoing. It is up to you to determine
6 what the Defendants intended to do based upon the
7 circumstances shown to have existed. Criminal
8 intent can arise from action or a failure to act.
9 It may arise from negligence, recklessness, or an
10 indifference to duty or to consequences that is
11 what is considered by the law to be the equivalent
12 of criminal intent.

13 A statement alleged to have been made
14 by the Defendant, Mr. Harrison, has been admitted
15 into evidence in this case. While the Court has
16 determined that the statement is admissible and
17 made voluntarily of his own free will. I instruct
18 you that you must determine whether the statement
19 is trustworthy and credible. You may consider both
20 the characteristics of the Defendant and the
21 details of the questioning. Some of the factors
22 that you may consider are: (1) The age of the
23 Defendant; (2) The Defendant's education or lack of
24 education; (3) The Defendant's mental ability or
25 capacity; (4) The Defendant's IQ or intelligence;

JURY CHARGE BY JUDGE MURPHY

1 (5) The Defendant's background and environment; (6)
2 The place and the length of the interrogation; (7)
3 The nature of the questioning; and (8) The advice
4 or lack thereof to the Defendant of his
5 constitutional rights. Carefully consider all of
6 the surrounding circumstances before you give any
7 weight to the alleged statement. If you determine
8 the statement is reliable, you must decide what
9 weight, if any, it should be given to the alleged
10 statement.

11 The Defendants are charged with murder.
12 The State must prove beyond a reasonable doubt that
13 the Defendants killed another person with malice
14 aforethought. Malice is hatred, ill will, or
15 hostility towards another person. It is the
16 intentional doing of a wrongful act without just
17 cause or excuse and with an intent to inflict an
18 injury or under circumstances that the law will
19 infer an evil intent.

20 Malice aforethought does not require
21 that malice exist for any particular time before
22 the act is committed. The malice must exist in the
23 mind of the Defendants just before and at the time
24 the act is committed. Therefore, you must -- there
25 must be a combination of the previous evil intent

JURY CHARGE BY JUDGE MURPHY

1 and the act.

2 Malice aforethought may be expressed or
3 inferred. These terms, "express" or "infer" do not
4 mean different kinds of malice, but merely the
5 manner in which the malice may be shown to have
6 existed. That is either by direct evidence or by
7 inference from the facts and the circumstances
8 which are proved. Express malice is shown when a
9 person speaks words which express hatred or ill
10 will for another or when the person prepared
11 beforehand to do the act which was later
12 accomplished. For example, lying in wait for a
13 person or any other acts of preparation going to
14 show that the deed was within the Defendants' minds
15 would be express malice. Malice may be inferred
16 from conduct showing a total disregard for human
17 life.

18 If facts are proved beyond a reasonable
19 doubt sufficient to raise an inference of malice to
20 your satisfaction, this inference would be simply
21 an evidentiary fact to be considered by you along
22 with the other evidence in the case, and you may
23 give it the weight you decide it should receive.

24 If the Defendant with malice
25 aforethought attempts to kill another person, but

JURY CHARGE BY JUDGE MURPHY

1 by mistake, injuries or kills a different person,
2 the Defendant still has the intent to kill. The
3 intent to kill is merely transferred from the
4 original person the Defendant attempted to kill to
5 the actual person killed or injured. The Defendant
6 would be guilty of assault and battery with intent
7 to kill just as if the attempt had resulted in the
8 death or injury of the person the Defendant
9 attempted to kill.

10 The Defendant Guinyard has raised the
11 Defense of alibi. In order to establish an alibi,
12 it must be shown that the Defendant was at another
13 specified place at the time that the crime was
14 committed, and that it was therefore impossible for
15 the Defendant to have been at the scene of the
16 crime. Mere denial of presence at the scene of a
17 crime does not constitute an alibi. There is no
18 burden on the Defendant to prove an alibi. The
19 burden is on the State to prove beyond a reasonable
20 doubt that the Defendant Guinyard was actually
21 present at the scene of the crime, actually
22 participated in it and was not somewhere else. In
23 other words, the State has the burden of disproving
24 the Defendant's alibi defense.

25 Ladies and gentlemen of the jury, your

JURY CHARGE BY JUDGE MURPHY

1 | verdict must be a unanimous verdict, which of
2 | course, means that all twelve of you must agree on
3 | the verdict. And, ma'am, here on the end, can I
4 | have your name, please?

5 | MS. HAWKINS: Ann.

6 | THE COURT: And your last name?

7 | MS. HAWKINS: Hawkins.

8 | THE COURT: Ms. Hawkins, since you're
9 | sitting in that chair, I'm going to appoint you as
10 | the forelady of the jury and your vote is the same
11 | as any other vote. And basically, it will be your
12 | job to write the verdict on the verdict form once
13 | you -- all twelve come to a unanimous decision.
14 | Very straight forward. You have two different
15 | verdict forms. One for each Defendant and follow
16 | the directions.

17 | It says, "As to the charge of murder
18 | against Calik Guinyard, we the jury unanimously
19 | find the Defendant," and you circle the appropriate
20 | verdict. You sign it and date it.

21 | Same as to the verdict form for
22 | Mr. Harrison. It says, "As to the crime of murder
23 | against Sayquan Harrison, we the jury unanimously
24 | find the Defendant," and it has the two potential
25 | verdicts and circle the appropriate verdict. Sign

1 and date it.

2 Ladies and gentlemen, I'm going to ask
3 you to go to your jury room. Please do not begin
4 your deliberations until you have received the
5 verdict forms, and actually, you will also have the
6 indictments in the jury room. And on the
7 indictment -- on the front of the indictment it has
8 the verdict, you would write the appropriate
9 verdict. Sign and date on the front of the
10 verdict. You will have both of the indictments in
11 the jury room with you. Begin your deliberations
12 once you receive these documents, all of the
13 exhibits, then you may begin your deliberations.
14 I'm going to ask the two alternates to go to a
15 separate room and thank you, you may return to your
16 jury room.

17 (WHEREUPON, the jury left the courtroom
18 at 4:32 p.m.)

19 THE COURT: Any exception to the charge
20 on the law from either the State or from the
21 Defense?

22 MS. MILES: Your Honor, I just have one
23 quick question. At the end of transferred intent
24 right before alibi, there was a line about assault
25 and battery with intent to kill in the transferred

1 intent part and I wasn't sure if that was supposed
2 to have been in there if it applied to your part of
3 the greater transfer of intent or not.

4 THE COURT: We could strike that if
5 y'all want. It was a full charge that the State
6 submitted to the Court to submit --

7 MS. MILES: Oh, so it was just all part
8 -- okay.

9 THE COURT: It was all part of it, so I
10 -- nobody said that they wanted it out. So --

11 MS. MILES: Okay. Again, I mean, it's
12 not like it's an option for them. I'm just making
13 sure that that was intentionally in there.

14 THE COURT: It was part of the charge
15 that's included in that charge. It wasn't
16 requested to be redacted or anything.

17 MS. MILES: That's fine.

18 THE COURT: But I'm happy to do it if
19 both sides have a problem with it.

20 MR. FARLEY: I do not.

21 THE COURT: Ms. Gay?

22 MS. GAY: Your Honor, we just would
23 reiterate that I join in the motion with Mr. Farley
24 about asking for a voluntary manslaughter charge
25 just as a lesser included because it's a murder

1 case.

2 THE COURT: Yes, ma'am. And certainly
3 for both Mr. Farley and yourself, there was no
4 evidence submitted for the jury to consider any
5 type of -- I'm drawing a blank here. It's been a
6 long day. So --

7 MR. FARLEY: Heat of passion?

8 THE COURT: Heat of passion, yes, sir.
9 Thank you. So your motion is respectfully denied.
10 If y'all would get-together and make sure we have
11 all the exhibits.

12 I have the indictment for Mr. Harrison,
13 I just have a copy. Who has the original?

14 MS. MILES: I think they were looking
15 for the original. Did y'all find the original for
16 Sayquan?

17 THE COURT: And is there any objection
18 to me going ahead and releasing the alternates?

19 MS. MILES: None from the State, Your
20 Honor.

21 MR. FARLEY: None from the Defense.

22 MS. GAY: No, ma'am.

23 (WHEREUPON, deliberations began at 4:46
24 p.m.)

25 THE COURT: Thank you, everyone.

1 Please have a seat. Could we have the Defendants
2 in here, please?

3 (WHEREUPON, the Defendants entered the
4 courtroom.)

5 THE COURT: We've received a note from
6 the jury and there are two questions on the note.
7 The first question is:

8 Was Sayquan Harrison's rights violated
9 by questioning at age of 16, minor without parental
10 guidance when he signed Miranda?

11 The second statement says:

12 Also, jury feels like we need a night
13 to weigh the discussion, would like to come back
14 tomorrow, if possible.

15 I have had a conference with both sides
16 to discuss this question and it is agreed by all
17 parties that the first question regarding the
18 rights violate, as far as the questioning is
19 concerned, that the Court would read to the jury
20 again, the jury instruction about the statement of
21 the Defendant as was read to in the previous jury
22 instructions.

23 Is there any objection from either the
24 State or from the Defense?

25 MS. MILES: None from the State, Your

1 Honor.

2 MR. FARLEY: No, Your Honor.

3 MS. GAY: No, Your Honor.

4 THE COURT: And as to the second
5 question regarding the jury wanting to go home,
6 they've only been deliberating approximately an
7 hour, if that, when this note came back. Concerned
8 for leaving them to be out and potentially doing
9 any kind of research or talking at this juncture.
10 It hasn't been long enough for them to really come
11 to a determination of the facts. I think all
12 parties are in concurrence that we're going to ask
13 them to see if they're hungry, we're happy to order
14 them dinner, but all parties would request that
15 they stay and still consider their deliberations.

16 Are there any objections from the State
17 or from the Defense?

18 MS. MILES: None from the State, Your
19 Honor.

20 MR. FARLEY: None from the Defense,
21 Your Honor.

22 MS. GAY: No, ma'am.

23 THE COURT: All right. Let's have our
24 jury, please.

25 (WHEREUPON, the jury entered the

1 courtroom at 5:49 p.m.)

2 THE COURT: Ladies and gentlemen of the
3 jury, I'm in receipt of your questions which have
4 been submitted to the Court. The first question
5 regarding Sayquan Harrison's statement, I'm going
6 to reread the law to you regarding -- specifically
7 regarding his statement which was made to law
8 enforcement.

9 The law is, a statement alleged to have
10 been made by the Defendant, Mr. Harrison, has been
11 admitted into evidence in this case. While the
12 Court has determined that the statement is
13 admissible and made voluntarily of his own free
14 will, I instruct you that you must determine
15 whether the statement is trustworthy and credible.
16 You may consider both the characteristics of the
17 Defendant and the details of the questioning.

18 Some of the factors you may consider
19 are: (1) The age of the Defendant; (2) The
20 Defendant's education or lack of education; (3) The
21 Defendant's mental ability or capacity; (4) The
22 Defendant's IQ or intelligence; (5) The Defendant's
23 background and environment; (6) The place and
24 length of the interrogation; (7) The nature of the
25 questioning; and (8) The advice or lack thereof to

1 the Defendant of his constitutional rights.

2 Carefully consider all of these
3 surrounding circumstances before you give any
4 weight to the alleged statement. If you determine
5 the statement is reliable, you must decide what
6 weight, if any, should be given to the alleged
7 statement.

8 So that would be the law as to the
9 statement. With that you -- looks like y'all are
10 shaking your head, that answers that question?

11 (The jury is nodding affirmatively.)

12 THE COURT: Okay. As to the second
13 question regarding wanting to go home for the
14 evening. You've just begun your deliberations. It
15 was about an hour or so when you started your
16 deliberations. If you're hungry, we're happy to
17 order you dinner. And if you'd like for us to do
18 that, just let me know, and we'll send a menu to
19 you. However, since it's only been an hour since
20 you started your deliberations, we're going to ask
21 that you continue to deliberate and hopefully come
22 to a verdict.

23 Again, if you do wish for us to order
24 dinner, go ahead and let us know, and we'll go
25 ahead and take care of that. Would y'all like for

1 us to order dinner? Do you want to talk? No?

2 (Jury is nodding negatively.)

3 Okay. So if you would please return to
4 your jury room to continue your deliberations.

5 Thank you.

6 (WHEREUPON, the jury left the courtroom
7 at 5:53 p.m.)

8 THE COURT: Any exceptions or
9 objections from the State or the Defense?

10 MS. MILES: None from the State, Your
11 Honor.

12 MR. FARLEY: None from the Defense,
13 Your Honor.

14 MS. GAY: No, Your Honor.

15 THE COURT: All right. We'll mark this
16 as a Court's exhibit.

17 (WHEREUPON, Court's Exhibit No. 2 was
18 marked and entered.)

19 THE COURT: We'll be at ease until we
20 get a verdict.

21 (WHEREUPON, continued deliberations.)

22 THE COURT: Thank you, everyone.
23 Please have a seat. Let's bring the Defendants in.

24 (WHEREUPON, the Defendants entered the
25 courtroom.)

VERDICT

1 THE COURT: It's my understanding that
2 we have a verdict. All parties, including every
3 family member and Defense counsel as well as the
4 State's side, please be very mindful there are to
5 be no reactions when the verdict is read.
6 Everybody must maintain their composure and decorum
7 in the courtroom.

8 All right. Are we ready for the jury?

9 MS. MILES: Yes, ma'am, Your Honor.

10 THE COURT: Defense ready?

11 MR. FARLEY: Yes, ma'am, Your Honor.

12 MS. GAY: Yes, ma'am, Your Honor.

13 THE COURT: All right. Let's have our
14 jury, please.

15 (WHEREUPON, the jury entered the
16 courtroom at 6:22 p.m.)

17 THE COURT: Madam Forelady, has the
18 jury reached a verdict?

19 MS. HAWKINS: Yes, Your Honor, we have.

20 THE COURT: If you would please hand it
21 to the bailiff.

22 THE BAILIFF: May I approach?

23 THE COURT: Yes, sir. Would the
24 Defendants please rise? Madam clerk, if you please
25 read the verdict.

VERDICT

1 THE CLERK: The State of South Carolina
2 versus Sayquan Harrison, Indictment No.
3 2022GS382029. As to the charge of murder against
4 Sayquan Harrison, we the jury unanimously find the
5 Defendant guilty. On this 29th day, 2026. Signed
6 Forelady.

7 THE COURT: Thank you, madam clerk.

8 THE CLERK: The State of South
9 Carolina, Calik Guinyard. Indictment No.
10 2021GS381784. As to the charge of murder against
11 Calik Guinyard, we the jury unanimously find the
12 Defendant guilty. On this 29th day of January,
13 '26. Signed Foreperson.

14 THE COURT: Thank you, madam clerk.
15 Does the Defense require polling of the jury?

16 MR. FARLEY: No, Your Honor.

17 MS. GAY: Yes, ma'am.

18 THE COURT: All right. Madam clerk, if
19 you would please poll the jury.

20 THE CLERK: Juror No. 154. Was this
21 your verdict?

22 MS. JOYNER: Yes.

23 THE CLERK: Is it still your verdict?

24 MS. JOYNER: Yes.

25 THE CLERK: Juror No. 161. Was this

1 your verdict?

2 MS. LADSON: Yes.

3 THE CLERK: Is it still your verdict?

4 MS. LADSON: Yes, ma'am.

5 THE CLERK: Juror No. 236, Caleb

6 Rutland. Was this your verdict?

7 MR. RUTLAND: Yes.

8 THE CLERK: Is it still your verdict?

9 MR. RUTLAND: Yes.

10 THE CLERK: Juror No. 203, Robert

11 Nettles. Was this your verdict?

12 MR. NETTLES: Yes.

13 THE CLERK: Is it still your verdict?

14 MR. NETTLES: Yes.

15 THE CLERK: Juror 275. Was this your
16 verdict?

17 (No response.)

18 THE CLERK: Woodrow Watford?

19 THE COURT: Was that an alternate?

20 THE CLERK: Oh, I'm sorry. Juror No.

21 287, Khalil Williams. Was this your verdict?

22 MR. WILLIAMS: Yes, ma'am.

23 THE COURT: Is it still your verdict?

24 MR. WILLIAMS: Yes, ma'am.

25 THE CLERK: Juror No. 124, Ann Hawkins.

1 Was this your verdict?

2 MS. HAWKINS: Yes.

3 THE CLERK: Is it still your verdict?

4 MS. HAWKINS: Yes.

5 THE CLERK: Juror No. 56, Kaylee Cowan.

6 Was this your verdict?

7 MS. COWAN: Yes.

8 THE CLERK: Is it still your verdict?

9 MS. COWAN: Yes.

10 THE CLERK: Juror No. 60, Avery

11 Daniels. Was this your verdict?

12 MR. DANIELS: Yes.

13 THE CLERK: Is it still your verdict?

14 MR. DANIELS: Yes.

15 THE CLERK: Juror No. 135, Courtney

16 Jackson. Was this your verdict?

17 MR. JACKSON: Yes.

18 THE CLERK: Is it still your verdict?

19 MR. JACKSON: Yes.

20 THE CLERK: Juror No. 79, Little

21 Farman. Was this your verdict?

22 MR. FARMAN: Yes, ma'am.

23 THE CLERK: Is it still your verdict?

24 MR. FARMAN: Yes, ma'am.

25 THE CLERK: Juror No. 23, Deshynal

1 Brabham. Was this your verdict?

2 MS. BRABHAM: Yes, ma'am.

3 THE CLERK: Is it still your verdict?

4 MS. BRABHAM: Yes, ma'am.

5 THE CLERK: And Juror No. 217, Julius

6 Poole. Was this your verdict?

7 MR. POOLE: Yes, ma'am.

8 THE CLERK: Is it still your verdict?

9 MR. POOLE: Yes, ma'am.

10 THE COURT: Thank you, madam clerk.

11 Ladies and gentlemen of the jury, if you would
12 retire to your jury room one last time momentarily,
13 I'll be in there to release you. Thank you.

14 (WHEREUPON, the jury left the courtroom
15 at 6:27 p.m.)

16 THE COURT: All right. Counsel,
17 anything before I release the jury?

18 MS. MILES: Nothing from the State,
19 Your Honor.

20 MR. FARLEY: No, Your Honor.

21 MS. GAY: Not regarding the jury, Your
22 Honor.

23 THE COURT: All right. And as far as,
24 Mr. Farley, your client obviously considering his
25 age must take *Aiken v. Byars* into consideration.

1 Would you like to schedule a separate sentencing
2 hearing for that to allow you time to provide
3 mitigating -- any potential mitigating
4 circumstances to the State?

5 MR. FARLEY: Your Honor, I would prefer
6 to defer sentencing and I do have a motion when
7 appropriate.

8 THE COURT: Okay. And, Ms. Gay, we'll
9 back to your client. But if y'all want to go ahead
10 and prepare the sentencing sheets on your client.

11 MS. GAY: I think we need to -- you
12 have a motion? You want to go ahead with your
13 motion?

14 MR. FARLEY: If the Judge --

15 THE COURT: I was going to release the
16 jury and then come back.

17 MS. GAY: Oh, okay. I'm sorry. I'm
18 confused.

19 THE COURT: I'll be right back.

20 (WHEREUPON, there was a pause in the
21 hearing to release the jury.)

22 THE COURT: Anything we need to
23 address?

24 MR. FARLEY: Your Honor, I have a
25 motion just for the record.

1 THE COURT: Yes, sir.

2 MR. FARLEY: And, Your Honor, at this
3 time, I'd like the motion for Mr. Harrison to have
4 a new trial. Obviously, I know you already granted
5 the deferred sentencing under *Aiken v. Byars*.

6 THE COURT: Yes, sir. I respectfully
7 deny your motion. Certainly, he was waived up by
8 the family court appropriately, and considering the
9 charge against your client, it was certainly a
10 charge for which he would face adult charges.

11 MR. FARLEY: Thank you, Your Honor.

12 THE COURT: Ms. Gay?

13 MS. GAY: Thank you, Your Honor. I
14 would also make a motion for a new trial for my
15 client based on previous motions that we had
16 including a request to include voluntary
17 manslaughter as a lesser included charge and all of
18 the motions and objections that we made along the
19 way. And I would ask that -- I would like for, you
20 know, to reincorporate my motions for directed
21 verdict in my motion for a new trial.

22 THE COURT: Thank you, Ms. Gay. Again,
23 as previously articulated, your motions are
24 respectfully denied. There was no evidence
25 presented to the jury to warrant an involuntary

1 manslaughter charge.

2 Anything further before I proceed with
3 sentencing?

4 MR. FARLEY: None from Defense
5 Harrison, Your Honor.

6 THE COURT: And, Mr. Farley, obviously,
7 to facilitate the *Aiken v. Byars* hearing, how long
8 do you anticipate? Have you already started
9 working on any of the potential matters for the
10 Court to consider? I want to see where we need to
11 house him in the interim.

12 MR. FARLEY: I was going to draft
13 probably a funding order under *Miller v. Alabama*
14 and *Aiken v. Byars* and I'll have that to Your Honor
15 directly.

16 THE COURT: So, I guess, I'm not sure,
17 do we just keep him here at the county jail up
18 until that point?

19 MR. FARLEY: Yes, Your Honor.

20 THE COURT: So long as we can try to
21 get to it in a timely manner.

22 MR. FARLEY: And I'll get this to you
23 directly, Your Honor. I've already begun drafting
24 it.

25 THE COURT: All right. Are you ready

1 to proceed?

2 MS. MILES: Yes, ma'am. Your Honor,
3 may I approach with the sentencing sheet?

4 THE COURT: Yes, ma'am. Solicitor, did
5 the victim's family wish to be heard?

6 MS. MILES: Absolutely, Your Honor,
7 they would.

8 THE COURT: Yes, ma'am, I'll be happy
9 to hear from them.

10 MS. WILLIAMS: Good evening to this
11 court. I want to say thank you for all of the
12 support to everybody that's here. I would just
13 like to say that this is a sad day. It's
14 heartbreaking as a mother, as a grandmother, to see
15 something like this happen. My -- I think I have
16 empathy, but very little sympathy for this whole
17 situation. I just need everybody in here to know
18 that raising a child is no different than having a
19 piece of clay in your hands. When you get that
20 clay, you don't know what to do with it. The goal
21 is to mold it and shape it into something beautiful
22 and positive. So that that piece of artwork that
23 you created from that clay can be enjoyed, learned
24 by many.

25 I don't know what happened here with

1 | this piece of clay with these two young men. But
2 | it is a sad day and it has ripped our families
3 | apart. To see such heinous crimes committed at
4 | such a young age, as young men who have the world
5 | ahead of them. I just -- I'm at a loss for words.
6 | And I hope this is a learning experience for this
7 | whole city. Orangeburg deserves better.

8 | Orangeburg has the possibility and the
9 | capabilities to be an amazing city. You're nestled
10 | between Charleston and Columbia. It's inexcusable
11 | for people not to want to invest and to come here.
12 | Amazing universities that are here for you to
13 | learn. Schools that these young men could have
14 | attended. But making poor choices and being with
15 | the wrong people and just doing the wrong thing and
16 | being poor decision makers are why we are here.

17 | Look at the money it is costing us to
18 | be here. Everybody here has to get paid. It is
19 | ridiculous. And I'm asking for the maximum,
20 | whatever that may look like. Our family has been
21 | through hell and back with this whole ordeal.
22 | Emotionally, missing work. Our families are upset.
23 | This is for Karl. We're speaking on his behalf.
24 | He doesn't have a voice anymore. His life was cut
25 | short. And I just hope that whatever angels were

1 here, that they will hear these cries today and
2 relay the message to Karl that we have fought a
3 fight to get this done. I want to thank everyone
4 that has been a support of us with this matter.
5 Thank you so much.

6 THE COURT: Thank you, ma'am.

7 MR. WILLIAMS: I'm Shawn Williams. I
8 am the eldest brother of our siblings and of our
9 deceased brother, Karl. And on his behalf because
10 he cannot speak for himself, I'm reminded of what
11 Dr. Martin Luther King said. He said, "The arc of
12 the moral universe is long, but it bends towards
13 justice." Not to the left or to the right, but
14 towards justice. And tonight, justice has spoken
15 for Karl. Justice has spoken for our brother.
16 Justice has spoken for an uncle. Justice has
17 spoken for a cousin. Justice has spoken for a
18 friend. Justice has spoken.

19 And I'd like to thank the court for
20 their professionalism in carrying out the duties as
21 required by the State of South Carolina. And
22 again, we just are -- just heartbroken over this
23 entire ordeal. Because what was once the house on
24 the corner at [REDACTED] Myers Road which was considered
25 the Sandlot. If you remember the movie, that's

1 | where everybody came to play ball. Regardless
2 | whether softball, baseball, basketball, football,
3 | it didn't matter, and drink from the spigot.
4 | That's who we are. That's where we're from.

5 | Our mother and father instilled hard
6 | work within us and that's what we're still doing
7 | and trying to be good stewards of everything that
8 | we've been given and for our community. Civically,
9 | as well as financially.

10 | So with that being said, again, I thank
11 | the court and all of these officers who supported
12 | this ordeal. And again, this is something for
13 | everyone to think about as we continue to move
14 | forward in this life. Thank you.

15 | THE COURT: Thank you, sir. And,
16 | Solicitor, does the Defendant have a prior record?

17 | MS. MILES: I don't believe anything
18 | that's an adult record. There's some things
19 | juvenile, but nothing at the adult record. He was
20 | only 18 at the time he was arrested.

21 | Your Honor, in regards to sentencing.
22 | It's been an honor to meet this family and to get
23 | to know Karl through this family. I think it's
24 | been a great loss, not just for this family, but
25 | for this community. Mr. Williams was a teacher.

1 He was a coach. He was a mentor. He gave so much
2 back to a community that it was not just the
3 family's loss and the friends' loss, but really
4 truly a community loss and we would just like to
5 ask you to take that into consideration, the
6 enormity of the loss just for everyone involved.

7 THE COURT: Thank you, ma'am.

8 MS. MILES: Thank you.

9 THE COURT: Ms. Gay?

10 MS. GAY: Thank you, Your Honor. The
11 member of the family that stayed is his father.
12 Sir, would you like to talk with the judge? Can he
13 come around this way, Your Honor?

14 One thing to say, Your Honor, is that I
15 was talking to Mr. Farley about this, he had only
16 been 18 for two months. So the law and the
17 exceptions that are going to apply, potentially to
18 Mr. Harrison, he turned 18, like, the end of
19 October and this happened in December. So he was
20 18, but he was barely 18 at this time, Your Honor.

21 Sir, would you like to identify
22 yourself for the record, please?

23 MR. GUINYARD: My name is Larod
24 Rodriques Guinyard. I would like to start out and
25 say, I apologize to the Williams family a lot. It

1 | was very well said. I'm surprised. I regret
2 | anyone is here right now during this time because
3 | this is something that I don't want to see this on
4 | anybody. Like I say, I'm sorry for their loss.

5 | My child, his friends like that, if it
6 | was something I could take back, if I can take his
7 | place, I would. That's how much I love my child.
8 | I would give -- let him see the life of day again.
9 | Like, not just locked up the whole time because it
10 | bother me so much. I'm a father. But I really, if
11 | just take my place -- if I really could to take his
12 | place, I really would. If I could do the
13 | (inaudible), I really would. Just I don't want him
14 | to see the rest of his life I won't get to see. At
15 | least be able to hug him again. Like, because he
16 | got two kids out here. And I know if they did
17 | guilty, he took somebody's life, yes, punish, but
18 | let them be able to come out and see his child at
19 | some point in time.

20 | And I'm sorry, but I never -- I mean, I
21 | apologize a lot for everybody. Nobody should be
22 | here. And before everything at least how much at
23 | least one more time I don't know what happen
24 | tomorrow, nobody should be in this situation. And
25 | I apologize to y'all family a lot. Nobody deserve

SENTENCE OF THE COURT

1 that. And you cannot control nobody else action.
2 You can't control nobody else. You can't control
3 nobody else, but inside like, as a father, and I do
4 right. I do right. Check my record, I do right.
5 I work every day. I do right.

6 I would take my spot -- I could take
7 his spot right now if it would do that because
8 that's how much I love my child. But what I'm
9 saying, just please, let the life of me. That's
10 all I can say. Thank you, Your Honor.

11 THE COURT: Thank you, sir. Anything
12 further?

13 MS. GAY: Well, Your Honor, as his
14 father said, he is father of two. He was a very,
15 very young man, barely 18 years old when this
16 happened. He has -- he's been in jail ever since.
17 Never been a bond. So we would like you to --
18 that's five years, so we would like you to please
19 be as lenient as possible. Certainly, I know the
20 penalty range is -- has a wide range of options.
21 We would ask you to please not give him the maximum
22 sentence. I would ask -- I don't know, do you want
23 to say something? Or -- okay.

24 MR. GUINYARD: I'll say something.

25 THE COURT: Yes, sir.

SENTENCE OF THE COURT

1 MS. GAY: Can tell me what you're going
2 to say first, if you don't mind. Excuse me, Your
3 Honor.

4 (Ms. Gay is speaking with her client.)

5 Your Honor, after conferring with my
6 client, I think that he would just ask you to
7 please be as lenient as possible under the
8 circumstances. And that -- as like his father
9 said, he would love to at some point in time be
10 able to see his children and, you know, actually
11 have some life left.

12 I mean, I understand there's somebody
13 who's not here anymore at all and then there's him
14 who is here. And I know all that and that's what I
15 just sort of told him as we we're talking is that,
16 you know, we just have to ask you to be merciful.

17 THE COURT: Yes, ma'am. Considering
18 the circumstances of this case, obviously, the
19 victim in this case was a very beloved member of
20 this community, and certainly didn't deserve to be
21 gunned down for no reason just because of whatever
22 was going on with his nephew. To just to pull up
23 to a house like that and just shoot
24 indiscriminately, really there's no excuse for
25 that. There's absolutely no excuse for that.

1 On Indictment 2021GS381784, you're
2 hereby committed to the State Department of
3 Corrections for the remainder of your natural life.

4 MS. GAY: Thank you, Your Honor.

5 THE COURT: Court is adjourned.

6 (WHEREUPON, court was adjourned at 7:00
7 p.m.)

8 - - -END OF REQUESTED TRANSCRIPT OF RECORD- - -
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CERTIFICATE OF REPORTER

STATE OF SOUTH CAROLINA)

COUNTY OF ORANGEBURG)

I, KATHERINE A. SPIRES, Registered Professional Reporter for the First Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and the evidence introduced in the trial of the captioned case, relative to appeal, in the Court of General Sessions for Orangeburg County, South Carolina, on the 27th of January through the 29th of January, 2026.

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

May 23, 2026

s/Katherine A. Spires

Katherine A. Spires

Registered Professional Reporter

WITNESSES

Terry C Logan Jr

Orangeburg County Sheriff

2020-000-8738

ARREST WARRANT NUMBER

2021A3810700087

Arrested: 8/24/2021

ACTION OF GRAND JURY

TRUE BILL

JUN 01 2022

Foreperson of Grand Jury
Date: June 1, 2022

VERDICT

Foreperson of Petit Jury
Date: 1-29-26

DOCKET NO. 2021GS38-1784

The State of South Carolina

County of ORANGEBURG

COURT OF GENERAL SESSIONS

June 6, 2022 TERM

THE STATE
vs.

Calik Travone Guinyard

Indictment for
MURDER

SC Code: 16-3-10

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I hereby appear in my own proper person and plead guilty to the within indictment or to

Defendant

Witness:

C.C.C. PLS. AND G.S.

FILED FOR RECORD
WINNIFAB. CLARK
2022 JUN -1 AM 9:50
CLERK OF COURT
ORANGEBURG, SC

STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)

INDICTMENT
2021GS38-1784

At a Court of General Sessions, convened on June 1, 2022 the Grand Jurors of Orangeburg County present upon their oath:

MURDER

That in Orangeburg County on or about December 14, 2020, with malice aforethought, the defendant, Calik Travone Guinyard did kill one Karl Williams by means of shooting the victim. The victim did die as a proximate result thereof. This offense being in violation of the Common Law and Section 16-3-10, of the South Carolina Code of Laws, as amended.

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



Catherine E. Mubarak, Solicitor

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,



W. Chandler Norville
Appellate Defender

RECEIVED

Aug 26 2026

SC Court of Appeals

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

ATTORNEY FOR APPELLANT

This 26th day of August, 2026.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Aug 26 2026

SC Court of Appeals

Appeal from Orangeburg County

Honorable Maite Murphy, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CALIK TRAVONE GUINYARD,

APPELLANT

APPELLATE CASE NO. 2026-000281

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS); and on Calik Guinyard, #399968, at McCormick Correctional Institution, 386 Redemption Way, McCormick, SC 29899, this 26TH day of August, 2026.



W. Chandler Norville
Appellate Defender

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

ATTORNEY FOR APPELLANT