

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DARLINGTON COUNTY
Court of General Sessions

George M. McFaddin Jr., Circuit Court Judge

Appellate Case No. 2025-002355

The State of South Carolina,

Respondent,

v.

Katherine Ann Baucom-Cowick,

Appellant.

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**THE FOLLOWING EXHIBITS ARE ON FILE WITH THE
DARLINGTON COUNTY CLERK OF COURT’S OFFICE:
STATE’S EXHIBIT NO. 1 (THUMB DRIVE)**

THE STATE,)
)
 Plaintiff,)
)
 vs.)
) Transcript of Record
 KATHERINE BAUCOM-COWICK,)
)
 Defendant.)
)
)

Darlington, South Carolina
June 2-5, 2025

B E F O R E:

The Honorable G. McFaddin

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Mr. Bennett Gore, Esquire
Attorneys for the Defendant

Lisa Carter
Circuit Court Reporter

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S-3	Gun	43
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1 Monday, June 2, 2025

2 (WHEREAS, this matter was scheduled for a trial,
3 the plaintiff appeared along with their attorney of
4 record. The defendant appeared with her attorney,
5 Mr. Paul Cannarella and Mr. Bennett Gore. The
6 proceedings began at 11:30 am)

7 THE COURT: May I please speak with the lawyers
8 right here?

9 (Whereupon, a bench conference was held off the
10 record)

11 THE COURT: As we just discussed I think it's
12 wise, and I think you agree with me I know you do,
13 and I question the defendant about the process today.
14 So ma'am, do you go by Baucom-Cowick? How do you --
15 how do you -- Baucom only or what? What do -- what
16 do you use?

17 MS. BAUCOM: My name is Baucom, sir.

18 THE COURT: Baucom?

19 MS. BAUCOM: Yes, sir.

20 THE COURT: All right. Ms. Baucom, I know you
21 discussed this with your lawyers, but for the sake of
22 the record let me ask you some questions. You are a
23 defendant in a criminal trial in South Carolina, you
24 are entitled to a jury trial if you want a jury
25 trial. Do you understand that?

1 MS. BAUCOM: Yes, sir.

2 THE COURT: Your lawyers have talk to you about
3 this, but I want to ask you this and tell you this as
4 you know, in a jury trial you would not be forced to
5 testify and a judge would tell your jury that it
6 could not hold that against you. Do you understand?

7 MS. BAUCOM: Yes, sir.

8 THE COURT: But, of course, you could testify in a
9 jury trial. Do you understand that?

10 MS. BAUCOM: Yes, sir.

11 THE COURT: And if you did testify you should be
12 subject to cross-examination like anyone who
13 testifies. Do you understand that?

14 MS. BAUCOM: Yes, sir.

15 THE COURT: In a jury trial if, if the jury found
16 you guilty, that verdict would have to be unanimous
17 would the State prove of your guilt beyond a
18 reasonable doubt. Do you understand that?

19 MS. BAUCOM: Yes, sir.

20 THE COURT: When you choose to have a bench trial,
21 I understand you have chosen which is fine, then I
22 become the fact finder and the jury also. Do you
23 understand that?

24 MS. BAUCOM: Yes, sir.

25 THE COURT: Now, is it your choice to go forward

1 with the bench trial?

2 MS. BAUCOM: Yes, Your Honor.

3 THE COURT: Have you discussed this with your
4 attorneys?

5 MS. BAUCOM: Yes, sir.

6 THE COURT: All right. And do you do this now
7 freely and voluntarily?

8 MS. BAUCOM: Yes, sir.

9 THE COURT: Does either attorney wish to ask her
10 any other questions about this procedure?

11 MR. REDMOND: Nothing from the State, Your Honor.

12 MR. CANNARELLA: Not from Cannarella, Your Honor.

13 THE COURT: All right. I find Ms. Baucom is
14 knowingly chosen to go forward with a bench trial
15 which is her right so we will proceed in that
16 direction. Y'all may be seated.

17 The State?

18 MR. REDMOND: May it please, the Court, Your
19 Honor. Just for the record we are here on the matter
20 of State versus Katherine Ann Baucom-Cowick, that
21 being 2016-GS-16-1447, that burglary first-degree.

22 Also we're here on 2024-GS-16-2093 for accessory
23 before the fact of armed robbery; 2024-GS-16-2094 is
24 for accessory before the fact of a felony. That
25 felony being murdered. And then also 2014-GS-16-2095

1 also for accessory before the fact of a felony.
2 Again, that felony being murdered.

3 The State is ready to proceed with this bench
4 trial. The State would respectfully request a brief
5 opening statement and then we'll be prepared to
6 pursue with the calling of witnesses.

7 THE COURT: Yes, sir.

8 MS. BAXLEY: May it please, the court?

9 THE COURT: Yes, ma'am.

10 **Opening Statement-Ms. Baxley**

11 She was always by his side, not just in life but
12 in planning death. On July 17, 2016 Denise Couplin
13 and her 9-year-old granddaughter were murdered by
14 Cephas Cowick. But this case is about how those
15 murders were made possible through the actions and
16 the support of the defendant. The law cause it being
17 an accessory before the fact of murder and that is
18 what the defendant was.

19 The evidence will show that the defendant knew
20 about this plan to rob and kill the victim. She even
21 wanted one of his friends to talk him out of it. But
22 when the time came to enact his plan she was right
23 there by his side.

24 The evidence will show that the defendant drove
25 him to the victim's house. She dropped him off. She

1 then went down the street and waited at a convenience
2 store. She then later returned to the scene of the
3 crime where she, herself, stated that she went into
4 the house to look for things to take all the while
5 the victims lay dead on the floor and there were two
6 other people sleeping upstairs. She was then later
7 seen on this convenience store surveillance footage
8 driving his vehicle while he was driving the victim's
9 Escalade. The defendant is charged with two counts
10 of accessory before the fact of murder, accessory
11 before the fact to armed robbery, and burglary in the
12 first-degree. The State will prove beyond a
13 reasonable doubt the defendant aided in the
14 commission of those three felonies with by by
15 driving, driving him there knowing what his plan was.

16 The State will also prove that she committed
17 burglary in the first-degree by going into that house
18 to take things only while people were upstairs
19 sleeping. And at the end of this trial we'll ask the
20 Court to hold the defendant accountable not as an
21 observer, not as someone who stood by, but as an
22 accessory before the fact to murder and find her
23 guilty on all counts.

24 Thank you.

25 THE COURT: Yes, sir. Yes, ma'am. Sorry. Sir?

1 MR. CANNARELLA: If it please, the Court?

2 THE COURT: Yes, sir.

3 **Opening Statement- Mr. Cannarella**

4 Your Honor, in order for you to convict her,
5 they've got to prove beyond a reasonable doubt that
6 there was an agreement, a specific agreement, a
7 specific intent to bring about the death of somebody.
8 And toxicity, having been up for three days taking
9 pills like this addict had done all of her life up to
10 that point since she was 13-years-old, that was the
11 furthest thing from her mind that he's going to go
12 kill somebody. She didn't provide him with a gun.
13 There's no evidence that she knew about a gun.
14 There's no evidence that she provided the gun.
15 There's no, no substantial evidence to reach the
16 conclusion beyond a reasonable doubt that she even
17 knew he had a gun when she did do that improper thing
18 of going with him when he wanted to go back to the
19 house.

20 But the evidence, it's not as simply put really
21 in so far as you going to -- in so far as concern,
22 you going to see this, it's not that easy, you know,
23 based on what they said. And, you know, judge, for
24 everything, everything that this addict, Katie, was
25 from the time she was 13 up until this event, for

1 everything she was, she did not have a -- she
2 doesn't, did not and does not have a wicked heart in
3 her. She doesn't. There's not a wicked heart there.
4 There's no agreement to go down there and shoot those
5 people. They're never going to be able to prove that
6 she had that specific intent to be able to do what
7 she did as substant -- to doing something that makes
8 something else substantially certain to happen. It's
9 not there on those accessory charges. Going in the
10 house was not the right thing to do. We admit that.
11 But it will come down to whether or not that's first-
12 degree burglary or second-degree burglary. And if
13 she did anything wrong and had, and was truly wrong
14 for doing it was going back in the house, but there
15 was no intent to do anybody any harm. There was no
16 knowledge of a weapon. I don't think that they can
17 prove that. I don't think that -- 'cause it's not
18 there. She was never questioned about it. So
19 there's just no substantial proof that she desired to
20 bring about the death of one or even two people, but
21 that she made the mistake of going with him back to
22 the house. That's what it's gonna -- that's what
23 it's going to boil down to. And after all said and
24 done, Your Honor, I think that the Court will see
25 where the lack of evidence is and render a verdict

1 that spared under the circumstances in each case
2 'cause I've been with this lady for 9 years. I know
3 what she's been through. And she does not have a
4 wicked heart to want anybody in there to die in that
5 case that's just not true. She does not have that in
6 her DNA to want somebody to die. Seated back behind,
7 her mother and father; Chris, her friend. You can
8 look at her and draw certain conclusions like any
9 fact finder would normally do. And I feel that
10 you'll see the same thing in the same way I see it
11 too.

12 THE COURT: Mr. Redmond?

13 MS. BAXLEY: The State calls Robert Dolford.

14 THE COURT: I'm assuming we have sequestered, is
15 that right, or is there a motion for that?

16 MR. REDMOND: I don't -- I don't think there has
17 been a motion for it. He just happened to be sitting
18 out there. That's where we put him initially.

19 THE COURT: That's all right. That's okay.

20 THE CLERK: If you'd place your left hand on the
21 Bible and raise your right. Do you swear the
22 testimony you give this Court will be the truth, the
23 whole truth, and nothing but the truth so help you
24 God?

25 MR. DOLFORD: I do.

1 THE COURT: Proceed, ma'am.

2 ROBERT DOLFORD, first being
3 duly sworn, testified as follows:

4 **Direct Examination by Ms. Baxley:**

5 Q. Would you please state your name for the record?

6 A. Robert Dolford.

7 Q. And where do you live?

8 A. [REDACTED].

9 Q. And did you live there in 2016?

10 A. Yes.

11 Q. Can you tell the Court what happened the morning
12 of July 17, 2016?

13 A. The morning of July 17, 2016 I was waken by the
14 sounds of fire trucks. And then probably thirty,
15 forty-five minutes later having Bryon come knocking
16 on my door. He wanted to use the phone to call his
17 sister. He did. I let him use the phone to call his
18 sister. Then he called 911. He was hysterical. So
19 I took the phone from him and I talked to him and
20 they told me to go back there and see what was going
21 on that's when I walked back there to the house.

22 Q. What did Byron say to you when he came to the
23 door?

24 A. He said that his niece was laying down in the
25 floor but she wasn't moving.

1 Q. And what did you tell the 911 operator?

2 A. When I got there and I went in and I looked I
3 seen his niece and then me seeing his mama, I told
4 that they both were dead.

5 Q. And I jumped the gun, did you go over to the
6 victim's house with Byron?

7 A. Yes.

8 Q. And that's where you saw the victim?

9 A. Yes.

10 Q. Okay.

11 MR. REDMOND: I beg the Court's indulgence?

12 THE COURT: Yes, sir.

13 Q. What did you see when you went into the bedroom?

14 A. When I walked into the bedroom Ms. Nisey was
15 laying there in the doorway. She had a blanket over
16 her. And she was laying on the other side of the
17 bed.

18 Q. She being?

19 A. Denise.

20 MS. BAXLEY: I beg the Court's indulgence?

21 MR. REDMOND: Your Honor, just as a housekeeping
22 matter we had discussed in chambers, but these are
23 going to be from the contents of State's Exhibit
24 Number 1 which we would move into evidence subject to
25 the issues that Mr. Gore had brought up previously.

R. Dolford- Direct Examination by Ms. Baxley

15

1 That way that'll cover these exhibits that you're
2 about to see on Exhibit 1 that I think I've
3 accurately stated what we had discussed.

4 MR. GORE: Yes, Your Honor. So just for
5 organizational standpoint, our objection would be to
6 based on Rule 403, picture from SLED Number 306, 307,
7 309, 312, and 367 potentially.

8 MR. REDMOND: And, oh, I'm sorry. And, Your
9 Honor, those are not pictures that Mr. Dolford will
10 be shown. But I think just for the record as Mr.
11 Gore said, that way when it comes up with, with a
12 later witness we can at least address it at that
13 time.

14 MR. GORE: Thank you, Your Honor.

15 THE COURT: Okay.

16 MR. REDMOND: I misspoke, 306 and 309 are pictures
17 of the victim, however, we've indicated, as we
18 indicated earlier, we understand the defense's
19 objection, but they are just, uh, just -- they are
20 basically what Mr. Dolford had described previously
21 in his testimony as it relates to how he found the
22 victims. The other pictures I think Mr. Gore is
23 referring to are pictures from the burnt out
24 Escalade, those won't come up until later.

25 THE COURT: Yes, sir.

1 MR. GORE: That's correct, Your Honor.

2 (Whereupon, the Thumb Drive has been marked and
3 entered into evidence as State's Exhibit No. 1)

4 THE COURT: Proceed.

5 MR. REDMOND: Thank you.

6 Q. Mr. Dolford, can you describe to the Court
7 what's, what you see in this picture?

8 A. That's the house where the victims were.

9 Q. And that's the house you went ---

10 A. Yes.

11 Q. --- into on July 17th ---

12 A. Yes.

13 Q. --- with Bryon?

14 A. Yes.

15 Q. Can you describe to the Court what's in this
16 photo?

17 A. That's the entrance going into the house that you
18 can see where the door was broken into.

19 Q. Is that a close up shot of ---

20 A. Yes.

21 Q. --- the door jam ---

22 A. Yes.

23 Q. --- being broken?

24 A. Yes.

25 Q. Can you describe to the Court what's in this

1 photo?

2 A. That's the hallway leading in, going in.

3 Q. That's the hallway you walked down ---

4 A. Yes.

5 Q. --- with Bryon?

6 A. Yes.

7 Q. Can you describe to the Court what's in this
8 photo?

9 A. That's the bedroom.

10 Q. Does this -- are these pictures, do they show
11 what you saw that day when you first went in the
12 house?

13 A. Yes.

14 Q. Can you describe to the Court what you see in
15 this picture?

16 A. In this picture, that's, um, that's Denise there
17 in that picture -- no, that's the little girl 'cause
18 Nisey's on the side, on the other side of the bed.

19 Q. So that's the 9-year-old?

20 A. Yes.

21 MR. REDMOND: I beg the Court's indulgence?

22 Q. And then can you describe to the Court what's in
23 this photo?

24 A. That's Denise in that photo.

25 Q. Is that how you saw her ---

1 A. Yes.

2 Q. --- when you first went in the home?

3 A. Yes.

4 MS. BAXLEY: Your Honor?

5 THE COURT: Yes, ma'am.

6 MS. BAXLEY: The State would now like to play the
7 911 call since Mr. Dolford said, stated that he was
8 the one to call, speak to 911 after Byron....

9 THE COURT: Any objection?

10 MS. BAXLEY: We'd like to move into evidence,
11 sorry.

12 THE COURT: Ma'am?

13 MS. BAXLEY: We'd like to move State's Exhibit 2
14 into evidence.

15 THE COURT: Okay.

16 MR. CANNARELLA: No objection.

17 THE COURT: Okay. Proceed, ma'am.

18 MS. BAXLEY: Thank you.

19 (Whereupon, the 911 Call Disk has been marked and
20 entered into evidence as State's Exhibit No. 2)

21 (Whereupon, the 911 call was played for the Court)

22 MS. BAXLEY: Please answer any questions the
23 Defense may ask you.

24 **Cross-Examination by Mr. Cannarella:**

25 Q. Hey, Robert.

R. Dolford- Cross-Examination by Mr. Cannarella

19

1 A. Hey.

2 Q. Robert, I might have missed it, but what time did
3 all this start? Do you remember what time you were
4 approached?

5 A. Not exactly. I don't.

6 Q. But which is it closer to, is it closer to noon
7 or closer to

8 8/8:30 ---

9 A. It -- it -- it was in the morning because when I
10 first heard the sirens it was, it was just breaking
11 day good.

12 Q. Okay. So that's when you, you -- the 911 -- you
13 -- did you go call 911? Did you -- do you live next
14 door? Did you take ---

15 A. They, Denise stayed behind me.

16 Q. Okay.

17 A. And Bryon walked up to my house knocking on the
18 door.

19 Q. Okay. All right. I appreciate that. Thank you.
20 Okay. You -- but you're familiar with -- where do
21 you live exactly in relation to Ms., um, Ms.
22 Couplin's house? I don't know where it is.

23 A. Okay. My house, I stay in the camper.

24 Q. Okay.

25 A. And her house is behind it.

1 Q. Okay. All right. Thank you, Robert.

2 A. Okay.

3 THE COURT: Any redirect?

4 MS. BAXLEY: No, Your Honor.

5 THE COURT: Thank you, sir.

6 MS. BAXLEY: The State calls Thomas Fratus.

7 THE CLERK: Place your left hand on the Bible and
8 raise your right. You swear the testimony you give
9 this Court will be the truth, the whole truth,
10 nothing but the truth so help you God?

11 MR. FRATUS: Yes, ma'am.

12 THOMAS FRATUS, first being
13 duly sworn, testified as follows:

14 **Direct Examination by Ms. Baxley:**

15 Q. Would you please state your name for the record?

16 A. Thomas Fratus.

17 Q. And where are you employed?

18 THE COURT: Excuse me. Spell your last name,
19 sir.

20 MR. FRATUS: F-r-a-t-u-s.

21 THE COURT: Okay. Thank you.

22 Q. Where do you work?

23 A. The Darlington County Sheriff's Office.

24 Q. And were you working there in 2016?

25 A. Yes, I was.

T. Fratus- Direct Examination by Ms. Baxley

21

1 Q. Were you working on the morning of July 17, 2016?

2 A. Yes, I was.

3 Q. So what happened that day?

4 A. So that that morning I was assigned on shift as a

5 shift supervisor or the shift corporal. Myself and

6 Deputy Caulder were dispatched to an address out on

7 [REDACTED], specifically, [REDACTED]

8 [REDACTED]. The call for service was that there

9 was a juvenile located inside the residence covered

10 in blood and the mother was missing.

11 Q. And when you arrived on scene what did you first
12 see?

13 A. Arriving on the scene, coming up to the house, we
14 actually noticed several individuals on the front
15 porch of the home. Due to the nature of the call for
16 service, we then made entry into the home. Quick
17 cleared, trying to locate the victims. Coming in we
18 made a right hand turn down the hallway, located the
19 victims in a back bedroom on the left side of the
20 highway.

21 Q. And when you walked in the front door, did it
22 appear that there was forced entry?

23 A. Yes. It appeared the front door had been forced
24 open.

25 Q. And how did the house appear when you first

1 walked in?

2 A. Entering the home it appeared to have been
3 ransacked. And it looked like it, everything had
4 been searched through, cushions flipped over, drawers
5 opened. It was just in disarray.

6 Q. And how did you secure the scene after you
7 cleared the home?

8 A. After locating the victims, myself and Deputy
9 Caulder, we exited the home. The individuals on the
10 front porch were asked to step back into the front
11 yard of the home. At that time EMS did enter the
12 home. After checking the victims, EMS was cleared
13 out. At that time crime scene tape was put up. The
14 shift Sergeant Clyde Shepard was notified by radio
15 that nobody else was allowed to enter the home.

16 Q. Let me go back, what did you see when you walked
17 in that bedroom?

18 A. Entered the bedroom, I was first went to the
19 doorway, I located the juvenile victim on what would
20 be the left side of the bed. She was my immediate
21 focus. Deputy Caulder was right behind me. I went
22 to the juvenile. She was covered in blood. Check
23 for signs of life. At that time she felt cold to the
24 touch. I didn't find a pulse. Deputy Caulder was on
25 the opposite side of bed, located the adult victim

1 and we're talking back and forth, he said that there
2 didn't appear to be any signs of life. And again,
3 the bedroom just appeared ransacked.

4 Q. I'mma gonna show you what's previously admitted
5 into evidence as State's Exhibit 1. Can you describe
6 to the Court what you see in this picture?

7 A. Yes. This is the incident location I responded
8 to along with Deputy Caulder on the date in question.

9 Q. Is this what it looked like to you when you first
10 arrived on scene?

11 A. Yes.

12 Q. Can you describe to the Court what we see in this
13 picture?

14 A. This is the front door of the home. You see on,
15 on the left side of the door frame, damage to when
16 the entry was made into the home. It's coming into
17 the living room where we entered.

18 Q. Can you describe what is in this picture?

19 A. That's damage to the front door frame right
20 around the, where the dead bolt and the, I guess, the
21 handle lock would be.

22 Q. And is this how it appeared when you first got
23 there?

24 A. Yes.

25 Q. Can you describe to the Court what's in this

1 picture?

2 A. This is the hallway on the, that myself and
3 Deputy Caulder went down, the bedroom the victims
4 were located in it's on the left side of the hall,
5 hallway.

6 Q. And this picture?

7 A. This is what would have been the first thing that
8 I saw as I approached that bedroom with the juvenile
9 victim laying on this side of bed.

10 Q. Describe to the Court what you see in this photo?

11 A. So this is coming more into that bedroom, on the
12 floor this is the juvenile victim that I went to and
13 checked for signs of life.

14 Q. Is this what you saw when you first entered that
15 home?

16 A. Yes, ma'am.

17 Q. And can you describe what's in this photo?

18 A. This is the adult victim that Deputy Caulder went
19 to on the opposite side of bed from where the
20 juvenile was.

21 Q. Do these photos accurately reflect what you saw
22 when you first arrived on scene?

23 A. Yes, ma'am.

24 Q. And what did you do after you cleared the house?

25 A. After clearing the house I remained on scene, uh,

T. Fratus- Direct Examination by Ms. Baxley

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1 provided scene security. There was a, uh, we found
2 that another juvenile that was actually there inside
3 the home. I did briefly speak to him and while just
4 talking to him just checking on him, he did mention
5 the name of Cephas.

6 MR. CANNARELLA: Judge, objection. Now, see he's
7 talking about what somebody else said that gets to be
8 kinda of, you know, it goes into the heart of some of
9 the matters. It's hearsay. I mean, I just wanted to
10 voice that anyway 'cause I don't know how much of
11 that's ---

12 MS. BAXLEY: Well, we'll ---

13 THE COURT: Sustained. Proceed.

14 Q. Were you there when SLED Crime Scene arrived?

15 A. I believe so. Yes, ma'am.

16 MS. BAXLEY: Please answer any questions the
17 Defense may ask you.

18 MR. FRATUS: Yes, ma'am.

19 MR. CANNARELLA: No questions, Your Honor.

20 THE COURT: You may seated, sir.

21 MR. FRATUS: Yes, sir.

22 THE COURT: Thank you.

23 MR. REDMOND: May it please, the Court, Your
24 Honor?

25 THE COURT: Yes, sir.

1 MR. REDMOND: The State would next call Dawn
2 Claycomb.

3 THE CLERK: Place your left hand on the Bible and
4 raise your right. Do you swear the testimony you give
5 this Court will be the truth, the whole truth, and
6 nothing but the truth so help you God?

7 MS. CLAYCOMB: I do.

8 THE COURT: Proceed, sir.

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

11 DAWN CLAYCOMB, first being
12 duly sworn, testified as follows:

13 **Direct Examination by Mr. Redmond:**

14 Q. Ms. Claycomb, how you doing today?

15 A. Good. How are you?

16 Q. I'm doing fine. At this particular time, by whom
17 are you employed?

18 A. I'm sorry.

19 Q. At this particular time, by whom are you
20 employed?

21 A. Currently I am, I'm employed with Duke Energy ---

22 Q. --- Duke Energy ---

23 A. --- Charlotte, North Carolina ---

24 Q. --- I remember.

25 THE COURT: Can I get her last name?

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1 A. Claycomb, C-l-a-y-c-o-m-b.

2 THE COURT: C-l-a-y, what, ma'am?

3 A. --- c-o-m-b.

4 THE COURT: Okay. Proceed.

5 MR. REDMOND: Thank you, Your Honor.

6 Q. Now, back in 2016 however, you were employed,
7 were you employed with the State Law Enforcement
8 Division?

9 A. Yes, I was.

10 Q. And in what capacity were you employed with them?

11 A. I was a Crime Scene Agent.

12 Q. And how long were you with SLED? How long were
13 you employed with SLED?

14 A. Approximately 7 years.

15 Q. Okay. And in that time, how long did you spend
16 as a Crime Scene Agent?

17 A. Seven years.

18 Q. Okay. The entire time you were there?

19 A. That's correct.

20 Q. Any law enforcement background prior to that?

21 A. Yes. Prior to that I worked at Richland County
22 Sheriff's Department and I worked uniform patrol for
23 three years.

24 Q. Okay. Let's direct your attention to July of
25 2016, were you employed with SLED in crime scene in

1 July, 2016, specifically, the 17th of July, 2016?

2 A. Yes, I was.

3 Q. Okay. And were you dispatched to Darlington
4 County?

5 A. I was.

6 Q. Okay. And can you tell us about that, please?

7 A. Yes. We were initially called out by our
8 operations desk in reference to a double homicide.
9 We responded out of Columbia so we arrived at
10 approximately I believe it was after two.

11 Q. Okay.

12 A. There we made contact with one SLED agent,
13 Special Agent Houck as well as another agent Special
14 Agent McCall and Darlington County Sheriff's Office
15 Lieutenant Luce.

16 Q. Okay. And, excuse me, and, of course, when you
17 got in contact -- when you made contact with them,
18 did they brief you about what they knew up to that
19 point?

20 A. Yes.

21 Q. Okay. And take us through, once you've been
22 brief, take His Honor through what your next steps
23 were?

24 A. Basically, our next steps would be to document
25 the scene, photographs, notes, sketch. At that

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1 point, we do do a walk through of the scene,
2 photograph everything as is on our arrival. So we
3 started with the outside and worked our way in.

4 Q. Okay. And when you say we, who was there with
5 you?

6 A. It was myself and another Crime Scene Agent,
7 Special Agent Miller.

8 Q. Okay. Now, excuse me, so once you've, I guess, I
9 guess, started to, I guess, gather information,
10 document, and process, just take us through the next
11 steps, please?

12 A. Yeah. So initially walking up to the residence
13 we could see that there was forced entry. The door
14 appeared to be forced open. There was part of the
15 door frame within the threshold of the door, uh, the
16 strike plate was laying on the floor and the dry wall
17 was damaged where there was clearly damage to the
18 door. The door, itself, was opened, but the door
19 knob was locked.

20 Q. Okay. And the door knob, itself, was, was locked
21 so, obviously, in your role as an investigator, did
22 you document this by photo and did you find that
23 interesting?

24 A. Yes.

25 Q. Okay. And also was there anything that you

1 noticed as it relates to where the dead bolt normally
2 would be?

3 A. Yes. There was no dead bolt. It was missing. So
4 you could just see the open circle where the dead
5 bolt would be and there appeared to be paper stuffed
6 within the hole.

7 Q. Okay. Now, this is where you first get to the
8 threshold, the doorway. Of course, this is a dumb
9 question but, did you enter the residence at some
10 point?

11 A. Yes.

12 Q. Okay. And take us through that process, please?

13 A. Upon entering the residence it's the living room
14 area. There appeared to be work, at some point,
15 being done inside the house, remodeling. There were
16 cabinet doors open, drawers open, cushions on the
17 floor, clothing. Things were obviously moved for
18 work to be done but things were kind of just
19 scattered everywhere. Entering through the living
20 room it opened up into the kitchen.

21 Q. Okay. And before we go on, you said something
22 that I think would be important later on, but did you
23 say it appeared like what was going on in the house
24 when you entered into the house? It looked like....

25 A. It looked like it was being remodeled.

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1 Q. Okay.

2 A. There was the kitchen counter, the island area
3 was just plywood. There was nothing completed on it.

4 Q. Okay. All right. And Thank you. I just want to
5 highlight that because that may, that will be of
6 interest later on. So -- but go ahead, I'm sorry, I
7 interrupted you. So please pick up where you left
8 off.

9 A. Yeah. So entering the kitchen there was a back
10 doorway there to the left of the kitchen. That door
11 was actually unlocked but it was closed. It didn't
12 appear to be secured with locks or anything. They
13 were both unlocked. If you move to the right and
14 walk through the kitchen, back a hallway, there was a
15 laundry room, a bedroom to the left and right, and
16 then straight ahead was the bathroom.

17 Q. Bathroom straight ahead, was there anything to
18 the left of the bathroom ---

19 A. Yes ---

20 Q. --- before you got to the bathroom?

21 A. Yes.

22 Q. Tell His Honor about your observations in that
23 bedroom?

24 A. To the left was the bedroom where both females
25 were located. There was one child 9-years-old and an

1 older female on the floor of the bedroom.

2 Q. Okay. And, of course, all of this was documented
3 by pictures, we'll get into a little. So -- so take
4 us through -- so you go in the bedroom, what did you
5 do in the bedroom and take us through that process,
6 please?

7 A. Again, same thing similar as I previously noted.

8 We photographed everything as is, how it was seen.

9 First immediately visible was the small female

10 [REDACTED] laying on the floor. She was to the left of

11 the bed. There were some blankets. There was blood.

12 The bed, itself, was in the middle of the room, blood

13 stains suspected blood stains were observed on the

14 top of the bed. There was a purse laying on the bed.

15 And then to the right of the bed was Denise Couplin.

16 Q. Of course, your work was, obviously, not done,

17 you still had to proceed through the process of, I

18 guess, you had to go through processing the crime

19 scene. So please take us through what you did next?

20 A. That's when we would document any wounds to the

21 victims. The room did appear in disarray. There

22 were lamps knocked over. Columns knocked over within

23 the room. But we would slowly peel away whatever was

24 surrounding both of the females to photograph any

25 wounds that we found.

1 Q. Okay. And, I guess, that's what I was moving to.

2 I guess, I'm gonna skip if it's okay, to Denise.

3 When y'all -- at some point was she moved?

4 A. Yes, she was.

5 Q. And what did you find -- when she was moved, what

6 was found there?

7 A. There was a large brown handled knife underneath

8 of her hip area.

9 Q. Okay. Now, just to be clear, was there any

10 evidence that she'd been stabbed?

11 A. No. It didn't appear to be.

12 Q. Okay. All right. So -- but that was found --

13 and again, describe how that knife was found, please?

14 A. It was underneath of her body laying on the

15 floor.

16 Q. Laying on the floor. So then let's go to

17 **Juvenile**, what were your observations when you, when

18 **Juvenile** was moved when you got closer and proceeded

19 to move her?

20 A. When we started to move her we noticed the wound

21 to her cheek area. So we know she had a suspected

22 wound to her face. We started to look at, there was

23 a pillow near her head, so upon moving her we would,

24 we looked in the pillow. There was a suspected

25 defect in the pillow and the sheet. So we searched

1 the cotton within the pillow to see if we could find
2 a projectile.

3 Q. And were you able to find a projectile?

4 A. Yes.

5 MR. REDMOND: If I may approach what is marked as
6 State's Exhibit 4, and actually by stipulation we'd
7 already agreed that this would be in evidence so I'd
8 move State's Exhibit 4 in evidence at this time.

9 THE COURT: Is that right?

10 MR. REDMOND: I've moved State's Exhibit 4 --
11 well, that's the, I'm sorry, that's the bullet from
12 pillow case.

13 MR. CANNARELLA: No objection, Your Honor.

14 THE COURT: All right. Without objection. Thank
15 you.

16 (Whereupon, the Bullet From Bedroom has been marked
17 and entered into evidence as State's Exhibit No. 4)

18 MR. REDMOND: And if I may approach the witness
19 with the Court's permission ---

20 THE COURT: Yes, sir.

21 MR. REDMOND: --- State's Exhibit 4.

22 Q. Do you recognize that exhibit?

23 A. Yes, I do.

24 Q. And what is it labeled as?

25 A. One projectile from plaid pillow under a victim's

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1 head.

2 Q. And is that the bullet that you were alluding to
3 that was found in the pillow case with **Juvenile**?

4 A. Yes. It has the date and the initials that I
5 collected it.

6 Q. All right. Thank you. Now, let's move on to the
7 rest of house because at that point, did you stop or
8 were you still working and processing and
9 documenting?

10 A. Yeah. Continue to process the rest of the scene
11 and collect any other evidence that we may have
12 found.

13 Q. I did forget to ask you about something inside
14 the bedroom on the bed. Was there anything of note
15 on the bed, itself, that you noticed and documented?

16 A. Yes. There was a black purse that appeared to be
17 gone through or dumped out onto the bed.

18 Q. Okay. And again, that was also documented by
19 photograph?

20 A. Correct.

21 Q. Okay. So -- and now -- now moving forward, you
22 continue to document process. Take us through your
23 next steps after that. You obviously found that
24 bullet. Was there a bullet that was found at that
25 time with Denise Couplin?

1 A. No. Not at that time.

2 Q. Okay. So moving forward, what, what did you do
3 next?

4 A. Processed, once they were removed from the
5 bedroom, we searched the rest of the bedroom to see
6 if we could find any cartridge cases, any additional
7 projectiles that we may not have located, anything
8 that may have been related to the incident.

9 Q. And, of course, all of that was documented and
10 noted as you went through. So, of course, we're
11 talking the first floor in the, in the bedroom on the
12 first floor. Did you move throughout the rest of the
13 house as it relates to your investigation or your
14 processing of the scene?

15 A. Yes. The living room and the kitchen area was
16 also processed as well.

17 Q. All right. And at some point, did you make your
18 way up to the second floor?

19 A. Yes.

20 Q. Okay. And, of course, did you document -- was
21 there anything collected of evidentiary value in the
22 bedroom?

23 A. There were swabs that were collected from some of
24 the dresser drawers that were pulled out. We were
25 unsure at that time if they were gone through. But

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1 we did swab some dressers in that bedroom as well.

2 Q. Just to be on the safe side?

3 A. Correct.

4 Q. Thank you. Now, of course, that particular day
5 the residence was not the only place that you were
6 reported to at that time?

7 A. That's correct.

8 Q. So did you get a call or were you requested to go
9 to another scene?

10 A. Yes. There is an area off of Birdsnest Road.

11 Q. Okay. And what was the nature of what you were
12 being, I guess, what you were requested, being
13 requested to process out there?

14 A. It was reported that a burnt vehicle was located
15 prior to our arrival on scene at all. And,
16 ultimately, there were items that were suspected of
17 evidence that we were requested to collect.

18 Q. Okay. And so -- and again, did you document with
19 photographs what you did out there as well?

20 A. Yes. Correct.

21 Q. Now, just to be clear, by the time you got out
22 there was the burned vehicle still there or had it
23 already been moved?

24 A. It was already removed.

25 Q. Okay. Now, after you go to Birdsnest, do you

1 leave to head back to Columbia or do you end up going
2 back to the residence on [REDACTED], [REDACTED]
3 [REDACTED]?

4 A. Back to the residence to continue processing.

5 Q. Okay. And then, of course, you've described
6 what y'all did through the course of processing that
7 crime scene. So you've gone to [REDACTED], been called the
8 Birdsnest. Gone back to [REDACTED]. Was that the end of
9 your day or were you asked to go to yet another
10 scene?

11 A. No. There was also another scene, actually two
12 locations off of the Jones circle.

13 Q. Yes.

14 A. There was a dumpster as well as a residence.

15 Q. Yes. Let's talk about that for a little while.
16 You were requested to go the dumpster, do you recall
17 where the dumpster was located?

18 A. I don't recall exactly currently.

19 Q. Okay. But there was a dumpster ---

20 COURT REPORTER: What was the name of the street?

21 I'm sorry.

22 A. Jones Circle.

23 Q. And just to be clear, Jones circle is in
24 Hartsville ---

25 A. Yes.

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1 Q. --- in the Hartsville area ---

2 A. Yes. Correct.

3 Q. So you go to this -- you go to the dumpster,
4 let's talk about the dumpster in particular -- well,
5 before I do that, the residence, did you go -- which
6 one did you do first? Do you remember? Did you go
7 to the residence first or to the dumpster first?

8 A. The dumpster.

9 Q. Went to the dumpster first. And -- and were you
10 specifically requested by investigators to go check
11 out that dumpster?

12 A. Yes.

13 Q. Okay. In that dumpster, was there anything that
14 you've collected of note that was then collected?

15 A. Yes.

16 MS. CLAYCOMB: Your Honor, can I refer to my
17 notes?

18 THE COURT: Ma'am?

19 MS. CLAYCOMB: Can I refer to my notes?

20 THE COURT: Yes.

21 A. Yeah. So there were items of clothing, debit
22 cards, tennis shoes. There was one pair of Nike Air
23 Max tennis shoes size eight and a half. Within those
24 shoes there was one FSNB Visa debit card issued to,
25 the name on it was Denise Couplin, that was inside

1 the shoe. One Elite debit card issued to Ace
2 Customer from inside the shoes as well. One pair of
3 black in color socks from inside the shoes. One blue
4 in color long sleeve shirt. And one pair of black in
5 color pants.

6 MR. REDMOND: Your Honor, at this time, one of
7 the exhibits we previously by stipulation agreed,
8 State's Exhibit 6, that being the, the -- well, let
9 me approach the witness with State's 6. We moved
10 State's, State's 6 into evidence by stipulation and
11 with no objection based upon - and just for the
12 record this is the debit card that had been alluded
13 to.

14 THE COURT: Stipulation, gentlemen?

15 MR. GORE: That's correct, Your Honor.

16 (Whereupon, the Folder Debit Card From Dumpster has
17 been marked and entered into evidence as State's
18 Exhibit No. 6)

19 THE COURT: All right.

20 MR. REDMOND: If I may approach.

21 THE COURT: Yes, sir.

22 Q. And just to be clear, do you recognize that
23 particular package?

24 A. Yes. The description two Visa debit cards from
25 dumpster on Jones Circle and it has my item number

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1 and initials.

2 Q. Okay. And is that -- are those the cards that
3 you just testified to?

4 A. Yes.

5 Q. Okay. And, of course, like you said those are
6 your initials on it?

7 A. Yes. That's correct.

8 Q. All right. So you collected that out of the
9 dumpster. Again, Jones Circle in Hartsville not at
10 Ms. Couplin's residence on [REDACTED]?

11 A. Yes, sir. Correct.

12 Q. So, of course -- and then at that point, once you
13 collected that, of course, you went into the
14 residence as well, and did you document anything and
15 collect anything out of the residence?

16 A. Yes. It was documented with photographs and
17 there was a towel that was collected.

18 Q. Okay. Now ---

19 THE COURT: Excuse me, you said residence, is
20 this ---

21 MR. REDMOND: I'm sorry ---

22 THE COURT: --- is this the second resident?

23 MR. REDMOND: That's my fault, Your Honor.

24 THE COURT: All right.

25 Q. On Jones Corcle, the residence on Jones Circle,

1 just to clarify the record?

2 A. Yes. That's correct.

3 Q. Okay. All right. So after that, what did you do
4 after you cleared Jones Circle, where did you go?

5 A. Actually Jones Circle was our last location. But
6 prior to that we did respond to the Darlington County
7 Sheriff's Office at one point.

8 Q. Okay. And, and, and I forgotten to mention that.
9 Please tell us about, tell His Honor about that?

10 A. We did respond to the Darlington County Sheriff's
11 Office. There was an item collected that was to be
12 transferred over to us, and it was a handgun. It was
13 collected from Darlington County Sheriff's Office
14 Lieutenant Luce. It was one Jimenez Arms Model J.A.
15 T-380 handgun and it contained a magazine containing
16 four cartridge cases and one cartridge from the
17 chamber.

18 MR. REDMOND: And, Your Honor, the State would
19 move -- the State would move State's Exhibit Number 3
20 that being a gun that's just been testified to into
21 evidence at this time with no objection, I
22 understand.

23 THE COURT: Correct?

24 MR. CANNARELLA: Correct, Your Honor.

25 THE COURT: All right. Without objection. Thank

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1 you.

2 (Whereupon, the Gun has been marked and entered into
3 evidence as State's Exhibit No. 3)

4 MR. REDMOND: If I may approach the witness?

5 THE COURT: Yes, sir. And gentlemen, excuse me,
6 lady and gentlemen, by all means you don't need to
7 ask me every time if you can approach your witness,
8 we'll be doing a lot of that.

9 MR. REDMOND: Yes, sir. Thank you, judge, I
10 appreciate it.

11 Q. Do you recognize State's 3?

12 A. Yes, I do.

13 Q. And what is State's 3 based on the markings and
14 the labeling?

15 A. With my description one Jimenez Arms T-380
16 handgun and it has the item number and my initials on
17 it.

18 Q. Okay. And, excuse me, and just to be clear,
19 where did you get State's Exhibit Number 3?

20 A. This was turned over directly from Lieutenant
21 Luce.

22 Q. Okay. All right. At the sheriff's office?

23 A. Correct.

24 Q. Okay. All right. And if I read your notes
25 correctly, it looks like you were in the Hartsville

1 area from about 2:40 on the 17th until 6:05 on the
2 18th?

3 A. Yes. That's correct.

4 Q. Okay. Pretty long couple of days that y'all
5 spent here.

6 A. Yes, sir.

7 Q. Now, again, you talked about the fact that you
8 had taken pictures and on State's Exhibit Number 1
9 which we alluded to earlier, I would ask to publish
10 at this time and allow the witness to testify as to,
11 as it relates to pictures that she had taken,
12 documented the scenes, that she's described? If the
13 Court would just indulge us for a moment?

14 THE COURT: Yes, sir.

15 MR. REDMOND: May it please, the Court, Your
16 Honor?

17 THE COURT: Yes, sir.

18 Q. Of course, Ms. Claycomb, can you see the
19 photographs?

20 A. Yes.

21 Q. Can you describe the first photograph that is
22 from State's 1?

23 A. Yes. This is just an overall exterior of the
24 residence. That's our silver vehicle in front of
25 the residence and then the Darlington County

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1 Sheriff's Office, responding officers vehicle outside
2 of the residence.

3 Q. And just to be clear, on State's 1 that is in the
4 folder, folder labeled SLED photos. So moving on to
5 the next picture.

6 A. This is just same location slightly to the right.
7 There was an outbuilding or a shed in the, in the
8 backyard. You see the yellow outbuilding there with
9 the white doors.

10 This is a side view of the residence. You can
11 see the responding officers vehicle on the left and
12 just the side angle view of the residence.

13 This is from the backyard pointing back towards
14 the highway. So that's the back area of the residence
15 documenting just from the rear.

16 That's kind of a mid range photo documenting the
17 overall rear of the residence.

18 This is, again, from the rear. There was a
19 vehicle and a trailer of some sort in the back of the
20 yard and that's just from that location pointing to
21 the residence on this side.

22 Q. And just to be clear, this would be facing toward
23 Highway 151?

24 A. Yes. That's correct. This is the front of the
25 residence. You can see the stairs up to the front

1 door there on the left. You can see the door was
2 opened.

3 This is upon going up the steps pointing towards
4 the front door of the residence. You can see
5 partially part of the door frame lying within the
6 threshold of the door, just another mid range of the
7 front door.

8 These were just miscellaneous items out on the
9 front porch sitting on the porch of the residence.

10 Q. And, of course, on the left, top left, do you see
11 a view of the door and the....

12 A. Yes. You can see the, right there where the door
13 the strike plate would be, it's no longer there. The
14 drywall is damaged and a piece of the wood door frame
15 lying on the porch.

16 That's a more close up mid range photo. Again,
17 you can see the wood door frame lying on the floor
18 damaged to the interior dry wall and the strike plate
19 is off of the door frame lying on the floor.

20 Again, just another photo looking into the
21 residence.

22 Q. Okay.

23 A. And that's a close up of the, the wood door frame
24 lying on the porch with some of the dry wall debris.

25 That's just standing in the threshold of the door

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1 there looking to the interior of the residence.

2 That's the first area is the living room area and you
3 can see towards the back is the kitchen area.

4 Q. Okay.

5 A. That's a close up of the door frame. You can see
6 the strike plate is missing and the dry wall is
7 damaged on the interior.

8 Q. And based on your experience in law enforcement,
9 is that consistent with the -- is that consistent
10 with it being kicked in?

11 A. Yes. That's correct.

12 Q. Okay.

13 A. That's just a close up of the drywall and the
14 damage to the door frame.

15 And that's a picture of the stripe plate lying on
16 the floor with some of the dry wall debris on the
17 floor as well.

18 This is standing just inside the threshold of the
19 front door. This is the living room area. You can
20 see on the left the cabinet door that was open. To
21 the right of that fireplace hearth there was a set of
22 drawers or dresser, some of those dresser, those
23 drawers were opened. And just that you can see the
24 area of ---

25 Q. I'm sorry ---

1 A. --- no, you're okay -- where, where items are
2 kind of strewn about the place.

3 That's within the door doorway looking to the
4 right. Up top you can see that was the second
5 bedroom kind of loft area. And straight ahead you
6 can see a couch with clothing items laying on, on the
7 floor. And also the right in front, kind of straight
8 ahead to the left, is the kitchen counter area where
9 the plywood was visible and you can see it was not
10 completed with some cabinet doors lying on the floor.

11 This is a picture of the front of the door from
12 inside the residence. You can see the paper that's
13 stuffed in where the dead bolt would be as well as
14 some debris where we couldn't necessarily say it was
15 a foot, footwear impression but there was debris from
16 an item. It looked like grass, dirt on the exterior
17 of that door just to the right of the door knob.

18 And that's a close up photo of the dead bolt area
19 where it's stuffed with paper and the debris on the
20 door next to the door knob.

21 That's a close up of the door knob as well as the
22 dead bolt that was not there.

23 This is standing just in front of the kitchen
24 area pointing back towards the front door documenting
25 the living room area.

1 That's standing just in front of the kitchen
2 island and pointing back towards the hallway. That's
3 the bathroom you see straight ahead. Dining room to
4 the left. And there were, past the dining room, the
5 bedroom on the left and the right.

6 That's pointing up towards the loft area, second
7 bedroom area. To the right you can see the stairs
8 that again plywood visible. They're not completed.
9 And that's, that was the way to get to that upper
10 bedroom.

11 That's standing in the hallway pointing back
12 towards the bathroom and the bedrooms.

13 And this is standing at the hallway there just
14 pointing towards the kitchen area. You can see the
15 island that wasn't completed. It's plywood visible.

16 To the left there you can see the one of the back
17 doors to the residence. That's the one that was
18 found unlocked both, both door knobs, the deadbolt
19 and the door knob was unlocked but shut.

20 That's a closer photo showing that the deadbolt
21 was not engaged as well as the bottom door knob was
22 unlocked.

23 This is standing down at the end of the hallway
24 closer to the bathroom at the end of the hall to the
25 left is where the females were located. To the right

1 was an unfinished bedroom.

2 That's standing just at the threshold of the
3 hallway looking into the bedroom on the left where
4 both female victims were located just outside the
5 threshold of bedroom one and there within the
6 threshold of the door, you can see **Juvenile** laying on
7 the floor there, blankets. Blood was visible. You
8 can see behind her. There's a column that was set on
9 the bed, you can see the blood stains as well as the
10 purse with items around it that appeared to be
11 disturbed or dumbled out.

12 That's just inside the doorway, pointing towards
13 the other side of the bedroom. To the left you can
14 see the bed again with the purse. There's a column
15 on that right side of the bed and this is where
16 Denise was located on the other side of that bed.

17 That's just the area between the wall and the
18 bed. You can see Denise on the floor. There's a
19 lamp at the very top left corner of the photo that
20 would appear to be knocked over.

21 This is standing once you go out, out, back out
22 in the living room up the steps to the loft bedroom
23 area the other bedroom. This is standing outside of
24 that bedroom door looking down over top of the living
25 room.

D. Claycomb- Direct Examination by Mr. Redmond

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1 And that was another loft area ledge just above
2 the kitchen that overlooked the living room as well.

3 This is standing on that loft area above the
4 living room and that's pointing towards the bedroom
5 there.

6 That's all the way at the other end of the loft
7 pointing back towards the living room and the upper
8 bedroom there.

9 That's just outside the doorway of that bedroom,
10 and that's within the threshold of the door of that
11 bedroom. There was, you see a dresser on the left.
12 Drawers were opened as well as one on the right with
13 drawers opened. But just items scattered around the
14 room with clothing and other miscellaneous items.

15 Q. And this view?

16 A. That's standing within the bedroom just to the
17 side of the bed and looking back you can see to the
18 very right that's the door where you enter. The TV
19 there looked like a Netflix home screen there on the
20 TV and just other items within that bedroom.

21 This is the exterior of the front door. It's a
22 close up photo. It's the area where I mentioned
23 there was grass, dirt, and debris. Couldn't
24 necessarily say that it was a footwear impression.
25 But I did scale it and photo it just for reference.

1 This is the, the outbuilding that I mentioned in
2 the exterior of the residence. Inside that shed you
3 could see the lawn equipment.

4 This is a photo of Birdsnest Road, one of the
5 locations where items were collected from.

6 And this is the field area from the roadway. The
7 vehicle would have been on the right. It's not
8 necessarily in view right now, but just the angle of
9 the field off the roadway.

10 And that's the area, you can see to the right
11 there was a wood line. The left is the field area.
12 This is from the roadway. You can see where it
13 appears wet mud. I believe this is where the burnt
14 vehicle was located and the fire department had to
15 put it out so it was wet and muddy in that area.

16 The vehicle was removed. So this is after the
17 vehicle was removed and just the general location
18 where it was reportedly found.

19 This is back inside the residence on [REDACTED].
20 The dining room table items that were lying on the
21 table paperwork and miscellaneous items.

22 Q. Okay. And just to be clear is that a blonde wig
23 on the right, I guess, the right half of the pic, of
24 that picture?

25 A. Yes.

D. Claycomb- Cross-Examination by Mr. Cannarella

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1 Q. Okay.

2 A. This is the picture of the knife that was
3 collected. Once Denise was moved it was underneath
4 of her. It was a brown handle large knife. You can
5 see some suspected blood on it.

6 This is a picture of the handgun that was
7 collected from Lieutenant Luce at the sheriff's
8 office. That's just documenting the serial number
9 and the make and model of it.

10 This is a picture of the magazine. You can see
11 cartridge cases at the top there. There -- there
12 were four within the magazine of the gun.

13 Q. I think that's actually it. So that's the last
14 of the pictures of....now, a couple more questions
15 for you. Let's talk about FARO, what is FARO?

16 A. So the FARO is 3D laser scanner. We would
17 occasionally use it to document scenes. It's just
18 further documentation to give a 3D reference of the
19 scene as if you were to walk through the scene
20 yourself. So it's just a 3D, ultimately, 3D photos
21 we use it to document the scene.

22 Q. And was that utilized in this case?

23 A. Yes, it was.

24 Q. Okay. And and then once you collect, I guess,
25 using the scan and collect it, is it then taken to

1 Columbia to be produced, I think is the....

2 A. Yes. There's a rendering done of, of the photos
3 that are layered and it's produced for a 3D version
4 of the scene

5 Q. Okay. And was that taken and done by Lieutenant
6 now, Lieutenant Todd Schenk?

7 A. Yes. That's correct.

8 Q. All right.

9 MR. REDMOND: I beg the Court's indulgence?

10 THE COURT: Yes, sir.

11 Q. And, of course, I think I'd already asked you the
12 fact that after you left Jones Circle and then went
13 back to Columbia?

14 A. Yes. That's correct.

15 Q. Okay. All right. And, of course, you took all
16 the evidence back to Columbia -- Oh, I did forget to
17 ask you this, you did take the evidence back to
18 Columbia for further testing at the

19
20 lab ---

21 A. Yes. It was submitted to the lab. Correct.

22 MR. REDMOND: That'd be all the questions I have.
23 Please answer any questions that Mr. Cannarella may
24 have or Mr. Gore.

25 **Cross-Examination by Mr. Cannarella:**

D. Claycomb- Redirect Examination by Mr. Redmond

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1 Q. Ms. Claycomb?

2 A. Yes, sir.

3 Q. The items you found in the dumpster were some
4 credit cards with also some clothes, do those look
5 like male clothes to you? Do you remember?

6 A. I don't recall. If you had a photo I could look
7 at and just
8 verify for you.

9 Q. You don't -- yeah -- you've never identified them
10 as belonging to a particular person?

11 A. Correct.

12 Q. You just seize them because you believe that was
13 relevant evidence in this case right here?

14 A. Yes. That's correct.

15 Q. Okay.

16 MR. CANNARELLA: Thank you, ma'am.

17 A. Yes, sir.

18 MR. REDMOND: I do have one real quick redirect
19 question.

20 THE COURT: Yes, sir.

21 MR. REDMOND: Just to establish jurisdiction.

22 **Redirect Examination by Mr. Redmond:**

23 Q. All of these scenes that you refer to, did they
24 take place in Darlington County?

25 A. Yes. That's correct.

1 MR. REDMOND: That'd be all the questions I have,
2 Your Honor.

3 THE COURT: Any further recross?

4 MR. CANNARELLA: No, Your Honor.

5 THE COURT: You may step down, ma'am. Thank you
6 so much.

7 MS. CLAYCOMB: Thank you.

8 MR. REDMOND: And we'd ask that Ms. Claycomb be
9 excused for her subpoena?

10 THE COURT: Any objection?

11 MR. CANNARELLA: That's fine. No objection.

12 THE COURT: Have a good day, ma'am. Thank you.

13 MS. CLAYCOMB: Thank you, sir.

14 MR. REDMOND: Your Honor, may I approach with the
15 attorneys just for a second, a housekeeping matter?

16 THE COURT: Yes, sir.

17 (Whereupon, a bench conference was held off the
18 record)

19 THE COURT: I almost said to the jury we will
20 break now, but we're -- we don't need to say that.
21 We will now recess until 1:30 and no witnesses on the
22 stand so I will see you all at 1:30 in this room.

23 MR. REDMOND: Yes, sir.

24 THE COURT: Thank you.

25 MR. CANNARELLA: Thank you.

M. Luce- Direct Examination by Mr. Redmond

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1 MR. REDMOND: Thank you, Your Honor.

2 (Whereupon, the Court breaks for lunch at 12:14 pm)

3 (Whereupon, the Court is back on the record at 1:30
4 pm)

5 THE COURT: All right, sir, I'm ready.

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

8 THE COURT: Yes, sir.

9 MR. REDMOND: We next call Mark Luce.

10 THE CLERK: Place your left hand on the Bible and
11 raise your right. You swear the testimony you give
12 this Court will be the truth, the whole truth, and
13 nothing but the truth so help you God?

14 MR. LUCE: I do.

15 MR. REDMOND: May it please, the Court, Your
16 Honor?

17 THE COURT: Yes, sir.

18 MARK LUCE, first being
19 duly sworn, testified as follows:

20 **Direct Examination by Mr. Redmond:**

21 Q. I guess, I say Agent Luce, where are you now
22 employed?

23 A. Probation, pardon, and parole.

24 Q. Okay. And are you an agent with, with that
25 office?

1 A. I am.

2 Q. Okay. And previously just take us through your
3 law enforcement background if you would?

4 A. Well, I have about 43 years in law enforcement
5 experience. I started Darlington PD. I stayed there
6 for about 4 years and with sheriff's office for about
7 37 years; SCDC police and Deputy Coroner.

8 Q. Okay. And in that time, have you worked in a
9 capacity as an investigator during most of that time?

10 A. I have.

11 Q. Okay. And, in fact, in March, not march, excuse
12 me, in July of 2016 where were you employed and in
13 what capacity were you employed?

14 A. Lieutenant in investigation with the Darlington
15 County Sheriff's Office.

16 Q. Okay. And on the 17th of July, 2016 were you
17 called out regarding an incident on at [REDACTED]

18 [REDACTED]?

19 A. I was.

20 Q. All right. Take me through it. You got the
21 call. Take us, Take His Honor through what you did
22 and what you saw?

23 A. I received a call there, SLED was already on --
24 SLED was already present. I spoke to the, um, a
25 couple of the officers that were there, Chief Hudson,

1 Sergeant shepherd. And they were telling me about
2 the, um, about the deceased. And that there were two
3 survivors and two deceased in the home. The -- the
4 juvenile or the survivors within the residence was
5 taken into juvenile protective custody by a SLED
6 agent to be interviewed later. I learned that the,
7 um, there was a burnt vehicle about two miles away
8 from there. They had belonged to the, um, one to the
9 deceased, um, Denise, which was the grandmother.

10 They also told me about that the granddaughter was
11 also found deceased in the same bedroom on the floor.

12 And I directed some agents to go to some
13 surveillance cameras that may be at PD Steel Building
14 which is right next door to the residence and also to
15 a convenience store which is just past that.

16 Q. Right there in the fork between 34 and 151 ---

17 A. Yes, sir. Not far from the decease's residence.

18 Q. Okay. And so, of course, you were -- there were
19 a lot of moving parts at this time, and so, of
20 course, you were directing people to go several
21 places trying to collect evidence and get
22 information?

23 A. Correct.

24 Q. During the course of this time, did law
25 enforcement catch a break as it relates to

1 information?

2 A. Yes.

3 Q. Okay. And tell us about that. Tell His honor
4 about that. What then diverted your attention,
5 diverted your attention to a specific suspect?

6 A. We received some information from another law
7 enforcement officer that there were two individuals
8 that had some information about the robbery.

9 Q. Okay. And without getting into what they said,
10 did you have an opportunity to talk with these
11 individuals?

12 A. I did.

13 Q. And who were those individuals?

14 A. That would be Phillip Norris and Ms. Taylor.

15 Q. Okay. Taylor Lane at the time?

16 A. Correct.

17 Q. Okay. And again, not getting into what they told
18 you, but did you have an opportunity as it relates to
19 Mr. Norris -- did you have an opportunity to
20 interview both of them?

21 A. I did.

22 Q. And were they able to give you some information
23 that you followed up on?

24 A. They did.

25 Q. And it's -- during the interview or even after

M. Luce- Direct Examination by Mr. Redmond

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1 the interview, at some point did you use your
2 department issue phone to take pictures from the
3 phone of Phillip Norris?

4 A. I did.

5 Q. Okay. So again, without getting into what was
6 said, after you get this information, take His Honor
7 through what steps occurred next?

8 A. A suspect was developed. Cephas -- the Cephas's
9 were developed. The, um, without going too much into
10 it ---

11 Q. Well, I'll just ask you, who was, who was the
12 suspect that was developed?

13 A. Cephas.

14 Q. Cowick?

15 A. Cowick and Ms. Kate.

16 Q. And Cephas Cowick, the husband, at the time, the
17 husband of the defendant?

18 A. Yes. And her name was also mentioned.

19 Q. Okay. So you get this information, what did you
20 do next?

21 A. I was able to develop some leads in talking with
22 or for the Cowick's residents; Dumpster next to --
23 the dumpster next to their home and to -- just from
24 that information.

25 Q. Okay. And let me back up a minute, did you have a

1 chance to talk with both Cephas Cowick and the
2 defendant?

3 A. I did.

4 Q. Okay. And, in fact, did you talk with Cephas
5 Cowick first?

6 A. Yes.

7 Q. Okay. And you mentioned the dumpster, just to
8 make sure the judge understands, so after talking to
9 Cephas Cowick were you the one that directed SLED to
10 go check out the, the dumpster?

11 A. I did.

12 Q. Okay. And again, after talking to Cephas Cowick
13 you've then directed, again not getting to what was
14 said but based on your discussion with him, did you
15 direct Agent Claycomb to the dumpster on Jones
16 Circle?

17 A. I did.

18 Q. Okay. And is that in Darlington County in the
19 Hartsville area?

20 A. Yes, it is.

21 Q. Jones Circle?

22 A. Jones Circle in the Hartville area of Darlington
23 County.

24 Q. All right. So let me back up a little bit
25 because let's talk about -- again, not getting into

M. Luce- Direct Examination by Mr. Redmond

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1 what was said, but when you -- did you go to the
2 house, to the, to the Cowick house on Jones Circle
3 and have them come to the sheriff's office?

4 A. Yes, I did.

5 Q. Okay. And I think was Investigator Gause,
6 Sergeant Gause at the time was she with you as well?

7 A. Yes, sir.

8 Q. All right. And so -- and did they follow you to
9 the sheriff's office?

10 A. They did.

11 Q. All right. When I say "they" the defendant and
12 Katie Cowick, excuse me, Cephas Cowick and the
13 defendant, Katie Cowick?

14 A. Correct.

15 Q. And and the interview took place at the sheriff's
16 office?

17 A. It did.

18 Q. And it was recorded?

19 A. It was.

20 Q. Okay. And again, we talked about what you did
21 after the interview with them, with Cephas rather.
22 As a matter of fact, after the interview with Cephas,
23 was the dumpster the only thing that you followed up
24 on as far as gathering evidence?

25 A. No, sir.

1 Q. All right.

2 A. Some information came out about the weapon ---

3 Q. Yes ---

4 A. --- that was used.

5 Q. And let me direct your attention to what's
6 already in evidence as State's Exhibit 3. And I'm
7 just going to show you the box. You don't need to
8 open it. But you've heard reference to State's
9 Exhibit 3, it's in evidence. Were you the one that
10 actually got that gun?

11 A. Yes, sir.

12 Q. And could you tell again, without getting into
13 hearsay, but could you tell the Court how you came --
14 well, I'll ask you like this, after you talk with
15 Cephas Cowick, did you then proceed to, yourself, to
16 go locate the weapon?

17 A. Yes, I did.

18 Q. Okay. Tell us about that?

19 MR. CANNARELLA: Was that as a result of the
20 conversation, right?

21 MR. REDMOND: Well, just to be clear, as a result
22 of the conversation ---

23 MR. CANNARELLA: Right. Right. Okay.

24 Q. But again, I'm not asking for hearsay so the
25 record is clear, but as a result of that

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1 conversation, yes, you went to go get
2 that gun?

3 A. I obtained vague information where this residence
4 was.

5 Q. Okay.

6 A. And I enlisted the help of Investigator Gause and
7 Chief Hudson at the time.

8 Q. Okay.

9 A. Because he knew the area and he was from the
10 Dovesville area.

11 Q. Okay. So at what area is that again?

12 A. Dovesville area.

13 Q. Dovesville ---

14 A. No, I'm sorry. Not Dovesville ---

15 Q. Centerville?

16 A. Centerville, excuse me.

17 Q. And so -- and so Centerville area to be clear
18 for, for His Honor is in Darlington County?

19 A. It is in Darlington County.

20 Q. Okay. And Centerville, I think, is more
21 considered Hartsville than Darlington, isn't it?

22 A. More Hartsville.

23 Q. Okay. So moving on. So you, Sergeant Gause to
24 Centerville to the residence. Tell us about the
25 residence. Who did it belong -- where was it? Who

1 did it belong to? Again, without getting into any
2 hearsay.

3 Q. It belonged to Mr. Segars.

4 MR. CANNARELLA: Your Honor, let me ask just one
5 point of inquire. I know he's reading from his
6 notes. That's what he's doing to testify. It's
7 Okay. I just want to verify that you're reading from
8 ---

9 A. I'm sorry, if I, if I may refer to my notes?

10 MR. CANNARELLA: If you can't remember what you
11 put in there, if you want to read, that's good.
12 Okay.

13 THE COURT: Yeah. That's fine.

14 A. The residence belong to Stephen Segars.

15 Q. Okay. And when you got there was Mr. Segars
16 there or was there another individual that Cameron
17 Evans, I believe?

18 A. Yeah. When I first got there I met Cameron
19 Evans.

20 Q. And, of course, did you ask -- did you let them
21 know what you were asking for?

22 A. I did.

23 Q. Okay. And did he get in contact with Stephen
24 Segars?

25 A. He did.

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1 Q. And did Stephen Segars end up returning to his
2 residence?

3 A. He did.

4 Q. Okay. And at that point, tell us how you were
5 able to get the gun that is State's Exhibit 3 here
6 today?

7 A. I told Mr. Cameron to since Mr. Segars wasn't
8 there at the time and that he said that the residence
9 did belong to Mr. Segars, I asked him if he would
10 contact Mr. Segars have him come to the home.

11 Q. Okay.

12 A. I asked him about a weapon. First, I talked
13 about a shotgun. I told him I was just interested in
14 a weapon only. And Mr. Segars sent Cameron Evans to
15 the residence and he brought me back a pistol.

16 Q. Okay. And is that pistol State's Exhibit 3?

17 A. Yes, it is.

18 Q. So to be clear Stephen Segars directed Cameron
19 Evans to go into the residence; Cameron Evans goes
20 back into the residence, the residence and retrieves
21 the weapon?

22 A. Yes.

23 Q. Okay. And again, you went to Centerville to
24 Stephen Segars residence as a result of your
25 discussion with Cephas, Cephas Cowick?

1 A. That is correct.

2 Q. So and I did not ask this, was Cephas Cowick at
3 time of his interview and subsequent to his
4 interview, was he arrested and charged in this case?

5 A. Yes, he was.

6 Q. Okay. Now, you got the weapon and, obviously,
7 you -- did you have it sent back -- well, we heard
8 testimony but, did you give it to Dawn Claycomb to be
9 sent to SLED for further testing?

10 A. I did.

11 Q. And I'll just ask you -- and as a as a matter of
12 the record, Your Honor, the one of the stipulations
13 the Defense has entered into with the State is there
14 are two firearms reports, the State -- and while
15 we're at it also the autopsy reports, we've agreed
16 that those would be entered into evidence without
17 objection to the Defense. They are also contained on
18 State's Exhibit 1?

19 THE COURT: Yes, sir. Correct, gentlemen?

20 MR. GORE: That's correct, Your Honor.

21 THE COURT: Thank you.

22 MR. REDMOND: And with that being the case, would
23 y'all have any objection to me providing these, a
24 copy of these to the judge because they're on the
25 disc 'cause that way you could, at least, follow

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1 since they're in evidence.

2 MR. CANNARELLA: No.

3 MR. REDMOND: If I may?

4 THE COURT: Yes, sir.

5 MR. REDMOND: For the record that's a copy of the
6 autopsy reports and a copy of the two firearms
7 reports.

8 If it please, the Court?

9 THE COURT: Yes, sir.

10 Q. Now, in the reports since it's already in
11 evidence, were you made aware of the -- well, were
12 you made aware -- what -- I'm sorry, I'm getting
13 ahead of myself. Let me show you what's marked as
14 State's 5, are you familiar with the autopsy that was
15 conducted of Denise Couplin?

16 A. I was.

17 Q. And now, of course, I know you didn't collect it,
18 but I would ask that are you familiar with the fact
19 that a bullet was retrieved from her autopsy and was
20 sent to SLED for further testing?

21 A. Correct.

22 Q. All right.

23 MR. REDMOND: Your Honor, State's 5 is the bullet
24 from that autopsy. That is also something that we've
25 agreed through stipulation ---

1 THE COURT: Yes, sir.

2 MR. REDMOND: --- would be admitted into evidence
3 so I would so move at this time.

4 THE COURT: Yes, sir.

5 (Whereupon, the Bullet from Denise Couplin has been
6 marked and entered into evidence as State's Exhibit
7 No. 5)

8 Q. Now, just to be clear as it relates to the
9 testing, you get the gun, sent to SLED, everything;
10 The gun sent the SLED. The bullet from the autopsy
11 of Denise Couplin. And the bullet from, from right
12 there in the pillow case with **Juvenile**'s face. Were
13 those all sent to SLED for testing?

14 A. They were.

15 Q. And do you -- are you aware of what the results
16 of that testing was?

17 A. Yes.

18 Q. Tell us what the results were?

19 A. On the juvenile there was an indication of
20 stippling.

21 Q. Oh no, not the autopsy report. I'll get to that.
22 I'm sorry. Are you aware of the results from the
23 firearms report? In other words, did the gun match
24 the -- did the guns -- were the guns fired from the
25 bullet, I mean, excuse me, were the bullets fired

1 from the gun that you procured from Cameron Evans?

2 A. Those bullets were able to, did match to the
3 pistol ---

4 Q. Okay.

5 A. --- that was recovered.

6 Q. Thank you. So I'll get to the autopsy report in
7 a little while. So moving on, when you -- after you
8 get the gun, of course, it sent off to SLED and
9 everything, at some point, did you want to interview
10 the defendant?

11 A. I did.

12 Q. And was that desire to interview the defendant
13 based on, as a result -- was a -- was it a result of
14 your interview with Cephas Cowick?

15 A. Somewhat.

16 Q. Okay. And a result of your interview with Taylor
17 Lane and Phillip Norris?

18 A. Yes.

19 Q. Okay. So put all that together, you are
20 interested in having a chat with the defendant. Did
21 you -- did you have the opportunity to have that
22 discussion with her?

23 A. I did.

24 Q. Now, in full disclosure were you able to have an
25 interview with her initially or was she allowed to

1 leave and return?

2 A. She was allowed to leave and return.

3 Q. Tell His Honor about that?

4 A. When both of them arrived at the sheriff's office
5 Ms. Cowick fell asleep on the couch in our office.

6 We really couldn't wake her up. She'd -- we'd wake
7 her up and she'd fall back asleep. So I had gotten
8 in contact with her mother to come, come collect her.

9 Q. Okay. And so her mother, I believe, her mother,
10 mother-in-law came and got her. Took her home, I'm
11 assuming. But after interviewing Cephas Cowick, did
12 y'all ask that she be brought back?

13 A. Along with some other factors.

14 Q. Yes. And what were those factors?

15 A. Videos.

16 Q. Okay. And, of course, you being the lead
17 investigator with this, videos of what?

18 A. Videos, ah, surveillance videos from the store
19 that previously mentioned that was in the fork of the
20 road.

21 Q. Okay. And so once you were able to procure, I
22 guess, procure information regarding those videos and
23 put with everything else, again, did that that really
24 heighten your desire to talk with the defendant?

25 A. Yes.

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1 Q. Okay. And, in fact, did you have the opportunity
2 to talk with the defendant?

3 A. I did.

4 Q. When and where did you have that conversation
5 with the defendant?

6 A. At the sheriff's office.

7 Q. Okay. And was that, I think, in the morning, on
8 the morning of the 18th?

9 A. Yes.

10 Q. And was, then, Sergeant now Agent Jackie Gause
11 there with you?

12 A. Yes.

13 Q. Okay. Before we get into that, I now want to
14 talk about the autopsy report. And then I'll get
15 into what, what the defendant told you. Autopsy
16 reports are already in evidence and I had interrupted
17 you earlier, but now I'm going to give you the floor.
18 Please tell His Honor, first, start with the, with
19 Denise Couplin, the pertinent portions of the autopsy
20 report related to how Denise Couplin died?

21 A. A gunshot wound. There's an entrance gunshot
22 wound to the head 4 inches below, excuse me, 4 inches
23 below the top of the head and 4 inches to the right
24 of the arterial midline, midline. It is somewhat
25 oval in shape and measures .38 or .38 x .40 inches in

1 the greatest dimension. It is the above -- It is
2 above the right ear and slightly anterior to it.
3 There is an abrasion collar around this wound. There
4 is no evidence of stippling or tattooing. The bullet
5 path continues right to left slightly downward and
6 backwards to lacerate the right temporal cerebrum to
7 the left of the occipital ---

8 Q. Occipital ---

9 A. --- occipital cerebrum. The bullet exits the
10 skull but stays within the scalp. It is retrieved,
11 photographed and sealed for evidence. It is a non-
12 jacketed and has lands and grooves.

13 Q. And just to, I guess, put it in layman's terms,
14 posterior she was shot behind the ear ---

15 A. Yes ---

16 Q. --- the right ear -- okay. So just to be
17 brutally honest and my apology, she was shot in the
18 back of the head?

19 A. Yes.

20 Q. Okay. Let's move on to **Juvenile**, tell us about
21 what her autopsy report shows?

22 A. **Juvenile**'s?

23 Q. Yes.

24 A. Gunshot Wound Number 1: is located in the left
25 cheek 6 inches below the top of the head and 4 ½

1 inches to the left of the arterial midline. There is
2 stippling around it measuring 5x4 inches in greatest
3 dimension. Most of the stippling is superior and
4 medial to the entrance wound. The entrance wound
5 itself measures approximately .35 inches in greatest
6 dimension. The bullet path continues left to right,
7 upward and backward. It enters the skull cavity
8 through the left middle fossae and lacerates the left
9 temporal cerebrum. It continues through the right
10 parietal cerebrum and exits to the back of the head 1
11 inch below the top of the head and 3 inches to the
12 right of the posterior midline. The exit wound is
13 slit-like.

14 Gunshot Wound Number 2: is located on the left
15 cheek 8 inches below the top of the head and a $\frac{1}{2}$
16 inch, excuse me, 1 $\frac{1}{2}$ inches to the left of the
17 midline. It is round and measures .35 inches in
18 diameter. The bullet contains (sic) the backward and
19 slightly upward to exit the back of the neck 4(sic)
20 inches below the top of the head and 1 inch to the
21 left of the midline. This exit wound is slightly
22 oval in shape. It remains superficial and does not
23 enter the skull cavity.

24 Q. Let's go back to the first gunshot wound, but let
25 me talk about both wounds. Where, again, was

1 **Juvenile** shot?

2 A. In the face.

3 Q. Left cheek?

4 A. Yes.

5 Q. Were both shots in her left cheek?

6 A. Yes.

7 Q. And one of them had stippling, you mentioned.

8 Based on your experience in law enforcement what does
9 that tell you with
10 the stippling?

11 A. That the barrel of the gun was either right at
12 the skin or millimeters from it when it went off.

13 Q. Now -- thank you. Now, let's move on to your
14 interview with the defendant. I think we left off
15 where she had gone to the sheriff's office. She was
16 brought back to the sheriff's office. Tell His
17 Honor once she got there was she read -- well, first
18 of all, what she read her Miranda rights?

19 A. She was.

20 Q. And is this all reflected on the video?

21 A. Yes.

22 Q. It's on video?

23 A. Yes.

24 Q. Once you read her Miranda rights, was she in a
25 condition at that time to understand her Miranda

1 rights?

2 A. She was in my opinion.

3 Q. And, in fact, was she able to answer your
4 questions?

5 A. She did.

6 Q. Okay. And -- now, with her I gonna ask you what
7 she had to say. And, of course, it's reflected on
8 the video, but we'll get into some aspects of what we
9 had, what she had to say before the video. So you
10 read her, her rights. She understood them. You
11 moved on and started asking her questions. Did she
12 start out telling you what really happened?

13 A. No.

14 Q. Okay. Tell us about -- what did she start off
15 to?

16 A. I believe that, um, she went to the store and
17 Cephas asked her to, to meet her or come pick him up.

18 Q. And at that point, did she acknowledge even
19 having been in the house or anything like that?

20 A. She did not.

21 Q. Okay. But you already had information?

22 A. I did.

23 Q. You had already talked to Cephas Cowick?

24 A. I did.

25 Q. Okay. And based on that discussion, again, not

1 getting into what Cephas said, but as a result of
2 your discussion with Cephas Cowick, did that tell you
3 that this defendant was not being honest with you?

4 A. It did.

5 Q. So then how ---

6 MR. CANNARELLA: Your Honor, we object to that, I
7 mean, 'cause he can't make that evaluation at this
8 point in time.

9 THE COURT: I sustain that.

10 MR. REDMOND: Okay.

11 MR. CANNARELLA: I mean, I don't ---

12 THE COURT: I sustain it.

13 MR. REDMOND: I'll rephrase, Your Honor.

14 THE COURT: Yes, sir, please.

15 MR. REDMOND: I'll rephrase.

16 Q. So getting back to the defendant, what did she
17 tell you as the interview went on, did she eventually
18 admit to having been in the house?

19 A. She did.

20 Q. And did she admit to even more than that?

21 A. Yes.

22 Q. Okay. Tell us about what she told you as it
23 relates to her role in this particular case?

24 A. That she had took him to the residence or dropped
25 him off near the residence. Went to the store. He

1 later came by to the store driving the deceased's
2 Escalade. They -- she followed him to Birdsnest Road
3 with the vehicle. She would not -- I can't go into
4 what she did say but, and then they left.

5 Q. Okay.

6 A. Excuse me, while in the Escalade before going
7 down to Birdsnest Road, let me back up just a second,
8 he went to the store where she was at in the
9 Escalade. He picked her up and took her back to the
10 residence.

11 Q. There you go. In the Escalade?

12 A. In the Escalade.

13 Q. In the Escalade. And then they come back after
14 some period of time, does she get dropped back off at
15 the convenience store?

16 A. Yes. But only after he had walked her in and
17 showed her what had happened.

18 Q. And, of course, it's on video so I won't get into
19 all of that because it's reflected on the video that
20 I'll show in a little while. So after that did --
21 was she also arrested and charged in this case?

22 A. She was.

23 Q. Okay. And -- and then, of course, did y'all find
24 any other evidence right there literally right there
25 in front of you?

1 A. Some of the victims property.

2 Q. Okay. And tell us about that. Specifically, let
3 me show you what has been labeled as State's Exhibit
4 8, 7 and 8 actually.

5 Are you familiar with both of those items of
6 evidence?

7 A. Yes. Somewhere along the line there was \$7 in
8 cash that was missing. She had \$7 in cash, an SPC
9 card belonging to Jermika Couplin, in the name of
10 Jermika Couplin. And the Couplins were residents or
11 visitors to the decease's home, an aqua colored
12 pocket book, and a black purse belonging, and these
13 were found, and these were found in her purse.

14 Q. Okay. And, of course, I think that's State's 7,
15 is that the purse that in the bag that -- was is that
16 the purse belonging to the defendant, Katie Baucom-
17 Cowick?

18 A. Well, without looking in the bag it feels like
19 there would be a purse in it.

20 MR. REDMOND: So we'd moved State's 7 and 8 into
21 evidence at this time, Your Honor.

22 MR. GORE: No objection, Your Honor.

23 THE COURT: Without. Thank you.

24 (Whereupon, the Defendant's Purse has been marked and
25 entered into evidence as State's Exhibit No. 7)

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1 (Whereupon, the Folder of Debit Card From Defendant's
2 Purse and \$7 Cash has been marked and entered into
3 evidence as State's Exhibit No. 8)

4 Q. Now -- and again, these were -- and just to be
5 clear on the \$7 that was found, you look at the
6 interview, were you told about \$7 by the defendant?

7 A. Yes.

8 Q. And, in fact, did y'all recover \$7 ---

9 A. We recovered \$7.

10 Q. Okay. Along with other items of belonging to
11 Denise Couplin?

12 A. Correct.

13 COURT REPORTER: I'm sorry, Denise who?

14 MR. REDMOND: Couplin, C-o-u-pl-i-n.

15 Q. Did she admit knowing that Cephas planned to rob
16 Denise?

17 A. Very much so.

18 Q. Okay.

19 MR. REDMOND: I beg the Court's indulgence?

20 THE COURT: Yes, sir.

21 Q. Now, we've indicated that this interview was, was
22 done on video ---

23 A. Correct.

24 MR. REDMOND: At this time, Your Honor, State's
25 Exhibit 1 is the defendant's video. It's in

1 evidence. We would move to go ahead and publish that
2 at this time.

3 THE COURT: All right. How long will it last,
4 sir?

5 MR. REDMOND: It's about -- it's approximately
6 56, 50 minutes. There were a couple of brief
7 sections to redact. So it's probably -- it's -- it's
8 over 45 minutes long.

9 THE COURT: All right. Before we start that
10 because we're all not long after lunch, let's take a
11 15 minute break.

12 MR. REDMOND: Yes, sir.

13 THE COURT: You're not, you know the rules, you
14 can't talk to anybody about anything. All right,
15 sir.

16 MR. LUCE: (Shaking his head yes)

17 THE COURT: About 14,15.

18 MR. REDMOND: Yes, sir. Thank you.

19 (Whereupon, the video is played for the Court)

20 (Whereupon, the Court goes back on record at 2:15 pm)

21 THE COURT: All right. Sir, if y'all are ready.

22 MR. REDMOND: The State's ready, Your Honor.

23 THE COURT: Proceed.

24 (Whereupon, the Court takes the time to watch video)

25 THE COURT: I can't hear.

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1 MR. REDMOND: Your Honor, if you'll indulge me,
2 let me see if we can use my computer.

3 (Whereupon, the solicitor takes a moment to work on
4 computer)

5 THE COURT: I don't hear anything.

6 MR. REDMOND: You can't hear it.

7 MR. CANNARELLA: I know that's ---

8 (Whereupon, the video is played for the Court)

9 MR. REDMOND: And Your Honor for the record, we
10 knew that this part pursuant to the redactions I
11 would actually ask that redacted sheets be made a
12 Court Exhibit, Court Exhibit 1. It's only thirty
13 seconds, this redaction.

14 THE COURT: That's fine. Yes, sir.

15 (Whereupon, the video is played for the Court)

16 (Whereupon, the Redactions has been marked and
17 entered into evidence as Court's Exhibit No. 1)

18 Q. So Lieutenant Luce ---

19 MR. REDMOND: Just a few more questions, Your
20 Honor, if I may, if it please, the Court?

21 THE COURT: Yes, sir.

22 Q. I didn't ask you this before but on the video did
23 the defendant acknowledge the fact that she had
24 actually been to Denise Couplin's residence at [REDACTED]
25 [REDACTED]?

1 A. She did.

2 Q. And did -- and -- if I misheard it please correct
3 me, did she refer to Ms. Couplin as Nisey at some
4 point in that interview?

5 A. I think so.

6 Q. Okay. And, of course, in your role as an
7 investigator and based on what she told you, did the
8 defendant know Denise Couplin ---

9 A. Yes.

10 Q. --- one of the decease?

11 A. Yes. And also from being in her house several
12 times.

13 MR. REDMOND: I beg the Court's indulgence?

14 THE COURT: Yes, sir.

15 MR. REDMOND: That'd be all the questions I have
16 at this point. Please answer any questions that Mr.
17 Cannarella or Mr. Gore may have for you.

18 **Cross-Examination by Mr. Cannarella:**

19 Q. So Mr. Luce, initially based on using all of your
20 professional skills as an investigator for 40 years,
21 you charged her as a principal. Was that you
22 charging her as if she went in the house with him and
23 was there when the gun was used? Or did you consult
24 with, with the solicitor's office before you charge
25 her with that?

M. Luce- Cross-Examination by Mr. Cannarella

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1 A. I didn't -- I didn't consult with the solicitor's
2 office before ---

3 Q. Okay.

4 A. --- I charged her with that.

5 Q. It was clear though that based on what you had
6 you realized that she did not go in there with him
7 when he killed those people or were you, or did you
8 believe that since you charged her as a principal?

9 A. I believe ---

10 Q. Why would you do that?

11 A. --- my belief was she knew what was going to
12 happen. She drove him there. She went into the
13 residence. We see some of the property is there.
14 Drove off ---

15 Q. Okay.

16 A. --- and tried to cover it up.

17 Q. But she's on trial now for accessory to that,
18 right?

19 MR. REDMOND: Your Honor, we'd stipulate for the
20 record she's on trial for accessory before the fact
21 of murder, two counts.

22 THE COURT: Yes, sir. All right, sir.

23 MR. REDMOND: And armed robbery, I'm sorry.

24 THE COURT: Yes, sir.

25 MR. CANNARELLA: Okay.

1 Q. So -- and you know -- let's focus when she --
2 when she -- when he and -- when she and Cephas was
3 came down to the detention center from Jones Circle,
4 right, and y'all was talking to them, I mean, in your
5 office back there in the back of the sheriff's
6 office. So she appeared -- when she was passing out
7 you obviously couldn't question her then because she
8 couldn't even stay awake?

9 A. That's correct.

10 Q. But Cephas was there?

11 A. Correct.

12 Q. Okay. And you called really, her mother-in-law
13 came and got her. She had on that pink shirt then,
14 didn't she?

15 A. Yes.

16 Q. Okay. That's the same pink shirt that showed up
17 on the video at the convenience store and whatever,
18 it's down in the V?

19 A. Yes.

20 Q. Okay. To make sure we all know where we are
21 we're on 151 and as you go on 151, 34 comes in if
22 you're heading to Darlington and it makes a V shape,
23 right?

24 A. Correct.

25 Q. Okay. And actually when she came back the next

1 day she had on the pick shirt?

2 A. Correct.

3 Q. Okay. And when she came back she had her purse
4 with her and inside that purse is where y'all got,
5 she brought the credit card to you, basically, didn't
6 she?

7 A. I don't think she knowingly brought the credit
8 card to us.

9 Q. Right. She -- she wasn't aware she had. Is that
10 a -- that's a fair statement? You said she didn't
11 know ---

12 A. I don't think she knew ---

13 MR. REDMOND: Your Honor, I would object. That
14 calls for speculation.

15 Q. Well, where ---

16 THE COURT: Sustained. Sustained.

17 MR. CANNARELLA: Withdraw the question.

18 Q. So -- but we don't have to speculate about when
19 and where you retrieved that credit card out of her
20 billfold. Did you get it or did somebody else get
21 it or do you know where it came from?

22 A. I was present when it was retrieved. I don't
23 know if it was Sergeant Gause at the time or me or we
24 were both.

25 Q. Right. But, I mean, the point I'm making is she

1 brought it with her whether she knew she had it or
2 not. She brought it and y'all searched her pocket
3 and found it, right?

4 A. Yeah.

5 Q. And that \$7 too -- okay.

6 COURT REPORTER: Did you answer?

7 A. Yes.

8 Q. Okay. Now -- so when it -- so when you and Agent
9 Gause with SLED was questioning her y'all found out
10 that Cephas had been with Q, alone at Q's house and
11 Cephas had drawn a diagram out of the house that Ms.
12 Couplin lived in?

13 A. That's what I was led to believe.

14 Q. Okay. Well, do you have any reason to believe
15 that it didn't happen that way?

16 A. Well, I didn't see him draw it.

17 Q. Well, I know. I know you didn't see -- okay.
18 But you made a comment that's what you were led to
19 believe. Okay. But y'all did recover a diagram?

20 A. We did.

21 Q. And you got it from Mr. Diviner or Leviner,
22 right?

23 A. Yes, Mr. Diviner.

24 Q. Okay. And that was the result of having
25 interviewed him and he produced it for you?

1 A. He did.

2 Q. Okay. You don't have any -- you don't -- you
3 believe -- do you -- did you get that from him at his
4 house or did he bring it to you?

5 A. I think we got from his house.

6 Q. Okay. All right. And -- and you questioned Mr.
7 Leviner about that drawing ---

8 A. Mr. Diviner ---

9 Q. Mr. Diviner? Q. I'mma call him Q, okay?

10 A. Okay.

11 Q. You question Q about that map, right, that he
12 brought to you? I mean, you gave it to the
13 solicitor's office. It's turned over as evidence is
14 all I'm trying to, you know, I'm not trying to, um,
15 argue with you about it. I mean, Q brought that map
16 to y'all, didn't he?

17 A. No. We went to Q's house and got it.

18 Q. Okay. You went there?

19 A. Yes.

20 Q. Okay. Well, did you find it there or he hand it
21 to you?

22 A. He handed it to me.

23 Q. Okay. And as I understand it y'all can't locate
24 Q but, but at one point in time you had a lot of
25 questions to ask Katie about him. Fair, fair to say?

1 A. Yes.

2 Q. Right. Okay. Now, so -- well but -- in fairness
3 you don't have any reason to believe or it wasn't in
4 your report that Katie was even aware of that diagram
5 that Cephas drew when he was Q's house?

6 A. That's correct.

7 Q. Right. Okay. Now, when the agent from SLED that
8 was, ah, that found that stuff in the dumpster, you
9 aware of that?

10 A. Yeah.

11 Q. Okay. All right. Well, so -- well, tell me now
12 do you know what they found in the dumpster?

13 A. I believe it was shoes, some shoes with credit
14 cards in it, and some clothing.

15 Q. Okay. Are you aware of -- I know you're aware of
16 who the credit cards belong to, right?

17 A. Correct.

18 Q. Okay. Are you aware of anything -- how did you
19 know to tell the agent from SLED Crime Scene do go
20 look in the dumpster? How did you know that?

21 A. Speaking with Cephas.

22 Q. Okay. And -- and -- and when -- and what did he
23 -- did he tell you what was in there?

24 A. I'm not sure.

25 Q. Okay. All right. And you don't know what they

1 found? They actually ---

2 A. The shoes ---

3 Q. Right ---

4 A. --- the credit cards, and the clothing.

5 Q. And what -- can you describe the clothing?

6 A. No.

7 Q. Okay. Well, you don't know if it's male or
8 female clothing?

9 A. No, sir, I don't.

10 Q. Okay. Would -- did you not -- was that not
11 important in your investigation to determine what was
12 in that dumpster since you were a lead investigator?

13 A. It wasn't important as far as the clothing. What
14 was important was the credit cards.

15 Q. Okay. And it was important to who put them there
16 too?

17 A. Yes.

18 Q. That's how you know that, that who put them there
19 because they told you, Cephas told you he put them
20 there, right? So -- so how about this, so Agent
21 Gause interviewed Cephas and Katie, right, along with
22 you?

23 A. Yes.

24 Q. All right. Now, in and I'm not -- in that -- in
25 that report -- in your reports on Cephas, okay, there

1 is hundred -- is there -- is there an hour and a half
2 almost of, of that interview missing from the
3 beginning in the middle and then in the end you got
4 Cephas 1, we got from, from y'all in discovery, okay.
5 But -- and you -- I'm right when I tell you that
6 there's over an hour worth of that interview missing
7 because the tapes reflect that. Did you know that?

8 A. Maybe. But I don't really recall that.

9 Q. Okay. Well, would you recall whether or not your
10 interview, I mean, your, your incident report
11 reflected the fact that there was a time when the
12 recording broke down and didn't work and then it came
13 back on its own ---

14 A. Something ---

15 Q. --- did that happen that way?

16 A. I recall something similar to that, yes.

17 Q. Right. Okay. So -- so in using your
18 professional skills, all of your professional
19 investigator skills, you would have been thorough
20 about what you included in your report because your
21 report would be a significant piece of information
22 for everybody to know?

23 A. Well, if I noted it then it was.

24 Q. Right. Now -- right. So anything that's not
25 noted in -- y'all -- anything that's not noted in

1 your report then we can assume something never, never
2 happened, right? Because you're reporting all the
3 most important things you know through your
4 investigation. So -- if -- if -- if you said a jar
5 of jelly was in GEO Tracker and it was important to
6 you, you would've put it there, in the report? You
7 would have not left anything out of that report that
8 was important, right?

9 A. I'm not sure if I was left a jar of jelly out
10 there if it didn't have any particular ---

11 Q. I don't blame you ---

12 A. --- meaning to.

13 Q. I'm with you, okay. Okay. So we won't get in a
14 tug of war about that, okay. All right. So but
15 there -- but there is a gap of time in there and, and
16 -- and then -- and then after, after that you, you go
17 get Katie and talk with her? I mean, she's coming
18 back the next day anyway, right?

19 A. I had her mother bring her or her mother-in-law
20 bring her.

21 Q. Right. Okay. So there's no indication that,
22 that Cephas was -- y'all never found any kind of --
23 never found a mask or anything, did you? You didn't
24 find anything that you expect to find if somebody is
25 gonna go rob somebody, right, like, like, like

1 anything in disguise? Was anything that disguises
2 his identity?

3 A. Other than what was alluded to the shirt that was
4 cut. Whether or not he used it as a mask, I do not
5 know.

6 Q. All right. So as a result of the conversation,
7 your interview with Cephas, you determined that you
8 needed to go to this location in Centerville to try
9 to find the gun involved in the case, right?

10 A. Correct.

11 Q. And -- and Agent Gause was with you?

12 A. Correct.

13 Q. Okay.

14 A. Waiting for the question.

15 Q. Yeah, okay. As I'm right, right?

16 A. Okay. So -- and when you got there you had a
17 conversation with a person and as a result of that
18 conversation you got Steve Segars to come there,
19 right?

20 A. Correct.

21 Q. And that was information based on what Cephas had
22 told you about where the location was, right?

23 A. It was a vague location.

24 Q. Okay. So -- and when you went there and then
25 Segars arrived he handed, he went inside -- somebody

1 went inside for him, got the gun, and gave it to you?

2 A. Correct.

3 Q. Okay. You had actually -- you had a private
4 conversation

5 then because in Agent Gause's report it indicates and
6 maybe even yours. but you had a conversation off to
7 the side with Cephas, Steve Segars?

8 A. I don't understand my "off the side". It was --
9 I mean, everyone was there.

10 Q. Right. But he had a private conversation with
11 Cephas? Did you -- in other words, you indicated
12 hey. it's real important that we get this gun as soon
13 as we can and you got the gun from -- who handed you
14 the gun at the, at that house ---

15 A. I think it was Cameron.

16 Q. Okay. But Cameron gave you the gun. You
17 mentioned somebody's name Dee White in that report?

18 A. I don't recall.

19 Q. Okay. Well, did you ever find out who provided
20 the gun?

21 A. I can't -- I don't recall. But assuming that it
22 was Segars residence and the gun came from Segars, I
23 could assume that it came from Segars.

24 MR. CANNARELLA: I beg the Court's indulgence, if
25 I could have a moment?

1 THE COURT: Yes, sir.

2 MR. CANNARELLA: That's all the questions of this
3 witness.

4 THE COURT: The State?

5 MR. REDMOND: Briefly, Your Honor. May it please,
6 the Court?

7 THE COURT: Yes, sir.

8 **Redirect Examination by Mr. Redmond:**

9 Q. Just for clarification, you were asked about your
10 assumptions regarding Stephen Segars being the one
11 who provided the weapon. Are you aware that Stepen
12 Segars can't be here because he's now, deceased?

13 A. No. I didn't know that.

14 Q. Yes. So that's one thing. Other thing is you
15 were talking -- I guess there was -- there wasn't a
16 lot of discussion in cross about the video itself,
17 the defendant's video. But there was a mention about
18 gaps in Cephas Cowick's interview. But the defendant
19 is the one on trial today, Ms. Baucom-Cowick. Does
20 that video show everything the entirety of your
21 interview with her?

22 A. Yes.

23 Q. Is there any gap whatsoever in that interview,
24 her interview?

25 A. Other than some redactions.

1 Q. Okay. And when I say gaps I'm talking about as
2 far as the redactions that we've put on the record,
3 yes. But as far as other than that does that show
4 everything that happened in that
5 interview?

6 A. That particular video never broke down.

7 Q. Okay.

8 A. There's never no gaps. No one ever left the
9 room.

10 Q. Okay. And you weren't asked about that, but I
11 just wanted to make it clear as it relates to this
12 defendant.

13 A. I think he was asking me about Cephas's
14 interview.

15 Q. Okay. Exactly. Exactly. So with that said, did
16 the defendant again -- oh, you were also asked about
17 charges that was brought and whatnot, I'm gonna ask
18 you this briefly and I think you answered it on
19 cross, but did the defendant in her interview
20 acknowledge knowing that Cephas Cowick intended to
21 rob Denise Couplin?

22 A. Yes, he -- yes, she did.

23 Q. Okay. And, in fact, drove and dropped him off, I
24 guess, where he could get to the house from the field
25 ---

1 A. She did.

2 Q. --- from across the field.... and all of this is,
3 of course, reflected in her interview?

4 A. Yes.

5 Q. All right.

6 A. And corroborated.

7 Q. And corroborated with other evidence?

8 A. Correct.

9 Q. Okay. And you were asked about the video and I
10 asked you just for clarity sake, the clothes that she
11 wore to - she being the defendant, the clothes that
12 she wore there on the video surveillance from the gas
13 station, are those the same clothes ---

14 A. They ---

15 Q. --- at least the top, as far as the top?

16 A. It was the same top that her and Cephas followed
17 us to sheriff's office with Agent Gause and myself.
18 The same shirt that she wore when she fell asleep on
19 the couch. The same shirt she left when her mother-
20 in-law picked her up. And it's the same shirt when
21 her mother-in-law brought her back to the sheriff's
22 office. And it's also the same shirt she had during
23 the interview.

24 Q. Okay. And last thing because you were asked
25 about the purse, who was it and how -- who was it

M. Luce- Re-cross Examination by Mr. Cannarella

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1 that first mentioned anything about \$7?

2 A. She did.

3 Q. And then, of course, you go to the purse and what
4 along with the cards and everything else, what was in
5 the purse, her purse?

6 A. Seven dollars (\$7)

7 MR. REDMOND: That'd be all the questions I have,
8 Your Honor.

9 **Re-cross Examination by Mr. Cannarella:**

10 Q. So if you check that interview thoroughly with
11 her, you'd find out that she told you that Cephas
12 dropped himself off with her in the car, not that she
13 dropped him off?

14 A. I believe she says that she dropped him off.

15 Q. Okay. But we know if she said that or, or she
16 said she rode down there with him that'd be in her
17 interview with you?

18 A. Well, are you talking about the beginning of the
19 interview or after that near the end of the
20 interview?

21 Q. There was no gap in that one so, I mean, wherever
22 it falls within that interview was where it said and
23 discussed.

24 A. Well, one time she said several things but near
25 the end she said that she dropped him off.

1 Q. Okay. And we would find that in there?

2 A. Yes.

3 Q. Okay. So -- so if on the tape 11:15:35 is where
4 you'll find the answer to that question if you look
5 at it again. I think that's all, judge.

6 THE COURT: Okay.

7 MR. REDMOND: Well, just briefly, Your Honor, if
8 you'll indulge me.

9 **Redirect Examination by Mr. Redmond:**

10 Q. The fact of the matter is, and it's an
11 interesting discussion whether she dropped him off or
12 not, did they go there together?

13 A. They went there together and there was no reply
14 as somebody switched drivers.

15 Q. Okay. Well, be that as it may, if they, even if
16 they didn't do -- even -- if -- if he -- if he
17 dropped -- if he was driving, the bottom line is, did
18 they go to that area, the vicinity of Ms. Couplin's
19 house together?

20 A. Correct. They did.

21 Q. And whoever was driving, when Cephas Cowick
22 exited the vehicle, who then took the vehicle?

23 A. She did.

24 Q. Did she drive the heck home away from whatever he
25 was about to do?

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1 A. She did not.

2 Q. In fact, what did she do?

3 A. Part of the plan was that she was supposed to
4 meet him at the store.

5 Q. Plan!

6 MR. REDMOND: I have nothing further, Your Honor.

7 THE COURT: Sir?

8 MR. CANNARELLA: That's it, judge.

9 THE COURT: All right. You may step down, sir.

10 MR. LUCE: Thank you.

11 THE COURT: May I discuss matters with lawyers?

12 MR. REDMOND: Yes.

13 (Whereupon, a bench conference was held off the
14 record)

15 THE COURT: Proceed, sir.

16 MS. BAXLEY: May it please, the Court?

17 THE COURT: Yes, ma'am.

18 MS. BAXLEY: The State calls Jacqueline Gause to
19 the stand.

20 THE CLERK: Place your left hand on the Bible and
21 raise your right. You swear the testimony you give
22 this Court will be the truth, the whole truth, and
23 nothing but the truth so help you God?

24 MS. GAUSE: I do.

25 JACQUELINE GAUSE, first being

1 duly sworn, testified as follows:

2 **Direct Examination by Ms. Baxley:**

3 Q. Would you please state your name for the record?

4 A. Jacqueline Gause.

5 Q. And where are you currently employed?

6 A. State Law Enforcement Division.

7 Q. But in 2016 where were you working?

8 A. Darlington County Sheriff's Office.

9 Q. And in what capacity were you working at the
10 sheriff's office?

11 A. I was an investigator in criminal investigations.

12 Q. And how did you become involved with this case?

13 A. I was contacted by Lieutenant Mark Luce at the
14 time and requested that I go to the sheriff's office
15 to begin interviewing family members. He did inform
16 me that we had a double homicide on [REDACTED]
17 Highway near 34. He said that there was a
18 grandmother and her 9-year-old grandchild had been
19 shot.

20 Q. And when you first got to the sheriff's
21 department who did you interview?

22 A. Well, when I first got to the sheriff's office,
23 obviously, there was a lot of family members there.
24 They went to the residence. Couldn't get in. So
25 they came to the sheriff's office. I interviewed

1 three of the siblings.

2 Q. Okay.

3 A. Ta'Na, (sic) Clarence, and then I think Jermika
4 might've been the last person I interviewed of the
5 siblings of Ms. Couplin.

6 Q. And you interviewed them by yourself? Major Luce
7 wasn't there?

8 A. Correct.

9 Q. And did the siblings, without getting into
10 hearsay, did the siblings tell you anything about,
11 um, -- let me rephrase, did you learn anything about
12 what was being happening to the victim's home from
13 the siblings?

14 A. Yeah. She had been having some remodeling
15 completed.

16 Q. Okay. And then after you interviewed the
17 siblings, did you -- did you interview the juveniles
18 that were present upstairs in the home?

19 A. No, ma'am.

20 Q. Where were they interviewed at?

21 A. I believe a forensic interview was set up at the
22 Care House Durant Center. I think at Care House.

23 Q. And then after you finished interviewing the
24 siblings, you then began interviewing Phillip Norris,
25 correct?

1 A. Yeah. I did not interview the children ---

2 Q. Children ---

3 A. --- correct ---

4 Q. Right.

5 A. The juveniles, I'd say that ---

6 Q. Juveniles ---

7 A. But, yes. Phillip Norris was next.

8 Q. And then Agent Luce was present for that
9 interview as well ---

10 A. Yes, ma'am.

11 Q. --- by that point.... and then you also
12 interviewed Taylor Lane now Norris, right?

13 A. That is correct.

14 Q. Okay. And after you had interviewed them that's
15 when you went to go to Cephas's house, correct?

16 A. Correct.

17 Q. And then after you had interviewed Cephas you
18 went with Agent Luce to get the gun, correct?

19 A. Later that evening ---

20 Q. Later that evening, right.

21 A. Yes.

22 Q. And that's what's reflected in State's Exhibit 3?
23 That's previously admitted into evidence.

24 A. Yes, ma'am.

25 Q. And you were there when Agent Luce collected the

1 gun, right?

2 A. Yes.

3 Q. From -- who was -- who did he collect it from?

4 A. Stephan Segars. And -- well, Cameron went and
5 got the gun, brought it back Stephen, and Stephen
6 gave it to Mark Luce.

7 Q. I'm going to be showing you some Google Earth
8 photos from State's Exhibit 1. The State's Exhibit 1
9 is previously in evidence. Can -- can you -- tell
10 the Court what the mouse is hovering over right now?

11 A. Yes. That's Mrs Couplin's residence on [REDACTED]
12 [REDACTED].

13 Q. And down here where there's the point, pinpoint,
14 what is that?

15 A. Birdsnest Road. That is the specific road that
16 Ms. Couplin's vehicle was located on.

17 Q. Okay. And in this photo what is highlighted by
18 the yellow push pin?

19 A. That's the backyard of Ms. Couplin's residence.

20 Q. And can you, using the drawing, can you circle
21 where Mr. Dolford trailer would be?

22 A. Yes. Actually, where your, where your cursor is
23 ---

24 Q. Okay.

25 A. --- now right there.

1 Q. And then this is where the victim's home....

2 A. Correct. The victim's residence.

3 Q. And can you circle where the convenience store?

4 A. Yes.

5 (Whereupon, the witness complies)

6 Q. Okay. Thank you.

7 MR. REDMOND: I beg the Court's indulgence?

8 Q. And then where the cursor is now can you tell the
9 Court what's highlighted with the push pin?

10 A. Yes. Jones Circle. That was where Cephas and
11 Katie were living at the time.

12 Q. And what was found -- and that is where the
13 dumpster was?

14 A. Correct.

15 Q. And then down here where the cursor is?

16 A. Cursor -- based on, it's difficult to see, but it
17 looks like that would be about the general area of
18 Ms. Couplin's residence.

19 Q. That's the victim's address ---

20 A. Correct.

21 Q. --- [REDACTED]?

22 A. Yes.

23 Q. And then down here at the bottom....

24 A. Yes. Birdsnest where the victim's vehicle was
25 located.

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1 Q. Okay.

2 MS. BAXLEY: I beg the Court's indulgence?

3 MR. REDMOND: I beg the Court's indulgence, Your
4 Honor?

5 MS. BAXLEY: Your Honor, I'mma be showing the
6 witness photos that are on State's Exhibit 1 and
7 there were some previous objections to the photos.
8 But we've streamlined that process and so I would
9 just like to admit those photos into evidence now.

10 MR. CANNARELLA: No objection.

11 THE COURT: Thank you, sir.

12 (Whereupon, the Photos from Thumb Drive has been
13 marked and entered into evidence as State's Exhibit
14 No. 1)

15 Q. Can you describe to the Court what these are
16 screen grabs of?

17 A. That is screen grabs from the store there at the
18 corner of 34 and Bobo Newsome Highway and Ms. Katie
19 in the video footage.

20 Q. This is from the surveillance footage from the
21 convenience store ---

22 A. Correct.

23 Q. --- that we just point viewed just circled on the
24 map?

25 A. Yes.

1 Q. And that's the defendant in the photos?

2 A. Yes. That is the defendant.

3 Q. Okay. And what is -- can describe to the Court
4 what's in these photos? Are these more surveillance
5 screen grabs?

6 A. They are more surveillance from those footage
7 from the store at 34.

8 Q. And this one right here, what is in that picture
9 on the top left?

10 A. GEO Tracker.

11 Q. That would be the car that the defendant drove to
12 the sheriff's department?

13 A. Correct.

14 Q. And down here in the bottom right corner, whose
15 vehicle is
16 that?

17 A. That is Ms. Couplin. The victim's Escalade.

18 Q. At the convenience store?

19 A. At the convenience store, yeah.

20 Q. And up here is this the GEO Tracker going down
21 the road?

22 A. Correct.

23 Q. Over here that's the defendant as well?

24 A. Yes, ma'am.

25 Q. And in this picture, is this the picture you guys

1 took at the sheriff's department after the defendant
2 was arrested?

3 A. Correct.

4 Q. And she's wearing the same pink jacket?

5 A. Yes.

6 Q. And over here is this a picture of the
7 defendant's wallet from when she was arrested?

8 A. Yes.

9 Q. Was this the seven, where the \$7 was located?

10 A. Yes, ma'am, I believe so.

11 Q. And this debit card here, do you recall whose
12 debit card that was?

13 A. I think it might have been Jermika's maybe.

14 Q. And Jermika's is Ms. Couplin's daughter ---

15 A. Daughter. Correct.

16 MS. BAXLEY: Please answer any questions Mr.
17 Cannarella or Mr. Gore might have.

18 MS. GAUSE: Okay.

19 **Cross-Examination by Mr. Cannarella:**

20 Q. Agent Gause, y'all interviewed I know Norris,
21 Norris and Lane at the birthday party Norris was
22 having, right or whatever it was. Remember that?
23 'Cause it's in your report. I'm not gonna ask you
24 anything that's not in your report, basically, okay.
25 So you're with SLED now?

1 A. Correct.

2 Q. All right. So, you know, is it information that
3 y'all obtained from Katie, is it your recollection
4 that she told you that after they, the three of them,
5 that would have been Katie, Cephas, and Q left
6 Norris's house, right?

7 A. Correct.

8 Q. Okay. And Norris lives in Darlington, I believe,
9 right?

10 A. I believe so.

11 Q. Okay. Well -- so then, based on your
12 investigation you were told by Katie which is
13 undisputed is that they went to Jones Circle she got
14 dropped off there, right?

15 A. Correct.

16 Q. And then Cephas took Q home?

17 A. Correct.

18 Q. And it was there that Cephas, that Cephas drew
19 that map of Ms. Couplin's house in the presence, and
20 for Q, right?

21 A. To our understanding, yes.

22 Q. Right. And then, I mean, to some extent Q became
23 a focus of this investigation as may as other people
24 as well, right?

25 A. Correct.

1 Q. Okay. And you were there when y'all retrieved
2 the weapon?

3 A. Correct.

4 Q. Okay. And that's in your report?

5 A. Yes, sir, it is.

6 Q. Okay. Now, how it was done like do you -- do you
7 -- you were -- there were three other individuals I
8 think that drove up in a
9 car?

10 A. Correct.

11 Q. Remember that?

12 A. With Stephen Segars, yes, sir.

13 Q. You watched that car and the conversation between
14 Mr. Luce, according to your report, took place over
15 here?

16 A. I was -- I was not standing in the presence of
17 those two individuals when they had the conversation
18 about the gun. Yes, sir.

19 MR. CANNARELLA: Thank you.

20 THE COURT: Ma'am?

21 MS. BAXLEY: No redirect, Your Honor.

22 THE COURT: You may step down. Thank you.

23 MR. REDMOND: And, Your Honor, that would
24 actually be our last witness for today. We have a
25 few witnesses in the morning. And as I told counsel

1 the State anticipates barring any delays being able
2 to conclude our portion of the case by lunchtime
3 tomorrow.

4 THE COURT: Yes, sir. We will begin at 09:30 in
5 the morning. Gentlemen and lady, you're under no
6 rush. This is all we have to do this week.

7 MR. REDMOND: yes, sir. Understood.

8 THE COURT: And if you if you need me because
9 things happen sometimes, don't hesitate to call me.

10 MR. REDMOND: Yes, sir. Thank you, Your Honor.
11 Anything else?

12 MR. REDMOND: Nothing further from the State, Your
13 Honor.

14 THE COURT: Thank y'all.

15 MR. CANNARELLA: Thank you.

16 MR. REDMOND: Thank you, judge.

17 (Whereupon, Court is adjourned at 4:00 pm)
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T. Schenk- Direct Examination by Mr. Redmond

Tuesday, June 3, 2025

(WHEREAS, this matter was scheduled for a trial, the plaintiff appeared along with their attorney of record. The defendant appeared with her attorney, Mr. Paul Cannarella and Mr. Bennett Gore. The proceedings began at 9:40 am)

THE COURT: I am ready, sir.

MR. REDMOND: Thank you, Your Honor. May it please the Court?

THE COURT: Yes, sir.

MR. REDMOND: The State would call Lieutenant Todd Schenk.

THE CLERK: Place your left hand on the Bible and raise your right. You swear the testimony you give this Court will be the truth, the whole truth, and nothing but the truth so help you God?

MR. SCHENK: I do.

TODD SCHENK, first being
duly sworn, testified as follows:

Direct Examination by Mr. Redmond:

Q. Lieutenant Schenk by whom are you employed?

A. The South Carolina Law Enforcement Division commonly referred to as SLED.

Q. And in what capacity are you employed with SLED?

1 A. I'm a Crime Team Investigator.

2 Q. Okay. And how long have you been in law
3 enforcement?

4 A. Little over eleven and a half years.

5 Q. Okay. And tell us take us through your law
6 enforcement career, if you could?

7 A. Yes, sir. So I graduated from the Citadel in
8 2013. After graduating college, I was hired by the
9 South Carolina Law Enforcement Division. Began in
10 the Crime Team Investigations Unit. And I've been
11 there since.

12 Q. Okay. All right. So your entire career has been
13 with SLED?

14 A. Yes.

15 Q. Now, as far as -- I guess, the reason you here
16 today and just to be full disclosure, were you on
17 scene in Darlington in July, 2021, excuse me, July of
18 2016?

19 A. No. I was not.

20 Q. And, excuse me, however, you are involved in a
21 process that's called FARO, could you explain that to
22 the judge, please?

23 A. Yes, sir. So there are different disciplines
24 within crime scene and one of them is we call it ADP
25 or Advanced Digital Photography. And our job is to

1 take the FARO, raw data, that's collected from the
2 scene and then we build a 3D model with the data, and
3 the FARO is a terrestrial laser scanner. So it
4 shoots a little laser out and touches the
5 environment, calculates the measurements, and will
6 build a point cloud off of those measurements.

7 Q. And is that what happened in this particular
8 case?

9 A. It is.

10 Q. And, in fact, that Dawn Claycomb, I guess,
11 utilize the scanner, the FARO scanner, that you then
12 use to produce your rendition?

13 A. Yes.

14 Q. Okay. Excuse me, excuse me, and was that
15 rendition completed around September of 2016?

16 A. It was.

17 Q. Okay. And just to be clear you used the
18 information that was collected from Dawn Claycomb
19 with the FARO scanner that she employed in Darlington
20 at the scene to do your rendition?

21 A. Yes.

22 Q. Okay. And I believe that rendition is ready to
23 be played for the Court. First of all, that is on
24 Exhibit 1, State's Exhibit 1, we would move that into
25 evidence at this time.

1 (Whereupon, the Thumb Drive has been marked and
2 entered into evidence as State's Exhibit No. 1)

3 MR. GORE: Without objection, Your Honor.

4 THE COURT: Without objection. Proceed.

5 Q. And with that I am going to hit this button and
6 pray that it works and then we'll allow -- I'll turn
7 the floor over to you if the Court would allow for
8 him to go through ---

9 THE COURT: Yes, sir.

10 A. So this is one of the production files that we
11 create and this is called our "Webshare" or "Our
12 Scene To Go." And what this does is over here this
13 is a map of the scene, and forgive me there seems to
14 be a lag in the mouse....

15 Q. And just for the record you're actually using a
16 wireless mouse to control it even though your
17 computer is here, you're using a wireless mouse from
18 there at the witness stand?

19 A. Yes, sir, I am.

20 Q. And that's where there may be a little bit of a
21 lag, Your Honor.

22 A. So to the left up here these are the panoramic
23 photographs that we can see. Over here this is the
24 bird's eye view map. And if we were to select -
25 let's select the front yard - we can double click and

1 point, and in here you can see the panoramic of what
2 the scanner captured on the scene. And then we can
3 move throughout the residence to see the panoramics
4 that were collected on scene.

5 This is the front door of the residence coming
6 inside you.

7 If we move further through here, this is the kitchen
8 dining room area. And then we can travel back
9 through this hallway to the location of the deceased.
10 Excuse me, this is too far. This is the bathroom
11 looking back down the hallway. Then this is the
12 bedroom where the deceased were located. And this is
13 further into that bedroom.

14 The other items we create are, they're, they're
15 video fly throughs of the 3D Point Cloud. So this is
16 just of the outside of the residence and it looks
17 pixelated because this is the actual 3D Point Cloud
18 as opposed to photographs. And this just goes all
19 the way around in the outside of the residence. And
20 this will keep looping.

21 And then we've got the inside of the residence.
22 And as you can tell this is a little bit different
23 than the Webshare because Webshare is the actual
24 photographs. This is the 3D Point Cloud that we're
25 flying through now.

1 Q. And while it's panning through, just a quick
2 question as far as where Ms. Couplin was laying on
3 the other side of the bed, you'd explain to me why
4 that appeared as a blue shade, could you explain that
5 to His Honor?

6 A. Yes, sir. So if you look at the stairs as we go
7 by them, there's that void there, anywhere the
8 scanner cannot physically touch with the laser it's
9 going to show that void. So in the instance of the
10 bedroom where the scanner was placed at the foot of
11 the bed it wasn't able to see past the other side of
12 the bed to the floor and that's where the void come
13 from. It's just lack of data there.

14 Then once we exit this will just keep looping.

15 Q. And again this is, I guess, a moving view of what
16 based on the scan or moving through the house, I
17 guess, the entirety of the house and the
18 surroundings?

19 A. It is.

20 Q. And how long had SLED been utilizing that
21 technology back in 2016?

22 A. we had it when I first started in 2013.

23 Q. Okay.

24 A. So we've been using it for a while.

25 Q. Okay. And again, purpose is, is it helpful in

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1 being able to illustrate for the finder of fact just
2 what the environment was, what the scene was like in
3 a moving fashion?

4 A. It is.

5 Q. Okay. And that, of course, based on the
6 evidence and pictures and the data collected in the
7 scanner at the scene at the time that Dawn Claycomb
8 or any Crime Scene Unit investigator arrives?

9 A. Yes.

10 MR. REDMOND: That'd be all the questions I have.
11 Please answer any questions that Mr. Cannarell or Mr.
12 Gore may have.

13 THE COURT: Gentlemen?

14 MR. CANNARELLA: No questions, Your Honor.

15 THE COURT: You may step down, sir.

16 MR. SCHENK: Thank you.

17 MR. REDMOND: And, Your Honor, I'd ask that
18 Lieutenant Schenk be excused from his subpoena?

19 THE COURT: Objection?

20 MR. CANNARELLA: No objection, Your Honor.

21 THE COURT: Have a good day, sir.

22 MR. SCHENK: Thank you, sir.

23 MR. REDMOND: If we can have just a moment so he
24 can ---

25 THE COURT: Yes, sir.

MR. REDMOND: --- retrieve his computer, then we can, we'll be ready for the next witness. Mica Griggs will be our next witness. The State next calls Mica Griggs.

THE CLERK: Place your left hand on the Bible and raise your right. You swear the testimony you give this Court will be the truth, the whole truth, and nothing but the truth so help you God?

MS. GRIGGS: I do.

MICA GRIGGS, first being
duly sworn, testified as follows:

Direct Examination by Mr. Redmond:

Q. I'm gonna still call you Sergeant Griggs, but are you now retired?

A. I am. Yes, sir.

Q. And what are you doing at this particular time?

A. Well, right now me and my husband own a driving school and I jump (sic) at some colleges whenever I can.

Q. And, of course, you were not retired back in 2016

— — —

A. No, sir.

Q. --- July, 2016 -- and were you a sergeant with the Darlington County Sheriff's Office back then?

A. I was.

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1 Q. And working in investigations?

2 A. Yes, sir.

3 Q. And on the 17th of July of 2016 did you receive a
4 call and were dispatched to a scene [REDACTED]
5 [REDACTED]?

6 A. Yes, sir.

7 Q. Okay. Can you tell us about that? When were you
8 dispatched, and just take us through your initial
9 observations and what you did?

10 A. All right. Well, I don't have the I the front
11 part of the incident report, so I don't have the
12 exact time, but I want to say it was maybe 12:31, one
13 in the afternoon, somewhere around that time and I
14 was the investigator on call. So dispatch contacted
15 me that there was a possible home invasion where a
16 person was deceased and that she told me to contact
17 the sergeant, patrol sergeant that was working that
18 day, which was Sergeant Shepard. I called him and
19 spoke with him and he's told me that there were two
20 people who were deceased at the house and that I
21 would probably need a few more investigators. He
22 told me that he was contacting the investigative
23 captain which was Captain Hodges and he was going to
24 let him know 'cause I want to say maybe he was the
25 staff on call. So while I was driving there he made

1 all those phone cause for me. He also told me that
2 SLED was being called out for the crime scene to, to
3 process that for us. And that I was probably going
4 to need a search warrant because we, we do the search
5 warrants for SLED Crime Scene.

6 Q. Gotcha.

7 A. And so I went to the scene so that I could get
8 all the information to put on the search warrant and
9 make sure that the that Sergeant Shepard had started
10 a crime scene log to mark down everybody who had been
11 there. Started that for us. And then I got all the
12 pertinent information for the search warrant. I,
13 then, went back to the office, typed that up. And
14 found the judge. Had the judge sign it. Went back
15 to the scene. And had gave the SLED crime scene
16 officers a search warrant. They signed the search
17 warrant and let them go ahead and start processing
18 the scene.

19 And then, by then, all the other investigators
20 had started showing up. Sergeant Mark Luce, we
21 always called him Captain, 'cause that was kind of
22 where he was, but Sergeant Mark Luce was given the
23 lead over the scene. So he started giving us kind of
24 our orders for what, where he wanted all of us to
25 kind of go and gather. I ended up kind of going with

1 SLED to handle the two juvenile victims who were on
2 scene.

3 Q. When you say victim it was the two that was
4 surviving?

5 A. The two surviving victims that were on scene.
6 And we went and took them to the Durant Center and
7 had them forensically interviewed. While there, we
8 ended up -- I want to say I did a few other things in
9 there in between. I know I got a gunshot residue kit
10 from the, I want to say the oldest of the juveniles
11 because we, we made sure to do those on both the
12 juveniles that were on scene because they were
13 surviving victims and they were on scene ---

14 Q. Protocol ---

15 A. And that's kind of protocol for anybody who's on
16 the scene of a homicide related crime scene, so we
17 did those. I ended up taking mine and I dropped it
18 into evidence and I went and went back to the crime
19 scene, the original crime scene. And then we --
20 there was a bunch of other things that we ended up
21 doing the rest of the evening. I ended up getting
22 search warrants for the suspects house for SLED Crime
23 Scene. We did a few other things. I ended up
24 sometime during this 30 hours that we were out on
25 this crime scene, I got -- we ended up getting the

1 video. Me and Investigator Pate ended up getting
2 the video from the closest gas station because we
3 found out that the victim's vehicle had been taken
4 and had been located during the night before we even
5 found the original crime scene, we found out that it
6 had been located, um, that a vehicle had been located
7 and it had been set on fire and it came back
8 registered to the victim of the ---

9 Q. Denise Couplin?

10 A. --- of the, um, the deceased victim. So we
11 wanted that report and we wanted that vehicle. So we
12 ended up thinking that maybe it would have to have
13 passed that gas station, so we went and got video
14 from the gas station ---

15 Q. And just to be clear, is that the gas station and
16 His Honor has seen the Google Earth, but is that the
17 gas station right there in the fork of 151 and 34?

18 A. Right.

19 Q. Okay.

20 A. Yes, sir. So we -- me and Investigator Pate got
21 that video. Come to find out sometime during the, I
22 think, Sergeant Luce may have figured out that the
23 timing was off. But somehow we figured out the
24 timing was off, so me and Investigator Pate went back
25 to the gas station when it reopened that next

1 morning, and we were back there. We actually sat
2 down this time and watched the video to figure out
3 that it was a day and 10 minutes off on their camera
4 system. And that's normal. We've noticed that some
5 of the gas stations that their camera systems aren't
6 always on the right times so....

7 Q. And -- and agreed. We've seen that before.

8 A. So this time we watched the video multiple times
9 and the, I want to say, the manager wasn't there, and
10 the guy who was working didn't know how to download
11 the video. So me and Pate just decided to hand write
12 it. I mean, I wrote while Pate videoed. And so we
13 watched it multiple times so I could -- and we made
14 sure that there was something actually on it. So we
15 watched it the first time. Figured out that there,
16 it looked like there was something important on it,
17 so I went through and time stamped and hand wrote on
18 a notebook paper first everything that we saw on it
19 'cause it just looked odd and suspicious and it
20 looked like the vehicle that belonged to the deceased
21 victim on there. So we time stamped everything. We
22 wrote -- I wrote everything down. And then Sergeant
23 Pate ---

24 Q. Recorded it?

25 A. --- recorded it.

1 Q. Okay.

2 A. And then -- and then I had my notes and I put it
3 all on my supplement.

4 Q. Exactly. And your supplement you do, you go
5 through the time stamps that you were just referring
6 to?

7 A. Yes, sir.

8 Q. And I'm going to ask you about that in just a
9 second. But let me ask you this before we get into
10 the time stamps, after you went through that, at some
11 point, did you then reach back out to Lieutenant Luce
12 or Sergeant Gause with what you and Brandon Pate
13 observed?

14 A. Oh, we, did. Yes, sir. We kept -- we kept
15 Sergeant Luce involved in everything because he, he
16 liked to know everything. I mean, he was the
17 investigator, the lead investigator over it, so we
18 kept him abreast of everything that we found and what
19 we -- we told him everything that was, we thought was
20 important to know and he, he made sure to call you
21 and ask you and he wanted to know what was going on
22 which was good 'cause ---

23 Q. Was this -- this -- was this an ---

24 A. That's what an investigator is supposed to do.

25 Q. Well, and was this an all hands on deck

1 situation?

2 A. Mmm, hmm.

3 Q. Well, given the nature of what transpired, were
4 there many people involved in trying to investigate
5 ---

6 A. Yes.

7 Q. --- getting down to the bottom of what happened?

8 A. And he had a lot of investigators to keep up with
9 so....

10 Q. Well, let me ask you this -- now, I'm going to go
11 back to the time stamps.

12 A. Okay.

13 Q. So as you were looking at the video, could you
14 tell His Honor from the time stamps what you
15 observed, and then we'll obviously get into the video
16 in just a few minutes?

17 A. I gotcha. Now, the times -- the video was like I
18 said a day and 10 minutes off, so the the time stamps
19 are 10 minutes behind, um, but -- so at, um, you want
20 me to go through them, right?

21 Q. Yes.

22 A. Okay.

23 Q. Yes, please.

24 A. So at 6:20 on the camera, on camera 12, a vehicle
25 pulls up and it is a boxed shape similar to a GEO

1 Tracker, but due to the lighting it's hard to tell.
2 It appears that no one exits the vehicle.

3 At 6:22 on camera number 5, the vehicle pulls off
4 in the direction of 151 towards Hartsville. We were
5 unable to tell any type of driver or passenger.

6 At 6:28 on camera 3, the GEO Tracker pulls in
7 that was very similar to the one I had seen earlier
8 that the subject was driving to the sheriff's office
9 to speak with us so ---

10 Q. Let me stop you right there at that point, look
11 very similar to the GEO Tracker that when she came in
12 to speak with us, so you had already seen this
13 vehicle?

14 A. Yes, sir. 'Cause ---

15 Q. Okay. And had you had already seen the
16 defendant?

17 A. Yes, sir.

18 Q. Okay. That's -- we'll get into that as you go
19 on. I'm sorry to interrupt but please go ahead
20 continue.

21 A. No. That's Okay. It is the same color. The
22 vehicle just sits there and no one exit, exits but
23 the headlights are turned off. The camera is cloudy,
24 but you can make out the driver is wearing an orange
25 or similar bright color. The driver appears to move

1 around the vehicle, around in the vehicle, but it
2 does not appear anyone exits.

3 At 6:35 on both camera 3 and 8, the GEO Tracker
4 leaves the parking lot again turning left onto
5 Highway 151 towards Hartsville.

6 At 7:15 on camera 12, the same GEO Tracker pulls
7 into the rear of Highway 34 side of the parking lot.
8 This is the clearest camera besides the inside ones.
9 This time when the Tracker pulls in the -- driver's
10 side pulls in the driver's side door opens and the
11 suspect's wife exits the driver's side and walks
12 towards the front of the building to the main parking
13 lot. I recognized that it was her because I had
14 spoken with her a few hours before and she was
15 wearing the same bright outfit she had been in when I
16 spoke with her and her husband.

17 At 7:15 on camera 3, the wife walks towards the
18 front main parking lot. It is cloudy but you are
19 able to see the bright shirt moving across the
20 parking lot.

21 At 7:18 on camera 8, the victim's vehicle, a
22 white Escalade, pulls into the parking lot from 151
23 and goes to the edge of the cameras view, stays for a
24 few seconds, then exits the parking lot, then turns
25 around enters the parking lot, and then re-exits

1 towards 151 to Hartsville.

2 At 7:40 that Escalade pulls into the parking lot
3 from 151 all the way to the Highway 34 side like
4 before, stays for a few seconds or so, then exits the
5 parking lot onto Highway 34 towards Lydia.

6 A few seconds later the rear camera shows the
7 wife re-enter the driver's side of the Tracker with a
8 white grocery bag. It appears -- it appears to be
9 items inside. She exits the parking lot onto Highway
10 34 towards Lydia like the Escalade.

11 Q. Okay. So just to be clear, the time stamps that
12 you refer to reflected in the videos that y'all had,
13 I guess, y'all were trying to video from the store?

14 A. Right. Yes, sir.

15 Q. And again, you -- had you already met the
16 defendant to be able to tell okay, yeah, this is her?

17 A. I had. Yes, sir. Because during the evening I
18 had been at the office while getting search warrants
19 and waiting for - getting search warrants for their
20 house - I had been waiting on SLED to come, but I had
21 also been sitting at the office with -- while them,
22 Sergeant Luce and Investigator Gause, would be
23 interviewing one suspect, one with us. Me or -- me
24 or Investigator Pate would have been sitting with the
25 other suspect. So somebody had to be sitting with

1 the other during that time. But I think Investigator
2 Pate at that time was searching the vehicle so I
3 think that was whenever I was at the office. So we
4 watched them pull up. We watched them come sit in
5 the parking lot. We watched them walk in. And then
6 we sat with them in the office ---

7 Q. At the sheriff's office?

8 A. At the sheriff's office waiting to be interviewed
9 by Luce and Gause.

10 Q. Okay. And so when you went back, the next, I
11 guess, I say the next day, but when you went back to
12 the -- so this is the second visit when you were able
13 to get this information was your second visit to the
14 gas station?

15 A. Yes, sir.

16 Q. Okay. And then that's when you were able to --
17 'cause once y'all figured out the timing was off the
18 first time you went back and that's when you're able
19 to see what you describe?

20 A. Right. And we were able to recognize the
21 clothing and the vehicle.

22 Q. Understood. And, of course, was the video that,
23 that Brandon Pate, Investigate Pate was able to take
24 with his phone, was that obviously entered into
25 evidence with the sheriff's office?

1 A. I would ---

2 Q. At the sheriff's office -- in other words ---

3 A. I would assume so.

4 Q. Yeah.

5 A. That wasn't part of what I did.

6 Q. Okay. Were you able to view that? Had you seen
7 the video ---

8 A. I was. Yes.

9 Q. Okay. Good. At this particular time, I would
10 move -- it's on State's Exhibit Number 1, I would
11 move into evidence the video surveillance. I think
12 they're 1,2,3,4, I think they're 5 different,
13 different -- they're really short but, they're 5
14 different videos that I would like to show
15 Investigator, well, excuse me, Sergeant Griggs at
16 this time. If there's no objection from the Defense
17 I'd move that portion of the State's 1 into evidence.

18 MR. CANNARELLA: Your Honor, I understand he's
19 offered that. There's no objection. I guess it was
20 when Ms. Griggs actually recorded what she was
21 looking on the store monitor ---

22 MR. REDMOND: Exactly.

23 MR. CANNARELLA: --- with her own camera ---

24 MR. REDMOND: That's correct.

25 MR. CANNARELLA: --- right. Okay. This would

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1 be ---

2 MR. REDMOND: That's correct ---

3 MR. CANNARELLA: --- that's fine.

4 THE COURT: Yes, sir. Proceed.

5 A. Investigator Pate recorded ---

6 MR. CANNARELLA: Oh, he did it.

7 A. He did.

8 MR. CANNARELLA: But y'all were right there
9 together.

10 A. Yes.

11 MR. CANNARELLA: I gotcha. That's fine.

12 Q. All right. And what I'm going to do is play it -
13 - I'mma play the video and after the video plays then
14 I ask you to describe what we see. So if you look at
15 your monitor, and I will try to make this work.

16 Okay. What was -- what did we just see?

17 (Whereupon, the video is playing for the witness to
18 answer questions)

19 A. That would be the Tracker so....yeah.

20 Q. All right. And which, which side of -- and would
21 that be coming off of 34, which side would that be
22 coming on?

23 A. Yes, sir.

24 Q. Okay. And then I -- okay. And what did that
25 reflect?

1 A. That is the defendant.

2 Q. Okay. And is that her exiting, I guess, exiting

3 ---

4 A. Yes, sir.

5 Q. Okay. And here's the next one?

6 A. and that is the, the deceased victim's vehicle
7 pulling up from looks like 151 side ---

8 Q. Okay.

9 A. --- heading towards 34, Highway 34. And the ---

10 Q. Was that some random car?

11 A. Yes, sir.

12 Q. And then this next one?

13 A. And that would be the -- what is that....

14 Q. I'll play it again.

15 A. That's the deceased victim's vehicle but I was
16 gonna say what it was. The white Escalade.

17 Q. Yes.

18 A. Correct.

19 Q. And what else do you see in that frame?

20 A. And then the Tracker door.

21 Q. Yeah, I'll show you.

22 A. Then the defendant with a white bag ---

23 Q. Okay.

24 A. --- getting in the vehicle.

25 Q. And then this is the last one. Okay. And what

1 does that show? What did that show? What did that
2 video show?

3 A. Give it to me one more time. I'm sorry, I was
4 looking at my notes trying to think....oh, yeah, that
5 was -- that was the Tracker driving off in the same
6 direction ---

7 Q. Okay. And with that being ---

8 A. --- on 34.

9 Q. And -- on 34 and then would that be going in the
10 direction toward Birdsnest Road?

11 A. Yes, sir.

12 Q. Okay. And, of course, once you all saw all of
13 this did you then, I've already asked you this, but
14 did you relay this information to Lieutenant Luce and
15 Sergeant Gause?

16 A. Yes, sir.

17 Q. Okay. Thank you.

18 MR. REDMOND: I beg the Court's indulgence?

19 THE COURT: Yes, sir.

20 MR. REDMOND: That's all the questions I have at
21 this time. Please answer any questions that Mr.
22 Cannarella or Mr. Gore may have.

23 MR. CANNARELLA: No questions, Your Honor.

24 THE COURT: You may step down.

25 MR. REDMOND: The State would next call Phillip

1 Norris.

2 THE CLERK: Place your left hand on the Bible and
3 raise your right. You swear the testimony you give
4 this Court will be the truth, the whole truth, and
5 nothing but the truth so help you God?

6 MR. NORRIS: Yes, ma'am.

7 PHILLIP NORRIS, first being
8 duly sworn, testified as follows:

9 **Direct Examination by Mr. Redmond:**

10 Q. All right. Mr. Norris, I know you are soft
11 spoken so if you can lean toward the mic ---

12 A. I'll try to.

13 Q. --- and I know this is going to be tough for you
14 and I'll get into why in just a minute but....first
15 of all, tell us a little bit about yourself, sir, do
16 you live here in Darlington County?

17 A. Yes, sir.

18 Q. All right.

19 A. My whole life.

20 Q. And are you employed?

21 A. Yes, sir.

22 Q. And where are you employed?

23 A. Domtar Paper Mill.

24 Q. Domtar, okay.

25 THE COURT: I'm sorry, I couldn't hear that.

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1 A. Domtar ---

2 Q. Domtar ---

3 A. --- Paper Mill.

4 THE COURT: Say it again?

5 MR. REDMOND: Domtar, D-o-m-o-t-a-r ---

6 THE COURT: Okay.

7 MR. REDMOND: --- Paper Mill.

8 THE COURT: Okay. All right.

9 Q. And so you presently working at Domtar?

10 A. Yes, sir.

11 Q. Okay. Let's just get to why you're here. Who is
12 your best friend up until July, 2016?

13 A. Cephas.

14 Q. Cephas Cowick?

15 A. Yes, sir.

16 Q. And do you know the defendant, Katie Cowick?

17 A. Yes, sir.

18 Q. And was Cephas Cowick married to Katie Cowick at
19 that time, the defendant?

20 A. Yes, sir.

21 Q. Let me -- well -- let me just ask you as far as
22 when you say your best friend, how long had you known
23 Cephas Cowick?

24 A. Since kindergarten.

25 Q. So since you were about 5-years-old?

1 A. (Shaking of the head yes)

2 Q. Of course, like you said you knew, you knew Katie
3 Cowick through Cephas Cowick?

4 A. Yes, sir.

5 Q. All right. Let me direct your attention to July
6 of 2016, was there a birthday party in which the
7 defendant attended at your residence?

8 A. Yes, sir.

9 Q. Okay. Back at that time, who were you living
10 with back in July of 2016?

11 A. Me and Taylor ---

12 Q. Okay.

13 A. --- had our house over on Milan Street.

14 Q. And that's be Taylor Lane?

15 A. Yes, sir.

16 Q. All right. And whose birthday party was it?

17 A. It was Taylor's.

18 Q. Okay. And, excuse me, at some point that
19 evening, did you get a call from Cephas Cowick?

20 A. Yes, sir.

21 Q. Okay. And did Cephas Cowick request to come to
22 the birthday party?

23 A. Yes, sir.

24 Q. Okay. When he asked to come to the birthday
25 party what was your response?

1 A. I wanted to say I tried to put him off as long as
2 I could.

3 Q. Okay. But did he eventually end up coming to the
4 party?

5 A. Yeah, he did.

6 Q. So when he got to your house, do you remember,
7 and it's been nine years almost but, do you remember
8 about what time it was?

9 A. I'd say it was maybe 11 maybe 12 kind of getting
10 close to midnight.

11 Q. Okay. And do you remember about how long he
12 stayed?

13 A. Maybe an hour or so....maybe.

14 Q. So while he was there, of course, during that
15 hour or so while he was there, did Denise Couplin's
16 name come up?

17 A. Yes, sir.

18 Q. Okay. Now, before we get into that let me give
19 His Honor some background. You also knew Denise
20 Couplin?

21 A. Yes, sir.

22 Q. How did you know Denise Couplin?

23 A. I met her through a friend of mine who actually
24 got me into doing electrical work ---

25 Q. Okay.

1 A. --- and we had done a bunch of wiring and
2 receptacles and lights and stuff like that.

3 Q. Okay. And how did -- and so -- and so you
4 started working with Ms. Couplin from time to time at
5 her house?

6 A. Yes, sir.

7 Q. Okay. How did Cephas Cowick -- well, did Cephas
8 Cowick do any work for Ms. Couplin?

9 A. Yes, sir, he did.

10 Q. Okay. And how did he come to be, I guess, start
11 doing work for Ms. Couplin?

12 A. He went over there with me one time and then
13 later on he ended up going over there on his own, I
14 think, and he started doing, you know, odds and ends
15 for carpentry work.

16 Q. Okay.

17 A. Just whatever....

18 Q. So he starts doing work for her and -- are you
19 aware of whether the defendant would go by there as
20 well?

21 A. I'd -- I'd seen him over there working several
22 times.

23 Q. I'm talking about the defendant, Ms. Cowick,
24 Katie Cowick?

25 A. I'm sure she probably did every now and

1 then....maybe.

2 Q. Okay. All right. So that's how they knew each
3 other. Cephas did work for her. You did work for
4 her. So let's go back to July of 2016, that night
5 they're at your house, her name comes up. How did
6 her name end up coming up?

7 MR. CANNARELLA: If that -- Your Honor, I was just
8 please caution the witness about trying to repeat
9 what somebody else told him. That would be hearsay.

10 THE COURT: Yes, sir.

11 MR. CANNARELLA: I don't recognize any exception
12 under the law the way -- this to be fair ---

13 MR. REDMOND: I actually do. If -- and -- and it
14 would require a proffer if there was a jury here,
15 8033, is where this falls. And I -- Rule 8033 under
16 the Rules of Evidence.

17 THE COURT: So that's what you're going into now?

18 MR. REDMOND: Yes. Yes, sir.

19 THE COURT: Basically, a proffer?

20 MR. REDMOND: It's basically a proffer at this
21 point in time.

22 THE COURT: All right, sir.

23 Q. So with that I'll ask, how did Denise Couplin's
24 name come up?

25 A. Him and that other fellow were talking about, ah,

1 the Q fellow ---

2 Q. Mmm, hmm.

3 A. --- we're talking about that they, ah, kept
4 talking about that he was going to "hit a lick" or
5 "hit a lick" or something, kept, I guess, referencing
6 that they was gonna try to rob her.

7 Q. Okay. And as they were talking about that -- and
8 was Cephas Cowick involved in that conversation? Was
9 he actually talking about robbing Denise Couplin?

10 A. Yeah. Yes, sir.

11 Q. And what did Cephas Cowick say as it relates to
12 him wanting to rob Denise Couplin?

13 A. Saying that she had owed him some money for a job
14 that he had done for her or something along those
15 lines.

16 Q. And who was there, in the immediate area, who was
17 there while the defendant was -- well, not the
18 defendant, while Cephas Cowick was talking about
19 robbing Denise Couplin?

20 A. Well, when he first started they was just me
21 'cause he said something like right time he got out
22 the car, and I want to say we walked around the
23 house, but, um, --

24 MR. CANNARELLA: Yeah, can you say ---

25 A. --- it was probably me, Taylor ---

1 MR. CANNARELLA: I apologize for interrupting.

2 He, say his name ---

3 MR. REDMOND: Are you referring to Cephas Cowick?

4 A. Oh, yes, sir.

5 Q. Okay. All right. Go ahead.

6 A. Yeah, that was I think Cephas, and Q. I think
7 maybe Katie had already walked around, maybe. But I
8 know we ended up on the porch. It was -- we had
9 several people that had come and left that day so I
10 don't remember exactly who was present.

11 Q. But at the time he's talking about robbing, and
12 we're going to get into some more stuff, but at the
13 time when he starts talking about robbing Denise
14 Couplin, was the defendant in that area where he was
15 talking about robbing?

16 A. I'm sure she had to hear it at some point.

17 Q. Well, because at some point, does she ask you or
18 Taylor to intervene?

19 A. Oh, yes, sir.

20 Q. Okay.

21 A. Yes, sir.

22 Q. So if she asked you to intervene, I'm gonna ask
23 you again, did she hear about what he was planning to
24 do?

25 A. Well, yes, sir. Yes, sir, it makes sense.

1 Q. Because she did then ask you to intervene, but
2 I'll get into that in just a minute. I'm covering
3 the 8033 issue right now. So when he talks about
4 wanting to rob her, what else did Cephas Cowick
5 request of you?

6 A. He wanted to know if he could borrow a gun.

7 Q. Okay. And did you allow him to borrow that gun?

8 A. Definitely not.

9 Q. And so he's talking about robbing he. Talking
10 about needing a gun. Did he say anything else as it
11 relates to any intention he may have for Denise
12 Couplin?

13 A. He said if she didn't do what he asked then he
14 would kill her.

15 Q. Okay. And so the defendant, Katie, Katie
16 Cowick, did she, again with all of this background,
17 was she asking you and Taylor to intervene to talk
18 him out of doing, him being Cephas Cowick, to talk
19 him out of it?

20 A. Yes, sir.

21 Q. Okay. At some point right after that, did all
22 three of them Q, the defendant, Cephas Cowick, did
23 they all leave?

24 A. Yes, sir.

25 Q. Okay. And as far as you know did they leave

1 together?

2 A. Yes, sir. I think so.

3 Q. And I'mma ask you again, did you allow him to
4 have that gun?

5 A. No.

6 Q. Okay. But what did you do after they left as it
7 relates to
8 Denise Couplin?

9 A. Later on I'd called her.

10 Q. Okay. And did you also text her?

11 A. Yes, sir.

12 Q. Why did you try to get in touch with Denise
13 Couplin?

14 A. Just wanted to check on her.

15 Q. Were you concerned?

16 A. Yes, sir.

17 Q. Was that concern based on everything that you've
18 testified to today?

19 A. Yes, sir.

20 MR. REDMOND: Your Honor, at this point -- at this
21 point, that would conclude my questions for Mr.
22 Norris. I would say that under 8033 when you talk
23 about plan, intent, I think it clearly falls under
24 404(b) what Mr. Norris heard Cephas Cowick says and,
25 obviously, that is very relevant as it relates to Ms.

1 Cowick's role in this as the State alleges. I'm
2 actually -- I'm actually -- that would be -- that
3 would actually be all the questions I have ---

4 THE COURT: Yes, sir.

5 MR. REDMOND: --- but I'm actually -- I guess,
6 I'm asking since I've made, the objection was made,
7 I'm, I guess, looking for a ruling on the objection.

8 THE COURT: Yes, sir.

9 MR. GORE: Your Honor, if I may be heard ---

10 THE COURT: Yeah.

11 MR. GORE: -- very briefly?

12 THE COURT: Please.

13 MR. GORE: So it's our understanding that the
14 8033 evidence pertains to, just to make sure we're
15 clear on this, the 8033 evidence pertains to Cephas's
16 state of mind at the time he was making those
17 statements to ---

18 MR. REDMOND: That's correct.

19 MR. GORE: --- to the witness Mr. Norris?

20 MR. REDMOND: That is correct.

21 MR. GORE: And in that -- in that -- in that line
22 of questioning Mr. Norris said that, that the
23 defendant, Katie, had not heard all of that. So
24 with, with that being said already on direct that
25 "state of mind" that present sense "state of mind"

1 under 8033 should not be held to be relevant as
2 404(b) evidence toward our client, Ms. Baucom.

3 MR. REDMOND: Your Honor, I would actually say Mr.
4 Gore mischaracterized what the testimony was because
5 if you recall when I asked him about her intervening,
6 and I asked that question twice about her intervening
7 in the context of everything that was going on where
8 she had asked that they, they being himself, Mr.
9 Norris and Taylor Lane, that they intervene to try to
10 talk him out of it. So I would disagree with the
11 characterization and think that, and would argue that
12 it is clearly 8033 evidence in the "state of mind"
13 both as it relates to motive, as it relates to -- I
14 say both, but as it relates to motive, as it relates
15 to intent, and as it relates to planning.

16 THE COURT: Anything else, sir?

17 MR. GORE: Your Honor, we believe that
18 characterization will be further fleshed out and in
19 cross-examination.

20 THE COURT: Well, for now, I guess this is the
21 ruling, what I'm looking at and have noted in lots of
22 notes here was the question, did the defendant ask
23 you to intervene? And his answer was, yes. That was
24 from the defendant not from Cephas. So while I, at
25 this point would rule with the defendant, that

1 doesn't negate what I heard him say about what the
2 defendant said to him about intervening.

3 MR. REDMOND: Okay.

4 THE COURT: Okay.

5 MR. REDMOND: Yes. Yes, sir. I understand the
6 Court's ruling.

7 THE COURT: All right. Okay.

8 MR. REDMOND: And with that, Your Honor, that'd be
9 all the questions I have.

10 THE COURT: Yes, sir. Any cross?

11 MR. GORE: One moment, Your Honor.

12 THE COURT: Yes, sir.

13 **Cross-Examination by Mr. Cannarella:**

14 Q. So Mr. Norris, you had a private conversation
15 with Cephas?

16 A. (Shaking of the head yes)

17 Q. That's a yes?

18 A. Yes, sir.

19 Q. And actually that private conversation was
20 private because it was some distance from the ear
21 shot of other people, right?

22 A. Yes, sir.

23 Q. Okay. Now, Mr Norris, you, you're at a better
24 place in your life right now, aren't you ---

25 A. Yes, sir.

1 Q. --- than where you were back then?

2 A. Definitely.

3 Q. Right. So -- and you knew Ms. Couplin?

4 A. Yes, sir.

5 Q. And you introduced Mr. Cowick to Ms. Couplin?

6 A. You can say that.

7 Q. And y'all had a working relationship with her?

8 A. Yes, sir.

9 Q. Any other kind of dealings y'all had together
10 'cause you want to be honest now, I mean, you've
11 improved your life. But tell us about back then,
12 y'all -- she was a supplier, wasn't she?

13 A. Yes, sir.

14 Q. All right. And she was a supplier to you, Ms.
15 Coupling ---

16 A. At some point.

17 Q. Okay. At some point she was?

18 A. Yes, sir.

19 Q. And you're talking about medication, right?

20 A. Yes, sir.

21 Q. And then you were getting that illegal?

22 A. Yes, sir.

23 Q. And Cephas was getting it illegal?

24 A. Yes, sir.

25 Q. Sometimes y'all might would even trade, right?

1 A. Yes, sir.

2 Q. Okay. Living there -- you and Ms. Lane were
3 living there?

4 A. At our house on Maylan. Yes, sir.

5 Q. Is that where y'all still live now?

6 A. No, sir.

7 Q. But y'all are raising a child together though,
8 right?

9 A. Yes, sir.

10 Q. Okay. Did you know that -- do you know about any
11 civil litigation going on after this about anybody
12 suing anybody ---

13 MR. REDMOND: Your Honor, I would object on 404
14 relevance grounds.

15 MR. CANNARELLA: I'll withdraw the question.

16 THE COURT: It's sustained anyway.

17 MR. CANNARELLA: That's -- that's all. Thank you.

18 THE COURT: All right.

19 MR. CANNARELLA: I think that's all. Let me make
20 sure. Let me check with co-counsel to see. No other
21 question, Your Honor.

22 **Redirect Examination by Mr. Redmond:**

23 Q. So based on what Mr. Cannarella had asked you,
24 especially talking about Denise Couplin, however, are
25 you aware that there were two victims in this

1 incident?

2 A. Yes, sir.

3 Q. Are you aware that one of those victims was a 9-
4 year-old child?

5 A. Yes, sir.

6 Q. Okay. I assume you never bought anything from
7 her, did you?

8 A. Who?

9 Q. From the 9-year-old child?

10 A. No.

11 Q. Okay. And regardless of any that despite
12 everything Mr. Cannarella asked you, you were still
13 worried about what may happen to Ms. Couplin based on
14 what her husband had said?

15 A. Yes, sir.

16 Q. What he had said while she was at your residence
17 as well ---

18 A. Yes, sir.

19 Q. --- she being the defendant?

20 MR. REDMOND: That'd be all the questions I have.

21 MR. CANNARELLA: Nothing in response.

22 THE COURT: You may be excused. Thank you.

23 MS. BAXLEY: May it please, the Court?

24 THE COURT: Yes, ma'am.

25 MS. BAXLEY: The State now calls Taylor Norris, or

1 excuse me, Taylor Lane to the stand.

2 THE CLERK: Place your left hand on the Bible and
3 raise your right. You swear the testimony you give
4 this Court will be the truth, the whole truth, and
5 nothing but the truth so help you God?

6 MS. LANE: I do.

7 TAYLOR LANE, first being
8 duly sworn, testified as follows:

9 **Direct Examination by Ms. Baxley:**

10 Q. Would you please state your name for the record?

11 A. Taylor Lane.

12 Q. And where do you currently work?

13 A. Here. Family court child support.

14 Q. In the clerk's office?

15 A. Yes, upstairs.

16 Q. Okay. Now, I want to take you back to July,
17 2016m what was going on in the late hours on July 16th
18 into the early morning hours of July 17th?

19 A. We were having a gathering for my birthday.

20 Q. At your house?

21 A. Yes. At my house.

22 Q. And at some point that evening, did Philip ask
23 you about Cephas and the defendant coming to your
24 birthday party?

25 A. Yes.

1 Q. Okay. Do you remember about what time they got
2 there?

3 A. I want to say maybe around 12, maybe a little
4 after. It was getting late. I do know that.

5 Q. And do you recall about how long they were there
6 for?

7 A. Probably 45 minutes to an hour.

8 Q. Okay. Now, before we get into while they were
9 there, did you know the victim, Denise Couplin?

10 A. From going with Phillip to do odd and end jobs,
11 yes.

12 Q. So you went with Phillip to her house?

13 A. Sometimes, yes.

14 Q. Okay. And did you know if the defendant went to
15 the victim's house?

16 A. Yes.

17 Q. She went -- did she go with Cephas?

18 A. Yes.

19 Q. Okay. Now, did the victim want her at her house?

20 A. No.

21 Q. She didn't like ---

22 A. She did not like her.

23 Q. Are you aware of what Cephas asked Phillip for --

24 -

25 A. The gun ---

1 Q. --- when he got to the party -- what was that?

2 A. A gun.

3 Q. Okay.

4 MR. CANNARELLA: Your Honor, we've -- you know,
5 that's still based and supported on hearsay. You
6 know, anything -- that's a conclusion she's drawn and
7 said somebody -- that he -- I knew what he wanted ---

8 MS. BAXLEY: Did ---

9 MR. CANNARELLA: How did you know what he wanted
10 unless you basically ---

11 THE COURT: Hold on! Hold on! Do you want to be
12 heard on that, ma'am?

13 MR. REDMOND: Yes. I beg the Court's indulgence,
14 Your Honor?

15 THE COURT: Yes, sir.

16 MS. BAXLEY: Your Honor, since this being a new
17 witness, we doing a new proffer under 8033 for
18 hearsay. She had a different vantage point and so
19 I'd like to start that now.

20 THE COURT: All right. I'll allow it, but I've
21 already --
22 go ahead.

23 MS. BAXLEY: Okay.

24 THE COURT: Go ahead.

25 Q. During the party, at one point, were you,

1 Phillip, Cephas and the defendant talking?

2 A. Yes.

3 Q. Okay. Did you hear what Cephas said ---

4 A. Yes ---

5 Q. --- to Philip?

6 A. Yes.

7 Q. What did he say?

8 A. He asked for a gun, said he was gonna go rob

9 Blondie ---

10 Q. Blondie being?

11 A. --- aka Nisey aka Denise.

12 Q. Okay.

13 A. And she -- he asked Phillip to borrow the gun.

14 Phillip kept telling him no. Asked him why he wanted
15 to do it, and said that he was gonna rob everything
16 she had because she had tons of stuff.

17 Q. Okay. Did he say anything else about what he was
18 gonna do at the victim's house?

19 A. Said that he would kill her.

20 Q. Okay. And at this point, was the defendant
21 standing next to you guys?

22 A. Yes.

23 Q. Did she hear it?

24 A. Yes.

25 Q. Did the defendant ask you and Cephas to do

1 something?

2 A. She asked us to -- Katie asked us to speak to
3 Cephas and talk him out of what he was gonna do.

4 Q. Was this after he said what he had said in front
5 of everybody?

6 A. Yes.

7 MR. REDMOND: I beg the Court's indulgence?

8 THE COURT: Yes, sir.

9 Q. Do you remember where you guys were standing when
10 Cephas said that he was going to kill the victim?

11 A. We were standing on the back porch.

12 Q. And how -- were you all standing close together?

13 A. Yes. We were sitting at my little, there was a -
14 - we had those -- one of those outside tables, we
15 were sitting around the table.

16 Q. And was the defendant sitting at that table?

17 A. Yes.

18 Q. And so you could hear Cephas saying what he said
19 about killing the victim because you were sitting at
20 the table?

21 A. Correct.

22 Q. And the defendant was also sitting at that table
23 ---

24 A. Yes.

25 Q. --- when he said that?

T. Lane- Direct Examination by Ms. Baxley

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1 A. Yes.

2 MR. REDMOND: I beg the Court's indulgence?

3 THE COURT: Yes, sir.

4 Q. And then after, um, after the defendant and
5 Cephas left your house, did you tell Philip to warn
6 the victim?

7 A. Yes.

8 Q. Why?

9 A. I had a bad feeling.

10 Q. Okay. Were you worried ---

11 A. Yes.

12 Q. --- for the victim?

13 A. Yes.

14 Q. You were concerned about her safety?

15 A. Yes.

16 MR. REDMOND: I beg the Court's indulgence?

17 Q. How did you end up getting involved with this
18 case at the start, did you call law enforcement?

19 A. Yes.

20 Q. When did you do that?

21 A. This -- I saw it on Facebook the next day and ---

22 Q. You saw what on Facebook?

23 A. The news article about the shooting and thought
24 to myself maybe it was a coincidence, maybe not. But
25 I wanted to let them know, let the officers know what

1 I knew.

2 Q. So you called them yourself?

3 A. Correct.

4 Q. To tell them about what had happened ---

5 A. Correct.

6 Q. --- the night before?

7 A. Correct.

8 MS. BAXLEY: That'll be all the questions I have,
9 Your Honor. And that'll conclude the proffer.

10 **Cross-Examination by Mr. Gore:**

11 Q. Good morning, Ms. Lane.

12 A. Good morning.

13 Q. So Ms. Lane, you stated on direct that you called
14 the sheriff's office with, with Mr. Norris, correct?

15 A. Correct.

16 Q. All right. And then after that you went into the
17 sheriff's office, correct?

18 A. Correct.

19 Q. And you gave a video recorded statement?

20 A. Correct.

21 Q. All right. Do you recall that statement?

22 A. I watched it a couple times. Yes.

23 Q. Okay. And have you watched it recently?

24 A. Mmm, hmm.

25 Q. Okay. And in that statement -- in that

T. Lane- Cross-Examination by Mr. Gore

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1 statement, isn't it true -- well, let's back up,
2 we'll handle the statement here in a second. Kind of
3 -- I want to orient the Court to this party, okay.
4 When Cephas arrived at the party he had Q, and Ms.
5 Baucom with him, correct?

6 A. Yes.

7 Q. And when he got there, him and Mr. Norris kind of
8 went off ---

9 A. Yes.

10 Q. --- and had a private conversation?

11 A. Yes.

12 Q. And that conversation was out of your ear shot,
13 correct?

14 A. Correct.

15 Q. All right.

16 COURT REPORTER: Wait a minute! Make sure he
17 finishes the question. Sorry!

18 A. Okay.

19 MR. GORE: I apologize.

20 COURT REPORTER: Thank you. You're fine.

21 Q. And then the rest of the party, which would be
22 you and the other participants on the porch, observe
23 Mr. Norris and Cephas walking back up?

24 A. Yes.

25 Q. And they came to where you were?

1 A. Yes.

2 Q. So you have no personal knowledge of the
3 conversation that occurred between Mr. Norris and
4 Cephas, correct?

5 A. Not at that time. But when they walked up they
6 were still talking about it ---

7 Q. Okay. I -- we'll get -- we'll get there.

8 A. Okay.

9 Q. But you were not present ---

10 A. No.

11 Q. --- or within earshot of the conversation ---

12 A. Not of that conversation, no.

13 Q. Okay. Okay. Thank you. Did Mr. Norris proceed
14 to tell you about it at some point after Cephas and
15 Ms. Baucom left?

16 A. Yes ---

17 Q. He did ---

18 A. --- but prior to that Cephas was still talking
19 about it ---

20 Q. Okay.

21 MR. REDMOND: She's ---

22 Q. We will get -- we will get there.

23 A. Okay. I'm talking about the private conversation
24 -- I'll clear that up. So just want to make clear
25 for the Court, there was a conversation but -- and

T. Lane- Cross-Examination by Mr. Gore

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1 let me ask you another way, there was a conversation
2 between Phillip Norris and Cephas Cowick at the party
3 that you were not present for ---

4 A. Yes ---

5 Q. --- correct?

6 A. Correct.

7 Q. Then after that conversation was presumably over,
8 Mr. Cowick and Mr. Norris came walking back up to
9 where the group of people were gathering?

10 A. Correct.

11 Q. Okay. Now, when they were walking up is when you
12 heard Mr. Cowick say something about the rob, going
13 to rob and kill Ms. ---

14 A. Yes.

15 Q. --- Ms. Couplin?

16 A. Correct.

17 Q. Okay. And at that point, I'm going to jump into
18 your interview here, when you told that portion the
19 day after in July of 2016, you told, you told the
20 investigating officers, we all said Cephas just
21 "know." Do you recall saying that?

22 A. Yes.

23 Q. You do recall saying that?

24 A. Yes.

25 Q. Okay. So when you say we all said "know" that

1 means that you were referring to everybody at that
2 gathering, correct?

3 A. I assume. I mean, that was nine years ago. I'm
4 not sure.

5 Q. Okay. So -- so -- let's -- it is -- it was nine
6 years ago ---

7 A. Mmm, hmm.

8 Q. So you were there?

9 A. Correct.

10 Q. You said Q was there?

11 A. Yes.

12 Q. You also said Katie was there?

13 A. Yes.

14 Q. And so -- so nine years ago when you made that
15 statement to the sheriff's office, when you said "all
16 said know", you're referring to everybody within
17 earshot, correct?

18 A. Yes.

19 Q. Then later on in that conversation with everybody
20 involved Katie told or, excuse me, Ms. Baucom asked
21 you and Phillip to talk him out of it. "Please!
22 Please! Talk him out of it." Correct?

23 A. Correct.

24 Q. And in reference to that, you told the sheriff's
25 office Katie did not want him to do it?

T. Lane- Redirect Examination by Ms. Baxley

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1 A. No.

2 Q. You did not say that?

3 A. No. I said she did not want him to do it.

4 Q. Oh, okay, correct. Okay.

5 MR. GORE: I beg the Court's indulgence?

6 THE COURT: Yes, sir.

7 MR. GORE: No further questions, Your Honor.

8 MR. REDMOND: I beg the Court's indulgence?

9 THE COURT: Yes, sir.

10 **Redirect Examination by Ms. Baxley:**

11 Q. Going back to what Mr. Gore highlighted, when
12 you, in your statement said, we all said "know",
13 Katie also said "know", the defendant also said
14 "know" at that point?

15 A. Yes.

16 Q. And as far as your knowledge this conversation
17 happened several hours before the victim's murder?

18 A. Correct.

19 MS. BAXLEY: No further questions, Your Honor.

20 THE COURT: Yes, sir?

21 MR. GORE: No re -- no re-cross that, Your Honor.

22 THE COURT: All right. Thank you, ma'am.

23 MR. REDMOND: And, Your Honor, if I may just, and
24 I ask the Court's indulgence as a habit of juries and
25 I know we don't have a jury here, I think we've come

1 to the conclusion of the State's case.

2 THE COURT: Yes, sir.

3 MR. REDMOND: However, I just like to make sure
4 I've got all the exhibits in that I have intended on
5 getting in. So if I can have maybe three to five
6 minutes to just look over my list and make sure we've
7 got everything in and then we can formally rest.

8 THE COURT: Okay.

9 (Whereupon, the Court takes a short break)

10 MR. REDMOND: May it please, the Court, Your
11 Honor.

12 THE COURT: Yes, sir.

13 MR. REDMOND: With that, at this time, the State
14 respectfully rest it's case.

15 THE COURT: All right. Again, I almost told the
16 jury to leave the room, but.....I don't need to do
17 that. I assume we have some motions, are you ready
18 now? Or do you wish to....

19 MR. GORE: I'm sorry, Your Honor.

20 THE COURT: Did you wish to offer any motions?

21 **Directed Verdict Motion**

22 MR. GORE: Yes, Your Honor. We would offer a
23 motion to directed verdict.

24 THE COURT: Yes, sir.

25 MR. GORE: Based on, give me one second, Your

1 Honor, on indictment -- on indictment 2016-GS-16-1447
2 which is the burglary first charge. And the State
3 has not put forth any evidence that shows that Ms.
4 Baucom entered the dwelling with, armed with a pistol
5 as charged in the indictment.

6 THE COURT: Okay. The State?

7 MR. REDMOND: Your Honor, as the Court knows from
8 the statute I think that's 16-11-311, actually, in
9 the statement it says "or participant". "If any
10 participant is armed at any point during the, during
11 that encounter then...." So the statute, itself,
12 covers that particular objection because it says the
13 "principal or a participant." Obviously,
14 anticipating you gonna have more than one person
15 involved in a burglary. Any one of those people is
16 armed, everybody is, is subject under 16-11-311 for
17 burglary first-degree.

18 THE COURT: Yes, sir.

19 MR. REDMOND: So we respectfully ask that motion
20 -- and the State would say that, just for the record,
21 that in light most favorable State, the State had,
22 has introduced evidence to that effect including her
23 own statement.

24 THE COURT: Yes, sir.

25 MR. GORE: You -- may I respond to that, Your

1 Honor?

2 THE COURT: Yes, sir.

3 MR. GORE: In respect to the State's position in
4 that, however, in the indictment it reads "that
5 Katherine Baucom-Cowick, did in Darlington County, on
6 or about July 17, 2016 along with co-defendant enter
7 the depth dwelling of Denise Couplin located at [REDACTED],
8 [REDACTED], Hartville, South Carolina
9 without consent with the intent to commit a crime
10 therein, and the defendant did so while armed with
11 pistol." So a fair and plain reading of the
12 indictment as charged delineates that Ms. Cowick, or
13 excuse me, Ms. Baucom, is the one being charged with
14 going into the dwelling with the pistol. There is no
15 evidence before this Court on that matter.

16 MR. REDMOND: And ---

17 THE COURT: Again, sir?

18 MR. REDMOND: Real quick, Your Honor. I'd just
19 say to the defense, of course, they're aware that the
20 indictment of South Carolina is a notice document.
21 And clearly with every, all the evidence they've
22 heard here today the fact that "under hand of one,
23 hand of all" again, we clearly have met the standard
24 under the statute on that burglary first charge. So
25 again, when we look at the statute itself when you

1 put that with the indictment, the State has met its
2 burden in the light most favorable to the State, and
3 we'd ask that motion be denied.

4 THE COURT: All right. And I, with much respect
5 deny the motion, sir.

6 MR. GORE: Yes, Your Honor.

7 THE COURT: Anything else? Now, to all we are at
8 the one hour and five minute mark, maybe ten minute
9 mark, since we've been back in here let us take a
10 break approximately, fifteen minutes or so. There's
11 no live witnesses now so....I'll see you shortly.

12 MR. REDMOND: Thank you, Your Honor.

13 (Whereupon, the Court takes a short recess)

14 MR. REDMOND: Your Honor, may we approach?

15 THE COURT: Yes, sir.

16 (Whereupon, a bench conference was held off the
17 record)

18 THE COURT: All right. Sir, whenever you wish to
19 offer your further ---

20 MR. GORE: Thank you, Your Honor.

21 THE COURT: --- motions.

22 MR. GORE: The defendants would like to renew
23 their motion for a directed verdict to include all
24 four indictments ---

25 THE COURT: Yes, sir.

1 MR. GORE: --- not just the burglary indictment
2 which would be -- so that would be indictment 2016-
3 GS-16-1447 which we recognize the Court has already
4 on. And also 2024-GS-16-2093; 2094; and, 2095.

5 THE COURT: All right, sir? Anything further?

6 MR. GORE: No -- no, Your Honor.

7 MR. REDMOND: And briefly, Your Honor, we were
8 saying the light most favorable to the State, the
9 State has offered evidence that would, that would
10 second - I was about to say jury - enough for the
11 finder fact in this case too. Once all of the
12 evidence is considered -- that we have presented
13 enough evidence to a finder fact could find her
14 guilty of accessory before the fact of murder on two
15 counts of that, and armed robbery. And again, I
16 would just refer to the whole record including the
17 defendant's own statement.

18 THE COURT: Yes, sir. I think we all are familiar
19 with the litmus test at this stage being existence
20 versus weight.

21 MR. REDMOND: Yes.

22 MR. GORE: Yes.

23 THE COURT: So we we have it there. So
24 respectfully deny it, sir,

25 MR. GORE: Thank you.

1 MR. REDMOND: Thank you, Your Honor.

2 THE COURT: And I understand now that we will be
3 down until approximately two o'clock, is that right?

4 MR. REDMOND: That is correct. That's my
5 understanding. And the State had no problem with
6 that.

7 MR. GORE: Yes, Your Honor.

8 THE COURT: All right. So we will come back here
9 in almost three hours, right?

10 MR. REDMOND: That's correct, Your Honor.

11 MR. GORE: Thank you, Your Honor.

12 MR. REDMOND: Thank you, Your Honor.

13 (Whereupon, the Court recesses for lunch at 11:00 am)

14 (Whereupon the Court is back on the record at 2:36
15 pm)

16 THE COURT: Whenever you're ready.

17 MR. CANNARELLA: Yes, sir. If it please, the
18 Court, Your Honor, our next witness is Dr. Susan
19 Knight. She's -- can you come around and get sworn,
20 Dr. Knight, please.

21 THE CLERK: Place your left hand on the Bible and
22 raise your right. You swear the testimony you give
23 this Court will be the truth, the whole truth, and
24 nothing but the truth so help you God?

25 DR. KNIGHT: I do.

1 MR. CANNARELLA: Your Honor, we've admitted Dr.
2 Knight's report and it's Defendant's Exhibit Number
3 1.

4 THE COURT: Yes, sir.

5 MR. REDMOND: Without objection and the
6 redactions, Your Honor.

7 THE COURT: Without objection. All right. Thank
8 y'all.

9 (Whereupon, the Psychological Report - Dr. Knight has
10 been marked and entered into evidence as Defendant's
11 Exhibit No. 1)

12 MR. CANNARELLA: And also the State has admitted
13 that Dr. Knight is qualified as a Clinical Forensic
14 Psychologist to testify in this case.

15 THE COURT: Correct, sir?

16 MR. REDMOND: That is correct. I'm familiar with
17 Dr. Knight so....yes, that is correct.

18 THE COURT: Thank you.

19 DR. SUSAN KNIGHT, first being
20 duly sworn, testified as follows:

21 **Direct Examination by Mr. Cannarella:**

22 Q. Dr. Knight, obviously, your occupation is a
23 Clinical Forensic Psychologist, right?

24 A. Yes.

25 Q. Okay. Tell me this, you're here to give your

S. Knight- Direct Examination by Mr. Cannarella

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1 opinion of your conclusions, expert conclusions about
2 on Katie's addiction, right?

3 A. Yes. Her dependency on substances. Yes.

4 Q. Right. Okay. So -- and in being able to do
5 that, you've been qualified by admission from the
6 State and myself, of course, and accepted by the
7 Court. Now, how long have you been a clinical
8 psychologist?

9 A. I started practicing around 2003.

10 Q. Okay. You have a sub-specialty, if you might
11 call it, and that's in forensic psychology. Is that
12 the correct way to describe it?

13 A. Yes.

14 Q. Okay. And you're -- you have your own private
15 practice?

16 A. I do.

17 Q. Right. And you also teach?

18 A. Yes.

19 Q. Now -- and you're teaching in Cornell, at
20 Cornell?

21 A. Cornell Law School, yes.

22 Q. Right. Cornell Law School. And you and you
23 teach that along with John Blume is that -- is that
24 his name up there? Don't you do that with him,
25 jointly?

1 A. Yes.

2 Q. Okay. And you also teach at the School in
3 Charleston, right?

4 A. That's right. The law school.

5 Q. Okay. And how many times have you been qualified
6 as an expert, would you estimate?

7 A. Oh, goodness, just to estimate maybe 30 or so.

8 Q. Okay. You -- but you became Board Certified in
9 Psychology in 2009, right?

10 A. In forensic psychology.

11 Q. I mean. forensic psychologist, right....okay.
12 What do you have to do to become board certified?

13 A. Board Certification takes about a year to
14 complete so I had to submit work samples for a panel
15 of expert forensic psychologist to review. That's
16 typically a forensic report. I had to sit for an
17 oral examination. And then I had to complete a
18 written examination, and that takes about a year to
19 complete those steps.

20 Q. Right. And I understand these questions are
21 somewhat overlapping if you will in so far as it
22 being admitted, you are an expert, but how many --
23 what are the different types of forensic evaluations?

24 A. Yes. There are civil and criminal so I practice
25 in criminal forensic evaluations looking at things

1 like competencies, competency to stand trial,
2 competency to be executed. And then mental state at
3 the time of the offense type of evaluations. Looking
4 at somebody's mental health or functioning at the
5 time of the charged conduct.

6 Q. And that's what's important in this case that
7 we're gonna focus on, right?

8 A. Yes.

9 Q. Okay. And in these evaluations and what we're
10 talking about here this involves substance abuse,
11 right?

12 A. Yes.

13 Q. So -- and in gathering the information to reach,
14 reach your conclusion and your diagnoses, if you
15 will, your opinion, your expert opinions, what do you
16 go through to do that to be able to be here today to
17 be giving your expert opinion about her, Katie's,
18 mental health at the time, especially?

19 A. So in this case, as in most cases, I conducted a
20 series of clinical interviews. I conducted a series
21 of collateral interviews of both family and non-
22 family members that have known Ms. Baucom over her,
23 the course of her life. I have interviewed prior
24 treatment professionals. I have reviewed quite a
25 number of records in this case, both discovery and

1 mental health substance use treatment records, those
2 types of records. And then I've consulted with
3 individuals in the case.

4 Q. Okay. And really that's, that's, if you will,
5 the methodology that you choose to follow, right, in
6 so far as gathering the information is concerned.
7 And then you try to gather it all from reports and
8 from family members and people that know her, and
9 then you do what you call a clinical interviews with,
10 that's with Katie, herself, right?

11 A. That's right.

12 Q. So that's when you sit down and you talk about
13 her problems, basically, with her. What -- how would
14 you describe what that entails?

15 A. Well, there's a couple pieces to that. It
16 depends on the referral issue. So for Ms. Baucom I
17 was asked to look at her history of substance use and
18 the impact on her life. So I reviewed her life
19 through those lens. And then looked at any, if any
20 diagnoses, um, if she met criteria for any disorders
21 or diagnoses. And in that I'm looking at, again, her
22 history of substance use, but also any history of
23 mental illness, mental disorder treatment. And then
24 I'm engaging with her as far as behavioral
25 observations, clinical observations.

1 Q. Okay. And in your report that's in evidence, you
2 talk about reviewing life periods?

3 A. Yes.

4 Q. Right. And -- and -- so up to this point in time
5 in so far as your testimony is concerned, you've been
6 involved in the case from the beginning, right? And
7 over a period of time, just to make sure I understand
8 it, over a period of time you gather written
9 information and you talk to people and you talk to
10 her and you kind of begin to focus and break down
11 your report in so far as life periods are concerned,
12 right?

13 A. Correct. And as far as the time period in this
14 case my evaluation extended from 2017 to 2024. So I
15 had quite a number of years in which to evaluate Ms.
16 Baucom in her functioning.

17 Q. Okay. So the first life period you begin with
18 is what, at what age?

19 A. So the first period in her life, again, looking
20 at her life through a substance use lens is birth to
21 age 13, and that is the period where there were no
22 drugs and alcohol involved in her life.

23 Q. Okay. When we start -- so the -- I guess, the
24 most significant time that we need to talk about
25 would be in this case at age 13 to begin with. Is

1 that a fair question that in so far as breaking down
2 the life periods are concerned?

3 A. Well, I think --

4 Q. How do you -- I'm sorry. How do you determine
5 what life, where a life period starts and where a
6 life period ends?

7 A. In her case it revolved around drugs so there
8 were no drugs from birth to age 13. So that's
9 significant. How was she functioning at that age
10 without any substances in her life? And then drugs
11 and alcohol are introduced at age 13. And then that
12 becomes significant, how did that change her life?

13 Q. Okay. So you -- so you -- in your report makes,
14 ah, it describes what your findings are during that
15 particular period of time, right?

16 A. Yes.

17 Q. Okay. Can you tell us what those were? What --
18 what's the important things that you, that you
19 recognized for the Court starting at age 13 in so far
20 as the substance abuse is concerned, obviously?

21 A. So at age 13 she began alcohol use and this was
22 just with some female peers sneaking out of the house
23 to drink alcohol but, and a lot of adolescents do
24 this, but with Ms. Baucom it escalated into her high
25 school years. By age 16, 17 she was becoming

1 intoxicated very frequently. She was drinking to
2 intoxication every weekend. She was drinking some at
3 school. She was drinking while impaired having car
4 accidents. Her parents would find empty alcohol
5 bottles in the car. They had to call authorities one
6 time because she was too belligerent in their house.
7 And so where alcohol use which started at age 13
8 escalated to a place that was problematic during her
9 teenage years.

10 Q. And so -- did this -- in your report I recognize
11 that you talk about how this changed the course or
12 path of her life, is it ---

13 A. Well, that was just one substance. So during
14 those teenage years, age 13 to 18, she not only used
15 alcohol but became involved with marijuana very
16 heavily, also opioids and Xanax, began abusing those
17 very heavily. And so that, that was the cocktail of
18 drugs that were present from age 13 to 18. The
19 alcohol, the marijuana, the opioids, and the Xanax.

20 Q. Okay. Is this -- is this an appropriate place
21 now in explaining everything to the Court for us to
22 go to age 18? Or is there any other information that
23 would be important for us to know between at the age
24 of 13 up to 18? Is any more information you need to
25 add to that period of time?

1 A. Well, I think it's important to note that it
2 changed her functioning completely. So before age
3 13, she had been a Girl Scout for many years. She
4 was in church every Sunday, every Wednesday night.
5 Went to Bible camp. She was in gifted and talented
6 classes. She was in honors classes. She was on a
7 college track. She was on her school's golf team.
8 She played softball for the Rec. Center. She was
9 engaged in many pro social activities. Once drugs
10 and alcohol became involved in her teenage years all
11 of that stopped. She discontinued her honors
12 classes. She could no longer keep up. She
13 discontinued sports. She dropped out of Girl Scouts.
14 She began skipping school. She barely graduated.
15 And she was on a college path and that was derailed
16 by the substance use.

17 Q. Yeah. When -- when you look at that and compare
18 her to the family unit because you talk to her mom,
19 her daddy, her brother, and her sister, right?

20 A. Her mother, her father, and her sister, yes.

21 Q. Okay. So does that -- in doing that, does that
22 help you get a general idea of how that family unit
23 functions, if you will, to try to explain why Katie
24 digresses the way she did if she was on a straight
25 path, she start getting on a crooked path after that,

1 I mean, well, an awkward path?

2 A. So she did not come from a family that used
3 substances. She did not grow up in a household where
4 there was alcohol and drugs around. In her life,
5 when we look at it, it's primarily negative peers.
6 When she was 13, 14 she was obtaining these
7 substances from her peers and then became dependent
8 on them at an early age.

9 Q. How about -- how about 18, can we go to 18 right
10 now?

11 A. Sure.

12 Q. Eighteen, and that's 18 to 23, right?

13 A. Right. Her next life period is young adulthood
14 so that's age 18 to 23 is how I divided that up.

15 Q. Okay. And -- now, have you spoken fairly enough,
16 if you will, about what was going on between 18 to
17 23? Do you need to explain some more of that to us
18 for us to get a clear understanding about what --
19 what would -- the drugs, I guess, I'm getting at is
20 what she resorted to more heavily or or was she still
21 continued on the same path, right?

22 A. Right. Age 18 she does graduate high school.
23 But then she leaves her parents home. She loses all
24 structure. And she quickly becomes pregnant at age
25 18. She is still using drugs, primarily marijuana

1 and Xanax during this time, opioids as well. And
2 quickly DSS gets involved in her life. She's testing
3 positive for these drugs. She's in a violent
4 relationship. And, eventually, she loses custody of
5 her daughter to her parents.

6 At the same time, she's starting to accrue substance
7 related charges. So open containers, DUIs. She's
8 now shoplifting to try to obtain money for drugs.
9 She's quasi homeless at this time. She's in a very
10 violent relationship at this time. And after she
11 loses her daughter she becomes more desperate with
12 her drug use and she does start prostitution for
13 drugs around age 19 or 20.

14 Q. And that really continues up to the point in time
15 of why we're here today?

16 A. Just about. It continued for about five years.

17 Q. You know, during that period of time you reviewed
18 some medical records of hers that indicated like she
19 had presented to the emergency room for treatment and
20 what was that -- do you recall what that was about?

21 A. Yes. So during this time from 18 to 23 she
22 showed up to Carolina Pines Emergency Room multiple
23 times. One time she had been bitten during an
24 altercation where both parties were using drugs.
25 Another time she had her nose broken and a brain

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1 injury from being intoxicated and somebody assaulting
2 her. She would show up dehydrated and very ill with
3 UTIs or GI symptoms and she would test positive for
4 multiple types of substances every time she came to
5 the emergency room, methamphetamine, opioids
6 benzodiazepines, cocaine. So the drugs were
7 obviously affecting her physical health at that time.

8 Q. Okay. So can we go to ages 23 to 25 now? Have
9 you covered everything in the prior periods the 23 to
10 25, if we focus on that 'cause that's a lot closer in
11 time, right ---

12 A. Sure.

13 Q. --- to the event -- okay. And that final period
14 included substance, substance use, right?

15 A. Correct. Yes.

16 Q. Okay. And how about when we start with when she
17 met Mr. Cowick, can we go to that point in time, in
18 so far as your report is concerned and explaining
19 what, how they got together and what their
20 relationship was like?

21 A. So they met in January of 2015. They met at
22 their mutual drug dealers home. She was there to
23 purchase benzodiazepines and opioids. She had fallen
24 asleep on the couch and he came in to purchase pills
25 for himself. They met and she left with him and they

1 started this relationship that just was completely,
2 completely revolved around drug use.

3 Q. So -- so -- and that -- they had a child together
4 ---

5 A. Yes.

6 Q. --- right -- but before that child was born, she
7 had a daughter?

8 A. Correct.

9 Q. And that daughter was from another person, right?

10 A. Yes.

11 Q. Do you recall how old she was when she had him?

12 A. Her daughter or her son?

13 Q. The first one. The first child.

14 A. Yeah, age 18.

15 Q. Okay. Now, if we go back to -- how -- what --
16 when she was married and had her second, pregnant
17 with her second child which was around in 2015 or
18 thereabouts, did she use substances? Did she use
19 drugs while she was pregnant?

20 A. She used drugs daily while she was pregnant,
21 particularly opioids. By that time Ms. Baucom was
22 severely dependent on opioids so that if she did not
23 use them she would withdraw. So she had a
24 physiological tolerance by then. The withdrawals are
25 very painful and she didn't think that she could do

1 that during her pregnancy. She -- she just -- I
2 believe she said she was too addicted to quit at that
3 point. So when her son was born he was born
4 dependent on or he tested positive for opioids and
5 Xanax.

6 Q. So -- and by that time, the first child, she
7 didn't have -- I think she had lost custody of her
8 child, her first child, by that time. By the time
9 she had the -- the second child was born -- her first
10 child was not living with her, but her parents had
11 custody?

12 A. That's right.

13 Q. Is that right -- okay. And so you testified that
14 when her son was born he was dependent too, right?

15 A. That's right. He had to be weaned off of those
16 substances.

17 Q. She eventually -- she didn't have -- she didn't
18 have custody of that child or maybe that hadn't been
19 decided, but she was still struggling with a lot with
20 everything when this event occurred and, and her son
21 was not with her then I don't think, was he? The
22 child, the second child, the son was born, but she
23 didn't really have a real mother relationship, if you
24 will, because of, because of her her drug uses and
25 her alcohol uses, right? Somebody else was caring

1 for that child?

2 A. Right. So DSS took that child when he was born -
3 the day he was born because he tested positive. And
4 so that's her son and her son was placed with Mr.
5 Cowick's mother who obtained custody.

6 Q. Well, did she receive any treatment? Did she
7 have to receive treatment around that time?

8 A. Once DSS got re-involved in her life she was
9 mandated to attend treatment at Rubicon which is a
10 substance treatment facility or program and she went
11 through an evaluation with them in about, I think, in
12 March of 2016.

13 Q. Okay. In so far as -- well -- when it -- when it
14 comes down to whatever she was supposed to do for
15 DSS, right, do you -- in the records that you
16 reviewed, did she do what DSS mandated her to do to
17 be able to get a child or either children in her,
18 back in her home or ---

19 A. She ---

20 Q. --- in her life?

21 A. She attended the evaluation but she was unable to
22 stop using. So she continued to test positive for
23 substances throughout the time that DSS was involved
24 in her life. This is the spring of 2016, summer of
25 2016.

1 Q. Right. And I believe in your report you describe
2 it like she was maybe had an appointment somewhere
3 but she showed up and passed out and was drooling and
4 everything else out of control, basically, from the,
5 from being inebriated from whatever substance she was
6 abusing at the time, right?

7 A. Right. Shortly after that Rubicon evaluation,
8 her mother-in-law observed her in a, what was
9 described in the records as a semi conscious state.
10 She was drooling. She didn't recognize people around
11 her. She -- her eyes were very red and bloodshot.
12 She was having trouble standing. They took her to
13 the emergency room and she tested positive for
14 benzodiazepines which she had purchased off of the
15 street so it was probably mixed with other
16 things.

17 Q. So how about -- how about on Pee Dee Mental
18 Health, didn't she -- did she attend Pee Dee Mental
19 Health which is the local mental health facility?

20 A. She did. So six days before this incident
21 happened on July 11, 2016 she attended Pee Dee Mental
22 Health at the request of DSS.

23 Q. And we've talked about -- right -- honestly, at
24 the time of this event she had lost custody of both,
25 of both children?

1 A. She had lost custody of both children by this
2 time. The mental health appointment that was six
3 days prior gives us a window into her mental state at
4 the time. She was described as very depressed.
5 Hopeless. Worth, feeling very worthless. She had
6 lots of thoughts of dying. She was picking at her
7 skin until it bled. She was very distressed
8 according to those records. And then also on that
9 date July 11th she had testing done at Rubicon and she
10 did test positive for opioids and Xanax on July 11th
11 which was six days prior.

12 Q. Okay. That's just -- yeah. That's just six days
13 prior. So I believe your report indicates that she
14 was using more than 60 milligrams of opioids daily?

15 A. At least 60 milligrams. But it was more, I mean,
16 likely more ---

17 Q. At least ---

18 A. --- right, with Xanax. And she had also been
19 using cocaine during this time.

20 Q. I believe your report says that they got a bag of
21 cocaine and binged on it?

22 A. Yes. She described that Mr. Cowick brought home
23 a "a bag of cocaine" and he had been using
24 intravenously and she had never done that before.
25 And so her account to me was that he taught her how

1 to use intravenous drugs. And so she started
2 shooting cocaine. She started -- and he was already
3 doing that when they met so that became part of her
4 substance use.

5 Q. And, basically, that -- all of that information
6 you just testified to allows you to reach some sort
7 of opinion at that time at least regarding her
8 mental, mental state when, when this happened? When
9 -- why we're here for, for, for -- why we're here
10 because of her mental state at that time, right? So
11 what, what are you -- in your professional opinion,
12 how do you describe her mental state at this point in
13 time as to why we're here, that July 16th, 17th, and
14 18th of 2016?

15 A. In addition to this chronic years long since age
16 13 use of substances, she described using opioids
17 daily, using Xanax daily. Several days prior she
18 started using large amounts of cocaine in addition to
19 the opioids and the Xanax. This was going on, on
20 July 16th into July 17th early morning hours. We know
21 that someone witnessed her snort a pill at that time
22 which I believe was Xanax during those hours. She
23 was actively using large amounts of psychoactive
24 substances during this time.

25 Q. So -- well, obviously you can't think too clearly

1 under those circumstances, can you? She's not
2 thinking clearly?

3 A. Correct. That is going to diminish her ability
4 to think through situations, to react to situations.
5 It's impacting her reality testing at the time. It's
6 impairing her judgment and her reasoning. She's not
7 functioning as a sober person.

8 Q. Not making rational decisions?

9 A. Correct.

10 Q. Okay. So if we -- so you're here to give your --
11 did you take all this information from all these,
12 from records and people and Katie, herself, and reach
13 some sort of conclusion regarding, of your diagnoses
14 of her as a Clinical Psychological Expert?

15 A. Yes.

16 Q. So -- so what did you conclude her disorders to
17 be?

18 A. Ms. Baucom meets criteria for opioid use disorder
19 severe. For anxiolytic use disorder severe and
20 that's a term that we would use for Xanax. For
21 cocaine use disorder severe. And then alcohol use
22 disorder and cannabis use disorder both moderate and
23 severity. And then all five of those diagnoses are
24 rendered with the specifier in full sustained
25 remission. And at -- yeah, in full sustained

1 remission with the severity differing between those
2 disorders, but they're all in remission.

3 Q. Now?

4 A. Yes.

5 Q. Okay. So what you -- you gather that information
6 and you look at the manual and, and, and reach your
7 expert opinion about how severe these dis -- I'mma
8 call them -- am I using the right word when I say
9 disorder?

10 A. Yes.

11 Q. Okay. And -- and then your opinion is what you
12 just described, can't make rational decisions, Right?

13 A. Correct.

14 Q. And all of that -- all of that impacts what her
15 mental state would have been like at this time, at
16 that time in question? When I say this time I'm
17 talking about why we're here, right?

18 A. Yes.

19 Q. So she's suffering from all those disorders?

20 A. Yes.

21 Q. And they're binging for like three days?

22 A. Yes.

23 Q. Right -- and it's important that you're, that the
24 person you evaluating provide you with honest
25 opinions about herself and you take all of that and

1 you reach those conclusions. In your years of
2 practicing, I guess, you found a lot of people that
3 have been severe, substance severe, have these severe
4 disorders from using and abusing drugs. How would --
5 on a scale, I guess, how would you compare her? That
6 sounds so awful. I mean, what you've testified to
7 her life was like.

8 Q. Her life revolved around substances. At this
9 point in time, she was using drugs not to withdraw
10 from drugs. She was no longer using them to get high
11 or feel good, in a sense. She's using opioids.
12 She's using benzodiazepine so as not to go through
13 painful withdrawals. And that is how we characterize
14 the severity of the illness because her body is now
15 physiologically dependent on these substances.

16 Q. And -- but now she's in full remission?

17 A. She is now in full sustained remission, yes.

18 Q. And that's -- then that took, what?

19 MR. REDMOND: Your Honor, I'm going to object to
20 this line of questioning because the issue here is
21 what occurred at the time. So everything up until
22 now I didn't have a problem. But now I think we're
23 starting to stray into territory. Under 403 that is
24 not relevant to this trial.

25 MR. CANNARELLA: Okay.

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1 THE COURT: Mr. Cannarella, I -- I sustain ---

2 MR. CANNARELLA: That's -- that's fine. I will --
3 and I withdraw the question. Dr. Knight, thank you.
4 And please answer any questions Kernard has, okay?

5 A. Sure.

6 MR. REDMOND: Thank you, Your Honor.

7 THE COURT: All right, sir?

8 MR. REDMOND: May it please, the Court?

9 THE COURT: Yes, sir.

10 **Cross-Examination by Mr. Redmond:**

11 Q. I don't have many questions. I do want to ask
12 you about a term, I guess, you talk, you teach at
13 Cornell and at the Charleston School of Law so I'm
14 assuming this term is not foreign to you and that is
15 voluntary intoxication ---

16 A. Yes.

17 Q. --- are you familiar with that term -- and, of
18 course, that term, isn't it true, indicates that a
19 person from a legal standpoint involved in a crime is
20 still as responsible as if they were sober?

21 A. Yes.

22 Q. Okay. To be fair enough. Just want to put some
23 context into that. Now -- and again, I won't be long
24 at all. As it relates to the comment you made
25 concerning her lack of ability because of the drugs

1 to use proper judgment and whatnot, did you have the
2 chance to view her video statement that she gave to
3 the sheriff's office?

4 A. Yes.

5 Q. Okay. And do you recall in that video statement
6 she actually admits to being at a party where she was
7 asking people to talk Cephas out of robbing Denise
8 Couplin?

9 A. Yes.

10 Q. Okay. So she was aware and was actually trying
11 to stop something -- and again, I asked that question
12 based on the issue about judgment. And then I'm
13 going to refer to your report, specifically on Page
14 16 at the bottom, when they were talking about living
15 paycheck to paycheck. I think she said, she said
16 that they were living paycheck to paycheck. They
17 were behind on rent payments. They were using pills
18 daily depending on how much money they had. And
19 that's the next point I'm getting into, and, of
20 course, you know, working with the law schools and us
21 being honest and I'm not trying to trick you, but
22 based on, I guess, our experience working with the
23 law and in this field, isn't it true that everything
24 I've just described right there it's not unusual for
25 that to be a motive for robbery? In other words, I'm

1 behind on my rent. I need money for drugs. Things
2 of that nature. Haven't we seen plenty of robberies
3 actually occur because of a person's need for those
4 things?

5 A. Sure.

6 Q. Okay. Now, moving on to Page 17, isn't it true
7 that, of course and it's in your report where it
8 indicates that she actually was trying to, you know,
9 she thought it was a bad idea - she was trying to,
10 you know, talk him out of doing it even up to the
11 point that they were supposedly going. Again, going
12 to the issue of her judgment. So even while they
13 were going to the location, of course, the scene of
14 the crime in Hartsville, she was, according to what
15 she told you, trying to talk him out of it. So
16 again, that goes to judgment, correct?

17 A. Sure.

18 Q. All right. Now, this is the interesting part,
19 despite all of that. Despite her believing it was a
20 dumb idea. She didn't think he'd really go through
21 it. Isn't it true in your report it says that "I
22 went everything with him with -- I went everywhere
23 with him. I didn't like being away from him." Isn't
24 that what she told you?

25 A. That's what she told me. Yes.

1 Q. So despite all of these things that it relates to
2 judgment, she was aware that what was taking place
3 was wrong but because of, I guess, whatever it was
4 and she expressed to you feelings towards Cephas
5 Cowick, she wanted to be with him. She needed to be
6 with him?

7 A. I think the judgment there, you know, Ms. Baucom
8 told me if she had been thinking clearly she might
9 have taken his keys or she may have called his
10 mother. Something to prevent him from leaving the
11 house, right. And so I think that's where she would
12 have used better judgment if she was sober.

13 Q. But she -- but she didn't do that, though.

14 A. Right.

15 Q. We're talking about what she would have done.
16 We're here because of what was done. And, in fact,
17 she did not do that, didn't she? She did not take
18 the keys and whatnot, she went right along with him?

19 A. Right. And I think that's where the substances
20 come in influencing her decision to do so rather than
21 take the keys or call his mother.

22 Q. But again -- and all of that is against the
23 backdrop of the fact that as a principle of law we've
24 got voluntary intoxication?

25 A. Sure.

1 MR. REDMOND: That'd be all the questions I have.

2 THE COURT: Mr. Cannarella?

3 MR. CANNARELLA: No, Your Honor.

4 THE COURT: Sir?

5 MR. CANNARELLA: Nothing -- nothing in reply.

6 THE COURT: Okay. All right. Thank you, ma'am.

7 DR. KNIGHT: Thank you, Your Honor.

8 THE COURT: May she be excused or....

9 MR. REDMOND: Oh, without objection, Your Honor.

10 THE COURT: Okay. All right.

11 MR. GORE: Your Honor, we would ask for a brief
12 recess so we can consult with our client.

13 THE COURT: I thought you would want one and we'll
14 do that. Would Y'all just come and get me when
15 you're ready.

16 MR. GORE: Thank you, Your Honor.

17 MR. REDMOND: Thank you, Your Honor.

18 (Whereupon, the Court takes a short recess)

19 THE COURT: Mr. Cannarella?

20 MR. CANNARELLA: I refer....

21 MR. GORE: Thank you. Thank you, Your Honor.

22 THE COURT: Yes, sir.

23 MR. GORE: The defense rest.

24 THE COURT: All right. Might we need to put this
25 on the record, some questions?

1 MR. GORE: Yes, Your Honor.

2 **Defendant's Rights**

3 THE COURT: All right. Ms. Baucom?

4 MS. BAUCOM: Yes, sir.

5 THE COURT: I have some questions to ask you or
6 some things to tell you. I'm sure your lawyers have
7 done this already but for the sake of the record I'm
8 going to do it now. This is a criminal trial, ma'am.
9 You know that, right?

10 MS. BAUCOM: Yes, Your Honor.

11 THE COURT: You had the right to choose to not
12 testify. That's your right. You have a
13 constitutional right to remain silent. The burden of
14 proof in this matter, this trial is on the State not
15 on you. If a jury was here or were here, not sure
16 which verb to use there, but in a jury trial this
17 Court, a judge, would tell the jury that, that it
18 could not hold it against you if you chose not to
19 testify. I won't hold it against you because you
20 don't testify. I'm not going to do that. Number (1)
21 I don't desire to; and, Number (1) (sic) I can't
22 either. And, of course, as your lawyers told you if
23 you did choose to testify you'd be subject to their
24 questions and questions from the State. Do you
25 understand that?

1 MS. BAUCOM: Yes, sir.

2 THE COURT: Now, Ms. Baucom, have you discuss this
3 with your lawyers?

4 MS. BAUCOM: Yes, sir.

5 THE COURT: Do you need any more time to discuss
6 this with them?

7 MS. BAUCOM: No, Your Honor.

8 THE COURT: Are you satisfied with that discussion
9 with them?

10 MS. BAUCOM: Yes, sir.

11 THE COURT: Is anybody making you choose to not
12 testify?

13 MS. BAUCOM: No, sir.

14 THE COURT: Is this what you want to do?

15 MS. BAUCOM: Yes, Your Honor.

16 THE COURT: All right. Any other questions from
17 you, sir, for you client?

18 MR. GATES: No -- no, Your Honor.

19 THE COURT: All right. With that being said where
20 do we go next? Did you want to renew your motions
21 earlier or....

22 MR. GORE: Yes, Your Honor. We, again, renew our
23 motion for a redirected verdict on all indictments.

24 THE COURT: Yes, sir. And that's good
25 housekeeping, and I again respectfully deny those

1 motions for the reasons stated earlier, sir.

2 MR. GORE: Yes, Your Honor.

3 THE COURT: So you ready, sir?

4 MR. REDMOND: The State is ready to go forward
5 with closing.

6 THE COURT: All right, sir.

7 MR. REDMOND: May it please, the Court, Your
8 Honor?

9 THE COURT: Yes, sir. Yes, sir.

10 MR. REDMOND: And I'mma ask usually if this was a
11 jury, prefer not to use notes but, but, obviously,
12 with this being a bench trial if, Your Honor, will
13 indulge me, I'll try to be brief and, and to the
14 point. I don't think theatrics are necessary here.

15 THE COURT: No, sir. And so y'all know this, I'm
16 not gonna rush either one of you today. This is --
17 this is important.

18 MR. REDMOND: Thank you, Your Honor. I
19 appreciate that.

20 THE COURT: Proceed, sir.

21 **Closing Argument - Mr. Redmond**

22 First thing, I want to start off by saying if my
23 math is correct and it's on the autopsy report that
24 **Juvenile** would have been 18 this year back in
25 January. And I have to thank Sarah August, there she

1 is, she brought to my attention the fact that
2 **Juvenile** would have been graduating from high school
3 this year. And I did not realize that. It had not
4 struck me until Sarah August brought that to my
5 attention earlier today. And the reason I mention
6 that is because of the fact that we are here because
7 she and her grandmother no longer with us. You've,
8 obviously, heard evidence as to why that is the case
9 and I'll get into that in just a minute. But I
10 wanted to lead with that because I think that was
11 important to lead with, quite frankly.

12 This is a case where Denise Couplin, **Juvenile**
13 **[REDACTED]**, they were killed over greed. There's no other
14 way to put it. They were killed over greed. Door
15 kicked in. Robbed. Shot. back of the head, Denise.
16 **Juvenile** twice in the left cheek, stippling, close
17 range. But before I get into the details of that,
18 Your Honor, heard all of that. And like I said
19 there's no need for the theatrics, but let me talk
20 about the elements first of all because there are
21 four charges here to consider.

22 First as it relates to burglary first, obviously,
23 we have to prove that she entered into a dwelling, in
24 this situation, without permission with the intent to
25 commit a crime therein. We submit that we have met

1 that burden. Of course, we have the burden of proof
2 beyond a reasonable doubt as the Court knows. The
3 interesting thing here as it relates to the burglary
4 first is the fact that with burglary first, as long
5 as one of the participants was armed, all of the
6 parties all of the participants are guilty of
7 burglary first-degree. And I'll get into -- when I
8 get into the factual recitation why burglary first-
9 degree is the first one I'll address because, quite
10 frankly, I think it is very clear.

11 As it relates to accessory before the fact, we
12 got to prove that, obviously, she was aiding in the
13 commission of these felonies. I would submit that
14 based on case law, even if she did not know that
15 Cephas Cowick was going to kill, she knew that he was
16 gonna rob. I think that's an issue. She knew that
17 he was gonna rob. But as it relates to killing,
18 because it's a natural consequence and I'm actually
19 citing felony murder, because it's a natural
20 consequence a robbery, a murder is a natural
21 consequence of a robbery. As we had mentioned before
22 when I was cross-examining the expert. There's
23 certain things that we know just by their nature,
24 okay, yes this is a natural circumstance. This is a
25 natural consequence. So with that being said under

1 the felony murder that's one of the reasons why she
2 should be guilty and is, in fact, guilty of accessory
3 before the fact of armed robbery.

4 Accessory before the fact is not a specific
5 intent crime. Let me repeat that it is not a
6 specific intent crime. Mr. Canarella in his opening
7 statement - of course, I have the world of respect
8 for Paul. I've known him for my whole career. But
9 in that situation he was actually incorrect because
10 it is not, and the case law holds it, and I point to
11 State v. Phillips, it is a 2015 non published
12 opinion, but it does cite State v. Jennings and that
13 is at 316 S.C. 13 and that's a 1994 case, where it
14 lays out the fact -- it lays out that accessory
15 before the fact -- well, not accessory before the
16 fact -- it lays out based on the statute that
17 accessory before the fact is not a specific intent
18 crime because the Legislature didn't, Legislature did
19 not indicate that as it has for other crimes primary
20 which, and I'm sure, Your Honor is aware, attempted
21 murder. It is a specific intent crime by statute.
22 Accessory before the fact, the statute is solid on
23 that. So -- and let me back up Jennings does address
24 accessory before the fact. It does it in the context
25 of a kidnapping case. But it does address the

1 statute for accessory before the fact. So I would
2 cite that in response to Mr. Cannarella's indication
3 that this is a specific content crime it's not. And
4 that's important for reasons that are obvious to the
5 Court.

6 She's also charged with accessory before the fact
7 of murder. And again, for the same reasons that I
8 stated as, as it relates to the accessory before the
9 fact of armed robbery, we would, we would again
10 disagree with Mr. Cannarella's characterization of
11 the law being specific intent. It is not specific
12 intent.

13 I'll get into more details putting the law with
14 the facts in just a minute, but I do want to talk
15 about voluntary intoxication. And Dr Knight, to her
16 credit, did acknowledge I think I asked twice, and
17 did acknowledge the fact that voluntary intoxication
18 is not a defense. If you're treated -- if you are
19 voluntarily intoxicated that does not excuse you. It
20 is not an excuse. The law is very clear on that. So
21 with everything that was testified to as it relates
22 to her addiction none of that constitutes an excuse
23 for what happened on July 17, 2016.

24 Now, if I could talk about the facts for a little
25 while, judge, with -- and I guess putting that with

1 the law. First as it relates to burglary first.
2 Well, the facts as I've already touched on, the fact
3 that she went into the, the, the house, Denise
4 Couplin's house, she went into the house; knew, and
5 by her own statement on the video, knew that they had
6 been shot. They being **Juvenile** and Denise, knew that
7 they had been shot. So when she's in there during
8 the time one of the participants was obviously armed
9 that being Cephas Cowick. She was aware of that.
10 Under the statute, under eleven statute, she by her
11 own admission is guilty of burglary in the first-
12 degree. And that's why, quite frankly, that's the
13 one I'm gonna spend the least amount of time on.
14 Because by her own admission she acknowledged and
15 says that they discussed it in the vehicle. In
16 Denise Couplin's Cadillac. On the way there he told
17 her that he had shot, that he had shot both of them.
18 And then when she gets there she sees what he was
19 referring to. So with that for that reason, Your
20 Honor, I think the burglary first-degree case against
21 her is solid and we have clearly met our burden on
22 that. Only other thing and I forgot to mention is
23 that in addition this was after she also acknowledges
24 that she knew that Cephas had intended to rob Denise.
25 So when you put all of that together as it relates to

1 the burglary first-degree the fact that, that, of
2 course, there's testimony in there about her being
3 present when there was a gun being requested. And
4 her asking and trying to intervene about talking,
5 talking him out of doing it. With all of that said
6 when she entered into that house that made her guilty
7 of burglary in the first-degree as opposed to being
8 just an accessory to the burglary because she was
9 present for that.

10 Now, moving on to the accessory after the fact of
11 armed robbery. She admits to knowing that Cephas was
12 going to rob Denise. She admits to that. She admits
13 that in a video statement. We've heard testimony
14 related to that discussion. And as I'm looking at
15 everything I'm thinking about it because when she,
16 when she, I guess, when they got to the area around
17 Ms. Couplin's residence and Cephas Cowick got out of
18 the car and went to the residence, what did she do?
19 She did not leave the area. She didn't -- she stayed
20 and waited. She was his getaway. And that is
21 important in the context of accessory before the
22 fact. She was his getaway. That is a critical fact
23 as it relates to the issue of accessory before the
24 fact. Again, she knew that what he was planning to
25 do as it relates to the robbery because she asked and

1 acknowledged - knowledge is asking Taylor Lane and
2 Phillip Norris to intervene to talk him out.

3 Whatever her intentions were at 11, 12 o'clock, two
4 o'clock in the morning, obviously, something changed
5 between then and the early morning hours of, I say
6 early morning, but right around sunrise on the 17th of
7 July, something changed. And she actually says it to
8 Dr. Knight. She just -- she needed to be with him.
9 She didn't -- she didn't like when he was not around.
10 She needed to be with him. So even though she knew
11 it was wrong, even though she knew it was wrong,
12 whatever it was they had was so strong that she had
13 to be to quote Savannah "by his side."

14 Let's talk about the accessory before the fact of
15 murder. As it relates to Taylor and I'm only going
16 to address this as it relates to Taylor Lane, as it
17 relates to her knowledge of what his intention was as
18 it relates to kill Cephas, I mean, to kill Denise
19 Couplin because she testified that, that she was
20 there. They were all at the table when, when Cephas
21 talked about robbing and killing Denise. And, in
22 fact, even on cross, on cross-examination, she was
23 asked about that comment and that everybody said
24 "know". Everybody including his client said "know."
25 That would then show knowledge that not only did she

1 know that he was gonna rob, but also knew that he'd
2 even intend on killing if the need arose.

3 Now, to be clear, I do not think the law requires
4 that we actually have to prove that she knew that he
5 was going to kill because of felony murder, felony
6 murder doctrine. But I think that's an additional
7 aspect for the Court to consider as to why, in fact,
8 the defendant is guilty of accessory before the fact
9 of murder. But also, and I touched on it a little
10 bit in the accessory before the fact, but also, Your
11 Honor, she was there as he was looking for a gun,
12 actively looking for a gun. We've heard testimony to
13 that effect because she, again, asked for
14 intervention. Knew that they, that he was looking
15 for a gun because he was planning on robbing her.
16 You can infer from context, Your Honor, that, that
17 shows knowledge right there. He's talking about
18 robbing, robbing, robbing. How do most robberies
19 happen? With a weapon. So you can infer from
20 context that, in fact, she absolutely knew that he
21 had a gun or was looking for a gun rather.

22 One of the things that was interesting to me
23 about this whole situation was that there was not a
24 discussion about well, I'll wait and see if she
25 leaves the house or whatever, and I'll go in. No!

1 This was not that. This was while she was asleep in
2 the house. So again, there's -- you can infer from
3 context that he knew when he went in there he was
4 probably going to meet some resistance and was
5 probably going to have to take action. She was just
6 as aware of that given the time that they decided to
7 go and break it, ah, for him to break into that --
8 well, actually for both of them end up breaking into
9 that house. So the timing of it I think is important
10 as well as it relates to what their intentions were
11 at the time. This was not a while we were at work,
12 oh, we go in and oh somebody's there by accident.
13 No! This was while they were sleeping. Door gets
14 kicked in. And we see what happened.

15 The next aspect I've wanted to discuss is the
16 fact that she still went along despite the protest
17 that she said she had and that some of the witness
18 said that she had several hours earlier. She still
19 went. So the fact that she protested to me, quite
20 frankly, Your Honor, that shows that she was
21 cognizant of what was going, that what was going on
22 was wrong as I asked Dr. Knight. She was aware
23 despite, however, she was on drugs or whatever, she
24 had enough awareness to know what was transpiring was
25 wrong. But because of her desire because of her draw

1 to Cephas Cowick she went along. She was by his
2 side.

3 One of the other things that was interesting to
4 me, Your Honor, is I looked through everything is the
5 fact that as she was describing it in the video
6 interview, she being the defendant - and again,
7 you've got the video and you'll be able to see it if
8 your recollection is different than mine obviously
9 that takes precedence. But as I recall it, she
10 didn't seem really freaked out about what he had
11 done. I mean, it was almost like sort of matter of
12 factly that he had gone in. He'd done this. She
13 went in. She saw them. It did not stop their desire
14 to look for whatever they were there for, be it
15 pills, be it money, whatever. And that struck me.
16 The fact that at no time in that interview did I
17 sense that she was freaked out about what had
18 happened. For instance, I think in the interview she
19 mentions that, you know, while they were in the
20 vehicle that's when he told her what happened - and
21 I'm talking about the Escalade, Ms. Couplin's
22 Escalade. She gets into that. That's when he
23 supposedly tells her what happened. She still goes
24 in the house anyway. Does everything -- I mean, so
25 my point being, Your Honor, it didn't seem like she

1 was surprised. She wasn't freaked out by it. She
2 just went along on their mission. And, in fact,
3 remember she ended up with Denise Couplin's - two of
4 her debit cards. She ended up with \$7 in cash. She
5 ended up with proceeds of the robbery. And again, I
6 forgot to mention it, in the video you see her with a
7 bag of what she says were pills that they had
8 collected out of the house. Then she lied to Mark
9 for the first half of that interview. I think the
10 interview was about 50 minutes long, somewhere in
11 that range, and she lied in the first half of that
12 interview. Lied to the point of -- even -- even lied
13 about -- lied about whether she was in the house.
14 Lied about the GEO. And that's where things start to
15 unravel in the interview when, when Mark was able to
16 call her out on the GEO about how would the GEO be,
17 you know, be where it was? Then she realized it was
18 unraveling and he was finally able to get her to
19 admit what she had done, at least - and we're not
20 saying she told the whole truth, but at least enough
21 that we can move forward with what we brought in
22 these charges. That would show consciousness of
23 guilt. The fact that she's trying to conceal her
24 role in what had transpired. She was not there. She
25 didn't have to Tracker. She was at home. Didn't

1 mention that at first. So of course, that is
2 something that we would ask the Court to take into
3 consideration. And then I get to the end of that
4 video because here's the thing, Your Honor, we got
5 Denise Couplin, lying dead on her own floor. You've
6 got a 9-year-old child, **Juvenile**, 9-years-old shot in
7 the face, and the only emotion a few hours after this
8 had happened, she's still in the same clothes - the
9 only emotion that she shows - the only emotion that
10 she shows is twice in that interview about losing her
11 "Best Friend" that being Cephas Cowick and losing
12 him. Not wanting to live her life without him. And
13 then she is emotional about the fact that she didn't
14 want to be in trouble. But there was absolutely no
15 emotion as it relates to the scene that she walked
16 into. A scene, quite frankly, that would freak the
17 rest of us out if we walked into it. I'm sure there
18 were law enforcement officers who walk into a scene
19 like that with a 9-year-old shot in the face like
20 that. But yet, quite frankly, it didn't seem like it
21 mattered to her at all. What mattered to her was
22 what her future was going to be like because of what
23 had transpired. That's what mattered to her within
24 just a few hours of this. Goes to her mindset, Your
25 Honor.

1 So in conclusion -- and, obviously again, this is
2 not a case in front of the jury, I'm really just
3 zeroing in on what the key issues here. But I go
4 back to what Savannah said about "by her side" and I
5 think that's the best way for me to end this.
6 Because with the fact that this family lost **Juvenile**
7 and they lost Denise, her role in this cannot be
8 understated because she was quote Savannah "by his
9 side." She was by his side when he talked about the
10 robbery. When he was talking about it. When it was
11 still in his head. She was by his side when he was
12 looking for a gun. She was by his side when, as
13 Taylor said, he talked about killing Denise. She was
14 by his side when he drove to the house. When he
15 drove to that house, got out of the car, went in, who
16 was by his side? The defendant. She was by his side
17 when he comes back in with the Escalade, when he
18 drives back into the store, she gets into Denise
19 Couplin's vehicle, still by his side. There's a
20 thing here and this is a very, very relevant thing,
21 she's by his side in that endeavor. She's by his
22 side when they were at the house going through the
23 house collecting the items that we've described from
24 that house, looking for other items. She was there
25 by his side. She was by his side when going to

1 Birdnest. He drops her off. She follows right
2 behind him to Birdsnest, and you've heard testimony
3 about the vehicle being burned on Birdsnest. And
4 then what happens? And this is where I go back to
5 "get away." She is his get away. She's by his side
6 as he gets in the Tracker and they leave and go back
7 home. Go back home. They got, at least, some of
8 what they were looking for. Leave two people just
9 executed. That's best way I can put it, leaves two
10 people executed. They then go home. Hope that
11 nobody catches on that they were involved.
12 Thankfully Phillip Norris and Taylor Lane who you
13 heard from, when it comes to credibility and I'd ask
14 you and I'm about to sit down, but when it comes to
15 credibility, we didn't find them - they found us.
16 Because as soon as they heard what had happened
17 that's when they reached out to law enforcement - we
18 got information. And you saw how hard it was for
19 Phillip Norris 'cause Cephas was his best friend.
20 But they still came forward with the information they
21 had. And I say that because if the Court is
22 considering credibility that is an very important
23 aspect when it goes to credibility.

24 For all those reasons, Your Honor, and I know I'm
25 skipping so....but for all those reasons I cannot

1 understate how tragic a situation this is. The Court
2 knows this just from having seen and heard from this
3 case, but I just want to make sure the record is
4 clear, the State is fully aware of how tragic it is
5 for the family - for those who loved them and who
6 knew them - the way that they died they did not have
7 to die. They did not deserve to die! Did not
8 deserve this!

9 With that said, Your Honor, I think the State has
10 met its burden that this defendant is guilty of
11 burglary in the first-degree. She is guilty of
12 accessory before the fact of armed robbery. And
13 she's guilty of two counts, two counts of accessory
14 before the fact of murder. And we would ask for your
15 verdict reflecting the same.

16 Thank you. And -- and, Your Honor, obviously, if
17 there is a need I'll be back before you with a
18 response.

19 THE COURT: Yes, sir. Gentlemen?

20 MR. GORE: Thank you, Your Honor. May it please,
21 the Court?

22 THE COURT: Yes, sir.

23 **Closing Arguments- Mr. Gore**

24 While the State has said parole can't be
25 understated in this case, it certainly has been

1 overstated based on the two days of the State's case
2 that this Court has heard here today. I'mma lead
3 with that.

4 Your Honor, as you know the Court, the Court has
5 the burden of proof. They have the burden to prove
6 beyond a reasonable doubt every charge, every element
7 in every facet of every element of this case, and
8 that is where this case hinges. The tech -- the
9 technical proving - the State's technical proving of
10 the case beyond a reasonable doubt. Ms., as you know
11 and as if you stated on the record, Ms. Baucom is not
12 required to prove her innocence. Ms. Baucom is not
13 required to say anything. She's not required to do
14 anything. That burden is on the State.

15 And in this case, reasonable doubt is - we're
16 talking about reasonable doubt - a kind of doubt that
17 would cause a reasonable person to hesitate to
18 convict Ms. Baucom and that's where we believe this
19 case stands. And we will take -- we will take these
20 charges one at a time and we will go through that.
21 And with, with the plain and ordinary meaning of the
22 term "reasonable doubt." We believe that after
23 hearing two days of the State's case that a
24 reasonable person would hesitate to convict her as
25 charged. Based on this evidence presented over two

1 days on this case, there's real -- the possibility
2 that Ms. Baucom is not guilty of these charges as
3 charged is real and it is distinct, and that gets you
4 to reasonable doubt. A reasonable doubt that would
5 cause a reasonable person, a reasonable fact finder
6 to find, to not convict her as charged.

7 So as the Court is fully aware the State has
8 brought four indictments against Ms. Baucom. Two for
9 accessory of the fact of murder; one for accessory
10 before the fact of armed robbery; and, one indictment
11 for burglary first-degree. And we will handle -- we
12 will handle those in kind.

13 So for the accessories before the fact, the State
14 has to show that Ms. Baucom advised or agreed with,
15 urged or hired or in some way did aid counsel or
16 encourage Mr. Cowick to commit these crimes, these
17 heinous crimes that he committed. We asked Ms.
18 Baucom -- we asked that Ms. Baucom be found not
19 guilty of these charges. And we ask that because the
20 State has failed to meet their burden. They have
21 failed to present the case that gets a reasonable
22 person beyond a reasonable doubt on this case, and we
23 will go into that.

24 So for the accessories, for the three
25 accessories, we will kind of lump them together; two

1 are murder; one is armed robbery. You have -- there
2 are two -- there are two veins of thought on
3 accessories. The first is that the State would have
4 to prove that Ms. Baucom had the requisite criminal
5 intent for the murders and the armed robbery. That's
6 -- that's kind of the first vein of thought, right?
7 The State must prove that she had the requisite
8 criminal intent required for committing the murder.
9 Said more simply to be guilty of these charges she
10 must have had the same intent, intent as Mr. Cowick,
11 and that is just simply not true. And we know that's
12 not true from two days worth of the State's case.
13 They admitted Ms., our client's, Ms. Baucom's
14 statement. She said I didn't think he was going to
15 kill them. I thought he was just going over there to
16 rob them. That's the statement she gave to Agent
17 Luce. But then the State presented Mr. Phillip
18 Norris and Ms. Taylor Lane. Phillip -- as -- as the
19 State has said in its closing these are credible
20 witnesses. These people came forward to tell
21 everything they knew. These people were honest,
22 incredible on the stand and they were because Cephas
23 Cowick's intent was vastly different than Katie
24 Baucom intent. And how do we know that? We know that
25 from a party, from Taylor Lane's birthday party. We

1 know that because when they got to the party Cephas
2 Cowick immediately took Phillip Norris, his best
3 friend from kindergarten, to the side where no one
4 else could hear and he said, "I'm going to kill her."
5 "I'm wanna borrow a gun." Phillip Norris refused
6 that request. Then they moved back to the group
7 setting, where Taylor Lane says there was more talk
8 of this and that everybody in their presence told
9 Cephas Cowick, "No! Don't do that!" And Katie
10 Baucom said "Y'all please talk to him." "Please talk
11 him out of this." So from those two State witnesses
12 right there, we know that Cephas Cowick's intent is
13 different than Katie Baucom's intent. So there is
14 not the same criminal, criminal intent that is a
15 prerequisite. And again, they've failed to show
16 that. The evidence on that intent is crystal clear.
17 In fact, the State wanted it in under 8033 and 404(b)
18 to assign that scheme and that intent to our client.
19 And after an evidentiary discussion of those two
20 rules, the Court, in fact, ruled that it does come
21 in, but it does not get assigned to Ms. Baucom. It
22 gets assigned to Cephas Cowick. However, the
23 statement about talking him out of doing this also
24 comes in under 8033 and 404(b) to show Ms. Baucom's
25 state of mind at the time. Now, if, if, if that

1 direct and cross-examination had, had gone the way
2 that the State would have hoped it to go in proving
3 their case, we would not have heard all this about
4 changing minds and changing minds later on. And I
5 offer to the Court, the defense offers to the Court
6 that the State can't have it both ways in that. The
7 State can't have its cake and eat it too in that
8 evidentiary issue. It is what it is. It -- her
9 intent was not Cephas Cowick's intent. And -- and so
10 she did not have the same criminal prerequisite
11 intent from Mr. Cowick, as Mr. Cowick did for the
12 murders and for the armed robbery.

13 Now, that is one vein, that is one vein of
14 accessory before the fact. And in, in the other vein
15 here is one of natural or probable consequences. And
16 that, that vein here turns, and really what this case
17 turns, and did -- did the State, after nine years
18 prove that, and that is did Katie Baucom know about
19 the gun before going to [REDACTED], going to drop Cephas
20 Cowick off at [REDACTED]? And the
21 answer based on two days of the State's case to that
22 question is, No! She did not. And the reason that
23 is, is because the only evidence, the only evidence
24 before this Court about her knowledge of the gun is
25 in a one to two line section of her interview from

1 Agent Luce. Agent Luce says in her interview at the
2 11:18 mark, 11:18, He says, "When did you first see
3 the gun?" "I don't know." "Do you remember -- Agent
4 Luce, "Do you remember seeing a gun?" "I mean, I
5 think when maybe we walked into the house he had it."
6 "I didn't see it when he went in by himself." Now,
7 Agent Luce had the opportunity to ask more questions
8 on the gun to flesh that out for this investigation.
9 He had at that time, if my math is right, 34 years of
10 law enforcement experience, he knew he was
11 investigating a double homicide and he glossed over
12 that question. That is the only evidence before this
13 Court after this, after the State's case of Katie
14 Baucom's knowledge about the gun. Was there
15 potentially more evidence out there? Well, the Court
16 is -- the Court can look at who they didn't hear
17 from. We didn't hear from Cephas Cowick at all. The
18 State has the power and the authority to bring him
19 here, yet he's not here. The State has the authority
20 and the power to bring the person "Q" here. He's not
21 here. That is the only evidence we have that points
22 either direction about Katie Baucom's knowledge of
23 the gun.

24 Now, moving on since that's the only evidence
25 before the Court of her knowledge of the gun, we have

1 to now look at the natural or probable consequences.
2 The natural or probable consequences of a crime, of
3 the crime that and, and I'll borrow from Ralph King
4 Anderson, Jr.'s jury instructions "an accessory is
5 liable for any crime at which in the ordinary course
6 of things, ordinary course of things was the natural
7 or probable consequences of the crime that he advised
8 or commanded. Natural probable consequences for any
9 criminal act which in the ordinary course of things."
10 So the State has not established Ms. Cowick knew
11 about the gun before, before going down 151. Ms.
12 Cowick established she, she admitted to Agent Luce
13 that she went in the house after the fact. So it --
14 Ms. Cowick cannot be held responsible for natural or
15 probable consequences of something involving a gun
16 when she knew she did not know there was a gun in
17 play. Because of that she is not guilty of accessory
18 before the fact of murder, and she is not -- she is
19 not guilty of accessory before the fact of armed
20 robbery. Now, the State would submit to you, I
21 believe or the defense believes, that a natural
22 ordinary, a natural or probable consequence of armed
23 robbery would be murder. But if Ms. Cowick does not
24 know that an armed robbery is occurring, meaning she
25 is not, she does not - again, borrowing from, from

1 Ralph King Anderson, Jr.'s jury instructions - if she
2 is not of the same requisite criminal intent as
3 Cephas Cowick she, therefore, cannot be liable for
4 the natural or probable consequences of acts he
5 independently took. Now, because of that we ask, we
6 ask that Ms., Ms. Baucom be found not guilty of
7 accessory before the fact, the two counts of
8 accessory before the fact, and the, and the count of
9 accessory before the fact for armed robbery.

10 Now, on to burglary first. In her video Ms.,
11 Ms. Baucom does state that she goes into the house
12 with Cephas the second, what we will refer to as the
13 second time after the initial incident had occurred.
14 She admits that. And again, the gun comes into play
15 and this is where the knowledge of the gun, again is
16 pivotal. It is -- it is -- it is the linchpin of
17 this case that the State has failed to prove beyond a
18 reasonable doubt. And without them able to prove
19 that Ms. Baucom was in that house when Cephas Cowick
20 was in that house with that gun the second time, she
21 cannot be found guilty of burglary first-degree as
22 charged. So why is that? Well, it's because of the
23 legal concept of corroboration. All right. Legal
24 corroboration is something that legal -- and this is,
25 excuse me one moment, Your Honor, this is Anderson v.

1 State. It's an appellate case from February of '24
2 handed down by the Court of Appeals and the Appellate
3 Case Number is 2021-00189. And in that case there's
4 a, there's a very well developed, you know, synopsis
5 on the law of corroboration in South Carolina. And
6 in that opinion it states, "our courts have long held
7 that a conviction cannot be had on the extra judicial
8 confession of a defendant unless they are
9 corroborated by proof outside of the corpus delecto."
10 Right. And that's State v. Osborne. And the
11 citation of that is 335 S.E. 172 adopting Opper v.
12 United States which is Supreme Court decision 384
13 U.S. 84. And the Opper approach is the trustworthy
14 approach set forth therein, okay. And then in -- in
15 Anderson the Court continues - make sure I'm stating
16 that right - the Court continues in Anderson
17 "corroboration requires substantial independent
18 evidence which is sufficient to, which is sufficient
19 to send it to the to the fact finder." I'm
20 paraphrase a little of it. Anderson continues
21 "corroboration rule applies whether a statement
22 amounts to a confession or merely constitutes an
23 admission of essential facts from which guilt might
24 be inferred." So case at hand, Ms. Baucom stated in
25 her interview over a 40 minute, 50 minute interview

1 there were three questions about a gun. Maybe
2 actually two if you, if you - depending on how you
3 hear the transcript. "When did you first see the
4 gun?" "I don't know." "Do you remember seeing a
5 gun?" "I think when maybe we walk into the house he
6 had it." "I didn't see it when he went in by
7 himself." That's it. That's it. Two days of the
8 case by the State and that's all we have that puts
9 Katie Baucom in the house with Cephas Cowick and a
10 pistol. There is no other -- there's no independent
11 evidence of that. Now, is independent evidence out
12 there somewhere? It could be. But we don't know
13 that because the other person in that transaction did
14 not testify. The bottom line to convict Katie Baucom
15 of burglary first-degree, our client of burglary in
16 the first-degree, that statement has to be
17 independently corroborated and it was not. And
18 because it was not, the State has not met its burden
19 of proof.

20 Now -- and quite honestly the way this
21 investigation went, that is unbrand for this
22 investigation. In fact, when asked about the murder
23 weapon Agent Luce, the lead investigator, says, "I
24 assumed it, yeah, I assumed it belongs to Stephen
25 Segars." Assuming who a murder weapon belongs to in

1 a double homicide case is a microcosm for the State
2 not meeting its burden.

3 Now, with that the State in its close, in its
4 closing talked about how Ms. Baucom was always by
5 Cephas's side. So I am going to take a moment to
6 address that. So what the Court did hear about Ms.
7 Baucom's life up until this event of July 17, 2016 is
8 the, the cold hard dirty truth, right. Ms. -- Dr.
9 Knight testified about her life. Testified to what
10 lengths she would go to, to, to feed her addiction.
11 And in Ms. -- and Dr. Knight's opinion continued to
12 characterize it as a physiological dependence. A
13 physiological dependence that was so strong that our
14 client was doing, was addicted to drugs, and these
15 substances while she was pregnant. So strong that
16 she involved herself in prostitution for drugs. So
17 strong that she shoplifted. So strong that she would
18 end up in the hospital dehydrated and with all kinds
19 of substance abuse related ailments. That Strong.
20 And Susan Knight testified that, that dependence,
21 that addiction was so strong that it was a -- that
22 her life revolved around these substances to not
23 withdraw. Not because it felt good anymore. Not
24 because she enjoyed it. But because she was
25 preventing the painful withdrawals. And as we heard

1 Dr. Knight talk about, it diminished her ability to
2 think through scenarios. It diminished her reality
3 testing is what Dr. Knight said. And it caused her
4 to not make rational decisions. It caused her to not
5 operate as a sober person. And -- and -- and if you
6 -- to reiterate that just look at Katie Baucom's
7 video statement from the sheriff's office.

8 Now, who knew -- now, who knew about this level
9 of addiction
10 that, that Ms. Baucom had? The person who lived with
11 her. The person that's not here to testify. Cephas
12 Cowick. He knew about that level of addiction. Now,
13 he may not have articulated her addiction in those
14 terms, but he knew that her life revolved around
15 drugs to prevent the withdrawal. He knew that. So
16 what did Cephas Cowick do when he decided he needed
17 to murder and rob Ms. Couplin? He first went other
18 places. He went to Phillip Norris and tried to
19 borrow a gun, and they said no dice. He then went to
20 Q who we heard Agent Luce talk about. Q -- they,
21 they sat at Q's house and drew a map and Q backed
22 out. He gave the map over to the investigators. And
23 then he went and got a gun.

24 We don't know where he got the gun. We don't know
25 who the gun belonged to but we know Cephas Cowick had

1 it.

2 Now, he then went back to Jones Circle and got
3 Ms. Baucom, his last ditch effort. He leveraged her
4 addiction and her love for him to complete his
5 heinous crimes. Now, the State would reply or the
6 State has argued, well, she knew about the gun! Of
7 course, she knew about the gun! We don't have any
8 evidence of that. And it makes sense that she
9 doesn't know about the gun because she tried to talk
10 him out of it. She was at Taylor Lane's house, at
11 her birthday party and said please talk to him, he
12 wants to go do something crazy. When he said -- when
13 Cephas Cowick talked about this in front of the
14 entire group, Taylor Lane said we all told him no
15 which included Katie Baucom.

16 So what does Cephas do? What does Cephas Cowick do?
17 Cephas Cowick goes and finds a gun on his own. He
18 has stricken out twice that night. Philip Norris and
19 Q. He goes and finds a gun on his own. And he goes
20 home and he hides it from our client, Ms. Baucom.
21 And he says, "I'm just going to go -- I'm just going
22 to go rob her. I know my way around that house.
23 I've been to that house. I've worked on that house.
24 I can sneak in and get those pills and get out. And
25 he led Ms. Baucom to believe that and hid the gun

1 from her. And he went and committed the heinous
2 crimes that he told Phillip Norris by himself, the
3 heinous crimes he told Phillip Norris when no one
4 else was around that he was going to do.

5 Now, we understand, the defense understands that
6 Ms. Baucom has a role in this. She said as much in
7 her interview to Agent Luce. But the facts as
8 presented, the evidence as presented after two days
9 of testimony, after nine years of having a case, the
10 case the State presented is far much closer - and we
11 would argue is burglary second. Because in following
12 the law, the State has failed to corroborate an
13 ambiguously stated answer to a question about a gun.
14 Because they have failed to corroborate it
15 independently. It cannot be held against Ms. Baucom.
16 And without the pistol, it drops it down to burglary
17 second.

18 And with that Your Honor, the defense asks for
19 not guilty finding on the accessory before the acts
20 for the two murders, and the armed robber because Ms.
21 Baucom had no knowledge of the gun. In fact, the --
22 in fact, Cephas Cowick affirmatively kept that from
23 her for his own purposes and we asked for a finding
24 of guilty on burglary second which is much more in
25 line with the facts applied to this - to the elements

1 of that statute than burglary first.

2 Thank you.

3 THE COURT: Yes, sir.

4 MR. REDMOND: May it please, the Court?

5 THE COURT: Yes, sir.

6 MR. REDMOND: Yes, I am going to have a reply,
7 Your Honor.

8 THE COURT: That's all right.

9 **Closing Arguments- Mr. Redmond**

10 The first thing I wrote down here is wishful
11 thinking. With all due respect to the defense, I
12 would pretty much characterize that closing as
13 wishful thinking, not just as it relates to the law
14 but even as it relates to the facts that were
15 conveyed. I will say this one of the interesting
16 things that I gleaned from Mr. Gore's closing was
17 when he talked about who backed out on Cephas Cowick.
18 But guess who didn't back out on Cephas Cowick?
19 Guess on who he -- guess who he could depend on?
20 And, in fact, was able to depend on, on July 17 2016?
21 That'd be the defendant. And that's if you're
22 assuming that what Mr. Gore was painting, the picture
23 he was painting was correct. At the end of the day
24 he could count on her. And that, in and of itself,
25 goes directly to the heart.

1 The discussion about knowledge of a weapon. Your
2 Honor, again, I say wishful thinking because there's
3 evidence because he doesn't really get into Taylor
4 Norris, I mean, Taylor Lane and Phillip Norris as it
5 relates to her knowledge of his desire for a gun, his
6 knowledge of attempting to, ah, and mentioning
7 killing Denise Couplin. Your Honor, has heard all of
8 that. So again, they were things that were skipped.
9 But I would submit and I'm jump back to the burglary,
10 and I apologize because I probably will jump a little
11 bit because it's reply. But I would submit to you
12 that the defense has already handed burglary first
13 and here's why. Because in closing, I think on at
14 least two occasions, it was mentioned that she didn't
15 know about the gun while he was in there by himself
16 and that's not the standard. And I think it was
17 twice quoted, at least, about her knowing about him
18 having a gun as she went back into the house. Well,
19 that goes to the very heart of burglary first. And
20 he failed to mention the fact as I had mentioned in
21 my closing, the other part of that is, okay, she
22 didn't know about the gun as it relates to burglary
23 first. But she knew they had been shot. She knew
24 that he had shot them. And when he goes -- when he
25 picks her up they go back into the house, and when

1 she entered that house she entered that with
2 knowledge - which she entered the house with
3 knowledge of that. That's on the burglary first. So
4 in that situation even if you believe him about his,
5 the knowledge of the gun aspect, they've already
6 acknowledged the fact that a burglary first because
7 like I said not only did he know she know that he had
8 been shot - that he had shot them. She also knew
9 that he had a gun when they went back the second
10 time. So that's on the burglary first. As it
11 relates to the, I guess, the issue of knowledge - and
12 I think, Your Honor, in ruling on one of the
13 objections related to 8033, acknowledge the fact that
14 the witnesses had talked about the fact that she
15 tried to intervene. Well, why would she try to
16 intervene if it was not something of dire importance?
17 And even as it's stated by their, by their witness in
18 the interview, and by the defendant, about her trying
19 to intervene to keep him from doing this. So,
20 obviously, she was aware that something dire was
21 about to happen. But as it stated in Dr. Knight's
22 report even with that knowledge, according to her,
23 she had to be with him. She had to be by his side.
24 And so she still participated. And the thing that
25 the defense said, ah, talked about corroboration -

1 corroboration is a plenty in this case and here's
2 why? There's corroboration as it relates to what
3 transpired as it relates to defendant's role because
4 we've got the gas station surveillance video. What
5 she describes is consistent with what's in that video
6 as it relates to the actions. As it relates to her,
7 I guess, whoever dropped whom off. But then having,
8 ah, him having gone toward Ms. Couplin's house she
9 comes back. Rides around for a while. Goes to the
10 store. Then the Escalade comes in. She gets in.
11 You see the Escalade leave. The Escalade comes back.
12 Drops her off. And then Escalade leaves. She
13 follows the Escalade. So everything she described -
14 he was talking about corroboration. We got
15 corroboration, Your Honor.

16 And we also got corroboration from, again, Philip
17 Norris and Taylor Lane. So the Defense was acting
18 like, oh, well, you know, they just relying on her
19 statement. That's -- you can't just do that.
20 There's gotta be corroboration. There's plenty of
21 corroboration, Your Honor.

22 Oh and let's talk about the corroboration that
23 she brought to the sheriff's office in her purse.
24 You want to talk about corroboration - debit cards
25 belonging to a deceased victim. Ms. Couplin is

1 laying on a floor face down. Exposed. Bullet to her
2 head. Defendant got her cards. Got \$7, \$7. Seven
3 dollars. Where did we first hear about \$7? We want
4 to talk about corroboration? When did we first hear
5 about \$7? From the defendant. And sure enough
6 that's in her purse. So there's corroboration.

7 I want to address that whole corroboration issue
8 real quickly. The last thing I'mma say because to me
9 it's the most compelling thing that the defense said
10 was when the comment was made in the context of her,
11 her being in the throws of her addiction, things of
12 that nature. Her ties to Cephas Cowick. That - and
13 I'm loosely quoting - he needed her to complete his
14 plan. That's the heart of what this case is about.
15 He needed her. And, in fact, he was able to rely on
16 her because she was his get away. She was his safety
17 net. And because of that, if she had acted on her
18 initial instinct realizing this, this was wrong and
19 walked away, but she doesn't say that she was scared
20 of him. And see that's another thing, in the report,
21 you know, we heard talk about what she'd gone through
22 in our prior relationship ---

23 MR. GORE: I hate to object, Your Honor, but
24 that's kind of -- that is just kind of leading
25 towards her right to not testify.

1 MR. REDMOND: That was not -- I was not even
2 getting close to that, Your Honor. I was addressing
3 their exhibit in evidence as it relates to the issues
4 that they had raised in their, in their closing
5 argument. I'm not even close to commenting on her
6 not testifying.

7 THE COURT: For the sake of the record I'm going
8 to sustain that part.

9 MR. REDMOND: Yes. Okay. Well, I'll say this,
10 Your Honor, as it relates to what, what she was doing
11 in the time when we, ah, in the report when - and
12 this is the report that Your Honor will have to view
13 anyway. It's already in evidence. But in the report
14 talks about the fact that she - and I'm not gonna
15 mention other relationship, but when I talk about not
16 being afraid of him, there's nothing in the report -
17 I'll phrase it like this there's nothing in that
18 report, that is an evidence, that says anything about
19 her being afraid of Cephas Cowick or doing this out
20 of fear. She did it because she wanted to be with
21 him. She wanted me by his side. That's what this is
22 about, Your Honor.

23 So with that said - and I'm not gonna reply to
24 every single point because, Your Honor, is aware of
25 the law in this case. I don't want to go through

1 everything that was misstated as it relates to the
2 law on this case. I'll just say this that when you
3 look at this case - and you will have a chance to
4 look at this case and all the evidence presented - I
5 would submit to, Your Honor, this is the epitome of
6 what an accessory before the fact case is. This is
7 the very epitome of that. Because we're not alleging
8 that she was present at the time of the principal
9 offenses of armed robbery and murder. But if it were
10 not for her - if it were not for him being able to
11 count on her, if it were not for her not backing out
12 on him, this doesn't happen. And maybe just maybe
13 Denise Couplin and **Juvenile** is still alive.

14 Thank you.

15 THE COURT: In your closing arguments each side
16 mentioned a case and as fast as I can write I can't
17 get everything down sometimes, So I'mma ask ask each
18 side here to email to me that the case that each side
19 mentioned ---

20 MR. REDMOND: Yes.

21 THE COURT: And y'all actually gave cites. We
22 might have it captured, I don't know. But I want you
23 to fax those cases to me and only those cases. Don't
24 send me 15 cases to read. I'm not gonna do it. I'll
25 read the one you mentioned.

1 MR. REDMOND: Yes, sir.

2 THE COURT: That's all I do.

3 MR. GORE: Fax that case to you, Your Honor?

4 THE COURT: Email.

5 MR. GORE: Yes, sir.

6 THE COURT: Email. But don't email it to me
7 because I don't -- I mean, email it to the office.

8 MR. GORE: Yes, sir, Your Honor.

9 THE COURT: But not to me. I'm not trying to be
10 hard to deal here, but don't -- don't email -- don't
11 email me a message with it either because I don't
12 want any message. I don't want any explanation or
13 any other arguments. Just send me the hard cold case
14 that you, that you talked about, okay. I think yours
15 was about the intent or the intent factor.

16 MR. REDMOND: Yes.

17 THE COURT: And yours was corroboration.

18 MR. GORE: That's right, Your Honor.

19 THE COURT: Okay. Nothing else?

20 MR. REDMOND: Yes, sir.

21 THE COURT: Please.

22 MR. REDMOND: I won't even put a salutation on it,
23 judge.

24 THE COURT: Don't even say anything. I know what
25 it's for and just trying to keep things clean here.

1 MR. REDMOND: Yes, sir.

2 THE COURT: I will -- I've taken lots of notes.
3 Y'all see me looking down a lot. This is one whole
4 legal pad. And here's, just started another one. I
5 will begin -- well, I can't say I won't think about
6 this case, but I'll begin to hardcore deliberations
7 in the morning at the office. And I'm going to tell
8 people there I'm not taking any phone calls. I'm not
9 signing bench warrants tomorrow. I'm not signing
10 search warrants. To just flat leave me alone in
11 Sumter while I'm working on this ruling. I don't
12 know how long it'll take. I don't know. But just
13 like a jury, I am mindful of reasonable doubt,
14 presumptions of, presumptions of innocence, direct
15 and circumstantial evidence. Y'all know the whole
16 speech there. And the fact finder's ability to
17 assign credibility which is when get to the jury
18 also. So all that being said, I don't know what time
19 tomorrow I'll have a ruling. And if I do, I'm send -
20 - I'm not gonna email it. I wouldn't dare do that.

21 We will see you again on Thursday morning at
22 9:30, is that okay with y'all?

23 MR. REDMOND: Yes, sir.

24 THE COURT: This side?

25 MR. GORE: Yes, Your Honor.

1 THE COURT: At 9:30 and I will announce the
2 decision then or the verdict, shall we say. I will
3 tell you this, and you need to know this, all of
4 y'all have been a true pleasure to work with. You've
5 done your jobs well. You have zealously, as we say,
6 represented your clients on each side of the case.
7 There's nothing about any of you or the way this case
8 was tried that I would find any fault with so....I
9 thank you.

10 MR. REDMOND: Thank you, Your Honor.

11 MR. GORE: Thank you, Your Honor.

12 (Whereupon, Court is adjourned at 4:35 pm)

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1 **Thursday, June 5, 2025**

2 (WHEREAS, this matter was scheduled for a trial,
3 the plaintiff appeared along with their attorney of
4 record. The defendant appeared with her attorney,
5 Mr. Paul Cannarella and Mr. Bennett Gore. The
6 proceedings began at 10:00 am)

7 **Verdict**

8 THE COURT: We all know why we are gathered this
9 morning.

10 My rulings will be announced shortly but I want to
11 share a few words with you, thoughts with you. You
12 have figured out by now, this is not like television
13 or the movies. In real life this is not nearly as
14 easy as it appears to be on television. I made some
15 notes last night that I'd like to share with you.
16 What I have been called upon to do in this case gives
17 me no pleasure. My involvement in this case and all
18 that has happened is saturated in sadness, darkness,
19 and misery. Nothing that I can do today can ever
20 change any of that. Many who see me and other judges
21 in court assume innocently that all I do is enter the
22 courtroom and issue decisions and walk away from it.
23 But what those who think that see is only the tip of
24 that iceberg, a massive iceberg of the responsibility
25 to listen, consider, ruminate, and issue rulings and

1 decisions based on the evidence the laws that apply.
2 Thusly, know that this case and the trial evidence
3 has not left my thoughts since yesterday. My
4 rulings, verdicts here will not please everyone. Yet
5 my role is not to please anyone but to issue
6 decisions free of emotion, bias, or anything about
7 this case heard or seen beyond the trial. I will
8 tell you I don't know anybody in this case. I don't
9 live in Darlington County. Don't know a thing about
10 this case until I started hearing it this week. And
11 no one has talk to me about it outside the
12 courthouse. I wouldn't let them do that anyway. In
13 this case, I sat as the fact finder, the jury, in
14 this trial. I will offer the verdicts shortly.

15 First, I will share with you the usual jury
16 instructions the judges give to the jury when the
17 jurors are the fact finders in a criminal case. I
18 find it proper that when I became the fact finder in
19 this case after this trial yesterday ended, that I
20 too, must follow the instructions given to juries
21 when they are the fact finders. I'm not going to
22 read it all to 'cause it will take about 30 minutes.
23 Things -- these are the things we tell juries to
24 consider. The concept of reasonable doubt.

25 When we tell juries that proof beyond a

1 reasonable doubt can be described as proof that leads
2 you firmly convinced of the defendant's guilt. And
3 by the way, these are not things that I made up.
4 These come from the South Carolina Supreme Court.
5 There are very few things in the world that we know
6 with absolute certainty and in criminal cases the law
7 does require proof that overcomes every possible
8 doubt. We tell the jury based on your consideration
9 of the evidence you are firmly convinced that a
10 defendant is guilty of a crime charged, you must find
11 him or her guilty. If on the other hand, you think
12 there is a real possibility that the person is not
13 guilty, you must give him or her the benefit of the
14 doubt and find him or her not guilty. We tell jurors
15 there are two types of evidence to be presented
16 during a trial, direct evidence and circumstantial
17 evidence.

18 Direct evidence is testimony of a person who
19 claims to have actual knowledge of a fact such as an
20 eye witness. It is evidence which immediately
21 establishes the fact to be proved.

22 Circumstantial evidence is proved by a chain of
23 facts and circumstances indicating the existence of a
24 fact. Crimes may be proven by circumstantial
25 evidence. It is evidence which immediately

1 establishes collateral facts from which the main fact
2 may be inferred. Circumstantial evidence is based on
3 inference and not on personal knowledge or
4 observation. The law makes absolutely no distinction
5 between the weight or value to be given to either
6 direct or circumstantial evidence. However, to the
7 extent the State does rely on circumstantial
8 evidence. The circumstances must be consistent with
9 each other, and when taken together point
10 conclusively to the guilt of the accused beyond a
11 reasonable doubt in.

12 We charge the jury that it is an important rule
13 of law that a defendant in a criminal trial, no
14 matter what the seriousness of the charge may be,
15 will always be presumed to be innocent of the crime
16 for which the indictment was issued, unless guilt has
17 been proven by evidence satisfying the fact finder
18 that the guilt, of that guilt beyond a reasonable
19 doubt. That presumption stays with a defendant
20 throughout the trial, to the end of the trial, and
21 during deliberations of the fact finder.

22 We tell juries that if a defendant was arrested
23 charged and indicted in several charges that the
24 charges do not create any presumption or inference of
25 guilt.

1 And the one I want to read to you and will read
2 to you is probably the most important of all these
3 instructions we give to the fact finder which I'm
4 that person in this trial. We tell the jury you must
5 determine the credibility of witnesses who have
6 testified. Credibility simply means believability.
7 It becomes your duty as a juror, a fact finder, to
8 analyze and to evaluate the evidence and determine
9 which evidence convinces you of its truth. In
10 determining believability of witnesses who have
11 testified, the fact finder may believe one witness
12 over several witnesses or several witnesses over one
13 witness. The fact finder may believe a part of the
14 testimony of a witness and reject the remaining part
15 of the testimony of that same witness. The fact
16 finder may believe the testimony of a witness
17 entirely or reject it entirely. The fact finder may
18 consider whether any witness has exhibited any
19 interest bias, prejudice, or other motive in the
20 case.

21 And finally, just before we give the case to the
22 jury, we tell him your verdict cannot be based on
23 sympathy, compassion, prejudice, emotion or any other
24 consideration not in evidence in this case.

25 I have followed these rules in my determination

1 and I wish to now, go back and mention one other, we
2 tell the jury that if a defendant does not testify
3 that fact cannot be considered by the jury in any way
4 during deliberation. I have followed that one also.

5 I will now, in just a few minutes, offer the
6 verdicts in this case. After I do so, those who wish
7 to leave may do so. I do ask that we all remember
8 where we are and to refrain from any
9 improper or disruptive conduct, spoken or physical.

10 On the charges of two counts of accessory to
11 murder, I find the defendant not guilty.

12 On one count of accessory to armed robbery, I
13 find the defendant guilty.

14 On one count of burglary first-degree I find the
15 defendant guilty.

16 Now, because I am the fact finder here, I'm going
17 to offer some reasons for my decisions. You may not
18 agree. A hireable learning court may not agree. And
19 it, unlike an actual jury that has to give me no
20 reasons when it comes back with a verdict, none at
21 all because I am hearing this case without a jury, I
22 feel like I am compelled to give some reasons that
23 are my reasons, of course. Remember as a fact
24 finder, I am empowered to give the testimony the
25 weight that I see and believability that I found.

1 While I was impressed by the professional bearing and
2 knowledge of Dr. Knight as to the guilt or innocence
3 of defendant, I gave no weight to her testimony
4 because as we learned and know voluntary intoxication
5 or modernity drug addiction use or abuse is not a
6 defense to a criminal trial in South Carolina. And
7 it's not because I disagree with Dr. Knight about the
8 situation, but I find that it's not relevant to the
9 guilt or innocence issue.

10 There was testimony offered about things Cephas
11 said or was reported to have said at a party where
12 defendant was present. Those of you who have been
13 present for the trial know what event I am
14 referencing. There was testimony that defendant was
15 present when Cephas stated he was going to kill the
16 adult victim, and that defendant heard Cephas say
17 that. I give no weight to the testimony that was
18 subject to that objection, an objection. While
19 defendant was present, no one knows for sure what
20 defendant heard, at the outset of this event Cephas
21 was talking to another person and what was described
22 as a private conversation involving Cephas and that
23 other person, only those two. If only those two were
24 present, defendant very possibly did not hear what
25 Cephas was saying that he was going to kill the

1 victim. Stated simply while defendant was present at
2 the party, even at the table with a large group, I do
3 not know if defendant heard Cephas state he was going
4 to kill the victim. There was testimony that
5 defendant urged those at that table to talk Cephas
6 out of doing it or something like that. One can
7 assume defendant heard about the killing plan at the
8 party, but I am not convinced free of doubt that the
9 defendant knew Cephas spoke of killing the victim.
10 So I give no weight to that segment of the testimony.
11 My point being, I cannot tell you what you're
12 thinking. You can't tell me what I'm thinking. I
13 can't tell you what another person actually saw.
14 They might have been present, but I don't know if
15 they saw something. The same with this thing about
16 hearing Cephas say that. I find that to be something
17 that I find to fall under the reasonable doubt
18 situation and I give her the benefit of the doubt on
19 that one.

20 Defendant, in her statement to law enforcement,
21 stated she was aware of Cephas's plan to rob the
22 victim. She stated that when Cephas came home from
23 taking Q someplace, Cephas told her of his plans to
24 rob the victim. Victim told, I mean, sorry,
25 defendant told him or begged him not to do so. By

1 her own words, defendant was aware of Cephas's plan
2 to rob the victim. She then assisted in the plan of
3 armed robbery when she dropped "C" off near the
4 victim's house so he could walk through the house to
5 do so. When Cephas left the victim's house, he took
6 victim's vehicle and picked defended up at the store,
7 all by plan and went back to the victim's house.
8 Defendant knowingly participated in assisting "C"
9 with the armed robbery. She knew about that. She
10 said she knew about that.

11 The defendant, as I find, is guilty beyond a
12 reasonable doubt of the charge of accessory to armed
13 robbery. But I don't find her, the reasons stated,
14 not guilty of accessory to the murders. I saw
15 nothing to indicate defendant knew he planned to kill
16 anyone. Again, I do not find that her presence at
17 the party where others say she heard something,
18 allows the fact finder to ignore the beyond a
19 reasonable doubt hurdle. To reiterate to a degree,
20 the record is clear to me that defendant was aware of
21 the armed robbery plan and assisted in that plan
22 knowingly. I do not find that defendant was aware
23 that as a practical result of the armed robbery that
24 Cephas would murder the victim or the child.

25 As to the burglary verdict, I find that the

1 defendant did enter a dwelling of another without
2 consent with the intent to commit a crime, therein,
3 and she was with Cephas who was armed with a deadly
4 weapon. After all, Cephas had just killed the victim
5 and then told defendant what he had done. During the
6 questioning, defendant was asked about when she was
7 in the victim's house, when she went there with
8 Cephas, after defendant told her he shot the victim.
9 The question to her was, "when did you first see the
10 gun?" This is at victim's house. Defendant
11 answered, "I don't know." Defendant did not state
12 she did not see the gun but that, but that she does
13 not know when she saw the gun while at the house.
14 Defendant went on to say, "I did not see it when he
15 went to the house by himself." After she let him out
16 on the road near the house. Defendant stated,
17 "Cephas wanted to go back to the crime scene to
18 double check to find the pills."
19 She was aware they were going back to do that. At
20 the house when defendant was present, Cephas gave a
21 bag to defendant while they were there together with
22 pills, pill bottles in it.

23 Lastly, while I have not precisely commented on
24 all the evidence and the weight given or not given, I
25 have considered all of the evidence, direct and

1 circumstantial evidence, and have assigned the weight
2 and credibility as I saw fit.

3 That being said, I'll assume that both sides want
4 to speak about aggravation and litigation.

5 MR. REDMOND: That is correct, Your Honor. And at
6 the appropriate time, however, you want to do it, I
7 know I do have several members from the victim's
8 family who are going to want to come and address the
9 Court. I just tell them -- I think -- do we need to
10 put a microphone?

11 COURT REPORTER: Yeah. They need to come up.
12 They can come up as close as they can.

13 MR. REDMOND: Okay. All right. If I may, I'll
14 allow whoever wants to come up and let them speak and
15 at the appropriate time I would want to briefly
16 address the Court. But I'd ask to be allowed to hear
17 from the family first.

18 THE COURT: Okay.

19 MR. REDMOND: Right there is fine. And just state
20 your name
21 for the record.

22 THE COURT: Anything from you, counsel?

23 MR. GORE: Your Honor, just procedurally was gonna
24 ask, does the State intent to offer all their
25 aggravation and then make their comments and then we

1 proceed? Or is it more like a closing argument so to
2 speak?

3 THE COURT: No. It's not a closing argument.

4 MR. GORE: I understand that, Your Honor.

5 THE COURT: We did that yesterday. Folks, I
6 don't know of any hard and fast rules about this part
7 of a trial. I'll be glad to hear from both sides and
8 go back and forth.

9 MR. REDMOND: Your Honor ---

10 THE COURT: I'm at your service now.

11 MR. REDMOND: Thank you. I was just gonna go
12 ahead and present my victims impact, specifically.

13 THE COURT: Okay.

14 MR. REDMOND: And then like I said. I would
15 address some the aggravated issues. And then -- and
16 they may as well. And then -- and then we'll proceed
17 however, Your Honor ---

18 THE COURT: Now, when I say aggravating issues,
19 I'm not talking about going back to my ruling.

20 MR. REDMOND: Oh, no.

21 THE COURT: I'm talking about sentencing.

22 MR. REDMOND: Absolutely. When I say aggravation
23 as it relates on the issue of sentencing.

24 THE COURT: Yes, sir.

25 MR. REDMOND: The purposes of sentencing.

1 THE COURT: Okay.

2 MR. REDMOND: So state your name?

3 MR. ROYSTER: My name Maurice Royster. The son of
4 Denise Couplin and the uncle of **Juvenile**. I
5 want to start by saying this whole situation has
6 destroyed our family and I'm sure destroyed y'all's
7 family. All right. Y'all took away, Cephas and
8 Katherine, has took away a real important piece of
9 our puzzle, you know. A lot of our kids will never
10 know in this life to have a wonderful mother, you
11 know. She was -- she carried herself with pride.
12 She made sure all of her kids had the power,
13 everything we needed to continue to even be here
14 today, you know. All these years as we've been
15 living and, you know, just waiting for this to
16 happen, you know, it's been a long time. So I'm sure
17 the woman, Katherine, probably had a long time to
18 change her life, you know. At the time when this
19 happened that's not who she was today, all right.
20 Once this happened about a year later I had opened up
21 a restaurant right there at the place where they
22 parked their car at that night. And, of course, you
23 know, me and the owner is pretty close so, me being
24 her son I wanted to see the video myself. So I asked
25 him to let me see the video, you know, which I don't

1 know that goes against anything but that's something
2 that I asked for about a year. At the end of that
3 video before they drove off in my mother's Cadillac,
4 that she hopped inside of her vehicle, Katherine gave
5 her husband a kiss. And I know, you know, a person
6 normal people wouldn't think about something so
7 small, you know, you know, but that's something I
8 thought about for a long time and the scenario of
9 what kind of kiss this was, you know. So I broke it
10 down into two different types of kisses. One kiss
11 great job. We did it. And then the other kiss is,
12 you know, of course, you know, husband and wife, I
13 love you, baby. We did it. The main part is "we".
14 They both did it. Rather she pulled the trigger or
15 not, rather he did it, we -- like you say, judge, we
16 really don't know, you know. We just know what the
17 evidence was that was bought in front of you and you
18 made your choice on what you decide to do, you know.
19 But what I'm saying today is a mass, you know. It's
20 -- it's just she's doing what she have to do to
21 survive and just like anybody else will, you know, I
22 just wished that she would have made those changes,
23 let's just say seven hours, two hours before the
24 situation. The last time I seen Ms. Katherine, we
25 was at her bond hearing, all right. And this is

1 nothing towards you, the last judge we had he stated
2 "I'mma allowed Ms. Katherine to get out today because
3 my people didn't leave Europe to sit in jail for a
4 crime they have not yet been committed of doing." In
5 your hand, I don't feel that same way and I
6 appreciate what you do today, you know. And I'm just
7 glad you didn't take the color of our skin or the
8 ancestral background that we have to make your
9 decision. You seem like a straight guy. And I just
10 wanted to come up here and, you know, let you know,
11 judge, and whoever's listening I feel sorry for y'all
12 family. I know y'all feel sorry for ours. And I
13 hope everything plays out the way it does and
14 everyone get what they need and what comes to them.

15 THE COURT: Thank you, sir.

16 MS. GREG: Hello, judge. My name is Indonesia
17 Greg. I am the victim's niece also known as the
18 daughter who's been taking care of her -- I also know
19 Ms. Katherine from school. I also saved Ms.
20 Katherine's life. To be hurt and up here, knowing
21 that I won't ever forget my aunt. And saving her
22 life, and sitting here seeing her smile. Getting to
23 go home with her kids, with her family. And our
24 family hurt every day. And I know it is painful in a
25 lot of ways to me because I just lost my son in

1 March. And to see my cousin hurt from her pain, I
2 now know how that feel. So to be brought up by a
3 woman that I know that had good intentions on my life
4 and everybody that surrounded her including Ms.
5 Katherine's, and to sit here today and know that you
6 did what you could, and you did what you had to do,
7 and you were straight up, and you did what you had to
8 do with us so we thank you for that. And I know
9 their family hurting, but our family is hurting more.
10 Our family deal with this every day when we see the
11 bed sheets and when we see everything, we deal with
12 it every day. I dream about it. I hurt from it. So
13 me being her niece and also like her daughter that
14 was raised from her, and to see my family pain every
15 day, I can't tell you how I feel at the moment
16 because I'm known from a lot of stuff right now. But
17 I can tell you at that moment when I seen what I
18 seen, I felt so much rage and pain. The pain that I
19 felt wasn't a good feeling, but I had to talk to the
20 man upstairs about calming down because at the end of
21 the day we all got to move on with life. So me
22 moving on knowing that I became the one that I am
23 because of my aunt. And she sitting in her guilt
24 knowing that my aunt had both of their backs at any
25 given time. She would give to anybody the clothes

1 off their back. So for us to sit here and have to
2 moan for the rest of our life and hurt, it's
3 traumatizing. You spent time with your family. You
4 got to love your family. But we have to go to a
5 grave site to talk to ours. My heart is hurting in
6 many, many ways, but knowing that I saved this young
7 lady's life at a neighbor's house for her to, her and
8 her husband to take something so precious from me.
9 The way I felt is unbearable. I wish I could say it
10 but I don't want to say it. Because in my heart I
11 have a biggest heart. I just hope she really found
12 the help that she needs but there's no excuse.
13 There's no excuse on what she did. And I thank you
14 for hearing us out. And we appreciate everything
15 that you did for us.

16 THE COURT: Thank you.

17 MS. DAVIS: My name is Za'Kilah Davis. I'm the
18 sister and a granddaughter and I was there. And I
19 was sick and when I woke up and I did see my sister
20 laying in blood.

21 (Whereupon, the victim leaves crying)

22 MS. DAVIS: Hi, Your Honor, my name is Tonay
23 Davis. I'm the mother of the **Juvenile**,
24 and the mother of, one of the victims that was
25 actually upstairs in her room. As she stated, like

1 she stated, and she constantly had these dreams every
2 day all day long about Katherine and Cephas. Your
3 Honor, it's been a long journey. As my brother
4 stated, I done watch judges tell me or tell the
5 defendant how much can you afford to get out of jail.
6 Like, Your Honor, I'm 38-years-old, I've never ever,
7 ever seen a judge ask a defendant from the, from the,
8 the stuff that's going on here, how much can you
9 afford to get Katherine out of jail, that was a smack
10 in the face to the family. The other one was when we
11 - as my brother stated, I don't gotta restate that -
12 that was another smack. Judge McFaddin, the ruling
13 that you did today, I'm still lost. I'm confused. I
14 don't even know -- to be honest I don't know what's
15 going -- I don't know what's going on right here,
16 right now, but I'm going -- I'm sure Mr. Redmond's is
17 going to explain to me the ruling what it means and
18 everything like that. I'm still -- my mind is bogged,
19 bogged. Like again, it been nine years. This has
20 been a journey for me on my mental, on my family,
21 especially on my daughter. When this happened, I put
22 myself in counseling. I put my daughter in
23 counseling. But it was my daughter, the one that
24 said, "Ma, take me out of counseling." I said,
25 "Why?" "She said because they keep asking me and

1 asking me the same thing over and over and over
2 again. How did I see my sister? How did I see my
3 grandma? Ma, it's like I'm not getting any better so
4 just take me out." So I took her out. I took myself
5 out thinking that, that might be the good thing so we
6 had to keep replanting. But then you got years and
7 years, expand and expand. This lady still out with
8 her family and I gotta go to the grave site to see my
9 daughter. Anybody know my daughter, my daughter,
10 "hey, you want a piece of candy?" "Hey, you want
11 this?" I tell my daughter hey stop talking
12 strangers. You know, she is so generous as well as
13 my mom. Yeah, everybody know my mom got a little
14 mouth on her. Who don't? But at the end of the day
15 she means well. If you need a pop, she's gonna give
16 you that pop. If you need a jacket to put on your
17 back, she's gonna give you that jacket. But she
18 gonna have, well, why you ain't going to work? Why
19 you not getting the jacket? But I'mma give you the
20 jacket this one time, maybe the second time, but the
21 third time I show you how to, how to get this jacket.
22 So at the end of day it's like how could you take
23 somebody life with no remorse. A person that has no
24 remorse to me do they even care about themselves? Do
25 they care about their family? Do they care about

1 their kids? Like, Your Honor, this is sick to me and
2 like I said, Your Honor, I'm not going farther but
3 Mr. McFaddin I thank you for the ruling that you did
4 today. Again, I'm sorry, I don't -- I really don't
5 understand. I don't even know what I'm saying thank
6 you to, a good thing or a bad. But at the end of the
7 day, I can vouch to see that it was no neglect in
8 your ruling. It was no neglect for you to listen to
9 both sides. It was no neglect -- you didn't judge.
10 You didn't -- and I'm sure you've probably seen the
11 videos of me going off, but I had every right to.
12 And if a person that sees that, and it slaps them in
13 their face and they don't say nothing about it,
14 that's one, they give a fake fear of what's gonna
15 happen. To me I don't care about the consequences.
16 I'm gonna ask a questions because if you give it to
17 me -- I'm gonna ask a question. But, Your Honor, I
18 didn't have to ask no questions for you. I didn't --
19 you did your thing. At the -- at the end of the day
20 I am the person, one of the people that's like Mr.
21 Redmond Darlington is racist. Darlington -- can we
22 move this case somewhere else. I am that person. I
23 was that person. Because of what the judge allowed
24 me and my family to see after hearing everything but,
25 well, Your Honor, not now one time you neglected us

1 and say, oh, well, I'm not listening to this bull.
2 Oh, no, well, I know this family, how much can you
3 afford to get out? Oh, you only afford \$150,
4 \$100,000 that, that's, that's, that's -- I do not see
5 no neglect from you. And, Your Honor, that is, that
6 is a great thing. Like I was telling Mr. Redmond
7 hey, get -- the judges here in Darlington, I'm not
8 knocking on Darlington 'cause I use to stay in
9 Darlington, right. So I'm aware of how Darlington
10 move. How Darlington peoplem, not all people. But
11 even black and white, it doesn't matter who color
12 you're going to see race in front of you, whether
13 you're black or whether you're white. But in your --
14 in your -- your judgment, Your Honor, I did not see
15 no neglect. You actually sit there. You listen to
16 both stories. You didn't cut nobody off. You didn't
17 -- you didn't say, oh, no, well, I know this family
18 more, I'mma give you the leg stand on, I did not see
19 that. And, Your Honor, all I can do even though it
20 was a long nine years, all I can do is thank God.
21 I'm a humble person. I'm the type of person I'm
22 gonna sit and wait. My brothers and sisters tell me
23 all time you need to start making some noise. You
24 need to go call the NAACP. Well, I'm not mommy, you
25 know. Yeah, mommy probably would have did that, but

1 I'm more of the let me do it behind closed doors.
2 Let me see a little bit more. Then I'll pop up and
3 show up. But at this point, I didn't have to do
4 that. I feel like I didn't have to do that. Now, if
5 it had went another way, I don't know what I would
6 have did. But, Your Honor, again, I want to thank
7 you for your testimony or for your, for your ruling.
8 My daughter it's too much for her to speak. But she
9 is one of -- she is -- she is one of the people that
10 actually was there in that home.

11 MS. DAVIS: Sorry, about that. But yes, I was in
12 the home. My uncle had woke me up and I just woke up
13 to seeing the house messed up. I went downstairs. I
14 didn't see my grandmother. I didn't see my
15 grandmother, but I did see my sister and it's, it
16 make a big impact on me like I cry every other night
17 thinking about my sister and how y'all took them away
18 from me. And now I don't have, no big sister that I
19 have my back to make jokes with to say, oh, this my
20 sister, you know. She was a good person. She was
21 joyful. She was nice. And she always had my back.
22 But -- and my grandmother she was nice. She was
23 feisty. She made some good food. And they just took
24 that away from me. So that's a big impact on me
25 because I love them. And yeah, I appreciate what

1 you've done for us.

2 Thank you.

3 THE COURT: Thank you.

4 MR. ROYSTER: Mr. Redmond, can I say one more
5 thing?

6 MR. REDMOND: Yes.

7 MR. ROYSTER: I'll state it from here. Well, my
8 mom -- I used to live in California for 17 years. My
9 mom used to call me in California and say I can't
10 wait for you to meet your brother and your sister.
11 You've got a new brother and sister. I just be like,
12 mom, you kind of too old to have kids like we talked
13 about it, you know. She was talking about Katherine
14 and Cephas. She used to call them her kids. My mom
15 used to help take care of, I don't know if it's their
16 oldest baby or youngest baby - well, I guess, the
17 family, y'all was going through things. Everybody's
18 family go through things, it's normal. But while
19 y'all was going through things, my mom used to help
20 take care of that child. I know Katherine can't
21 speak directing it to me, but I'm just letting you
22 know my mom is not what the defense had -- I'm
23 understand they have a job to do, but my mom was more
24 than anything in a bad way. She was a good person,
25 you know, so....

1 THE COURT: Thank you.

2 MR. REDMOND: May please court, Your Honor?

3 THE COURT: Yes, sir.

4 MR. REDMOND: If the Court would indulge me, and
5 I'm gonna try to get through this because - and Mr.
6 Cannarella knows this I've said it throughout the
7 course of this case - I was not involved in the case
8 originally. I got involved in it few years after,
9 just a couple years after this occurred. But I knew
10 Denise Couplin. I had -- as a matter of fact, I knew
11 each of the kids when they were younger. Clarence
12 sitting here -- well, Clarence and Bryon are not
13 here, but Tonay, Happy and Jermika, where she at -
14 Jermika. And so I had known Denise a long time
15 before this happened and she didn't deserve this. I
16 think that goes without saying, but I need to say it,
17 she didn't deserve this. They're right about her
18 being feisty. She's feisty. She -- I don't think
19 she ever referred to me as Kernard, it was always
20 Redmond. It was always Redmond. I don't think she -
21 - I don't even know if she knew my first name. It
22 was just Redmond. But -- so the loss that they're
23 experiencing, I'm aware of it from a personal
24 standpoint, and my heart goes out to them. I also
25 want to apologize to them for taking so long to get

1 here to this point because they say justice delayed
2 is justice denied and to a large degree that's true
3 because y'all had to go nine years waiting for this
4 day. And I work in the system, and on behalf of the
5 system, I apologize to y'all for it taking this long
6 to get to this point. But hopefully that denial of
7 justice ended today. And, Your Honor, thank you for
8 your ruling. And ,obviously, it was thoughtful. And
9 we would expect it nothing less. And I think I speak
10 for the defense in this regard in the fact that when
11 this case was, was scheduled we knew it would be in
12 good hands, quite frankly. And -- and you heard the
13 concerns of some of the family, and so that was an
14 issue that we had to navigate through. And so I want
15 to, on behalf of the State, say that we appreciate.
16 We respect your verdict. And thank you for that.

17 Now, as it relates the issue of sentencing which
18 is, obviously, the next step if I could address that
19 issue briefly. As it relates to the sense, of
20 course, the Court is aware of the fact that the
21 accessory before the fact, I think is 10 to 30 is
22 because it's the same as the principle for armed
23 robbery. And then the burglary first, of course is
24 15 years to life. All of that, of course, no parole.
25 Given the circumstances involved and I alluded to it

1 in my closing statement, but first of all - and
2 you've heard the family talk about the fact the
3 defendant knew Ms. Couplin. Had been to that house.
4 And to have participated in such a tragedy, in such a
5 heinous act, and then even afterwards go through
6 rummaging through trying to find whatever they can
7 take. I understand and I don't think any of us deny
8 the fact that she was in the throes of an addiction,
9 but it is not an excuse - when we're thinking about
10 what the appropriate sentence is, thinking about the
11 act - and I understand the defense has presented and
12 will present things regarding mitigation concerning
13 her addiction, but the fact is it was there. And it
14 resulted in a 6-year-old child having to find her
15 sister laying in blood with two bullets in her face.
16 Again, those are facts that can't be ignored. And,
17 obviously, we would ask the Court take into
18 consideration in sentencing. The fact that in the
19 video, and I know I talked about it and it's still --
20 I'mma be honest with you, Your Honor, that's one of
21 the things Mr. Cannarella will attest, that's one of
22 the things that struck me as it relates to this case
23 and why, quite frankly, we pushed so hard on this
24 case, is when I looked at that video and the only
25 time she expressed any emotion, this is after having

1 seen a 9-year-old child with two ---

2 MR. CANNARELLA: Your Honor, it's a fair comment,
3 though, I contest to none of that now. I mean, it's
4 a fair comment and he's saying I agree with him that
5 she showed no remorse on the video ---

6 MR. REDMOND: No, no, no, no, no ---

7 MR. CANNARELLA: --- I didn't say that ---

8 MR. REDMOND: --- I'm talking about ---

9 MR. REDMOND: No ---

10 MR. CANNARELLA: So you didn't mean to say that -
11 --

12 MR. REDMOND: No, I'm not talking about you
13 agreeing with me on that. That's not -- no, that's
14 not what ---

15 MR. CANNARELLA: I'm sorry. I apologize. I
16 thought ---

17 MR. REDMOND: No. That's not what I was saying.

18 MR. CANNARELLA: Okay.

19 MR. REDMOND: As I was saying, Your Honor, the
20 video, again, shows that she was - had no remorse.
21 The only emotion she showed was when if she was
22 either talking about losing Cephas, herself getting
23 in trouble, and then going back to losing Cephas.
24 And that's even corroborated by Dr. Knight's report
25 about, you know, wanting to always be with him,

1 things of that nature. Actions have consequences.
2 We don't always like the consequences. Things --
3 it's been nine years. I have no doubt she's probably
4 cleaned herself up. But that does not absolve you
5 from the fact that Denise Couplin did not have those
6 nine years. Who knows what she may have been able to
7 do. But even more poignant is that **Juvenile**
8 **[REDACTED]** did not have those nine years. Probably would
9 have been graduating from a high school either last
10 month or this month. Because this defendant
11 knowingly got herself involved in a home invasion
12 robbery, a home invasion robbery, an occupied home
13 invasion robbery that resulted in the fact that for
14 the rest of her life, for the rest of all their lives
15 they are going to suffer from what the defendant got
16 herself involved in. I think the circumstances speak
17 for themselves. I think in the Court's ruling you
18 actually alluded to a lot of the things that I would
19 have actually spoken to so, I don't need to retread
20 old ground. Again, as it relates to the sentence,
21 Your Honor, we, of course, obviously, that is in the
22 Court's discretion in good judgment. But I would
23 just say this, I do not see this as a minimum
24 situation on a burglary first charge. I do not see
25 this as a minimum because of the fact that is as a

1 burglary first that went along with the robbery, even
2 though she wasn't convicted of it, the fact of the
3 matter is, the by product and result of that robbery
4 is that two people that are dead, including a 9-year-
5 old. And she knew that when she went into that house
6 and despite that still engaged in the larceny of
7 pills, money, debit cards. And then still tried to
8 lie about it until she was confronted by, by
9 Lieutenant Luce. And I apologize the work that the
10 sheriff's office did, Lieutenant Luce and at the time
11 Sergeant now, Agent Special Agent Jackie Gause did
12 along with everybody else in law enforcement is to be
13 commended because this case was actually resolved in
14 less than, what, less than 30 hours. And also to
15 give a special acknowledgment to Taylor Lane and
16 Philip Norris for coming forward with the information
17 that greatly aided in the investigation. And I'm
18 sure I've missed somebody else and I apologize, but
19 this was a an all hands on deck investigation. And
20 as I sit down, I would ask if the Court would allow
21 me if either Mark Luce, Lieutenant Luce or Jackie
22 Gause would like to address the Court, I think, if
23 they want to. I think I would be remiss without
24 giving them that opportunity. For once in his life
25 Lieutenant Luce has decided not to say anything. But

1 I'm sure he -- I'm sure they were both would join in
2 the sentiments that I've, that I've presented to the
3 Court.

4 So with that, Your Honor, we would respectfully,
5 again, ask that you take everything into
6 consideration especially the heinousness of the act
7 as it relates to your ultimate sentence.

8 Thank you. Oh, one more thing, Your Honor, I did
9 not mention -- if you give me just a minute I would
10 be especially remiss if I did not mention Ms. Baxley.
11 Savannah just got involved in this case three weeks
12 ago and you see what she was able to do in court
13 having only been in this case three weeks ago. I
14 literally sent her the file three weeks ago and you
15 see what she was able to do and what she has done to
16 help me in this case and to help the family. So I
17 would be especially remiss if I did not recognize Ms.
18 Baxley. And also give her an opportunity to address
19 the Court if she needs, if she so, if she sees fit?

20 THE COURT: Ma'am?

21 MS. BAXLEY: I'm okay, Your Honor.

22 THE COURT: Mr. Cannarella? Mr. Gore?

23 MR. GORE: Yes, Your Honor, the defense has a few
24 people that would like to speak on behalf of Ms.
25 Baucom. First would be Susan Knight, excuse me, Dr.,

1 Dr....

2 DR. KNIGHT: Good morning, Your Honor ---

3 THE COURT: Dr. Knight?

4 DR. KNIGHT: Yes.

5 THE COURT: Before you speak, you were here
6 earlier I'm sure when I said I gave your trial
7 testimony no weight that's because it was in the
8 trial and it's not a defense to crime. I hope -- I
9 trust you understand that?

10 DR. KNIGHT: Yes, Your Honor.

11 THE COURT: I'm not trying to fault your
12 education or credentials in any way.

13 DR. KNIGHT: Thank you, Your Honor. Yes, I
14 understand.

15 THE COURT: All right. Proceed, ma'am.

16 DR. KNIGHT: So yesterday I testified to Ms.
17 Baucom's severe history of drug use beginning at age
18 13 and I went into some of those severe consequences.
19 The most severe, of course, is this very tragic
20 situation here today. And in meeting with her over
21 the years she has expressed great shame and remorse
22 for all of those consequences including this
23 situation. Voluntary intoxication also came up
24 yesterday in my testimony and the solicitor is
25 exactly correct, I do teach that to my law students,

1 it is never a defense to a crime. And as, Your
2 Honor, intimated earlier, it's much more appropriate
3 for this, for this phase of the proceedings. What I
4 wasn't able to explain yesterday is that medically
5 clinically we don't conceptualize these severe
6 substance use disorders as voluntary in the same way.
7 When somebody's use is as severe and chronic and
8 prolonged as Ms. Baucom's, particularly with opioids,
9 it changes, it alters the brain chemistry so the mind
10 is tricked into believing that the body needs these
11 substances to survive and that's why we see users go
12 through very painful withdrawals. We see them use,
13 continue to use despite severe consequences to their
14 life and that's why we see fatal overdoses because if
15 somebody were to stop these drugs abruptly they could
16 have a seizure and they could die. That's
17 physiological dependence and that is where Ms. Baucom
18 was with her use at the time that this happened and
19 that's why I rendered those diagnoses to a severe
20 degree.

21 Yesterday, I also testified to full sustained
22 remission. And technically that means there's been
23 no signs of the disorder in 12 months. But for Ms.
24 Baucom there's been no signs of these disorders in
25 over five years. And that opinion is based on

1 extensive collateral investigation. It did not
2 depend on Ms. Baucom's reporting to me to find that
3 she was in sustained remission. So just to clarify
4 that and let you know what that's based on. When she
5 was released from detention in September of 2020, she
6 went directly to the Magdalene House. That is a very
7 strict 12 step sober living house for females in
8 Somerville. She started AA Programming seven days a
9 week. She got involved in Dorchester Mental Health.
10 She started at Dorchester Drug and Alcohol for
11 treatment. I spoke to the house manager of the
12 Magdalene House. I spoke to her former substance use
13 therapist. They were very, very positive about her
14 engagement and her progress and her growth. She
15 successfully completed the Magdalene House in
16 February of '22 and she moved into the home of the
17 CEO or the director of the Magdalene House. I spoke
18 with her and she has seen hundreds of women come and
19 go over the years. She has only allowed two in her
20 home to reside and one of those was Ms. Baucom. I
21 also spoke with her with all of her experience with
22 substance dependence and she was very, very positive
23 about Ms. Baucom's path and her growth and her
24 insight over the years. Ms. Baucom has also been
25 completely immersed in AA Programming over the years.

1 She has taken a service position, a leadership
2 position. She goes to -- she does outreach where she
3 goes to substance use facilities and she tells her
4 story. She tells this story. And she's been able to
5 change some lives that way. I did speak to her
6 sponsors, her former sponsor and her current sponsor.
7 Through all of those interviews, I learned that Ms.
8 Baucom has passed over 70 drug tests while she's been
9 out of detention. She has not tested positive on any
10 drug test and she's been drug tested since for five
11 years now. She's drug tested quite frequently where
12 she lives right now. So all of that data, I was able
13 to opine that she, that these disorders are in full
14 sustained remission for Ms. Baucom at the present
15 time. In addition, I learned that she petitioned for
16 a divorce from her co defendant in February of '22.
17 That was finalized. She wanted nothing more to do
18 with him. She got a college degree. She has had no
19 violations of the monitor. I called the monitoring
20 company and they let me know that. She has mended
21 relationships with her family the best that she can.

22 And so just lastly, Your Honor, my evaluation of
23 Ms. Baucom started in 2017 and it continued until my
24 last interview in the fall of '24. That's unusual
25 for me to have such a protracted time to evaluate a

1 pre-trial defendant. So this case has gone on for a
2 very long time. I usually don't get that amount of
3 time to see somebody's progress or lack of progress
4 during that time. When I first saw Ms. Baucom in
5 2017 she was in detention. She was despondent. She
6 had some resistance to taking responsibility. And if
7 my evaluation had stopped there, I would have told
8 Mr. Cannarella I cannot help you with this case. But
9 it didn't stop there. I saw her over the years for
10 seven years until 2024. I gathered all of this
11 collateral data, reviewed a lot of records, talked to
12 a lot of people, and what I found was that she showed
13 remarkable growth, remarkable progress. She has an
14 unrelenting focus on her sobriety. And when I asked
15 her, why she would not use again, she said, it's stay
16 sober or die for her at this point and I do believe
17 her.

18 Thank you, Your Honor.

19 THE COURT: Thank you. Mr. Gore.

20 MR. GORE: Your Honor, next would be Liz
21 Milligan.

22 MS. MILLIGAN: Hi, my name is Liz Milligan, and I
23 am the board president functioning as the CEO of the
24 Magdalene House of Charleston. This is not my paid
25 profession as a volunteer opportunity that I've been

1 able to be seated at for 14 years. It's an
2 organization that I have seen many miracles come
3 through and my profession has human resources over
4 the last 20 years.

5 First, I'd like to express my condolences to the
6 families and all who are involved. None of this is
7 easy to walk through but, um, I'd like to explain a
8 little bit of how we received Katie because what
9 happened, and what was explained through the
10 courtroom is really challenging me for, challenging
11 for me to reconcile who the woman she is today with
12 what we've heard this week. So Katie came to our
13 organization in September of 2020. Our first phase
14 of our organization was our crisis stabilization
15 phase and that was apparent that we needed to really,
16 you know, get Katie involved in treatment not only
17 within our organization but also within Dorchester
18 intensive outpatient programming, and to remain
19 compliant with mental health which was already
20 brought, you know, up. But she came to us suffering
21 from co dependency, obvious trauma bonds from
22 additionally not only the drug dependency but being
23 trafficked by her spouse which was expressed earlier
24 in prostitution. So when you have that kind of
25 darkness around you, it's really challenging to come

1 out of that. And so Katie spent a little longer in
2 that crisis stabilization phase, I think than most of
3 our residents coming in. In that phase, they're
4 required to maintain sobriety. She was and I can
5 attest to the fact that she was tested over 20 times
6 while in our care at the Magdalene House. She was
7 compliant with mental health and still is compliant
8 with mental health through, you know, Dorchester
9 intensive outpatient programming. She's required to
10 attend daily recovery meetings every single day. One
11 including at our facility on Monday nights where she
12 has continued to support that even after completion
13 of our program. In our program we also require that
14 they, they reach out to community for support. So
15 having a home group and a sponsor which Katie has
16 done and continues to do where she's required in
17 phase one to also assimilate to serve a living
18 community the support and network of the Magdalene
19 House. She's -- She's also met with our program
20 director for individualized case management. So upon
21 completing that crisis stabilization phase, we go
22 into phase two of our program. It's a three phase
23 program. So I won't take a tremendous time, I just -
24 - it's really important to see and, and hear the
25 rehabilitation that has, that has happened in her

1 life. Phase two is the interim phase or growth
2 phase as I like to call it where they learn new life
3 skills. And I would say new life skills but when
4 Katie came to us she had, she really had none, you
5 know, suffering from a life of addiction. She
6 learned how to do chores. Be accountable. She
7 learned how to cook. She learned the attendance and
8 was of utmost importance to submit daily plans or
9 agendas to our program director. We do not divert
10 from those. At all times you are supposed to stick
11 to your agenda. You can't be, you know, going off of
12 your agenda whatsoever. There's -- there's a
13 requirement that they're in house by 10 o'clock that
14 lights out by 11. So awake at 9am with your bed
15 made; prepared to work; and, things like that. So a
16 very, very rigid program. She was required to secure
17 and maintain employment of what she was able to do at
18 that time. Obviously, given her background and
19 pending charges over her that was a little
20 challenging. So she started working at a cookie
21 factory packaging cookies. It was, basically, with
22 the house arrest, her ankle monitor, what she was
23 able to do was to bike to this cookie place five days
24 a week to package cookies and then come back. Since
25 then, obviously, she's grown in her employment

1 opportunities. And she was also required to
2 volunteer with our social enterprise, attend our
3 sales meetings, our marketing, marketing support,
4 customer service and production. And so what that
5 looks like is making jewelry to help support our
6 program. She also would be required to handle cash
7 at markets like complete cash box. In fact, Katie,
8 when she became our senior resident, I could send her
9 to markets with all of our product totaling tenty,
10 \$30,000, at least, our cash box and assume that she
11 would go to that market, not only set it up and sell,
12 and be the face of the Magdalene House Program and
13 what it needs to look like to be a successful woman
14 recovering, but also that she would bring all of that
15 back down to the penny and accountable to it. We
16 also in that second phase work with family
17 reunification. As you can imagine it's quite
18 challenging in the situation that she was in. But
19 with the assistance of our program director, she's
20 been able to help her learn how to become a mother,
21 something that she was never able to do in her
22 addiction.

23 And the third phase which is our transitional
24 phase, this one might have been the hardest phase for
25 her because you look to planning, most of our

1 residents looked at planning a hope for their future.
2 What are they going to do next now that they've got
3 this stability? And Katie, you know, with the
4 pending charges and the house arrest was very limited
5 in what she could do, you know. So I know Ms. Knight
6 brought it up, but there were only two residents out
7 of the hundreds that have come through the Magdalene
8 Program that I allowed to stay at my house
9 personally. One who is here with us today. She was
10 gaining custody of her children back and purchasing a
11 home so she needed a little more time to be able to
12 accomplish that, and she stayed at my house for eight
13 months. And then Katie, because of not only her
14 circumstances but who she represented as a, as a
15 recovered woman and who she had transformed into, was
16 the woman that I allowed to stay in my home. In my
17 home, you know, we have similar roles to the
18 Magdalene House. I know that she was court ordered
19 to be able to stay at my home. It's not like it was
20 a luxury. Similar rules. Lights, lights out by a
21 certain time. Drug testing monthly. And even in the
22 last couple of months it was drug testing weekly
23 because something like this could rock somebody's
24 sobriety. And she has not wavered through the
25 pressure of all of this and the remorse and pain that

1 this has caused everybody involved, her recovery
2 still remains a priority to her.

3 In this last phase, before she transitioned, she
4 would also be responsible for career development and
5 any type of additional education. She obtained her
6 associate's degree which was mentioned. But she
7 obtained it in business to be able to help support
8 the nonprofit organization after, you know, that she
9 completed the program. She -- she graduated from
10 Magdalene House in February of 2022, becoming part of
11 the Alumni Program where our alumnis who complete the
12 program are expected to pour back into those coming
13 into the program. And she's been able to do that by
14 continuing to support the monthly or the weekly
15 recovery meetings. So every Monday for about three
16 years Katie has gone to the Magdalene House to help
17 pour into those women. She's also been a speaker at
18 our retreats as well as, you know, supplying any type
19 of peer support that these ladies could need during
20 that time. Since she's been at my house as I said
21 she's, she's maintained sobriety. She continues to
22 support our social enterprise. In fact, she's a key
23 component in it. She is our lead design consultant
24 or actually only designer consultant. And, and she
25 continues to go to market. She continues to go to

1 conferences for us. And she functions as a
2 procurement arm of our social enterprise. So what
3 that basically means is like I give her our credit
4 card with access to all of our finances so that she
5 can go acquire jewelry, beads, chains, and things
6 like that so that we can make that to sell to make
7 our program cost effective. So not only do I trust
8 her with, you know, our finances of the Magdalene
9 House but I trust her personally in my home, with my
10 home, with my family, with my fur babies. I travel a
11 lot. My husband is here with me today in support of
12 that too. We travel and when we do we leave Katie
13 responsible at our house to help take care of our
14 pets in our home. She has become a recovered woman,
15 a pillar of support in the recovery community. A
16 reliable employee. And an accountable partner in
17 essence to our social enterprise or business. She
18 has not only, in my opinion, and like I said I've
19 been supporting this program for nearly 15 years,
20 she's not only been reformed or rehabilitated, she
21 has been completely transformed to, to a different
22 woman than what I've heard over the last couple days
23 in here. And, and I know you talked earlier when you
24 opened about that this situation has been saturated
25 with darkness and misery and our motto at the

1 Magdalene House is be the light so when a woman comes
2 in that kind of darkness that you described, when she
3 gets to the point where she's recovered, she can't
4 help but to shine. And that's what our alumni do.
5 They shine their light on the new residents coming
6 in. And I think it would be an additional loss to
7 what's already taken place to our community if her
8 life wasn't allowed to be able to shine there so....

9 Thank you.

10 THE COURT: Thank you. Mr. Gore?

11 MR. GORE: Angie Morris.

12 COURT REPORTER: I'm sorry, who?

13 MR. GORE: Angie Morris, A-n-g-i-e.

14 COURT REPORTER: Thank you.

15 MS. MORRIS: That's not my government name. Just
16 kidding.

17 Thank you, Your Honor. And this is -- I can't
18 really say anything in addition to what Ms. Milligan
19 just said. I'm the Program Director of the Magdalene
20 House, Angela Morris. I am an advanced alcohol drug
21 counselor. I absolutely do not use that
22 certification at Magdalene House. I stepped away
23 from the field because of burnout as you can imagine.
24 It's very heartbreaking. And decided to start
25 working with the Magdalene House because I actually

1 got to see people recover. I got to walk alongside
2 them. If you had to explain it in layman's terms it
3 would be good cop, bad cop. I'm the one that has to
4 come in and tell them to make your bed and get up and
5 let's go get a job and you can't -- you know, look
6 through their phones and make sure that they're not
7 texting somebody or getting venmos from their dad,
8 you know. One of the first things that happened with
9 Katie, not even with Katie was actually with her dad.
10 He called he was trying to get her in somewhere and
11 find out what he was supposed to do with this child
12 that was, you know, facing this horrible situation.
13 And, and I told him about our program and I also
14 explained to him I said a part of this program is
15 going to be once she comes to us you have to let go.
16 And, you know, there is a certain level of -- you
17 know, Katie was raised right. You know, I love her
18 mom and dad to death, but they did not like me in the
19 beginning because she was not allowed to accept help
20 from them. She did have to ride a bike. She did
21 have to go work for what she wanted, you know,
22 whatever she wanted, she had to work for it. That's
23 just a part of our programming and she didn't like it
24 very much. And one of our euphemisms is a drink is a
25 drug; is a man is a cookie, you know, and we say it

1 jokingly but there's probably not a person in this
2 room that either hasn't or doesn't know someone that
3 struggled with one of those four things, a drink is a
4 drug; is a man is a cookie. And after knowing Katie
5 for some time, I can assure you that even though she
6 started drinking and using drugs early on, you know,
7 men tend to be our first drug of choice and that
8 feeling of need to complete myself and who do I need
9 to be in order to be okay with the world and Katie
10 has struggled a lot with that. Working with her
11 during her time at the Magdalene House and watching
12 her go through therapy and, and I would always tell
13 them call your sponsor, call your therapist. I don't
14 want to hear about that. But like walking with her
15 as she processes everything that had happened not
16 just in this circumstance, but just in her history
17 and watching her heal those parts of herself that was
18 looking for love and validation from external
19 sources. And then once she was broken hearted,
20 watching her process the way she used drugs and
21 alcohol to treat what she had felt like she had been
22 neglected, you know, she's walked through all of
23 that, you know, and she definitely has a lot of guilt
24 and shame not just about the circumstances regarding
25 this case, but about not being there for her

1 children. And I am, again, offer my condolences to
2 the family because I could not imagine, you know,
3 what that would be like, you know, but I do know that
4 Katie has, you know, built a relationship with her
5 Creator and trust that relationship to go forward in
6 life to be what God would have her be no matter what
7 the circumstances turn out here today. And I just
8 really hope that, you know, the, the Court will see
9 fit to allow her to continue to carry this message
10 that's been given to her into all of her affairs and
11 just throughout life.

12 And thank you so much.

13 THE COURT: Thank you, ma'am.

14 MR. GORE: Jennie Dylan, Ms. Baucom's current
15 boss.

16 MS. DYLAN: Good morning, judge.

17 THE COURT: How you?

18 MS. DYLAN: I am Jean Marie Dylan. Katie has been
19 my employee. As I stated Katie is my employee. I
20 met Katie through a program that was teaching at the
21 Mag House how to, how to take ground beef if you want
22 to take it and make several meals. And upon
23 completing graduation, Katie started working with me
24 in March of 2022, part-time. Katie approached me in
25 May and came out full time May 10th At first, I

1 wasn't keen on hiring Katie but it wasn't because of
2 what's going on here today. I didn't know. I knew
3 that she had been in trouble. She didn't have the
4 experience as a caterer, it's busy. It's crazy.
5 It's a lot going on at once. She not only thrives at
6 the job, she's the first person and I've been doing
7 this for 30 plus years that cares, is trustworthy, is
8 hard working, ah, inspiration. Food industries you
9 have a lot of people that have issues. She inspires
10 them. They come up to me constantly. How does she
11 stay so strong? She knows she has to. I just ask
12 that you look closely at what she has accomplished
13 not diminishing why we're here but please, please
14 consider what she has accomplished.

15 And I appreciate the Court's time.

16 THE COURT: Thank you. Mr. Gore?

17 MR. GORE: Yes, Your Honor, now we will hear from
18 Ms. Baucom's parents, Mary Ward and Charlie Baucom.

19 MS. BAUCOM: My name is Mary Ward Baucom. I'm
20 Katie's mom. And Judge McFaddin, I appreciate the
21 service that you have put forward today because I
22 have been teaching school for 30 years and one thing
23 that I try to, have to try to teach children is how
24 important is that we live in a country that's free
25 and that we have these opportunities to be heard and

1 I thank you for that.

2 I'm not going to say much except that this is a
3 tragic situation. Shocking to hear when all this
4 happened. Not in my wildest dreams would I ever have
5 thought, but I will tell you that, as a mother of a
6 drug addict, we learned early on when we had some
7 counseling that there are two ends to addiction. One
8 is jail and one is death. While we still have our
9 daughter and she's a beautiful soul there has been
10 tragic loss for which I'm so sad. But I just want to
11 say that the four years that Katie was sitting in the
12 detention center I visited her very often, probably
13 twice a week, and during that four years I saw for
14 the first time her desire to change. I've prayed for
15 my child since before she was born, and I just want
16 to say that the people sitting on this side of this
17 courtroom have been such an amazing group of people
18 who have surrounded her, helped her to be the person
19 she is now and changed her life. God first, as I've
20 always told her. But without that support it could
21 not have happened and I'm grateful to them today.

22 And Judge McFaddin, I just pray that you would think
23 so much about what she's already accomplished and the
24 changes that she's made. It doesn't change anything
25 that happened on that tragic night, but what she is

1 showing the world now who she is and shining his
2 light which is what he asked us all to do, I just
3 pray that you will take that into consideration.

4 Thank you.

5 THE COURT: Thank you.

6 MR. BAUCOM: Your Honor, this -- I'm Charles
7 Baucom.

8 THE COURT: Yes, sir.

9 MR. BAUCOM: I'm Katherine's father. I guess,
10 when you're last in the line up you're subject to
11 repeating some things that have already been said and
12 I appreciate and respect the Court's time but I would
13 also like to thank the Court and not just yourself,
14 Your Honor, but all the Court employees because,
15 obviously, this is a stressful situation for
16 everyone. And the professionalism and the courtesy
17 has very much been appreciated and made this easier
18 to bear.

19 The other thing I would say in the way of thank
20 yous and appreciation, are these folks that came up
21 from Summerville, these folks that have formed a
22 community around Katherine and helped lift her up.
23 And we wouldn't be here today without the progress
24 our daughter has made without them. And in that
25 regard, you've heard from some of the key people.

1 But I also have about 15 character references or
2 letters. They were addressed to you. I recognize
3 getting them to you is a little bit of a challenge,
4 but I just wanted to hand those over to our attorneys
5 and let you know there as the metaphor was used
6 earlier, these folks are the tip of the iceberg.
7 There's a whole community of people down in
8 Summerville who love and respect Katherine. And
9 she's really built a solid family down there.

10 I feel compelled in some ways to address some of
11 the things I've heard about my daughter and I
12 recognize we're in a courtroom setting. But the
13 things I've heard stated about her don't sound like
14 the person I know as her father. I watched her grow
15 up. I watched her through the good times and through
16 the bad times. And I feel compelled to say she's not
17 a violent person. She's never been a violent person.
18 I think you've heard testimony to the effect and
19 comments today that rather than pursue drugs and
20 money through criminal activity, if you will, or
21 robbery or theft she would compromise her own body to
22 get that money and the word she's used to me only
23 hurt herself so to speak to obtain these drugs and
24 this money. So she's never -- she has no violent
25 history. She has no violent record. She's just not

1 a violent person.

2 On the issue of remorse, she has one of the
3 biggest hearts of anyone I know. And I don't think
4 you can really take what we've seen this week and
5 really have a sense of how she feels about what
6 occurred in 2016 and what occurred before that, and
7 she's conscious and painfully aware of the ripple
8 effects of all these things to the families here and
9 to the families that might not be here. So we are
10 really proud of how far she's come. I hope as others
11 have said you'll take that into consideration. I
12 know it's a difficult thing to do but as I understand
13 incarceration which is not very well, I would suspect
14 that there's a punishment aspect and there's a
15 rehabilitation aspect. So she's already been
16 punished and I take responsibility primarily for the
17 four years she spent in the detention center because
18 I felt like there is an element of accountability.
19 We knew there was something that went wrong there.
20 We weren't sure exactly what but she was allowed to
21 remain there for four years. So -- and since leaving
22 there the rehabilitation has continued. I don't
23 think there's any remote chance you'd ever see her in
24 front of this courtroom again.

25 Now, in terms of the punishment phase and the

1 rehabilitation phase, I guess you have to weigh all
2 these factors, but I really think that she deserves
3 leniency. She's worked for it. She spent the last
4 nine to ten years of her life trying to earn that. I
5 know she's sorry for what's happened. And I just
6 hope that we can somehow move on and reach a
7 situation where everyone has paid their dues and also
8 resolve the pain and hurt that have occurred.

9 And I thank you for, for your time.

10 THE COURT: Yes, sir. Thank you. Mr. Gore?

11 MR. GORE: Yes, Your Honor, at this time Ms.
12 Baucom would like to address the Court.

13 THE COURT: All right, sir.

14 MS. BAUCOM: Your Honor, I just -- I would ask
15 that you bear with me. I've had a really long time
16 to think about this and I just want to make sure that
17 I don't miss anything so I've written it, if that's
18 Okay with you? And I -- it's -- I may struggle
19 getting through this, but please just bear with me.

20 First and foremost, to the families of the
21 victims, for almost nine years I wish that I could
22 tell you that I'm sorry. I know, I know that there
23 will never be words for me to give you any relief or
24 make this situation better. Every single day I think
25 about what happened and I regret the choices that I

1 made that led me and, unfortunately, your family here
2 today. I never had the intention or desire to hurt
3 anyone and I'm ashamed that I was ever a part of
4 something so horrendous and devastating. You and
5 your family did not deserve to go through any of this
6 losing your loved ones and the pain and grief that
7 followed and I'm truly sorry.

8 Dr. Knight gave me a small glimpse of what my
9 life was like. I was deep in a spiral of addiction
10 and I'm truly sorry that my poor decisions have had
11 such a horrible irreversible impact on your life. I
12 lost myself to drugs and I became involved with
13 people in situations that I knew were not acceptable
14 on any level. My greatest lack of judgment caused
15 pain to many people in my life and others, but most
16 of all to yours. I never intended nor intentionally
17 tried to hurt people but my selfish actions caused
18 harm. Until I was completely removed from drug use I
19 could not see how much my terrible decisions hurt
20 other people. I cannot imagine or fully appreciate
21 the pain that you have suffered. To lose any family
22 member is hard, but to have them snatched away from
23 you in such a way is inexcusable and wrong. They did
24 not deserve that and you do not deserve that.

25 I also know, I know that you may not want to hear

1 this, but as a mother and a daughter who never wished
2 the loss of anyone. They had their whole lives ahead
3 of them and from the bottom of my heart I'm sorry
4 that it was stolen from them and from you. They did
5 not deserve to have their lives taken from them and
6 to have their home desecrated. None of you deserved
7 any of this and I'm truly sorry. I'm here today to
8 try and atone for the mistakes that I've made. I
9 know there will never be a way to write what was
10 done, but I'm willing to own my part in this. I
11 never knew that my ex-husband was capable of
12 something like this and I'm sorry that I could not
13 prevent it from happening. I've spent the years
14 since trying to separate myself from him, my
15 addiction, and my past. And when I look back at
16 myself and I'm disgusted. I'm disgusted with myself
17 for being so co dependent and deluded and that
18 disgust has fueled me to be a better person and
19 surround myself with people who are living right and
20 doing good things and helping others that they said
21 that they do not have to stay in the addicted and
22 deluded state that I was in for so long. I've prayed
23 for a long time that you all will be able to have
24 peace in your lives one day. I hope that paying my
25 debt to society will help with that and that peace

1 was something that was taken from you and I hope that
2 you can one day have it again.

3 And to the Court, Your Honor, I'm truly sorry
4 that we are here today because of my actions and
5 inactions. As this Court knows my actions and
6 inactions were reprehensible. I take responsibility
7 for them. My reprehensible lapse in judgment. What
8 I did was terribly, terribly wrong and has affected
9 the lives of countless people and families. For this
10 I'm deeply ashamed. It is with object humility that
11 I assure this Court I will never, never be in front
12 of it again. Since I was released on bond, I know
13 you've heard a good bit of this, but It I've tried to
14 be a productive member of society who live up to the
15 expectations given to me. I've graduated and become
16 an alumni of the Magdalene House Program for women
17 who are battling addiction. I take pride in the
18 Magdalene House's willingness to accept me and the
19 results that I've achieved in that program. I now
20 sponsor a resident program and sponsor multiple over
21 the last several years. I've also become a member of
22 the design team for the Magdalene House that sells
23 jewelry to fund their efforts. I've created a career
24 in the catering industry. About two years ago, I
25 graduated from Trident Technical College with an

1 associate's degree. By doing all this, I've realized
2 that my morality, my integrity, and my sense of self
3 have become more concrete in the last four years.
4 Through this, I've discovered that morality and
5 integrity are contagious. I want to someday be a
6 moral example to those around me. My debt to society
7 is the last part of this journey for me. In closing,
8 I'm truly sorry for all of us being here today.

9 Thank you.

10 THE COURT: Anything else, Mr. Gore?

11 MR. GORE: Your Honor, at this time, we would
12 like to present a couple pieces of documentary
13 evidence, it would be Dr. Knight's unredacted report,
14 a resume of Ms. Buacom's and the letters that her
15 father referenced.

16 THE COURT: Anything ---

17 MR. REDMOND: I've seen the first two. If I
18 could just see the letters that were referenced.

19 MR. GORE: Yea.

20 MR. REDMOND: I've actually seen the resume and
21 I've seen the unredacted report. I'd, obviously, have
22 no objection to those.

23 MR. REDMOND: I have no objection, Your Honor.

24 THE COURT: All right, sir. Anything further from
25 either side at this stage?

1 MR. REDMOND: Briefly, Your Honor. I do say ---

2 MR. CANNARELLA: Your Honor, May I ---

3 MR. REDMOND: I'm sorry ---

4 MR. CANNARELLA: Your Honor, from my perspective
5 and the length of time I've been doing this, you
6 know, I can tell you people don't really realize, in
7 this case especially, is, is this nine years was by
8 design, but not Kernard's and nine years by design,
9 but not mine. So she's been able, Katie's been able
10 to perform a lot of -- I've never seen a client stay
11 out of jail this long and do what she's done. And
12 she's been given that opportunity and a lot of people
13 think that I created that length of time somehow or
14 maybe Kernard did, but it just happened this way. I
15 think that obviously COVID played a role in it, but
16 most of my clients that I've ever represented and
17 stayed out of jail too long, I'm just waiting for him
18 to do something. It makes my job easier because they
19 violated that bond and gone back to jail. But this
20 child, she's performed in such a way I've never ever
21 seen or do a client do in my life. Her parents were
22 cooperative in promoting her the way they did to get
23 her to the place where she is now. And I know -- I
24 know that she was bonded out on GPS. She stayed in
25 jail four years. She's been on a monitor for about

1 four years. The -- I got a piece of paper that
2 recites it, judge, but I can read it if you want me
3 to. The date of arrest was as July 18, 2016. She
4 was released on bond in September of 2020. That's
5 1526 days in the jail. And when she was bonded out
6 on the GPS, was monitoring her computation time
7 served by prisoner Section 24-13-40, "In every case
8 in computing the time served by a prisoner, full
9 credit against the sentence must be given for time
10 served prior to trial and sentencing, and may be
11 given for any time spent under monitored house
12 arrest." She was placed on a monitor house arrest
13 as I stated at that time. That's nine -- that's a
14 total of nine years that she's entitled credit for
15 under our interpretation of the law based on the bond
16 which said, "she's placed on house arrest, but
17 allowed to work and with GPS. The only exception to
18 the restrictions terms and conditions herein: is that
19 Katherine shall be allowed to work as long as there
20 have been no violations, any wise other exceptions
21 would result in her immediate - violations of any
22 other exceptions will result in her immediate
23 arrest." I'll give this too, the computation of
24 time, the statutory section, and the bond order
25 itself for easy access at this point of the process.

1 But, you know, I think, I think this is one of the
2 hardest cases that I've -- it is the hardest case
3 I've ever been involved with in my life, and I'm
4 really thankful for knowing her, knowing Katie and
5 being a part of her life over the last nine years and
6 see how she's accomplished what she has has
7 accomplished. And that, you know, she's gotta have
8 an opportunity to share all this at some point in
9 time. She's 33-years-old. She's got a 14-year-old
10 daughter, and a 10, 12-year-old son. But look how
11 much she's got to offer. And look how much she's
12 offered during this nine years. I don't know how it
13 ended up being that way, but not, not, not, by, by,
14 by not by anybody's design, that I'm aware of that
15 played a role in this process, lasting this long.
16 Nobody intentionally delayed this. But it did allow
17 her to grow so much during that period of time. I
18 think that's the remarkable thing for me to have
19 witnessed in the last 10 years.

20 THE COURT: Thank you.

21 MR. REDMOND: May it please, the Court? I know I
22 stood up a little early but when the computation I
23 was fine at the 1526 because that's actually exactly
24 what we computed as it relates to the days before she
25 was released on bond. We would strongly object and

1 we would actually cite the testimony that you've
2 heard from mitigation witnesses and the letters that
3 you got, to strongly object to her getting credit for
4 a second more than that 1526 days and here's why: the
5 fact is, and of course, -- Mr. Cannarella kind of,
6 his voice kind of tailed off a little bit, but
7 statute says "may". It doesn't say "must" as it
8 relates to the time on GPS monitor. It "may" based
9 on circumstances. She obviously, to their point, had
10 a lot that she was able to do during that time. Ao
11 that GPS monitor did not formulate or did not cause
12 any detention that I think, by as a matter of law,
13 she's entitled to any more time than that 1526 days.
14 That's why I stood up early when he made that
15 comment. And I apologize for that. But, of course,
16 it struck me in such a way that, obviously, I
17 strongly, we strongly object to anything more than
18 the 1526 days.

19 The last thing I'll say, Your Honor, is that -
20 and I did not mention this before - but as it relates
21 to the sentence, constituting a deterrent aspect. I,
22 everything that I've heard just full disclosure, I am
23 a part of a committee out of Chesterfield County that
24 is actually trying to address the opioid crisis.
25 Came back from a conference in Nashville just within

1 the last month and a half addressing some of these
2 issues. I'm very sensitive to the hold that drugs
3 have on people. The problem is, again, actions have
4 consequences. And when -- the reason I mention the
5 deterrent aspect of this, nobody that came up here -
6 burglary carries 15 years to life, nobody up here,
7 asked that she get a life sentence. We understand
8 that she has made positive changes. But the reason I
9 say that a minimum sentence is not warranted
10 especially given the facts, the heinous facts in this
11 case, is that the State contends that, that would
12 limit the deterrent aspect of this particular
13 sentence. Message needs to be sent that if you find
14 yourself in the throes of addiction, you still are
15 capable of making choices. And at the end of the day
16 that's something that we don't say in these within
17 halls enough. That the reason we tend to be here is
18 based on the choices that we make. And the reason I
19 mentioned deterrence as it relates to those choices
20 is that hopefully the next person that finds
21 themselves in her situation with a person that they
22 have to be with even though that person decides to do
23 something that they know is wrong and still decided
24 to go forward with it anyway, hopefully, they will
25 not make the mistake that she made. And that's part

1 of what the deterrent aspect of sentencing entails.
2 And that's why I said I do not see this as a minimum
3 sentence when you look at the facts of this case, the
4 heinous facts in this case.

5 The last thing I'll say is that with all the
6 changes that have been mentioned and we, I think the
7 family, the Couplin's family, Ms. Couplin's family,
8 **Juvenile**'s family was very gracious in acknowledging
9 the hurt that her family is going through. I echo
10 that sentiment. But then there's the other side of
11 that, a pendulum swings both ways. And as I
12 mentioned **Juvenile**, especially **Juvenile**, and not, of
13 course, not, not taking anything away from Denise, as
14 I said I knew Denise, but I want to talk about
15 **Juvenile** for a minute. **Juvenile** did not have the
16 same opportunities. And even though, obviously, she
17 was not guilty of an accessory before murder it was
18 still her actions that set, that her actions were
19 involved in setting the chain of events that led to
20 their deaths. And those changes that Ms. Baucom
21 Cowick, well, Ms. Baucom has gone through in the time
22 since she got out of jail, came too late to save
23 Denise and **Juvenile**. And I'd ask the Court to also take
24 that into consideration and weighing what the
25 appropriate sentence should be.

1 Thank you. Oh, and Your Honor, forgot to pass up
2 the sentencing sheets.

3 THE COURT: Okay. I have not and did not last
4 night, or this morning, or even yet determine
5 sentences here. They have not been pre-determined.
6 I wanted to hear from both sides and I heard a lot.
7 To be clear, the sentences are related to those crime
8 for which I find, found she was guilty.

9 Lastly, I say this word correctly, it's too, fast
10 food rulings. I've often been confused of taking too
11 long to decide something. But I want to have some
12 time now to review what I heard today, think about
13 it, and then issue a ruling. And I desire more than
14 15 minutes. So I will ask you, all of you to please
15 return. Be back here 'cause it's the mid, mid day
16 hour approaching now, at 1:30. It's 13:30 hours.

17 MR. REDMOND: Thank you, Your Honor.

18 (Whereupon, the Court does a short recess)

19 **Sentencing**

20 THE COURT: To all of you gathered -- to all of
21 you gathered here today, I appreciate your patience
22 with me throughout this matter. You've been very
23 kind and I appreciate that. It's been a rough two or
24 three days. Before I announce the sentences, I do
25 want to tell you that I did read these, these items.

1 Everything that was handed to me I have read. I
2 don't -- I don't lecture, but sometimes I feel
3 compelled to say something here, sometimes. It was
4 mentioned earlier I think by the defendant's father,
5 I think he used the term ripple effect. And there
6 this is one of those cases where there's a ripple
7 effect in both directions. But unlike the proverbial
8 rock thrown in the water those ripples never stopped.
9 I'm also reminded about something else that was said
10 by someone today. I think it was the first gentleman
11 who spoke on this side, where he talked about
12 consequences from what we do. We get a lot of
13 chances to choose things, but we rarely get a lot of
14 chances to choose the consequences and that's sort of
15 what's happened here. And I am reminded by something
16 that a man named David Jeremiah often says - and I
17 guess to understand this I need to tell you this that
18 in the Presbyterian faith a saint, is a person who
19 has sinned and redeemed himself or herself. Those
20 are the saints in that church, that denomination.
21 And David Jeremiah often says "that every saint has a
22 past, but every sinner has got a future." I often
23 use that to preface sentences in court.

24 Now, here's the things I have considered about
25 these sentences. I have heard nothing about, you can

1 correct me if I'm wrong, a prior record, am I right,
2 from the defendant?

3 MR. REDMOND: The defense actually did introduce
4 evidence about that. I think it's a shoplifting,
5 magistrate's court offense, shoplifting, and things
6 of that nature.

7 THE COURT: But nothing ---

8 MR. REDMOND: Exactly. Yes, sir.

9 THE COURT: All right. I'm convinced that she,
10 the defendant, is very remorseful about what
11 happened. But I'm also mindful of the fact, of the
12 fact that the facts here are awful. Terrible. The
13 mercy that I grant today is that I do, under the
14 statute, give her credit for time served on house
15 arrest. I must tell you that is somewhat of a
16 perplexing statute sometimes, often times. But it
17 simply says, "credit for time served on house arrest
18 under monitor house arrest may be given for time
19 spent under that." The statute gives no guidance to
20 the Court about what factors to consider and not
21 consider. My method of dealing with that, and this
22 is not, not the first time, is that if someone comes
23 before me and they had been on monitor house arrest
24 and they violated it, they don't get credit. No
25 matter how much time it was. One violation for me,

1 you don't get that credit. There are no violations
2 here. That's the mercy point.

3 After a lot of thought, and mindful of these factors,
4 the sentence on each charge here, and these are
5 concurrent, is 25 years at the Department of
6 Corrections with credit time served of 3243 days and
7 those are the sentences of the Court.

8 If anyone wishes to file motions regarding those
9 sentences please do so.

10 MR. REDMOND: Thank you, Your Honor.

11 THE COURT: Thank y'all.

12 (Whereupon, Court is adjourned at 1:35 pm)

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CERTIFICATE

I, the undersigned, Lisa S. Carter, do hereby certify that the foregoing is a true, accurate, and complete excerpt of transcript of record of all the proceedings had and evidence introduced in the hearing of the captioned cause, relative to appeal, in the Fourth Circuit for Darlington County, South Carolina, on the 2nd thru 5th day of June, 2025.

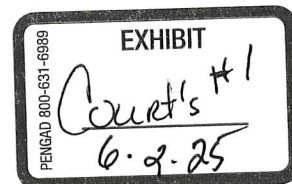
I do further certify that I am neither of kin, counsel, nor interest in any party hereto.

s/ Lisa Carter

Lisa Carter

Circuit Court Reporter

August 3, 2025



REDACTIONS

Katherine Baucom-Cowick

1. 11:06:00-11:06:30 (Polygraph)
2. 11:08:48—11:12:57 (Luce Talking/Hearsay)

911 Call

1. 2:20-4:11 (Other Radio Traffic)
2. 6:10-10:04 (Other Radio Traffic)
3. 11:53-End (Other Radio Traffic)

STATE OF SOUTH CAROLINA

) IN THE COURT OF GENERAL SESSIONS

COUNTY OF DARLINGTON

) Fourth Judicial Circuit

)

) Indictment No. (s): 2016-GS-16-1447

2024-GS-16-2095

STATE OF SOUTH CAROLINA

)

)

-vs-

)

)

Katherine Ann Baucom-Cowick

)

)

**MOTION FOR NEW TRIAL AND
SENTENCE RECONSIDERATION**

NOW COMES the Defendant, by and through her counsel of record, PAUL V. CANNARELLA, SR. and CLYDE BENNETT GORE, JR, pursuant to Rule 29 of the South Carolina Rules of Criminal Procedure, who moves this Court for a new trial and sentence reconsideration in the above captioned case.

On June 5, 2025 the Honorable George M. McFaddin, Jr. found the Defendant guilty of Accessory Before the Fact of a Felony (Armed Robbery), Indictment Number 2024-GS-16-2095 and Burglary 1st Degree, Indictment Number 2016-GS-16-1447 at a bench trial. The Court sentenced the Defendant to twenty-five (25) years in prison, crediting the Defendant with three thousand two hundred forty-three days (3,243) of time served.

The Defendant moves this Court for a new trial and sentence reconsideration based on the insufficiency of proof beyond a reasonable doubt that the Defendant is guilty of Accessory Before the Fact of Armed Robbery. In reaching this verdict, the Court articulated that it relied on the fact the Defendant drove Cephas Cowick to the crime scene. The Defendant's July 18, 2016 interview

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DARLINGTON COUNTY, S.C.
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DARLINGTON COUNTY, S.C.

with Darlington County Sheriff's Office was admitted into evidence by the State and published to the Court. In that interview at the 11:13:27 mark of the interview the Defendant states, "I rode with him." Additionally, at the 11:15:30 mark of the interview, the Defendant states, "He was driving," in response to a question from the interviewing agent regarding who drove to the crime scene. Due to this direct evidence from the Defendant, the Defense asserts the Court erred in relying on the fact the Defendant drove Cephas Cowick to the crime scene for the guilty verdict of Accessory Before the Fact of Armed Robbery. Moreover, the Defendant requests a sentence reconsideration based on the Court's reliance of the fact Defendant drove Cephas Cowick to the crime scene.

WHEREFORE, the undersigned prays for such Order granting a new trial and sentence reconsideration and for that which is just and proper.

Respectfully submitted,

Date: 06/12/2025

Paul V. Cannarella

Paul V. Cannarella
Attorney at Law
Post Office Box 38
Hartsville, SC 29551
South Carolina Bar No. 1104
Phone: (843) 332-0106
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Clyde Bennett Gore, Jr.

Clyde Bennett Gore, Jr.
Attorney at Law
Post Office Box 6241
Columbia, SC 29260
South Carolina Bar No. 72825

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E-mail: gorecb@gmail.com

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DARLINGTON COUNTY, S.C.

STATE OF SOUTH CAROLINA

COUNTY OF DARLINGTON

STATE OF SOUTH CAROLINA

v.

KATHERINE ANN BAUCOM-COWICK,

IN THE COURT OF GENERAL SESSIONS

FOURTH JUDICIAL CIRCUIT

CASE NO.: 2016-GS-16-1447 &
2024-GS-16-2095

ORDER

RECEIVED

Nov 20 2025

SC Court of Appeals

I heard this case without a jury. I was the factfinder. Consequently, as I did when announcing the verdicts and sentences, I deem it proper that I offer my reasons denying the post-trial motions.

Katherine Ann Baucom-Cowick (Defendant) was charged with two counts of accessory before murder, one count of accessory before armed robbery, and one count of burglary first degree. I found Defendant not guilty of two counts of accessory to murder. I found Defendant guilty of accessory before the fact of armed robbery and guilty of burglary first degree. For the two convictions, I sentenced Defendant to 25 years concurrently, and I gave her credit of 3,243 days for time served on house arrest.

Defendant timely filed her motion for new trial and reconsideration of sentences. I have considered her motions without need of a hearing. I respectfully deny the motions and offer the following reasons.

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CLERK OF COURT/RMC
DARLINGTON COUNTY, S.C.

CLERK OF COURT/R.O.D.
DARLINGTON COUNTY, S.C.

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TRIAL

This case was tried before me as a bench trial. Defendant did not testify, and, as the factfinder, I did not hold her decision to not testify against her.

I saw and heard the witnesses. I assessed their demeanor, manner of testifying, and appearance of the witnesses. I assigned credibility or believability as I deemed proper.

I considered the evidence offered using the beyond a reasonable doubt metric.

I considered the evidence, direct and circumstantial, just as a court charges a jury after a criminal trial. I gave weight to the evidence as I saw fit.

I considered the elements of each offense as I pondered the charges.

ACCESSORY BEFORE THE FACT OF ARMED ROBBERY

Defendant asserts there was an insufficiency of evidence or proof beyond a reasonable doubt that Defendant was guilty of accessory before the fact of armed robbery. I respectfully disagree. I did not find Defendant guilty of accessory to murder because I was not convinced Defendant knew her husband planned to murder the victims. However, regarding the accessory to the armed robbery charge, my trial notes reflect that Defendant gave a

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DARLINGTON COUNTY S.C.

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statement to law enforcement that she was aware her husband planned to rob the victim. The investigator testified Defendant told him that when Defendant's husband came home after being with one of his friends, he told Defendant of his plan to rob the victim because the victim had pain pills. Defendant assisted in the planned robbery when she took or went with her husband to a location near victim's house. After husband exited the vehicle to walk to victim's house, Defendant drove to a nearby store to wait for her husband to return.

Defendant told the investigator she begged her husband not to rob the victim but there was no use in arguing with her husband. Defendant avers in her motion that her husband drove the vehicle to a location near the victim's home before the robbery; however, my notes from the statement she made to law enforcement indicated that Defendant drove her husband to that location. Regardless, Defendant knew why husband was going to the location and she was with her husband when they drove to the location near victim.

Thus, I found Defendant knowingly aided her husband before the armed robbery. I find the proof of this offense left me firmly convinced of her guilt.

BURGLARY FIRST DEGREE

This conviction was not raised or addressed in the motion. I note this only for clarity and why I am not addressing it here.

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RECONSIDERATION OF THE SENTENCES

Defendant moves the court to reconsider sentencing based on the "court's reliance of the fact that Defendant drove [her husband] to the crime scene." I interpret this request to be based upon granting Defendant a new trial on the accessory before the fact of the armed robbery. For the reasons stated above, I do not grant that motion.

Notwithstanding the denial of the sentence reconsideration, I wish to offer the following regarding sentencing.

First, I issued concurrent sentences, not consecutive.

Second, even if I granted the new trial for the accessory before the fact of armed robbery, the sentence would remain 25 years for the burglary offense alone.

Third, the maximum sentence for the accessory before the fact of armed robbery is thirty years. I did not sentence the maximum sentence. The burglary first degree charge allows for a life sentence. I did not issue a life sentence.

I gave Defendant credit for her house arrest time of 3,243 days or 8.88 years.

I wish to clarify a comment I made when sentencing Defendant. I stated after the verdicts that while "I was impressed by the knowledge and professional bearing of Dr. McKnight, as to the guilt

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or innocence of Defendant, I gave no weight to her testimony." I meant to say that involuntary intoxication or drug use or the effect of addiction is not a defense in a criminal case. I should have added that my concurrent sentences and the discretion I used to grant full credit for house arrest time and the discretion to avoid maximum sentencing were very much influenced by Dr. McKnight's testimony regarding the remarkable progress Defendant has made in her life since treatment began. I also considered as mitigation the information Dr. McKnight provided regarding the effects of the addiction that affected Defendant before treatment began.

ATTORNEYS

I again wish to commend the attorneys for their civility at trial. All were prepared for trial, and I appreciated their patience with me.

CONCLUSION

Accordingly, based upon the foregoing, I respectfully deny Defendant's motions. If a higher and more learned panel of jurists determines that I have erred, I will stand corrected, chastened, and rebuked.

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Scott B. Suggs
 CLERK OF COURT/RMC
 DARLINGTON COUNTY, S.C.

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 DARLINGTON COUNTY, S.C.

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It is done and ordered this 18th of November 2025 at Sumter,
South Carolina.

George M. McFaddin, Jr.
GEORGE M. McFADDIN, JR.
(ORDER PREPARED BY TRIAL JUDGE)

FILED

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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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Nov 20 2025

APPEAL FROM DARLINGTON COUNTY
Court of General Sessions

SC Court of Appeals

George M. McFaddin Jr., Circuit Court Judge

Case No. 2024GS1602095; 2016GS1601447

The State,

Respondent,

v.

Katherine Ann Baucom-Cowick,

Appellant.

NOTICE OF APPEAL

Katherine Ann Baucom-Cowick appeals her conviction and sentence in this case. The sentence was imposed by the Honorable George M. McFaddin Jr. on June 5, 2025, and the Court's Order Denying the Motion for a New Trial and Motion for Reconsideration of Sentence on November 19, 2025.

s/ Dayne C. Phillips

Dayne C. Phillips, Esq.
1614 Taylor Street, Suite D.
Columbia, SC 29201

ATTORNEY FOR APPELLANT

November 20, 2025

Other Counsel of Record:

Kernard Redmond, Esq.
Fourth Circuit Solicitor's Office
PO Box 594
Chesterfield, SC 29709

cc:

Scott B. Suggs, Darlington County Clerk of Court

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DARLINGTON COUNTY
Court of General Sessions

George M. McFaddin Jr., Circuit Court Judge

Case No. 2024GS1602095; 2016GS1601447

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Nov 20 2025

SC Court of Appeals

The State,

Respondent,

v.

Katherine Ann Baucom-Cowick,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal by depositing a copy in the United States Mail, postage prepaid, on **November 20, 2025**, addressed to the following parties:

Kernard Redmond, Esq., Fourth Circuit Solicitor's Office
PO Box 594, Chesterfield, SC 29709

Attorney General Alan Wilson, South Carolina Attorney General's Office
Post Office Box 11549, Columbia, SC 29211

Scott B. Suggs, Darlington County Clerk of Court
110 N. Main St., Darlington, SC 29532


Courtney Powers
Paralegal for Dayne Phillips, Esq.
1614 Taylor Street, Suite D.
Columbia, SC 29201

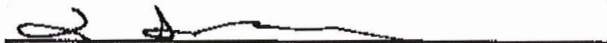
November 20, 2025

WITNESSES

M Luce

Darlington County Sheriff

Law Enforcement Case #: 201607-0366
863



WAIVER OF PRESENTMENT

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:

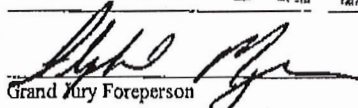
Defendant

ARREST WARRANT NUMBER
2016A1610400721

ARRESTED ON: 2016-07-19

ACTION OF GRAND JURY

TRUE BILL


Grand Jury Foreperson

Date OCT 13 2016

VERDICT

Petit Jury Foreperson

Date

DOCKET NUMBER:
2016-GS-16-1447

The State of South Carolina

County of Darlington

COURT OF GENERAL SESSIONS

Term:
October 2016

THE STATE

vs.

Katherine Ann Baucom-Cowick

INDICTMENT FOR

Burglary / Burglary (After June 20, 1985) -
First degree

§16-11-0311

CDR Code: 0079

William B. Rogers, Jr., Solicitor

STATE OF SOUTH CAROLINA)

INDICTMENT FOR

COUNTY OF DARLINGTON)

Burglary / Burglary (After June 20, 1985) - First
degree

§16-11-0311

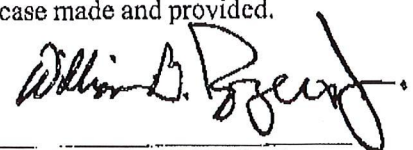
At a Court of General Sessions, convened on October 13, 2016, the Grand Jurors of Darlington County present upon their oath:

BURGLARY, 1ST DEGREE

CDR: 0079 16-11-0311

That Katherine Ann Baucom-Cowick did in Darlington County on or about July 17, 2016, along with co-defendant, enter the dwelling of Denise Couplin located at [REDACTED], Hartsville, S. C. without consent and with the intent to commit a crime therein and the defendant did so while armed with a pistol, in violation of Section 16-11-0311(A), Code of Laws of South Carolina, 1976, as amended.

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


WILLIAM B. ROGERS, JR.
SOLICITOR

WITNESSES

Mark Luce

Darlington County Sheriff

Law Enforcement Case #: 201607-0366
583

WAIVER OF PRESENTMENT

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

ARREST WARRANT NUMBER
DAR1175

ARRESTED ON: 2016-07-19

ACTION OF GRAND JURY

Grand Jury Foreperson

Date

OCT 17 2024

VERDICT

TRUE BILL

Petit Jury Foreperson

Date

DOCKET NUMBER:
2024-GS-16-2095

The State of South Carolina

County of Darlington

COURT OF GENERAL SESSIONS

Term:
October 2024

THE STATE

vs.

Katherine Ann Baucom-Cowick

INDICTMENT FOR

Accessory / Accessory before the fact to a
Felony, general provision (violent if violent
Felony)

§16-01-0040; 16-01-0050

CDR Code: 0002

TRUE CERTIFIED COPY,
William B. Rogers, Jr.
CLERK OF COURT/RMC
DARLINGTON COUNTY, S.C.

William B. Rogers, Jr., Solicitor

STATE OF SOUTH CAROLINA)

INDICTMENT FOR

COUNTY OF DARLINGTON)

Accessory / Accessory before the fact to a Felony,
general provision (violent if violent Felony)

§16-01-0040; 16-01-0050

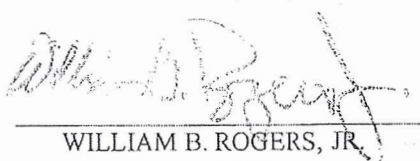
At a Court of General Sessions, convened on October 17, 2024, the Grand Jurors of Darlington County present upon their oath:

ACCESSORY BEFORE THE FACT OF A FELONY

CDR: 0002 16-01-0040, 0050

That Katherine Ann Baucom-Cowick did in Darlington County on or about July 17, 2016, advise or agree with or urge or hire or in some way aid, counsel or encourage the principal felon, Cephas Cowick, to commit the felony of Armed Robbery, but was not present in the home of Denise Couplin at the time the crime was committed, in violation of the Common Law and Section 16-01-0040, S. C. Code of Laws, 1976, as amended.

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


WILLIAM B. ROGERS, JR.
SOLICITOR

STATE OF SOUTH CAROLINA

SENTENCE ORDER

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Darlington

STATE

VS.

Katherine Ann Baucom-Cowick

AKA: SSN: [REDACTED]

RACE: White SEX: Female

DOB: [REDACTED]

) INDICTMENT/CASE#: 2016-GS-16-1447

) AW#: 2016A1610400721

) Date of Offense: 07/17/2016

) S.C. Code §: 16-11-0311

) CDR Code #: 0079

) Range of Offense: 15- Life

In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADS

TO: Burglary 1st

Range of Offense Pled: _____

In violation of § 16-11-0311 of the S.C. Code of Laws, bearing CDR Code # 0079

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45
 (CSC w/minor 1st or CSC w/minor 3rd)
The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.The plea is: ☐ w/o Rec/Negotiations ☐ Negotiated ☐ Recommendation _____

Kernard Redmond

66583

Paul V. Cannarella, Sr.

1104

Solicitor

SC Bar #

Attorney For Defendant

SC Bar #

The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Program
for a determinate term of 25 days/months/years Time Served ☐ YOA NTE, _____ years and/or shall pay a fine

of \$ _____; provided that upon the service of _____ days/months/years/Time Served and or payment

of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____ months/years and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.

The sentence shall run ☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: with other sentence on this date.☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.

3243 days/month

☐ To include time spent on monitored house arrest prior to trial and sentencing.

SPECIAL CONDITIONS:

- ☐ PTUP
- ☐ No Contact with Victim ☐ Domestic Violence Intervention Program ☐ Hold for Inpatient Treatment
- ☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ SAC/MHC if necessary
- ☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135
- ☐ Other: _____

☐ RESTITUTION See Separate Order (20% per S.C. Code § 24-21-490 (B))

§14-1-206 (Assessments 107.5%)

§14-1-211 (A)(1)(Conv. Surcharge)

§14-1-211 (A)(2)(DUI Surcharge)

§56-5-2995 (DUI Assessment)

§56-1-286 (DUI Breath Test)

§14-1-212 (Law Enforce. Funding)

§14-1-213 (Drug Court Surcharge)

§34-11-70(b)and(c), and 34-11-80(c)and(d) (Admin Fraud Check Court Costs)

§50-21-114 (BUI Breath Test Fee)

§56-5-2942(J) (Vehicle Assessment)

3% to County (if paid in installments)

☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund

Clerk of Court/Deputy Clerk

Lisa Carter

Court Reporter

2759
Judge Code6/6/2025
Sentence DateG. McFarland
Presiding Judge

Restitution	\$
FINE:	\$
	\$
	\$
	\$100
	\$ 100.00
	\$100
	\$
	\$12
	\$
	\$25
	\$
	\$25
	\$ 25.00
	\$150
	\$
	\$41
	\$
	\$50
	\$
	\$40/ea
	\$
	TBD
	\$ 3.75
	\$500
	\$
	TBD
	\$
TOTAL	\$ 128.75

SCCA217B
01/27/2025

COUNTY OF Darlington

STATE

VS.

Katherine Ann Baucom-Cowick

AKA: SSN: [REDACTED]

RACE: White SEX: Female

DOB: [REDACTED]

) INDICTMENT/CASE#: 2024GS1602095

) AWW#: 2024GS1602095

) Date of Offense: 07/17/2016

) S.C. Code §: 14-01-0040; 16-01-0050

) CDR Code #: 0002

) Range of Offense: 10-30

In disposition of the above indictment comes now the Defendant who was ☒ CONVICTED OF or ☐ PLEADSTO: Necessary Before the Fact To a Felony

Range of Offense Pled: _____

In violation of § 14-01-0040; 16-01-0050 of the S.C. Code of Laws, bearing CDR Code # 0002
☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ § 17-25-45
 (CSC w/minor 1st or CSC w/minor 3rd)
The charge is: ☒ As indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury.The plea is: ☐ w/o Rec/Negotiations ☐ Negotiated _____ ☐ Recommendation _____

Kernard Redmond

66583

Paul V. Cannarella, Sr.

1104

Solicitor

SC Bar #

Attorney For Defendant

SC Bar #

The Defendant is committed to the ☒ SCDC ☐ County Detention Center ☐ Home Incarceration Program
for a determinate term of 25 days/months/years/Time Served ☐ YOANTE years and/or shall pay a fineof \$; provided that upon the service of days/months/years/Time Served and or paymentof \$; plus costs and assessments as applicable*; the balance is suspended with probation for months/years and subject to SCDPPPS standard conditions of probation, which are incorporated by reference.The sentence shall run ☒ CONCURRENT or ☐ CONSECUTIVE to sentence on: with other sentence on this date.☒ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by SCDC.3243 days/month ☐ To include time spent on monitored house arrest prior to trial and sentencing.

SPECIAL CONDITIONS:

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- ☐ No Contact with Victim ☐ Domestic Violence Intervention Program ☐ Hold for Inpatient Treatment
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3% to County (if paid in installments)

☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund

Clerk of Court/Deputy Clerk

Lisa Carter
Court Reporter2759
Judge Code6/15/2025
Sentence DateG. McAdams
Presiding JudgeSCCA217B
01/27/2025

Restitution	\$
FINE:	\$
	\$
\$100	\$ 100.00
\$100	\$
\$12	\$
\$25	\$
\$25	\$ 25.00
\$150	\$
\$41	\$
\$50	\$
\$40/ea	\$
TBD	\$ 3.75
\$500	\$
TBD	\$
TOTAL	\$ 128.75

Fine/Costs and Assessments are to be paid to the
Clerk of Court within _____ days/months

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

RECEIVED**Oct 08 2026****SC Court of Appeals****Dayne C. Phillips, Esq.**

SC Bar No. 77712

Price Benowitz LLP

1614 Taylor Street, Suite D

Columbia, SC 29201

(803) 807-0234

ATTORNEY FOR APPELLANT

October 8, 2026