

STATE OF SOUTH CAROLINA

In The Court of Appeals

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John C. Hayes, III, Circuit Court Judge

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DETRICK TIWAN WILLIAMS

APPELLANT

APPELLATE CASE NO. 2013-000074

RECORD ON APPEAL

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**THE FOLLOWING EXHIBIT IS ON FILE WITH THE COURT:
STATE'S EXHIBIT # 1 (AERIAL PHOTO)**

State of South Carolina.,)
)
)
)
)
County of York.)
_____)

In the General Sessions
Court of York
Case No.: 2012-GS-46-03958

State of South Carolina.,)
)
)
Plaintiff.,)
)
-vs-)
)
Detrick Tiwan Williams.,)
)
_____)
Defendant. _____)

Transcript of Record.

January 9, 2012

B E F O R E:

Honorable John C. Hayes, III., judge.

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

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ORIGINAL

Wanda Nelson, CVR-M
Official Court Reporter
Sixteenth Judicial Circuit
To Honorable John C. Hayes, III

1 (COURT IN SESSION IN THE MATTER OF STATE VERSUS
2 DETRICK TIWAN WILLIAMS, WEDNESDAY, JANUARY 9, 2013 AT 10:26
3 A.M..)

4 THE COURT: Good morning, thank you. Take your seats.
5 Madame Solicitor, you ready to start the trial of
6 Detrick Tiwan Williams?

7 SOLICITOR SPRINGS: Yes, sir, Your Honor. I call the
8 case of Docket 2012-GS-46-3-9-5-8 charged with indecent
9 exposure. Mr. Williams has requested a trial and the State
10 is ready.

11 THE COURT: All right. And, Mr. Williams, I think
12 this is the case where either myself or Judge Alford has
13 relieved Mr. Smith as your - He was appointed to represent
14 you and so you'll be proceeding on your own, that is pro
15 se. I can't remember whether it was me or Judge -
16 Apparently I appointed Mr. Smith to sit in as your standby
17 counsel to advise you. He will not appear on your behalf
18 but he would advise you on procedural matters if you have
19 any questions.

20 Do you understand that?

21 MR. WILLIAMS: Yes, sir.

22 THE COURT: All right, are you ready to proceed?

23 MR. WILLIAMS: Yes, sir.

24 THE COURT: All right. Anything from the State before
25 we get the jury up?

1 every hour and a half. I find that is a good time for most
2 people. If you need a break at any time raise your right
3 hand and with no questions ask we'll take a break. I
4 extend that to counsel and Mr. Williams. We like to move
5 the case along but not to such a degree that we want
6 anybody if you need a break to not be given a break. If
7 you can't see and you can't hear let me know. Cup your
8 ear, give me a voice raising gesture or a nudging gesture
9 and I will try to correct that.

10 Counsel:

11 SOLICITOR JOYNER: May it please the Court.

12 THE COURT: Yes, ma'am.

13 SOLICITOR JOYNER: The defendant Detrick Williams he
14 stands trial for the offense of indecent exposure. And
15 indecent exposure is exactly like what it sounds like the
16 title suggest. In South Carolina it is against the law for
17 a person to willfully maliciously and indecently expose his
18 person in a public place or the property of others or to
19 the view of any person upon a street or highway. And by
20 exposing his person that means exposing his private part to
21 on the private property or to the view of another person on
22 the property of another.

23 You're going to hear in this case from a lady named
24 Tamikya Staley. And on Christmas of 2011 at about one
25 o'clock in the afternoon, or a little after one, she pulled

1 into the parking lot of the South Wilson Street Apartments
2 in Rock Hill. She come to drop by and see her cousin
3 Grenza Abney. And you will see a map of this complex and
4 it's a very very small complex. The parking lot is small
5 and from the parking lot you can see the front doors of all
6 the building as they form a semicircle around the parking
7 lot. And Ms. Staley will testify to you about what
8 happened when she pulled her car into that parking lot and
9 she pulled in facing [REDACTED], [REDACTED]
10 Street. She got out of her car and she went to lock it
11 with her little keyless entry lock and the horn sounded.
12 And when the horn sounded a familiar person came to the
13 door of [REDACTED], opened the door, peeped his head through the
14 screen door, said hey, he closed the screen door back.

15 It didn't seem that unusual except for the fact that
16 that person was naked. The person was the defendant. And
17 he stood there in the doorway of [REDACTED]
18 exposing his penis, his person, to Ms. Staley and
19 masturbating. And Ms. Staley seeing this continued
20 walking, walking to the apartment of her cousin where she
21 promptly called the police.

22 It's a very very simple case, ladies and gentlemen. I
23 don't anticipate this will probably last very long. You're
24 going to hear from Ms. Staley. You may hear from some
25 officers who came to assist on this case. And after you've

OFFICER CHRISTOPHER PRICE: BY SOLICITOR JOYNER

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1 heard from those witnesses I'm going to stand back before
2 you and I'm going to in my closing argument ask you to
3 reach the verdict that speaks the truth and find the
4 defendant Detrick Williams guilty of indecent exposure.

5 THE COURT: Mr. Williams, would you like to say
6 anything to the jury at this time?

7 MR. WILLIAMS: Yes, sir.

8 Hey, how ya'll doing? I'm Detrick Williams I'm here
9 today to argue that this whole allegations that they
10 accusing me of and all this and you all see at the end of
11 the trial.

12 I got nothing else.

13 THE COURT: All right. Call your first witness.

14 SOLICITOR JOYNER: Thank you, Your Honor.

15 The State calls Officer Price.

16 (WHEREUPON: OFFICER
17 CHRISTOPHER PRICE, BEING FIRST CALLED AND DULY SWORN,
18 TESTIFIED AS FOLLOWS:)

19 DIRECT EXAMINATION

20 OFFICER CHRISTOPHER PRICE BY SOLICITOR JOYNER:

21 Q. Officer Price, can you please state your full name for
22 the record?

23 A. Its Officer Christopher Price.

24 Q. How are you employed?

25 A. I'm employed with the city of Rock Hill, South

1 Carolina police department here in York County.

2 Q. How long have you been employed by the Rock Hill
3 Police Department?

4 A. I've been with Rock Hill for exactly five years.

5 Q. And prior to that do you have any other law
6 enforcement experience?

7 A. My total time in law enforcement is approximately
8 twelve years. I used to work up in Columbia, South
9 Carolina before here.

10 Q. Now back on December 25th of 2011, not this past
11 Christmas but the Christmas before, were you employed then
12 by the Rock Hill police?

13 A. Yes I was.

14 Q. And on that day did you become involved in an
15 investigation of an incident that was alleged to have
16 occurred at South Wilson Street Apartments?

17 A. Yes I did.

18 Q. Is part of your time, five years, on the road with
19 Rock Hill Police Department are you familiar with the roads
20 and the apartment complexes and Rock Hill in general?

21 A. Yes I am.

22 Q. Are you familiar with South Wilson Street Apartments
23 area?

24 A. Yes I am.

25 Q. And were you in fact dispatched to that location in

1 reference to Ms. Staley's call for service?

2 A. Yes I was.

3 Q. Now were you the primary officer on the scene?

4 A. No, ma'am, I was what you would consider secondary
5 backup officer.

6 Q. Now for the jury who is not in law enforcement, what
7 would be the difference between like the first officer on
8 the scene and you coming in like a secondary backup?

9 A. Normally calls in the city of Rock Hill will be
10 dispatched to an officer that works a specific zone or say
11 maybe a neighborhood. I'm what you would consider an
12 officer that works all over the city. I don't have a
13 designated area so I went to assist in the investigation
14 due to the type of crime and possibly somebody still in the
15 area to assist and help locate and any further
16 investigation.

17 Q. I'm going to show you what's marked for exhibit
18 purposes as State's Exhibit One.

19 A. Uh-huh.

20 Q. Do you recognize that exhibit?

21 A. Yes I do.

22 Q. And could you explain to the jury what exactly that
23 is?

24 A. This is just going to be an aerial view, possibly
25 a Google map view of the Wilson Street Apartment complex.

1 Q. Okay. But before showing it to the jury let's discuss
2 a little further. Does that aerial map truthfully and
3 accurately reflect what the lay out of South Wilson Street
4 Apartments as it was?

5 A. Yes.

6 Q. Last year?

7 A. Yes, ma'am.

8 SOLICITOR JOYNER: Your Honor, at this time we move
9 State's Exhibit One into evidence and ask to publish it to
10 the jury.

11 THE COURT: Have you shown it to Mr. Williams?

12 SOLICITOR JOYNER: We have, Your Honor.

13 THE COURT: Do you have any objection, Mr. Williams?

14 MR. WILLIAMS: No, sir.

15 THE COURT: In without objection.

16 (WHEREUPON: STATE'S EXHIBIT NUMBER ONE IDENTIFIED AND
17 MARKED, RECEIVED INTO EVIDENCE AND PUBLISHED TO THE JURY.)

18 SOLICITOR JOYNER: And while this warms up if you
19 could just - I'm going to put it on the big screen.

20 Q. While this is warming up, is South Wilson Street
21 Apartments are they large apartments?

22 A. No. It's one of our smaller housing authority
23 rental apartments.

24 Q. And if you could just please step down. And without
25 blocking the view could you --

OFFICER CHRISTOPHER PRICE: BY SOLICITOR JOYNER

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1 (WITNESS LEAVING WITNESS STAND.)

2 Q. The large road that passes that's visible on this
3 picture, what's the name of that road?

4 A. The road going in front is going to be South Wilson
5 Street.

6 Q. Okay. Now the cluster of buildings in the center; is
7 that South Wilson Street Apartments?

8 A. Yes.

9 Q. And the square in the middle or the triangle - Excuse
10 me, the rectangle in the middle, is that the parking lot?

11 A. That is correct.

12 Q. So the type of apartment or building they are would
13 you consider those town homes, the individual residences?

14 A. Yes. Most of the buildings you have two or three
15 units and they are two story town homes in that residence.

16 Q. Okay. So if you could are you able to tell from that
17 map where [REDACTED] is?

18 A. [REDACTED] would be this building right here.

19 (WITNESS INDICATED.)

20 Q. Are you aware of where Ms. Staley's cousin Grenza
21 Abney lived?

22 A. I believe it was in this building here.

23 (WITNESS INDICATED.)

24 SOLICITOR JOYNER: And you can take your seat.

25 (WITNESS RETURNED TO WITNESS STAND.)

1 Q. And other than saying a photograph of a person
2 identified, was there anything else said to Ms. Staley?
3 Did you point Ms. Staley to the person you wanted her to
4 select or did anybody suggest to her who she should select
5 in the lineup?

6 A. No.

7 Q. And were there other officers present at the time that
8 she viewed the lineup?

9 A. Officer Beach was just in the background. There was
10 nobody right there while she was looking at it.

11 Q. And did - Was Ms. Staley in fact able to pick the
12 person from the lineup?

13 A. Yes she was.

14 Q. And how quickly did she select a person from the
15 lineup?

16 A. She was able to do it pretty much instantaneously.

17 Q. And how certain did she express to be at the scene?

18 A. It was my feeling that she was about a hundred percent
19 sure.

20 Q. Okay. Now directing you to State's Exhibit Three you
21 also have in your hand. What is that document?

22 A. This is what we call a photo lineup affidavit.

23 Q. And is that something that was completed by Ms.
24 Staley on this day?

25 A. Yes it was.

OFFICER CHRISTOPHER PRICE: BY SOLICITOR JOYNER

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1 Q. And is that just where she indicates the person she
2 has selected or the number - the number of the photograph
3 that she has selected?

4 A. Yes it is.

5 Q. And what number photograph did she select?

6 A. She states that she selected Photo Number One.

7 Q. And is that correspond with your memory?

8 A. Yes it does.

9 Q. And who is the person in Photograph Number One?

10 A. That would be Detrick Williams.

11 Q. Once the selection - Once Mr. Williams was identified
12 by Ms. Staley, what if anything did you or Officer Beach do
13 in furthering your investigation?

14 A. Once he was identified my part in the case was done
15 and over. I then just proceeded to help as far as
16 circulate the area if they needed to.

17 Q. And what was the purpose of circulating the area?

18 A. Just in case if the subject was no longer on scene
19 we would circulate the immediate area to see if he was
20 walking around the neighborhood.

21 Q. Did you locate Mr. Williams in the area?

22 A. He was not located at the time of the report.

23 Q. And did you - Did you witness Ms. Staley signing her
24 name and executing the document in State's Exhibit Three?

25 A. For the photo lineup no, ma'am.

1 Q. Do you recall at what time you had been dispatched
2 out? Or dispatch time versus your arrival time?

3 A. The arrival would be between 1:35, 1:45. An
4 approximate five minute window of response.

5 Q. But did you arrive relatively quickly?

6 A. Yes, ma'am.

7 Q. And where did you encounter Ms. Staley?

8 A. I first spoke - I spoke with her outside the
9 apartment she was going to on the sidewalk there in South
10 Wilson Street Apartment Complex.

11 Q. You pulled up to that apartment?

12 A. I pulled up into the parking lot and exited my
13 vehicle and then saw her on the sidewalk and went and spoke
14 with her.

15 Q. So she approached - She was waiting for you?

16 A. Yes, ma'am, she was prepared to meet us there yes.

17 Q. And what type of information did Ms. Staley provide
18 you about why she had called you?

19 A. She informed us that there had been a man masturbating
20 and exposing his penis to her from the open door of one of
21 the apartments that she came to her cousins apartment.

22 Q. Okay. And did she provide a name to you of the
23 individual?

24 A. She told me she didn't know him very well but his
25 nickname that she was familiar with was Drick.

OFFICER MATTHEW BEACH: BY SOLICITOR JOYNER

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1 Q. And were you familiar or did you have personal
2 knowledge that Detrick Williams lived in that complex or
3 stayed there sometimes?

4 A. Yes, ma'am. I knew Detrick Williams lived in that
5 particular complex and the similarity of the name made me
6 suspect that may be the person we were interested in at the
7 time.

8 Q. And did she provide any description at all about how
9 the person that she knew as Drick how he appeared?

10 A. She stated to me at the time that he was a black
11 male otherwise he was fairly average in many other
12 respects.

13 Q. And was that consistent with what you knew of Mr.
14 Williams' appearance?

15 A. Yes, ma'am.

16 Q. And when she provided you the name Drike, did you
17 request the assistance of Officer Price in compiling a
18 photo lineup?

19 A. I did yes.

20 Q. And if she - If she knew the person by nickname
21 what is the purpose of compiling a lineup?

22 A. Especially in that area many people who use nicknames
23 there could be a number of Drick's in the area so we
24 compile a photo lineup to ensure that this actually was the
25 person she was referring to. And as we only had a nickname

1 I needed to know that my suspect - my suspicion that this
2 was Detrick Williams was actually confirmed by her seeing
3 his actual face.

4 Q. Okay. When you arrived on the scene was Mr. Williams
5 Detrick Williams anywhere to be found?

6 A. No, ma'am. The last information we had was that he
7 was inside the apartment.

8 Q. Okay. Were you present at all when Ms. Staley
9 viewed the photo lineup?

10 A. Yes I was present however I was in the background.

11 Q. And did you - Did you observe her pick a photograph
12 from the lineup?

13 A. Yes, ma'am.

14 Q. Okay. And do you recall how quickly it was that she
15 was able to pick that lineup? Or pick that photo.

16 A. It was fairly immediately.

17 Q. And once she had picked the photo from the lineup,
18 did you have her execute a document?

19 A. Yes, ma'am.

20 Q. Okay. I'm showing you what's been marked for exhibit
21 purposes as State's Exhibit Three.

22 A. Uh-huh.

23 Q. Do you recognize that document?

24 A. Yes, ma'am.

25 Q. And tell me what that document is.

OFFICER MATTHEW BEACH: BY SOLICITOR JOYNER

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1 A. This is the document I provided the photo lineup
2 affidavit that basically states she was shown so many
3 pictures, which one she picked out, and that she is that
4 person which signed it.

5 Q. Okay. And did you witness her sign that document?

6 A. I did.

7 Q. Okay. And where was that document executed?

8 A. The document was executed in the parking lot there
9 shortly after she had identified Detrick Williams.

10 Q. Okay.

11 SOLICITOR JOYNER: Your Honor, we offer State's
12 Exhibit Three into evidence.

13 THE COURT: Any objection?

14 MR. WILLIAMS: No, sir.

15 THE COURT: In without objection.

16 (WHEREUPON: STATE'S EXHIBIT NUMBER THREE, IDENTIFIED
17 AND MARKED, RECEIVED INTO EVIDENCE.)

18 SOLICITOR JOYNER: Thank you, Your Honor.

19 Q. And do you recall the total time from the time that
20 you arrived at the scene to the time that you left? How
21 long were you at South Wilson Street Apartments?

22 A. It was between thirty and forty-five minutes.

23 Q. And at the point of time that you left South Wilson
24 Street Apartments, had the lineup and the execution of that
25 State Exhibit Three already occurred?

1 SOLICITOR JOYNER: The State is ready, Your Honor.

2 THE COURT: The Defense ready to proceed?

3 MR. WILLIAMS: Yes, sir.

4 THE COURT: All right. Bring in the jury.

5 (JURY REENTERS COURTROOM AT 01:40 P.M..)

6 THE COURT: You might need to - One more down.

7 Call your next witness.

8 SOLICITOR JOYNER: Your Honor, the State calls

9 Tamikya Staley.

10 Ms. Staley, if you will please step forward and

11 be sworn.

12 (WHEREUPON: TAMIKYA STALEY, BEING
13 FIRST CALLED AND DULY SWORN, TESTIFIED AS FOLLOWS:)

14 DIRECT EXAMINATION

15 TAMIKYA STALEY BY SOLICITOR JOYNER:

16 A. Ms. Staley, please state your full name for the
17 record.

18 A. Tamikya Kalya Staley.

19 Q. Ms. Staley, are you from this area?

20 A. Not originally.

21 Q. How long have you lived in this area?

22 A. Since 2001.

23 Q. What brought you to Rock Hill?

24 A. I attended Winthrop University.

25 Q. And following Winthrop did you continue your

TAMIKYA STALEY: BY SOLICITOR JOYNER

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1 education?

2 A. Yes.

3 Q. And what finally did you get your degree in?

4 A. I have a masters in mental health counseling.

5 Q. Are you in fact a mental health counselor?

6 A. Yes.

7 Q. Where are you employed?

8 A. At Gaston Adolescent Center in Gastonia, North
9 Carolina.

10 Q. How long have you been employed there?

11 A. I've been there since October of this year.

12 Q. And prior to that --

13 A. No last year.

14 Q. Okay. And prior to that where did you work?

15 A. I was self employed as a therapist and before that
16 I worked with adults in mental health and prior to that I
17 worked in North Carolina and Rock Hill, South Carolina.

18 Q. Do you have family in the area ---

19 A. Yes I do.

20 Q. --- that lives in Rock Hill? And I ask you to think
21 back to December 25th of Christmas Day of 2011. Did you go
22 and visit family members?

23 A. Yes.

24 Q. And was that at South Wilson Street Apartments?

25 A. Yes.

1 Q. Who is your family member that lives there?

2 A. My cousin Grenza Abney.

3 Q. And do you recall what time it was that you went to
4 those apartments?

5 A. It was around one o'clock.

6 Q. And were you - Why were you going there? Was it just
7 to stop by for a visit?

8 A. Yes. And she was also going to come to my mother's
9 house to eat dinner.

10 Q. That's Christmas Day?

11 A. Yes.

12 Q. Now had you been to South Wilson Street Apartments
13 before or were you familiar -

14 A. Yes.

15 Q. --- with them?

16 A. Yes.

17 Q. Would you describe those as a large complex or a
18 small complex?

19 A. No it's small. It's only four buildings.

20 Q. And the parking lot, is it a large parking lot or a
21 small parking lot?

22 A. No it's a small rectangular area.

23 Q. And do you recall on that particular day when you
24 pulled into the parking lot where did you park?

25 A. I pulled straight in and parked on the front of the

TAMIKYA STALEY: BY SOLICITOR JOYNER

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1 apartments facing the road.

2 Q. I'm going to just in a minute show you State's
3 Exhibit One. While this warms up talk a little bit.

4 Now on that particular day when you pulled into
5 the parking lot you parked.

6 A. Uh-huh.

7 Q. Was there anybody else with you?

8 A. No.

9 Q. And when you got out of the car did you lock the car?

10 A. Yes.

11 Q. When you locked the car what happened?

12 A. My horn beeped or blowed when I locked my doors.

13 Q. Just like a little beep?

14 A. Yes.

15 Q. And that's it?

16 A. It will blow like a horn blow. Just like the sound
17 of the horn, a regular sound.

18 Q. And after your horn blew, did you observe anything
19 in particular about [REDACTED]?

20 A. Yes. When the horn blew I heard the door open so I
21 looked and he peeped his head out. He was in the act and I
22 just kept on walking to my cousin's apartment.

23 Q. Okay. I'm gonna slow it down for a little bit. If
24 you could step down for just one minute.

25 (WITNESS LEAVING WITNESS STAND.)

1 SOLICITOR JOYNER: I will lower the lights.

2 Q. And I'm gonna ask you do you recognize State's Exhibit
3 One?

4 A. Yes.

5 Q. Is that an aerial of [REDACTED] Street?

6 A. Yes.

7 Q. Can you tell on this photograph where you cousin's
8 apartment is? You don't have to get all the way up to it
9 but if can ---

10 A. Okay. Her apartment is the one facing up here.

11 THE COURT: Do you have a pointer?

12 A: Right here.

13 THE COURT: She showed us.

14 BY SOLICITOR JOYNER:

15 Q. So the one on the corner?

16 A. Yes.

17 Q. The apartment where you observed the person peep out,
18 ---

19 A. Uh-huh.

20 Q. --- where is that in relation to your cousin's
21 apartment?

22 A. It's the one right beside of that apartment complex.

23 Q. And the apartment that you just identified, did you
24 park in front of that apartment?

25 A. Yes when I pulled in I just pulled right in front

TAMIKYA STALEY: BY SOLICITOR JOYNER

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1 because the parking spots were taken.

2 MADAME COURT REPORTER: I'm sorry, Solicitor, she's
3 got her back to me and I can't hear her. I'm sorry.

4 A. Yes I pulled in just directly straight in and parked
5 because the parking area in front of my cousin's apartment
6 facing her apartment all of the spots were taken.

7 Q. All right. And if you just - Once you got out of the
8 car, there are several different sidewalks you can see and
9 it looks as though there is a main sidewalk and then
10 different sidewalks that will take you to different front
11 doors.

12 A. Uh-huh.

13 Q. Did you take the most direct route on the sidewalk to
14 your cousin's apartment?

15 A. I stepped on the sidewalk and you walk on the side
16 walk to her apartment.

17 Q. If you'll take your seat.

18 (WITNESS RETURNED TO WITNESS STAND.)

19 Q. Now how far distance do you think you were from your
20 car from where you stood when you first observed the man
21 that had poked his head out to - up to that man how far
22 were you from him?

23 A. I would say it would be about from here to the podium
24 right there.

25 Q. So to where I'm standing?

1 A. Yes.

2 Q. And you said that you heard the door open.

3 A. Uh-huh.

4 Q. Is there a screen door and the main door?

5 A. Yes it's a main door and a screen door.

6 Q. Do you know whether you heard the screen door open
7 or the regular door open?

8 A. Well the regular door kind of creaked and when I
9 looked that's when he peeped his head out and like hey but
10 I could see what he was doing so I just turned my head and
11 kept going.

12 Q. Okay. When he peeped his head, did he peep his head
13 from around the screen door?

14 A. Yes.

15 Q. Okay. And what time do you recall was this
16 approximately that this occurred?

17 A. Around one o'clock.

18 Q. Was it daylight outside?

19 A. Yes.

20 Q. Did you have anything that was obstructing your
21 view ---

22 A. No.

23 Q. --- of the person? And when he peeped his head
24 out, did he say anything?

25 A. He just said hey and I just threw up my hand and

TAMIKYA STALEY: BY SOLICITOR JOYNER

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1 kept on going after I noticed what he was doing.

2 Q. Okay. And if you could explain to the jury what
3 exactly did you observe about the man when he peeped his
4 head and you could see what he was doing? What exactly was
5 he doing?

6 A. He was masturbating.

7 Q. Was he wearing any clothing?

8 A. No.

9 Q. Where was he exactly? Was he standing in the door
10 way?

11 A. He was in the door way.

12 Q. Was the screen door closed except for the time that
13 he poked his head out?

14 A. Yes.

15 Q. And were you able to see through the screen door
16 what he was doing?

17 A. Yes.

18 Q. Was it a mesh or was it glass like a storm door
19 glass?

20 A. It was the mesh kind but it - you could see through
21 and I could see him actually in motion doing the act.

22 Q. Of masturbation?

23 A. Yes.

24 Q. Were you able to see his penis?

25 A. I couldn't see his penis. I could not see his penis

1 clearly.

2 Q. Not in the specific details of it but could you see
3 his penis?

4 A. In his hand yes.

5 Q. In his hand? Okay. Did you - Where you were standing
6 when you first observed did you get - Did you walk any
7 closer to him?

8 A. No. I just kept going and zipped lined into my
9 cousin's apartment and that's when I called the police.

10 Q. Now at the time that you saw him about one o'clock in
11 the afternoon, were you clear headed?

12 A. Yes.

13 Q. Had you had anything to drink?

14 A. No.

15 Q. Were you sick or tired ---

16 A. No.

17 Q. --- or anything like that?

18 A. No.

19 Q. Anything blocking your view of the defendant other
20 than the screen door?

21 A. No.

22 Q. And were you able to clearly see through the
23 screen door what was going on?

24 A. Yes.

25 Q. The person you saw, did you know him?

TAMIKYA STALEY: BY SOLICITOR JOYNER

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1 A. I didn't know him know him but I had a run in with him
2 before.

3 Q. Okay. And by run in you met him?

4 A. Yes.

5 Q. And about how long prior to this incident was that?

6 A. It was less than a month before.

7 Q. And where had you met him?

8 A. At the store on the corner of South Wilson. I was
9 at the store and he approached me. We passed a few words
10 and I actually had given him my phone number, we were
11 talking. Once I left the store my cousin had saw me
12 talking to him. She contacted me and let me know he stays
13 in the apartment complex with this lady and that's who he
14 lives with and so when he called me I let him know that I
15 had heard that and that I didn't want to speak with him any
16 more.

17 Q. Okay. And in that interaction with him in the store
18 about like a month earlier, were you able to clearly see
19 him?

20 A. Yes.

21 Q. Did you have a conversation with him long enough to
22 be able to identify his voice if you heard it?

23 A. Yes.

24 Q. And had you seen him since that time?

25 A. I've seen him around, walking around the area. And

1 it's a little like barber shop and restaurant right by each
2 other on South Wilson Street where they hang - where he was
3 normally hangs out at that I seen him.

4 Q. And so when you saw that head poke out of the
5 apartment behind the - from behind the screen door, did -
6 Were you able to clearly see that was the same person that
7 you had previously met?

8 A. Yes.

9 Q. When you had met him and you all had just kind of -
10 that previous encounter was it a friendly encounter?

11 A. Yes.

12 Q. How had he identified himself to you when he met you
13 at the store? Did he say Hi, I'm Detrick Williams?

14 A. No. He had said his name was Drick and he told me
15 that he was in barber school and stuff like that.

16 Q. So when you saw him come behind - from behind the
17 screen did you immediately recognize him as the person
18 Drick that you had met at the store?

19 A. Yes.

20 Q. And when the police officers arrived on the scene
21 how quickly after - How quickly - Let me start - Stop.

22 After this happened, after you observed the defendant
23 or observed the person, how quickly did you come in contact
24 with the police?

25 A. As soon as I made it to my cousin's apartment I

TAMIKYA STALEY: BY SOLICITOR JOYNER

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1 called.

2 Q. And then how quickly do you think the police arrived
3 from there?

4 A. They were there within about fifteen minutes.

5 Q. Did you let them know what you had seen?

6 A. Yes.

7 Q. Did you provide the name of Drick to them?

8 A. Yes.

9 Q. And did the police officers then ask you to look at
10 a photo lineup?

11 A. Yes.

12 Q. Okay. I'm going to show you what's previously been
13 entered as State's Exhibit Two and Three and previously
14 been entered. Let's start with State's Exhibit Two. Is
15 that - Are those the photographs that you were shown?

16 A. Yes.

17 Q. Okay. And were you able to pick a person from that
18 lineup?

19 A. Yes. I immediately knew who it was when I saw it.

20 Q. And is that - Which photograph is that?

21 A. Number One.

22 Q. Okay. And did you then sign State's Exhibit Number
23 Three?

24 A. Yes.

25 Q. Okay. And do you see the person in the courtroom

1 today?

2 A. Yes I do.

3 Q. Do you see the person who exposed himself and
4 masturbated in front of you?

5 A. Yes.

6 Q. And could you please identify him for the jury?

7 A. The defendant.

8 Q. Okay. And you're motioning toward the --

9 SOLICITOR JOYNER: Let the record reflect, Your Honor,
10 she has identified the defendant.

11 (WITNESS INDICATED TO THE DEFENDANT.)

12 Q. Now how certain were you at this time that you made
13 that identification of the defendant back on Christmas
14 2011?

15 A. I was one hundred percent certain.

16 Q. Okay. You wear glasses. Were you wearing glasses
17 then?

18 A. Yes.

19 Q. You were obviously wearing glasses today.

20 A. Yes. I always have them on.

21 Q. Ma'am?

22 A. I said I always have them on.

23 Q. Any problems seeing the defendant that particular day?

24 A. No.

25 Q. Any question in your mind?

TAMIKYA STALEY: BY SOLICITOR JOYNER

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1 A. No.

2 Q. When you saw the defendant standing in the doorway
3 standing behind the screen door, were you in a place where
4 any person in that parking lot was entitled to be?

5 A. No I wasn't. There wasn't anyone else there.

6 Q. But that parking lot is where many people park; is
7 that right?

8 A. Yes.

9 Q. And you were - How many cars do you think were parked,
10 a lot of cars parked out there that day?

11 A. Well there was a good bit because the side my cousin
12 stayed that parking lot side was filled so that's why I
13 pulled directly in and facing [REDACTED].

14 Q. And - But - So there were other people that had been
15 in the parking lot that day.

16 A. Yes.

17 Q. Right? And that was the parking lot that anybody
18 that lived in the complex would park in?

19 A. Yes.

20 Q. Were also guest of the parking complex allowed to
21 park there?

22 A. Yes.

23 Q. Now you said that when you saw what he did that you
24 just kept walking.

25 A. Yeah I just...

1 Q. When you did that you're indicating by like the show
2 of your hand that...

3 A. Well I just threw up my hand. When he said hey I just
4 threw up my hand yeah and just kept on going once I saw
5 what was going on.

6 Q. Were you concerned about what you saw?

7 A. Yes I was because I know that there are kids out
8 there that if he would just come to the door doing that
9 with a stranger - well not a stranger -

10 MR. WILLIAMS: Object.

11 A. - - - because he knew me.

12 MR. WILLIAMS: I object, Your Honor.

13 THE COURT: I sustain the objection.

14 BY SOLICITOR JOYNER:

15 Q. I guess - Let me ask the question in a different way.

16 While you're throwing up your hand, you aren't
17 indicating that you were indifferent to what he was doing?
18 You weren't saying you didn't care about what he was doing?

19 A. No I was not saying I didn't care. I cared.

20 Q. And again, how soon did you call the police?

21 A. As soon as I got in my cousin's apartment.

22 SOLICITOR JOYNER: Thank you very much. Please
23 answer any questions the defense has.

24 THE COURT: Mr. Williams.

25 CROSS EXAMINATION

TAMIKYA STALEY: BY MR. WILLIAMS

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1 TAMIKYA STANLEY BY MR. WILLIAMS:

2 Q. So let's start with how everything happened. You
3 say while getting out of your car the defendant came to the
4 door in the process of masturbating. Correct?

5 A. Yes.

6 Q. Well here in the General Sessions request form you
7 stated when you parked and honked your horn the defendant
8 came to the door. That's two different statements.

9 SOLICITOR JOYNER: Your Honor, she didn't write the -
10 I object. He's asking her about a report that's not
11 written by her.

12 THE COURT: Is this report written by her?

13 MR. WILLIAMS: This is her statement that she gave to
14 the police.

15 THE COURT: Well whoever took that statement will have
16 to come and testify about that because she's not
17 responsible for what somebody else wrote down.

18 MR. WILLIAMS: Yes, sir, but that's what she said.

19 THE COURT: Well -

20 MR. WILLIAMS: That officer right there.

21 (DEFENDANT INDICATED TO OFFICER SITTING AT SOLICITOR'S
22 TABLE.)

23 THE COURT: Well I can't let you - You can ask her if
24 she said certain things.

25 MR. WILLIAMS: Okay.

1 THE COURT: You cannot rely on that as being a
2 statement of her because it is only notes or something a
3 second person wrote down. She did not write it down
4 herself.

5 MR. WILLIAMS: She signed it. This is something she
6 wrote and signed it.

7 THE COURT: Have you seen it?

8 SOLICITOR JOYNER: May I approach, Your Honor.

9 THE COURT: You may.

10 (SIDE BAR.)

11 THE COURT: This statement form that I have here is
12 one page that she actually signed. You can ask her about
13 that. What's the other one?

14 MR. WILLIAMS: That's what I was talking about.

15 THE COURT: You can ask her about things because she
16 signed this and it's under oath, so you can ask her about
17 matters in this. But something that somebody else prepared
18 she's not bound by what somebody else prepared and she
19 didn't sign. You can go forward with that yes, sir.

20 BY MR. WILLIAMS:

21 Q. In your statement you state while getting out of the
22 car to visit your cousin, the defendant Detrick Williams
23 came to the door at [REDACTED] and was in the process of
24 masturbating. Am I correct?

25 A. Yes when I got out I hit my lock and that's when you

TAMIKYA STALEY: BY MR. WILLIAMS

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1 came to the door.

2 Q. Okay. Then again in the same statement you came
3 afterwards and you said after I had pulled into the Wilson
4 Street Apartments to visit my cousin who lives in [REDACTED] after
5 I blew my horn Detrick Williams came to the door at
6 [REDACTED] masturbating. So that's like two different
7 statements like ---

8 A. They both say I got --

9 Q. --- you're not sure of how what happened.

10 A. They're both stating when I got out of my car I hit
11 my lock the horn blew. That's when you appeared at the
12 door.

13 Q. So what you're saying the defendant came to the door
14 twice?

15 A. No. I'm saying when I got out of the car and I hit
16 my lock button my horn automatically blows. When I hit the
17 lock button that's when you appeared at the door.

18 Q. Was Officer Beach there when this supposedly happened?

19 A. No he came after I called the police.

20 Q. Okay. Was Officer Price there when this happened?

21 A. He was not there either. He came after I called the
22 police.

23 Q. Okay. You say the incident took place at [REDACTED]

24 [REDACTED]. Correct?

25 A. I was going to [REDACTED]. That's my cousin's apartment.

1 Q. Well who's residence is [REDACTED]?

2 A. That is Ms. Carol's.

3 Q. So that's not the defendant Detrick Williams'
4 residence?

5 A. No but you were living there with her.

6 Q. What proof does it state has shown that I'm on the
7 lease prior to witness of the apartment stating that I
8 stayed there or clothes or possession found in the
9 apartment of Detrick Williams?

10 THE COURT: Well you just ask her a question. That
11 wasn't a question. Ask her a question.

12 MR. WILLIAMS: Okay. Sorry.

13 Q. Let me rephrase the question. What kind of proof do
14 you have right now with you today that you can show that's
15 Detrick Williams residence?

16 A. I don't have proof and it wasn't your residence. You
17 were staying with someone at that residence.

18 Q. What kind of proof do you have that Detrick Williams
19 was staying there?

20 A. I have seen ---

21 Q. Other than your word.

22 A. --- you there. I don't have any proof. I don't
23 have her to be served there on the housing authority.

24 Q. So did you have like a toy horn or anything you had
25 after you got out of the car because I'm not understanding

TAMIKYA STALEY: BY MR. WILLIAMS

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1 how you can indicate a horn sound is an alarm sound. A
2 horn sound in a car, you know what I'm saying, is two
3 different --

4 A. It's not a car horn. It's just when you hit the
5 button or the lock it blows. Most does that when you lock
6 it it blows to let you know that it did lock.

7 Q. So about this certainty of the identification. You
8 stated that you found the defendant Detrick Williams and
9 you was able to - you knew him, right, through phone
10 conversations and all that?

11 A. And I met you at the store. That's when you
12 approached me as Drick.

13 Q. I don't recall the defendant going by that name as
14 Drick. My name is Detrick Williams'. I never had met - -

15 SOLICITOR JOYNER: Your Honor, I object.

16 THE COURT: You just ask her a question.

17 MR. WILLIAMS: Well okay.

18 Q. Was you - when you - Okay, when you pulled up in the
19 parking lot at ■■■, what was you driving? Was you in a car
20 or a truck?

21 A. I was in my Jeep but I just referred to it as the car
22 as a vehicle.

23 Q. You got to be specific because in your statement you
24 said it was a car. A car and a jeep is two different
25 things.

1 A. Well my vehicle. Sorry I said two different things.

2 Q. You changed your statement.

3 A. No I'm not changing my statement. My vehicle.

4 Q. Okay. So at a pretrial hearing you stated that the
5 defendant Detrick Williams spoke to you and he was
6 masturbating having his head out the door meaning he was
7 not maliciously masturbating in front of you. Right?

8 SOLICITOR JOYNER: I object. I can't understand the
9 question, Your Honor.

10 THE COURT: Obviously she can answer.

11 If you understood the question you can answer it.

12 A. I get what he's saying.

13 If you come to the door naked that's indecent and
14 inappropriate so it would be malicious.

15 Q. Malicious but - Okay. If the defendant can't
16 contradict - Let's assume that the defendant came to the
17 door like you say he was but you say the defendant stuck
18 his head out of the door you didn't say he stuck his body
19 out of the door.

20 A. I noticed --

21 Q. You said his head.

22 A. Yeah you stuck your head out and said hey I'm guessing
23 to get my attention.

24 Q. Okay.

25 A. And that's just when I saw what you were doing and

TAMIKYA STALEY: BY MR. WILLIAMS

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1 kept going.

2 Q. You say I stuck my head out of the - the defendant
3 stuck his head out the door. So how does that indicate
4 that the defendant was maliciously, you know, masturbating
5 in front of you?

6 A. It's apparent that you wanted my attention when you
7 said hey and spoke to me so you wanted me to look
8 obviously.

9 Q. In the pretrial hearing you state that you knew - that
10 you knew that I be at [REDACTED]. How was that?

11 A. I seen you there. My cousin had informed me that you
12 stayed there with someone. I knew that it was her
13 apartment and that is where you were residing. I pulled up
14 there many times and you were coming from there so...

15 Q. But you just in front of open testimony with the
16 solicitor you didn't just no time state none of that that
17 you're stating now that you -

18 A. I stated that I seen you.

19 Q. But you never said that you knew that from your cousin
20 that I lived there and what you saying now --

21 A. I did say my cousin called and informed me. When she
22 saw me speaking to you at the store and after I left that's
23 when she called me and told me that you stayed in the
24 apartments with Ms. Carol and not to talk to you and when
25 you called me that was what I informed you and ask you not

1 to call me.

2 Q. But who was Ms. Carol look like? Who is that?

3 A. I don't know her personally. I know that she lives
4 in [REDACTED]. She still resides there.

5 Q. Okay. What kind of relationship did Carol Whitlock
6 and the defendant have?

7 A. From what I heard they were in a relationship.

8 Q. From what you heard. It's not what you know it's what
9 you heard. Right?

10 A. That's what I heard but that's not the case here.

11 Q. In the pretrial hearing you stated the defendant
12 was naked. How was you so sure when you stated Detrick
13 Williams stuck his head out the door and spoke to you?

14 A. You can see through the door.

15 Q. You can see through the door?

16 A. You can see through the screen. There was a screen
17 door that you could see through.

18 Q. Was it a door or a screen door?

19 A. The screen door you can see through it.

20 Q. Okay. So - What made you think that [REDACTED]
21 [REDACTED] was the Detrick Williams residence?

22 A. I was informed you stayed there.

23 Q. Is it for my knowledge isn't it true that you and
24 the defendant Detrick Williams had an altercation over the
25 phone that alleged to the person to meet beside - barber

TAMIKYA STALEY: BY MR. WILLIAMS

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1 shop on South Wilson Street that almost led to a fist
2 fight?

3 A. No it did not almost lead to a fist fight.

4 Q. What happened?

5 A. I ask you to quit calling me again. You were telling
6 lies and I ask you to quit calling me. I left and even
7 after I left you called me and that's when you was telling
8 me I got issues and I needed to talk to someone about my
9 anger and give me another chance and I'm sorry and I just
10 told you I don't - We just only talked that one time and I
11 don't know you like that so why would I give you another
12 chance on?

13 Q. I'm asking you to state what happened when you pulled
14 up beside the barbershop.

15 SOLICITOR JOYNER: Your Honor, I'm gonna object to him
16 going into specific details of prior difficulties I think
17 that he's alleging are prior difficulties up this point but
18 not this specific details.

19 THE COURT: All right. I'll allow you to go into
20 whether or not you all had some difficulties in the past
21 but not the specific details.

22 MR. WILLIAMS: I'm trying to explain that the report
23 says.

24 THE COURT: But you're asking her questions. You're
25 not explaining anything at this point you're just asking

1 questions.

2 MR. WILLIAMS: Okay.

3 Q. The charge requires a malicious act. Someone just
4 peeping their head out around a screen door to see who blew
5 their horn outside their apartment is not malicious.

6 A. Its malicious if they come to the door naked and
7 inappropriate.

8 Q. So if you say if you seen the defendant through a
9 screen door and it wasn't a glass clear view, how could you
10 assume that the defendant was naked? How do you know if
11 the defendant had on shoes or anything?

12 A. It's a screen door. That's what their there for so
13 you can screen who's coming into your house and see them.

14 Q. So did the defendant have on shoes?

15 A. I could not see that far down.

16 Q. But you so sure - certain about ---

17 A. You did not.

18 Q. --- the defendant being naked.

19 A. You did not have clothes on your body part. I could
20 not see clothes from shoulder down to the knees.

21 Q. Okay. Since you so certain about the defendant was
22 naked and all and you say - Okay, first you said that the
23 defendant - You didn't see the defendant penis then you
24 turned around and you corrected yourself and say well I
25 didn't see how he was masturbating. So I mean you - You

TAMIKYA STALEY: BY MR. WILLIAMS

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1 keep saying things and then you switch and it - You have to
2 be - The prosecutor is guiding you through this. If you so
3 certain about everything the defendant did to you you
4 shouldn't have to be guided -

5 SOLICITOR JOYNER: Your Honor, I'm going to object.

6 THE COURT: That's not a question. Please just ask
7 questions.

8 BY MR. WILLIAMS:

9 Q. Well back to my question about the masturbation.

10 If you saw - If you was that clear about everything
11 what hand was the defendant using?

12 A. I don't exactly ---

13 q. You say you saw - -

14 A. --- remember.

15 THE COURT: Whoa whoa. Just one at a time.

16 You ask the question and -

17 MR. WILLIAMS: I wasn't done talking.

18 THE COURT: Okay.

19 BY MR. WILLIAMS:

20 Q. You stated that you saw the - You saw the defendant
21 masturbating and we all got - the defendant is human we
22 only got two hands and if you was that certain about seeing
23 the defendant masturbating you wouldn't be able to tell
24 everybody today what hand the defendant was using while he
25 was masturbating.

TAMIKYA STALEY: BY MR. WILLIAMS
BY SOLICITOR JOYNER
BY MR. WILLIAMS

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1 A. I did not pay attention to that much detail. I could
2 tell that he was doing something. I just turned my head. I
3 was not trying to see -

4 MR. WILLIAMS: No more questions, Your Honor.

5 A. --- which hand.

6 THE COURT: All right. Any redirect?

7 SOLICITOR JOYNER: Just briefly.

8 REDIRECT EXAMINATION

9 TAMIKYA STALEY BY SOLICITOR JOYNER:

10 Q. Ms. Staley, did you see the defendant's penis on
11 Christmas Day 2011?

12 A. He had it in his hand.

13 Q. And did you see him masturbating?

14 A. Yes.

15 Q. Is there any doubt in your mind that you correctly
16 identified the person who you saw masturbating that day?

17 A. There is no doubt.

18 SOLICITOR JOYNER: Thank you.

19 THE COURT: Do you have any further questions?

20 MR. WILLIAMS: Yes.

21 RECROSS EXAMINATION

22 TAMIKYA STALEY BY MR. WILLIAMS:

23 Q. But after what I was saying if you so certain if I
24 had it - You just stated to the prosecutor I had it in my
25 hand. So if I had it in my hand which hand was it?

TAMIKYA STALEY: BY MR. WILLIAMS

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1 A. I did not pay attention to that much detail. I was not
2 trying to stare and see -

3 MR. WILLIAMS: No further questions, Your Honor.

4 A. --- which hand you had it in.

5 THE COURT: All right. You can step down. Thank you.

6 A. Thank you.

7 (WITNESS LEAVING WITNESS STAND.)

8 THE COURT: Any further witnesses on behalf of the
9 State?

10 SOLICITOR JOYNER: No further witnesses on behalf of
11 the State.

12 THE COURT: Members of the jury panel, the State is
13 resting.

14 MR. WILLIAMS: I will -

15 THE COURT: I have to take up some matters outside
16 your presence before we move to the next stage of the trial
17 so I'm going to let you go to the jury room for a few
18 minutes.

19 (JURY EXITS COURTROOM AT 02:12 P.M..)

20 THE COURT: Anything from the State?

21 SOLICITOR JOYNER: Not from the State, Your Honor.

22 THE COURT: Mr. Williams, anything from you at this
23 time?

24 MR. WILLIAMS: I make a direct verdict not guilty.

25 THE COURT: Not a directed verdict but not guilty.

1 I deny that motion. There is evidence from which a
2 jury could conclude that this happened and that you were
3 the one who did it. Now, Mr. Williams, we've reached the
4 point in the trial where you can call witnesses if you want
5 and you can also testify if you want. If you testify the
6 State will have the right to bring up some prior offenses
7 of yours and we'll go over those in just a minute.

8 If in fact they are brought before the jury if you
9 testify and the State ask you whether or not you have these
10 convictions and you affirm that you do I will tell the jury
11 that that is allowed only to impeach you; that is, to show
12 that you might not be telling the truth, not to show that
13 you would be someone who has committed this offense or that
14 you are guilty of this offense. If you exercise your right
15 to remain silent I will tell the jury you have done that,
16 they cannot hold that against you that you are presumed
17 innocent and need not prove your innocence but the State
18 must prove your guilt beyond a reasonable doubt.

19 I will tell them they cannot in the jury room discuss
20 your exercise of your constitutional right to remain
21 silent. And I will tell them that they cannot factor it
22 into their own personal consideration. Do you understand
23 all of that?

24 MR. WILLIAMS: Yes, sir.

25 THE COURT: Do you have any questions about that?

KAREN ROSEBORO: BY MR. WILLIAMS

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1 Q. Hey how you doing today, Ms. Roseboro.

2 A. I'm good.

3 Q. On December 11, I mean December the 25th, 2011, at
4 1:55 p.m., the defendant Detrick Williams was supposedly at

5 [REDACTED] on Christmas Day. What is your
6 relationship to the defendant?

7 A. He's my son.

8 Q. Okay. Was it the defendant with you at that time of
9 day?

10 A. He was at the house when I left. I'm not sure what
11 time but I know that I left home December 25th he was
12 there.

13 Q. Okay. What time you left home?

14 A. Uh - I don't remember.

15 Q. But you stated that he was ---

16 A. He was.

17 Q. --- there on Christmas Day ---

18 A. Yes.

19 Q. --- and with the family.

20 A. Because me and my daughter was doing a lot of in
21 and out with the kids because it was Christmas Day.

22 Q. But you remember seeing him?

23 A. Yes.

24 Q. That's all I have to say.

25 MR. WILLIAMS: No further questions.

CROSS EXAMINATION

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KAREN ROSEBORO BY SOLICITOR JOYNER:

Q. Ms. Roseboro, were do you live or where did you live at the time?

A. [REDACTED], Charlotte, North Carolina.

Q. And on Christmas Day 2011 you said you and your daughter; is that Ms. Lachanta Williams?

A. Yes.

Q. You all were doing a lot of in and out.

A. Yeah.

Q. So do you remember did you have a Christmas dinner that day?

A. Yes.

Q. Do you recall what time that Christmas dinner was?

A. I'm not sure.

Q. Would it have been in the morning, the day or - -

A. It was in the evenings so I know it was around - I'm not sure the exact time but I know it was in the evening time.

Q. And --

A. Because we had to wait till all the family got there.

Q. So, evening, is evening like five o'clock, six o'clock?

A. Five or six.

Q. And you said you had already gone to all the family gatherings?

KAREN ROSEBORO: BY SOLICITOR JOYNER

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1 A. Yeah.

2 Q. So what family gatherings did you go to?

3 A. The kids went to their - They got different fathers
4 so they went to each father's house and got a gift and
5 stuff that they had for them.

6 Q. So did you go to the - their Christmas's; their
7 Christmas celebrations with them?

8 A. Yeah.

9 Q. And how many different places did you go?

10 A. I'm not sure how many. I know she got four kids. I
11 mean three kids so I think one of the kids father didn't
12 get them nothing so I'm not sure. I'm not sure how many.

13 Q. Would it be at least two different houses?

14 A. Yeah at least two.

15 Q. Okay. So was that you and your daughter Ms. Williams
16 went to those houses?

17 A. Uh-huh.

18 Q. And do you remember how long you stayed at each of
19 those houses?

20 A. No.

21 Q. I know its hard to go back in time --

22 A. Yeah I can't go back.

23 Q. Would it be - Would it be fair to say it was at
24 least an hour at each house?

25 A. I say an hour yeah.

1 Q. And how - Do you remember how far apart those houses
2 were; how long it took to drive?

3 A. Huh-huh.

4 Q. Would it be reasonable to assume that it took maybe
5 twenty or at least twenty or thirty minutes?

6 A. I'm not sure.

7 Q. Okay. With the kids with their Christmas, did - did
8 you guys have some morning festivities of your own like
9 breakfast?

10 A. Yeah they woke up and everyone they opened their gifts
11 and all that.

12 Q. ~~Probably woke up early?~~

13 A. Yeah.

14 Q. Do you remember, was it five o'clock, six o'clock,
15 seven o'clock?

16 A. I don't remember what time it was. All I know is
17 they got up early.

18 Q. Did you all do - Did you all go to church or anything
19 like that that day?

20 A. No we didn't.

21 Q. So you woke up and you had breakfast?

22 A. Uh-huh.

23 Q. And who all was staying with you at the time or
24 celebrating that Christmas morning?

25 A. It was me, Detrick, my three grand kids, my daughter

KAREN ROSEBORO: BY SOLICITOR JOYNER

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1 and her boyfriend. And my daughter-in-law we had my baby's
2 son two little kids too so she came over too because for
3 the holidays.

4 Q. So all those folks. So there's your daughter-in-law,
5 and then who did you say was with your daughter-in-law?

6 A. Her babies.

7 Q. Her babies?

8 A. From my baby's son.

9 Q. Okay. You had a full house.

10 A. Yeah.

11 Q. And so all those folks celebrated the Christmas
12 morning with you?

13 A. Yeah.

14 Q. Did everybody stay throughout the day?

15 A. I don't know cause like I say we was in and out so
16 I don't know, you know, who stayed and who left. All I
17 know is when I left Detrick was there.

18 Q. And when you left - You said you were in and out. When
19 you left --

20 A. The first time.

21 Q. The first time. And do you - Can you recall if that
22 was morning or afternoon or ...

23 A. It was probably getting around noon.

24 Q. Around noon. When is the next time you saw him?

25 A. I don't remember that either cause like I said it

KAREN ROSEBORO: BY SOLICITOR JOYNER
LACHANTA WILLIAMS: BY MR. WILLIAMS

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1 was a busy day and you know we was in and out and I'd see
2 him at one point and then we'd see him again and you know
3 it was hard for me to remember the time.

4 Q. So you don't really know where he was at the time
5 1:30, 1:55; whatever. You don't really know.

6 A. No because I wasn't there at that time.

7 SOLICITOR JOYNER: Thank you very much.

8 THE COURT: Any other questions?

9 MR. WILLIAMS: No, sir.

10 THE COURT: All right you can step down and have a
11 seat. Thank you..

12 (WITNESS LEAVING WITNESS STAND.)

13 THE COURT: Call your next witness.

14 MR. WILLIAMS: Lachanta Williams. I'd like to bring
15 forward Ms. Lachanta Williams.

16 THE COURT: Ma'am, if you'll come forward you will
17 see a Bible up here, if you'll put your left hand on it
18 and raise your right.

19 (WHEREUPON: LACHANTA WILLIAMS,
20 BEING FIRST CALLED AND DULY SWORN, TESTIFIED AS FOLLOWS:)

21 MADAME CLERK: Thank you. You may have a seat.

22 DIRECT EXAMINATION

23 LACHANTA WILLIAMS BY MR. WILLIAMS:

24 Q. Ms. Williams, how you doing today?

25 A. Fine.

LACHANTA WILLIAMS: BY MR. WILLIAMS
BY SOLICITOR JOYNER

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1 Q. I'd like to ask you a question of on December 25th,
2 2011, 1:55 p.m., was the defendant Detrick Williams
3 in Charlotte, North Carolina at your residence during that
4 time. Do you remember seeing him?

5 A. Yes.

6 Q. What kind of transportation did Detrick Williams have
7 when he was staying with you at that time?

8 A. None.

9 Q. So how was he able to get around?

10 A. If I don't take him then he don't go.

11 Q. Okay. Do you remembering seeing the defendant on
12 that day?

13 A. Yes.

14 Q. Okay.

15 MR. WILLIAMS: I have no further questions for the
16 witness.

17 CROSS EXAMINATION

18 LACHANTA WILLIAMS BY SOLICITOR JOYNER:

19 Q. Good afternoon, Ms. Williams.

20 A. Good afternoon.

21 Q. Now Mr. Detrick Williams is your brother; is that
22 correct?

23 A. Yes.

24 Q. And of course you care about your brother.

25 A. I do.

1 Q. And you love him?

2 A. Yes.

3 Q. I ask you to go back at Christmas of 2011. Can you
4 kind of walk me through the day? Do you remember what time
5 you and the kids got up?

6 A. We woke up about seven o'clock a.m..

7 Q. And at that time were you also staying with your
8 mom?

9 A. It was my place of residence.

10 Q. Your place. So your mom was staying with you?

11 A. Uh-huh.

12 Q. And Detrick was staying with you as well.

13 A. Yes.

14 Q. And so the kids woke up about 7:00 a.m.. And what
15 kind of things did you do that Christmas Day?

16 A. We had breakfast; they opened their gifts, we put up
17 my kids basketball goal. And we basically played with the
18 kids. And we went - We took my daughter to her father's
19 house and we took my son to his father's house to receive
20 his gifts. And I went to my parents house, my step-mom and
21 my dad.

22 Q. Do you recall what time you took your daughter to her
23 father's house?

24 A. Uh - I think about 11:30 ish.

25 Q. And did you stay with her when she was at her father's

LACHANTA WILLIAMS: BY SOLICITOR JOYNER

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1 house?

2 A. No I did not.

3 Q. Did you just drop her off?

4 A. Uh-huh.

5 Q. And then do you recall what time you took your son
6 to his father's house?

7 A. About the same time. They just didn't live in Rock
8 Hill.

9 Q. So in order to get from Rock Hill, in Rock Hill
10 about 11:30, what time would have had to leave Charlotte?

11 A. Eleven o'clock.

12 Q. Okay. And when you dropped the kids off is that then
13 when you went to your father's house?

14 A. Yes.

15 Q. And where does your father live?

16 A. In Fort Mill.

17 Q. And did you then leave from there to go pick the kids
18 back up or...

19 A. Yes and then we went back to my place of residence.

20 Q. Okay. So what time do you think you got back to
21 your house in Charlotte?

22 A. About 5:30, six o'clock.

23 Q. So you don't know where Mr. Williams was between
24 eleven and 5:30?

25 A. I do not.

1 (JURY EXITS COURTROOM AT 02:45 P.M..)

2 THE COURT: Anything from the State?

3 SOLICITOR JOYNER: Not from the State, Your Honor.

4 THE COURT: Anything, Mr. Williams?

5 MR. WILLIAMS: I renew the motion for a directed
6 verdict.

7 THE COURT: All right. The motion again is denied.

8 I think there is ample evidence from which the jury
9 could reach the conclusion and eye witness to.

10 Any request to charge?

11 SOLICITOR JOYNER: The only one I passed up, Your
12 Honor.

13 THE COURT: I will also charge about eye witness
14 identification and how the jury looks at eye witness
15 testimony also.

16 MR. WILLIAMS: I don't know, I'm lost right here.

17 THE COURT: Well we've reached the point where the
18 State has the right to make closing argument or they can
19 not make one. They can make one before you argue and make
20 one after you argue. Usually they don't make one - of
21 course you gonna waive opening?

22 SOLICITOR JOYNER: Yes, sir, Your Honor.

23 THE COURT: So now we've reached the point where you
24 get to come before the jury and explain to them why the
25 evidence, you can't testify, you have to take the stand -

VERDICT

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1 back tonight after -

2 Mr. Dunlap, you've lost some weight but you still hard
3 to see through.

4 Please call tonight around seven to find out what the
5 next instructions are. Thank you.

6 (ALTERNATE JUROR DISMISSED.)

7 THE COURT: All right, we'll be at ease for a few
8 minutes and the Solicitor let me know what we got to do.

9 (COURT IN RECESS AT 03:13 P.M..)

10 (COURT BACK IN SESSION AT 03:42 P.M..)

11 THE COURT: Take your seats. We have a note from the
12 jury that they have reached a verdict so we'll bring them
13 in.

14 (JURY REENTERS COURTROOM AT 03:44 P.M..)

15 THE COURT: Mr. Foreman, I understand the jury has
16 reached a verdict.

17 MR. FOREMAN: We have.

18 THE COURT: Hand it to the bailiff and he'll hand it
19 up to me.

20 (VERDICT RECEIVED UP BY THE COURT.)

21 MADAME CLERK: Indictment 2012-GS-46-3958 the State
22 versus Detrick Tiwan Williams indictment for indecent
23 exposure verdict guilty signed by the foreperson dated
24 today's date.

25 Ladies and gentlemen, of the jury if that be your

1 verdict so say you all by raising your right hand.

2 Let the record show all jurors affirmed this verdict.

3 (ALL JURORS AFFIRMED.)

4 THE COURT: Anything from the State before the jury is
5 dismissed?

6 SOLICITOR JOYNER: No, sir.

7 THE COURT: Mr. Williams, anything before the jury is
8 dismissed?

9 MR. WILLIAMS: No, sir.

10 THE COURT: Okay. Thank you for your assistance on
11 this. Call back - I'm going to let you go. Call back
12 tonight after seven and you will find your next
13 instructions as to what to do.

14 Mr. Easley, we need you to put the date on here
15 according to the clerk. Other than that all of you can
16 leave and just follow whatever instructions you receive
17 tonight.

18 (JURY DISMISSED AT 03:49 P.M..)

19 THE COURT: Anything from the State before we do
20 sentencing?

21 SOLICITOR JOYNER: No, sir, Your Honor.

22 THE COURT: Anything, Mr. Williams, before we do
23 sentencing?

24 MR. WILLIAMS: No, sir.

25 THE COURT: All right. Why don't you come on up here.

SENTENCING

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1 Does Ms. Staley want to say anything else? I heard
2 her testimony.

3 SOLICITOR JOYNER: Do you want to say anything else,
4 Ms. Staley?

5 MS. STALEY: No, sir.

6 MR. SMITH: Your Honor, may I go get Ms. Roseboro?
7 She indicated she did.

8 THE COURT: Sure. Okay. All right, while we get Ms.
9 Roseboro you told me - go over again his record.

10 SOLICITOR JOYNER: Yes, Your Honor.

11 In 2001 he was convicted of possession with intent to
12 distribute crack cocaine. He received a youthful sentence
13 - a youthful offender sentence not to exceed five years
14 suspended on two years probation. In 2001 his probation
15 was revoked - I'm sorry, he was convicted in 2001 the same
16 year his probation was revoked. The rap sheet indicates
17 subsequent revocations in 2002 and 2007 on a parole, parole
18 violation.

19 In 2006 he's got an open container conviction, 2007
20 resisting arrest subsection A, he received time served
21 sentence. In 2009 on the same day he pled guilty to
22 burglary in the second degree non-violent, received a six
23 months sentence. And he also pled guilty to indecent
24 exposure and received one year concurrent. And the
25 indecent exposure I think stems from a jail house incident.

SENTENCING

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1 He exposed himself to female guard. He was not placed on
2 the registry at that time.

3 In 2010 he was convicted of failure to stop for a blue
4 light, driving under suspension and speeding. The sentence
5 on the failure to stop for a blue light was ninety days and
6 Five Hundred Dollar's suspended to ninety days.

7 MR. SMITH: Judge, she's gone to her car but I don't
8 know which car.

9 THE COURT: All right we'll need to move forward.
10 How long have you been in jail, Mr. Williams?

11 MR. WILLIAMS: I been incarcerated all together for
12 five and a half months in solitary confinement two and a
13 half months.

14 THE COURT: Five and a half months?

15 MR. WILLIAMS: Yes, sir.

16 SOLICITOR JOYNER: We have the date of August 24th he
17 has been incarcerated -

18 MR. WILLIAMS: I done thirty days current to them
19 holding me for the extradition in Charlotte, North Carolina
20 till it was charged.

21 THE COURT: What was that date, August?

22 SOLICITOR JOYNER: August 24th is when he was brought
23 to South Carolina but he was brought from North Carolina.

24 THE COURT: Thirty days?

25 MR. WILLIAMS: Yeah I did thirty days.

SENTENCING

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1 THE COURT: Anything you want to say, Mr. Williams?

2 MR. WILLIAMS: Yeah I would like to ask the court if
3 - I ain't kind of bitter about the outcome about the
4 situation. I don't feel it was fair but it is what it is.
5 and I just want to ask, you know, I do have a family and I
6 never even got to meet my nephew. He's sitting back there.
7 You know if I have to register that means I can't be around
8 him and be a part of nobody. None of my nieces and nephews.
9 You know what I'm saying? I'm just asking the Court that
10 if anything just please don't make me register because I
11 didn't maliciously, you know, do this. Where she had
12 claimed I did. I didn't maliciously be out in public a sex
13 offender would act. I haven't raped anybody you know. I
14 haven't really violated nobody and that kind of right to be
15 a sex offender so I just ask the court please whatever they
16 do I don't care whatever punishment comes before me is I
17 beg that I don't have to register.

18 THE COURT: Well it's unfortunate that you've gotten
19 yourself in the situation but you did it to yourself.

20 The sentence is three years and give you credit from
21 August 23rd - August 24th, 2012, plus an additional thirty
22 days. And I am going to require you to register as a sex
23 offender. This is your second offense. I won't do it on
24 the first but when you get more than one that's what
25 happens. Thank you.

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

WITNESSES

PD\Beach

The State of South Carolina
County of York

Defendant

COURT OF GENERAL SESSIONS

I hereby appear in my own proper person and plead guilty to the within indictment or to

November 15, Term 2012

ARREST WARRANT NUMBER

34710

Defendant

THE STATE

Witness:

vs.

C.C.C. PLS. AND G.S.

DETRICK TIWAN WILLIAMS

ACTION OF GRAND JURY

TRUE BILL

Person of Grand Jury
Date: 11/15/12

VERDICT

Guilty

Indictment for
INDECENT EXPOSURE

Person of Petit Jury
Date: 1/9/2013

SC Code: 16-15-130
CDR Code: 0091

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

INDICTMENT

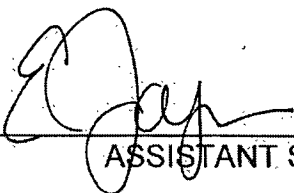
At a Court of General Sessions, convened on November 15, 2012, the Grand Jurors of York County present upon their oath:

INDECENT EXPOSURE

The Defendant, Detrick Tiwan Williams, did in York County, South Carolina on or about December 25, 2011, wilfully, maliciously, and indecently expose his person in a public place or property of others or to the view of any person on a street or highway, all in violation of Section 16-15-130 in the Code of Laws of South Carolina, (1976, as amended).

CEPITURIED TRUE COPY
2013 JAN 10 AM 10:16
DAVID HAMILTON
CLERK OF COURT
YORK COUNTY, S.C.

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




ASSISTANT SOLICITOR

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability, with the August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

March 5th, 2014


Benjamin John Tripp
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

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March 5th, 2014


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ATTORNEY FOR APPELLANT

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from York County
John C. Hayes, III, Circuit Court Judge

RECEIVED

MAR 05 2014

THE STATE,

RESPONDENT
SC Court of Appeals

V.

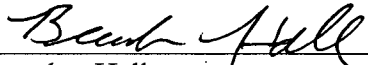
DETRICK TIWAN WILLIAMS

APPELLANT

APPELLATE CASE NO. 2013-000074

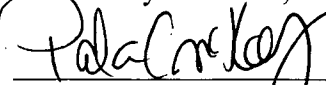
CERTIFICATE OF SERVICE

I certify that a true copy of the Record on Appeal in the above referenced case has been served upon Salley W. Elliott, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 5th day of March, 2014.



Brandon Hall
Administrative Specialist

SUBSCRIBED AND SWORN TO before me
this 5th day of March, 2014.



(L.S.)
Notary Public for South Carolina
My Commission Expires: July 24, 2022.