

The State of South Carolina
In The Court of Appeals

ORIGINAL

Appeal from Spartanburg County
Hon. J. Derham Cole, Circuit Court Judge
Case No. 10-CP-42-2350

Appellate Case No. 2013-000807

Jane Doe, as guardian for John Doe, ... Appellant

v.

Doni Rhinehart, ... Respondent

Record On Appeal
Volume Two

Gregg Meyers, SC Bar No. 9908

Jeff Anderson & Associates, P.A.
366 Jackson Street Suite 100
St. Paul, MN 55101
651-227-9990

Attorney for Appellant

James P. Walsh
Clarkson, Walsh, Terrell & Coulter, P.A.
PO Box 6728
Greenville SC 29606
864-232-4400

Attorney for Respondents

RECEIVED

MAR 10 2014

SC Court of Appeals

Index

Volume One

Orders, Judgments, Decrees, Decisions

1. March 21, 2013, Circuit Court Order Granting Summary Judgment p. 1

Pleadings

2. Complaint in 10-CP-42-2350, Doe v. Rhinehart, April 29, 2010 p. 14
3. Answer in 10-CP-42-2350, Doe v Rhinehart, July 13, 2010 p. 19
4. Defendant's Motion for Summary Judgment, February 17, 2012 p. 26
5. Memorandum in Support of Motion for Summary Judgment (Redacted), May 13, 2012 p. 27
6. Motion to Amend the Complaint in 10-CP-42-2349, May 15, 2012 p. 58
7. Proposed Amended Complaint, May 15, 2012 p. 59
8. Plaintiff's Opposition to Motion for Summary Judgment, May 14, 2012
Rule 56(f) affidavit of counsel and attachments, May 14, 2012 p. 66

Transcripts

9. Transcript of Hearing, May 16, 2012
Doe v. Rhinehart p. 86
Doe v. Troop 292 et al. p. 100

Exhibits

10. September 29, 2010 deposition of Doni Rhinehart, redacted p. 130
11. May 19, 2011 deposition of the Father of John Doe p. 181
12. May 20, 2011 deposition of Guardian Jane Doe p. 250
13. August 18, 2011 deposition of the husband of Jane Doe p. 328

Volume Two

Exhibits, continued

- | | | |
|-----|---|--------|
| 14. | January 27, 2012 Deposition of John Doe, Vol. 1 | p. 501 |
| 15. | February 2, 2012 Deposition of John Doe, Vol. 2 | p. 612 |
| 16. | Summons and Complaint in Doe v. Troop 292 et al., 2010-CP-42-2349 | p. 726 |

Certificate

- | | | |
|-----|------------------------------|--------|
| 17. | Certificate of counsel | p. 735 |
|-----|------------------------------|--------|

0001

1

State of South Carolina

In The Court of Common Pleas

2

County of Spartanburg

3

JANE DOE, as Guardian for
JOHN DOE,

4

Plaintiff,

5

vs.

C.A. No.: 2010-CP-42-2349

6

7

BOY SCOUT TROOP 292, SPARTANBURG, SC,
PALMETTO COUNCIL OF THE BOY SCOUTS OF
AMERICA, ST. MARGARET'S EPISCOPAL
CHURCH, SHELBY CULBRETH, JACKIE LAFONTAINE,
BRANDON SMITH, ROB GREEN, ROY COLE, BOB
FAULKS, AND SCOTT O'NEILL,

10

Defendants.

11

JANE DOE, as Guardian for
JOHN DOE,

12

Plaintiff,

13

vs.

C.A. No.: 2010-CP-42-2350

14

DONI RHINEHART,

15

Defendant.

16

17

18

19

Deposition of
JOHN DOE (Volume I)

20

21

22

23

24

25

Pursuant to notice of deposition and/or agreement in the
above entitled case, a deposition was taken on the 27th day of
January, 2012, commencing at approximately 10:00 a.m.,
attended as follows:

0002

1

APPEARANCES:

2

MICHAEL R. JEFFCOAT, Esquire
The Michael Jeffcoat Firm

3

4723-A Sunset Boulevard
Lexington, South Carolina 29072,

4

5 On Behalf of the Plaintiff;
6 JAMES P. WALSH, Esquire
7 Clarkson, Walsh, Terrell & Coulter, P.A.
8 P.O. Box 6728
9 Greenville, South Carolina 29606,
10 On Behalf of Doni Rhinehart;
11 G. MARK PHILLIPS, Esquire
12 Nelson Mullins Riley & Scarborough, LLP
13 Liberty Center/6th Floor
14 151 Meeting Street
15 Charleston, South Carolina 29402-2239,
16 On Behalf of Boy Scout Troop 292, et al.
17 T. DAVID RHENEY, Esquire
18 Gallivan, White & Boyd
19 55 Beattie Place, Suite 1200
20 Greenville, South Carolina 29602,

21 On Behalf of Shelby Culbreath.

22 ALSO ATTENDING: JANE DOE

23 DEPOSITION REPORTED BY: BARBARA L. GILL
24 Certified Court Reporter
25 Depositions And..., Inc.
26 P.O. Box 10268
27 Greenville, South Carolina 29603
28 (864) 235-3518

29 The attached 195 pages of testimony of JOHN DOE in the
30 above matter is the work product of Depositions and..., Inc.,
31 and not to be copied or utilized in any manner without the
32 express written authorization of Depositions and..., Inc.

0003

1	INDEX	
2		PAGE
3	Examination by Mr. Walsh.....	4
4	Certificate of Notary Public.....	196

10

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

0004

1 Pursuant to notice and/or agreement to take depositions,
2 the within deposition was taken by Barbara L. Gill, Certified
3 Court Reporter, a Notary Public, as required under South
4 Carolina Court Rule 30, et al., by consent of all parties at
5 the law offices of Clarkson, Walsh, Terrell & Coulter, P.A.,
6 P.O. Box 6728, Greenville, South Carolina.

7 WAIVER:

8 It is not agreed by counsel for all parties that the
9 reading over of and signing of the deposition by the witness
10 are waived.

11 It is not agreed by the witness that the reading over of
12 and signing of the deposition are waived.

13 ** ** ** **

14 The deponent was duly sworn to tell the truth, the whole
15 truth, and nothing but the truth of his own knowledge
16 concerning the matter herein.

17 JOHN DOE, being duly sworn, testified as follows:

18 EXAMINATION BY MR. WALSH:

19 Q. You're John Doe; right?

20 A. Yes.

21 Q. John, my name is Jim Walsh. I'm an attorney. There's a
22 couple of other attorneys here on this side of the table.
23 What we're here to do is to take your deposition; okay?
24 And that's just a fancy word for me going to ask you some
25 questions. The other attorneys may ask you some questions

0005

1 as well.

2 The lady here on your left is a court reporter. She
3 doesn't work for us, she doesn't work for your attorney,
4 she's an independent individual whose job it is with all

5 this equipment and she's got her hands down there, she's
6 typing up everything we say kind of like in a courtroom
7 like you might see on TV or in a movie. Her job is to
8 take everything down that we say in the room and that's
9 why she's here. Okay?

10 There's a few kind of rules that we all need to
11 follow to help the court reporter get the information down
12 accurately. Because what she's going to do later is,
13 she's going to type it up in like a little book that we
14 can all read. Okay? So there's a few things that we need
15 to try to do.

16 One of them is that when I ask you for an answer,
17 that you give me a verbal answer like a yes or a no or
18 words rather than a nod or shake of the head. Okay?

19 A. Okay.

20 Q. And so if you do nod or shake, I may see that and I may
21 know what you mean but the court reporter may not know
22 what you mean because she may be looking at her equipment
23 or adjusting a cord and she may not have seen that. And
24 so if you nod or shake, I'm going to probably ask you to
25 give a verbal answer. And if I do that, I'm not trying to

0006

1 be mean or rude, I'm just trying to make sure we know what
2 your answer was. Okay?

3 A. Yes.

4 Q. Also, we're going no start to -- as we go through today,
5 I'm going to ask you a lot of questions, you're going to
6 give a lot of answers. And one of the things that would
7 be helpful is if you would let me finish my question
8 before you start to answer and I'll try to let you finish
9 your answer before I start to talk. And if anybody else
10 says something in between, let's let them talk.

11 Basically, we're trying to let one person talk at a
12 time. Because when we talk over each other, it's hard for
13 the court reporter to hear all that and get it down. So
14 I'm going to try to let you finish and if you would let me
15 finish and that way she can get that down accurately.
16 Okay?

17 A. Okay.

18 Q. Okay. Good. Also, if you don't understand my question,
19 please tell me. Sometimes I'm going to ask you a question
20 that's not going to make any sense. And if you don't
21 understand it, that's fine, just tell me and I'll try to
22 say it a different way that's clearer and I'd be glad to
23 do that. But if you don't ask me, I'll just assume you
24 understood my question. Okay?

25 A. Yes.

0007

1 Q. And the final thing is, is if you -- well, actually there
2 are two things. If you need to take a break, tell me and
3 I'll be glad to do that. I'm not trying to see how long
4 you can sit here in this chair without moving. All right?

5 A. Okay.

6 Q. So just let me know and we'll take a break. I can't tell
7 you exactly how long it will take to do this deposition
8 today. It might not take very long, it might take several
9 hours, I'm just not sure. But we'll break any time you
10 need to. Just let me know. Okay?

11 A. Yes.

12 Q. Good. The other thing is: If you have a question about
13 the deposition, a question about, you know, what's going
14 on or what my question means, just ask me and direct those
15 questions to me. Under our court rules, the witness, like
16 yourself, is required to ask me, the lawyer asking you the
17 questions, if you have a question about the process of the
18 deposition. Okay?

19 A. Yes.

20 Q. Your attorney is sitting next to you and he will object
21 and make statements when necessary. But you should ask me
22 if you have a question. Okay?

23 A. Okay.

24 Q. So tell me your full name, please.

25 A. John Doe.

0008

1 Q. Do you go by John Doe?

2 A. Yes.

3 Q. Is it okay if I call you John Doe?

4 A. Yes.

5 Q. All right. So what we're going to do is, I'm going to
6 ask you some questions sort of to give me an idea of kind
7 of what you're doing now and where you live and that sort
8 of thing and then I'm going to ask you some questions
9 about the lawsuit.

10 Do you understand that you're sitting here, when you
11 raised your right hand, that you were put under oath?

12 A. Yes, I'm under oath.

13 Q. And do you understand what that means?

14 A. Yes. It means like -- oath is something -- oh, yes.

15 Q. When you're under oath, what are you supposed to do?

16 A. Tell it truthfully.

17 Q. Do you know how to tell the truth and when it's a lie?

18 A. Yes.

19 Q. All right. And so basically I'm going to just ask you
20 these questions and you just tell me the truth the best
21 you know it. I don't want you to guess at things. But if
22 you know an answer, I just ask you to tell me the truth.
23 Okay?

24 A. Okay.

25 Q. All right. So do you know -- well, tell me this first:

0009

1 Where do you live right now?

2 A. I live in Elmira, New York, House 712 West Second Street.

3 Q. House 712?

4 A. Yes.

5 Q. Who lives there with you?

6 A. Nancy Griffin; my roommate, a veteran named Jim; and a
7 guy name Tim.

8 Q. So you live in Elmira, New York, House 712. And what was
9 your street?

10 A. West Second Street.

11 Q. Okay. Now, is this a house? An apartment? What?

12 A. A house.

13 Q. It's a detached house that sits by itself?

14 A. Yes. It's called a Family Care Home.

15 Q. And so how did you find that place to stay?

16 A. Well, I was getting tired of my mom like not letting me
17 go anywhere and keeping me -- well, she let me go to
18 program but she wouldn't let me -- she hardly ever let me
19 go to my friends' houses. And it was kind of depressing
20 for me to be stuck at home all the time.

21 So I talked to my social worker about getting me a
22 family -- it's nothing like your group home. It's like a
23 house where someone, like an owner of a house, let's
24 people move into it.

25 Q. Is there somebody there that kind of watches out for you

0010

1 guys?

2 A. Yes.

3 Q. Who is that?

4 A. Nancy Griffen and her ex-husband.

5 Q. Do you know his name?

6 A. Brian -- not my scout leader. A different Brian.

7 Q. Sure. Is it Brian Griffin?

8 A. Yes.

9 Q. And so you went through your social worker to find the
10 house?

11 A. Yes.

12 Q. And do you know your social worker's name?

- 13 A. Tracy something.
14 Q. And is she like -- like what kind of agency is she with?
15 Like has she got --
16 A. Family Services.
17 Q. Is that for like the town of Elmira or the state of New
18 York?
19 A. No. It's. . .
20 Q. The county?
21 A. Yes, it's the county.
22 Q. Do you know the county that you're in?
23 A. I think it's Twin -- no, not --
24 Q. But whatever county Elmira is in is the county that
25 you're --
0011
1 A. Yes.
2 Q. -- getting the services from?
3 A. Elmira, I think -- I'm not sure what county Elmira is in.
4 I forgot.
5 Q. That's fine. And if you forget, that's okay. When did
6 you move to New York?
7 A. I'm not sure.
8 Q. How old are you now?
9 A. Twenty.
10 Q. Do you know your birthday?
11 A. May 3rd.
12 Q. Do you know your year?
13 A. '91.
14 Q. Do you know how long kind of you've been living in New
15 York?
16 A. A little over a year.
17 Q. And when you went to New York, did you move in with your
18 mom?
19 A. The beginning; yes.
20 Q. What's her name?
21 A. Jessica [REDACTED].
22 Q. And let me ask you this because we might have all been
23 mispronouncing your last name. Is it (phonetic) or is it
24 (phonetic) or (phonetic)?
25 A. (Phonetic).
0012
1 Q. All right. So your mom is Jessica. And is she from New
2 York?
3 A. No. She was originally -- she lived most of her life
4 down south. But when she was like in her late thirties,
5 she moved up -- or early -- mid thirties, she moved up to
6 New York.

7 Because I was a little kid at the time and she met a
8 marine veteran named Eric Mead who, which is my half
9 brother's father. A very good eye.
10 Q. Are they still together?
11 A. Yes.
12 Q. So Jessica and Eric Mead live together?
13 A. No, they don't live together. They visit each other.
14 Q. Were they ever married?
15 A. No.
16 Q. But Jessica has a son with Eric?
17 A. Yes.
18 Q. Your half brother?
19 A. Yes.
20 Q. And what is his name?
21 A. Andrew [REDACTED]. Needless to say, he doesn't have any mental
22 problems. He's like a normal kid that that makes good
23 grades in school, you know, that sort of thing.
24 Q. When you say "mental problems," do you think you have
25 mental problems?

0013

1 A. I know -- well, I know I have bipolar because that's my
2 diagnosis.
3 Q. What does that mean? What are the symptoms of that?
4 A. Well, mild anger, manic. But I'm only on one pill now
5 that's Tenex, a mood stabilizer. I'm not experiencing any
6 of that.
7 Q. Do you have like a medical doctor that you see or some
8 sort of person that prescribes that that gives you, like
9 that you get the medicine from?
10 A. Yes. I'm not sure -- I forgot his name. It's some
11 Indonesian guy.
12 Q. Is that through the social worker Tracy that she arranged
13 for that or did somebody else get you to see him?
14 A. Nancy Griffin signed me up for that.
15 Q. That's the lady that kind of runs the home that you stay
16 in?
17 A. Yes.
18 Q. I see. And do you have -- do you go to see a doctor
19 regularly like for counseling or talking with him?
20 A. Yes. Every -- I'm pretty -- I think I have one -- no, I
21 don't know for sure actually to say that. I'm not really
22 sure when my next appointment is.
23 But a while back, a couple of months ago, she said
24 it would be in three months.
25 Q. So every few months or so, you go see a doctor --

0014

- 1 A. Yes.
2 Q. -- and he checks you out?
3 A. It's a she.
4 Q. It's a she. Okay. And she kind of checks you out and
5 makes sure the medicine is working and that sort of stuff?
6 A. Yes.
7 Q. If you don't take the medicine, what happens?
8 A. Well, I just get really -- I get really upset. I don't
9 really -- I haven't -- I'm always -- I'm independently
10 taking it, though.
11 Q. What does that mean? That nobody watches you take it?
12 A. No. I go down every morning. At Nancy Griffin's eye, I
13 get my pill bottle out -- well, it's not really a pill
14 bottle, it's like a little piece of paper with a pill
15 inside of it and you just open it up -- with 30 Tenexes
16 and just take one out and I take it. I'm very
17 responsible, I know how important it is to take my meds.
18 Q. We have got these big -- these are big files filled with
19 records and various things. And I looked, was looking
20 through some of the records. And I noticed that sometimes
21 you were taking more than one medicine at a time.
22 A. Yes.
23 Q. And now you're only taking one.
24 A. Yes.
25 Q. Do you know why it went from several to one?
0015
1 A. Because my behavior is better. I'm not having as much
2 symptoms as I used to. I'm achieving -- I'm successful.
3 Q. Good. So a few years ago, were you taking like multiple
4 medications?
5 A. Not multiple. Maybe about four or five.
6 Q. What were you like -- you say you're better, you're
7 achieving now. What were you like a few years ago?
8 A. I was -- I wasn't really an explosive guy. I had mood
9 swings but I wasn't really aggressive. I was aggressive
10 in the past but not like some other people.
11 Q. Right. And so those medicines helped you with your mood
12 stabilization --
13 A. Yes.
14 Q. -- and kind of --
15 A. Yes.
16 Q. And you said you're taking Tenex?
17 A. Yes.
18 Q. What is that supposed to do for you?
19 A. It's a mood stabilizer for bipolar.
20 Q. All right. So going back to kind of -- so you left --

21 you were living in South Carolina when you moved to New
22 York?
23 A. Yes.
24 Q. Why did you move to New York?
25 A. Well, I didn't really like the rumors and everything that
0016
1 was going on. I didn't really like the people at my
2 school that I was going to.
3 Q. Do you remember what school you were going to?
4 A. Landrum High School.
5 Q. So you were looking for a change?
6 A. Yes.
7 Q. And when you lived in South Carolina and when you were at
8 Landrum High School, who did you stay with?
9 A. My grandmother and grandfather.
10 Q. And what do you call them?
11 A. Jane Doe and [REDACTED] -- Grandmother Jane Doe and [REDACTED]
12 [REDACTED].
13 Q. And did you over the years stay with Grandma Jane Doe and
14 [REDACTED] from time to time?
15 A. It was kind of mixed up. Like I stayed with my parents
16 on one occasion and I stayed with them on one occasion.
17 Q. All right. So your parents are who?
18 A. Oliver [REDACTED] and Jessica [REDACTED]
19 Q. And from what you have told me, Oliver and Jessica had
20 split at some point?
21 A. Yes. They divorced in '95, I -- yes, they divorced in
22 '95.
23 Q. And up until the divorce, did you live with them both?
24 A. Yes.
25 Q. Did you ever live with Jane and [REDACTED] before they
0017
1 divorced, you think? I know you were little, I don't know
2 if you remember all that.
3 A. I have a good memory.
4 Q. Do you think that up until '95, you would have lived with
5 them together?
6 A. Well, yes.
7 Q. Because you would have only been four years old at that
8 point.
9 A. Yes. I was still with -- my mom would -- let me tell you
10 something about my mom. She was kind of -- she's a
11 paranoid schizophrenic and she would -- back then, she
12 wouldn't have had the symptoms.
13 But when she used to really, really get on my dad's
14 nerves, sometime she stays up all night, she would -- when

15 I was in my -- I can remember them fighting all the time.
16 But they're doing better now. They're talking on the
17 phone. I've been talking to my dad on Facebook.
18 Q. So they split up. And then when they slit up, did you
19 live with one of them or did you go with your grandmother?
20 A. I lived between my grandmother and my dad. It was like a
21 two-way, like a --
22 Q. You stayed some with your grandma and some with your dad?
23 A. Yes.
24 Q. And did Jessica -- when they split, did Jessica move to
25 New York then?

0018

1 A. Yes.
2 Q. So she had been there since the mid '90s, you think?
3 A. Yes.
4 Q. And then before you moved to New York, within the year or
5 so had you ever lived with her before that?
6 A. Yes.
7 Q. So -- and I'm not just talking about visiting but
8 actually living there for a while.
9 A. Yes. Went to school in Addison for, I think, a couple of
10 months. I'm positive a couple of months.
11 Q. Is Addison near Elmira?
12 A. I'm not sure.
13 Q. But Addison's in New York?
14 A. Yes.
15 Q. And that's where your mom was staying?
16 A. Yes.
17 Q. And you went to school in Addison for, you think, a
18 school year or --
19 A. No. I'm not really sure but it feels like it was a
20 couple of months.
21 Q. Do you have an idea about how old you were when you did
22 that?
23 A. Fourteen.
24 Q. Do you remember why you wanted to go up there to go to
25 school?

0019

1 A. Because I wasn't -- I didn't really -- I wasn't really
2 happy at Boiling Springs.
3 Q. So you went to Boiling Springs High?
4 A. Yes.
5 Q. And then at some point, you went to Landrum high?
6 A. Yes.
7 Q. Any other high schools you went to in South Carolina
8 besides those two?

- 9 A. No.
- 10 Q. And then Addison is -- I'm sorry?
- 11 A. Yes. Actually, before I moved to the Upstate, I went to
- 12 school in -- what was it called? Cheraw Middle School.
- 13 Because I lived in Cheraw before me and my parents -- me
- 14 and my dad and Beverly moved to The Upstate.
- 15 Q. Who did you live in Cheraw with?
- 16 A. My dad and step-mom.
- 17 Q. That's Beverly?
- 18 A. Yes.
- 19 Q. What's her last name?
- 20 A. [REDACTED]
- 21 Q. And so you went to Cheraw Middle School. And what's the
- 22 next -- what would be the next school you went to after
- 23 that? Would that be Boiling Springs high?
- 24 A. No. I went to a middle school up there too. It was
- 25 Hendrix Elementary School. That was in Boiling Springs,
- 0020
- 1 so I went and lived in Boiling Springs for a few years.
- 2 Q. Is that before you went to Cheraw or after?
- 3 A. After. Because we -- my dad didn't -- we kind of wanted
- 4 to move out of Cheraw too.
- 5 Q. At some point, did your dad go take chiropractic classes?
- 6 A. Oh, yes. He wanted to be a chiropractor.
- 7 Q. In Spartanburg?
- 8 A. Yes. Sherman College.
- 9 Q. So when you guys moved to go, for him to go to school
- 10 there, is that when you started going to all the schools
- 11 in that area?
- 12 A. Yes.
- 13 Q. All right. And so when you left to go live with your mom
- 14 and went to Addison High School, you were around 14, you
- 15 think?
- 16 A. I know I was.
- 17 Q. And you lived with your mom Jessica?
- 18 A. Yes.
- 19 Q. And you stayed there just a couple of months, you think?
- 20 A. Yes. It feels like a couple of months.
- 21 Q. Then when you left, where did you go?
- 22 A. I went back to my dad and step-mom.
- 23 Q. And were they living in the Upstate?
- 24 A. Yes. They had a house then.
- 25 Q. And then how long do you think you stayed with them until
- 0021
- 1 you went back with Jane Doe and [REDACTED]?
- 2 A. Like a few months.

- 3 Q. Was it the kind of thing that you might stay a few months
4 with your dad and then a few months with your grandma and
5 then back with your dad and then back to your grandma?
6 You kind of bounced back and forth?
- 7 A. No, I stayed with my grandparents after that. Because my
8 dad gave my grandma custody over me because it was kind of
9 like -- the judge told -- we had a hearing in Columbia
10 after I got out of the psych center because he would --
11 the judge -- when he was in the courtroom, they were
12 like -- I wasn't able to go.
- 13 My grandparents told me, they said, "[REDACTED], I think
14 you should take some parenting classes or get evaluated."
15 He said, "no, I'm not going to do that." Or "go to
16 rehab." "No, I'm not going to do that."
- 17 So they gave my grandparents custody over me
18 because --
- 19 Q. What did [REDACTED] do that your grandparents thought he
20 needed parenting classes?
- 21 A. Well, it wasn't -- he never really did anything bad. It
22 was just that -- well, he kind of abuses his kids when he
23 gets -- when you get on his nerves and he gets alcohol.
- 24 Q. What do you mean: Abuses his kids?
- 25 A. Well, just whippings and stuff.
- 0022
- 1 Q. He would be like physically abusive?
- 2 A. Yes.
- 3 Q. You say he would drink sometimes? Alcohol?
- 4 A. Yes. I think he was social drinker -- not an alcoholic.
5 He was pretty successful but he used to -- he was kind of
6 into drugs, very much into drugs and alcohol. I don't
7 know if he's still into that.
- 8 Q. What kind of drugs?
- 9 A. I'm not -- my mom was telling me he's tried heroine,
10 cocaine, pot.
- 11 Q. Did you ever see him using drugs?
- 12 A. No, I've never seen him. He's very, very -- he does it
13 sneaky.
- 14 Q. And the drinking, did he drink in front of you?
- 15 A. Yeah. But that -- I'm not saying it's right. But
16 drinking is something a lot of people in the community do.
17 But I would never do drugs or alcohol.
- 18 Q. So you don't drink?
- 19 A. No.
- 20 Q. You don't use drugs?
- 21 A. No, other than my medication.
- 22 Q. Right. Have you ever drank or used drugs?

- 23 A. I've tried pot before.
24 Q. How long ago was that?
25 A. Like seven months ago.
- 0023
1 Q. And you don't, wouldn't regularly drink alcohol?
2 A. No. It's very dangerous to drink alcohol with your
3 medication.
4 Q. And so what would happen if you did?
5 A. Well, to be honest, I have a feeling I would probably
6 relapse and I don't want that to happen.
7 Q. And when you say "relapse," what does that mean?
8 A. Like have to go back into the hospital.
9 Q. And like what do you think like symptoms-wise would that
10 mean?
11 A. Just getting manicky, getting, you know, upset.
12 Q. When you say "manicky," what -- just give me an example
13 what you --
14 A. Having racing thoughts. That's what manicky stands for.
15 Q. So you would -- would you be like acting nervous and
16 anxious and moving around a lot or it would be just all in
17 your head thinking about things?
18 A. It would anxious. And usually when I get manicky, I
19 listen to my radio really loud, but I'm real -- not when
20 people are trying to sleep, just in my free time. I don't
21 really do that, I don't really have those problems
22 anymore.
23 Q. When was the last time you sort of had a relapse?
24 A. When I was in New York about almost a year -- nine months
25 ago, I started screaming at my mom because she was kind of
- 0024
1 calling me names and stuff.
2 Q. What was she saying?
3 A. "You retarded son of a bitch, get up." Because I was
4 like sleeping in. I was -- I was supposed to be going to
5 program and I was. . .
6 Q. Is that when you left and went to the family care home?
7 A. Yes.
8 Q. So you and your mom sort of weren't getting along around
9 that time?
10 A. Yeah. It doesn't -- you see, I have high tolerance for
11 name calling because I have high self esteem. But when
12 your own mom does this, it's kind of a different story.
13 Q. Right. So how long had you been living with your mom
14 when you guys sort of had that dispute and you left?
15 A. About -- I'm not really sure but quite a while.
16 Q. And you said "program." What kind of program do you go

- 17 to?
- 18 A. It's like a -- New York State has a program for mentally
19 ill people that kind of go and socialize and learn about
20 symptoms and stuff. All kind of personalities, like
21 veterans will be there, former police officer -- there's a
22 police officer there that was still a police officer and
23 he's going in for counseling. His name, I think it was
24 Buck Piles. Me and him are friends.
- 25 Q. So about nine months ago, you went to the family care
0025
1 home?
2 A. Yes.
3 Q. And then before that, you were kind of living with your
4 mom for a while?
5 A. Yes.
6 Q. And then tell me -- I think we were starting to talk
7 about why you left South Carolina to go up there to stay
8 with her to begin with by the most recent visit.
9 A. Yes.
10 Q. What was going on in South Carolina? You say there were
11 some rumors and things. What were you talking about?
12 A. Well, people at my high school just said stuff like I was
13 doing -- I was kind of -- you know, well, it started when
14 I was in ROTC. ROTC, if you read my files school, my
15 school files, I was a cadet in ROTC. You know what this
16 is; don't you?
17 Q. Yes, sir.
18 A. I was in there for like two semesters, one school year.
19 And I had an incident with the sergeant. He was like --
20 when we were like -- he was like making gestures on me,
21 making fun of me. So I did something kind of stupid I
22 regret. I sent him a text message cussing him out.
23 And I had my phone with me when I was in class and
24 he just sent me a text message. I went to receive it and
25 walked out of the room and he was like -- which was
0026
1 stupid. I should have had common sense to tell me not to
2 leave the room if he was sending me a text message.
3 But he got the message and he looked at it. And
4 said, "you see this text message that says bitch on it?"
5 You know, I was like, "yeah, I see it, sir." Then like,
6 "why did you do that?" "Because I'm tired of you talking
7 trash, giving me --" see, Curtis Tate has an
8 in-your-face -- which is the ROTC teacher at Landrum High
9 School.
10 He has like an in-your-face attitude. He's always

11 like -- he's the whole reason I had -- one of the reasons
12 I had to leave because he was like -- he would spread all
13 these rumors about me. But because the only thing on my
14 record is a history of joy riding.

15 He said the reason I couldn't go in the army was
16 because I had a history of joy ridding and that's not
17 true. The reason I can't go in the Army is because my IQ
18 is kind of low and I take medication.

19 Q. So the first sergeant was a teacher there?

20 A. Yeah. He was like a veteran from the Army. He was a --
21 you're probably not familiar with what I'm talking about.
22 But an ROTC high school, they have like teachers --
23 there's two of them: Colonel Robert Sanders and First
24 Sergeant.

25 He was like -- when I first went to Landrum, I

0027

1 really liked it because I was like fond of everybody. But
2 then rumors started to go around.

3 Q. So what kind of rumors were going around?

4 A. Like stuff that -- I used to do stuff I wasn't supposed
5 to on the computer. And this Dillon Burrough kid got my
6 code, my name and number, and looked at pornography on the
7 computer and blamed me for it.

8 Q. So did somebody come to you and say that you had been
9 looking at pornography?

10 A. Yeah. The assistant principal called me in the office --
11 that was before he -- he told me, he said, "oh, you were
12 looking at child porn." I said, "what are you talking
13 about? I don't look at that stuff." He said they typed
14 me in on my name and number and they found it. And you
15 see. . .

16 Q. So that was at Landrum high?

17 A. Yes.

18 Q. And did you get in trouble for that?

19 A. Well, I tried -- I told them that Dillon looked at my
20 name and number. Because Landrum High School has a
21 computer with -- like you can get onto the internet and
22 you have your name and number account where you log into
23 it.

24 And he got that out of my book bag and was looking
25 at pornography on the computer. And that's just messed

0028

1 up.

2 Q. So what did the high school do to you when they --

3 A. They just gave me like a day in ISS.

4 Q. In-school suspension?

- 5 A. Yeah.
- 6 Q. So that was going on. And then you said you had this
- 7 problem with the sergeant. Any other problems you were
- 8 having there at Landrum that kind of made you want to
- 9 leave? Were there other rumors going around?
- 10 A. It wasn't really -- that was pretty much the only -- that
- 11 was the only thing that -- just that. But I made a few
- 12 friends there. I had a girlfriend I was going to go to
- 13 the military ball with but she cheated on me so I didn't
- 14 go with her.
- 15 Q. What was her name?
- 16 A. Serena Roe.
- 17 Q. Did you ever communicate with her anymore?
- 18 A. Well, she sent me -- I think -- she did send me a friend
- 19 request on Facebook. I didn't accept it, though.
- 20 Q. How come?
- 21 A. Well, because she just -- she -- I don't really like her
- 22 because she was -- she was good to start with but don't
- 23 ever -- don't ever have a relationship with somebody like
- 24 that that -- are you married?
- 25 Q. Yes.
- 0029
- 1 A. Well, just, you know how women can be.
- 2 Q. I do; yeah.
- 3 A. I still date. I have a girlfriend in Elmira. She's a
- 4 social worker.
- 5 Q. What's her name?
- 6 A. Her name is Annie Genevieve but she likes to be called
- 7 Ariel because that's her parents' real name.
- 8 Q. And does she work for The Family Services?
- 9 A. No. She's a social worker.
- 10 Q. Who does she work for?
- 11 A. She works for -- let me think. I forgot. Family -- the
- 12 Social Connection.
- 13 Q. All right. So you described sort of some issues going on
- 14 at Landrum High School. What made you, though, decide to
- 15 leave the area and not just try to go to another high
- 16 school?
- 17 A. Because I got -- I felt I could start over and make a,
- 18 and have a new better life in New York.
- 19 Q. So do you remember about how old you were when you were
- 20 having those issues at Landrum?
- 21 A. Seventeen and 18.
- 22 Q. All right. And so that would have been -- you're 20 now;
- 23 is that right?
- 24 A. Yes.

- 25 Q. So two or three years ago is kind of when that was, you
0030 think?
- 1
2 A. Yes.
- 3 Q. But do you know about how long you were, you went to
4 Landrum High School?
- 5 A. I went there from 2008 -- no. 2007 to 2009. So I was 16
6 when I first went there and I was 18 when I left there.
- 7 Q. So you went there a couple of years?
- 8 A. Yes.
- 9 Q. And then when you went to New York, you went to
10 Addison -- no, that was when you were 14. Did you go to
11 school after Landrum High School?
- 12 A. No.
- 13 Q. Now, do you have a diploma or certificate from any high
14 school?
- 15 A. I have a certificate, but I'm going to try -- I sold
16 my -- have you not read my treatment plan? I went to be a
17 corrections officer one day.
- 18 Q. So to do that, what do you have to do?
- 19 A. Well, taking your medication is one thing. But you have
20 to -- I have to study harder. I have to take -- I have to
21 go to training and everything.
- 22 Q. Do you have to get a diploma?
- 23 A. I think you have to get a -- you have to have a G.E.D. to
24 do that.
- 25 Q. So do you know what you would have to do to get the
0031 G.E.D.?
- 1 A. Study more, go to BOCES to get that. BOCES is like a
2 school -- it's like a schooling. . .
- 3 Q. What does that stand for? Can you spell it?
- 4 A. BOCES?
- 5 Q. Yes, sir.
- 6 A. No.
- 7 Q. Is it B-O-S-E-E, BOSEE?
- 8 A. BOCES.
- 9 Q. What does that stand for?
- 10 A. It's like a -- BOCES is like for people with, that are --
11 I wouldn't say disabled but have issues like mental
12 problems. It's like a place where they can go to -- it's
13 like a schooling. Like when they get there, when they
14 graduate from high school, they can go there and have
15 careers and have like. . .
- 16 Q. Is it near Elmira?
- 17 A. Yes.
- 18

- 19 Q. All right. And so have you started any of those classes
20 yet?
- 21 A. No, sir. Because I'm going to -- well, in order to do
22 that, I told my social worker that I want to learn how to
23 read better. Because it's not that I'm, I can't really
24 read; I can read okay now. It's just that I can be kind
25 of lazy and not want to -- and that's a really big issue
0032
- 1 because you'll never get anywhere in this world if you're
2 lazy. That's what they tell you in ROTC: Cowards never
3 start, the weak never finish.
- 4 Q. So then your plan is to try to go to BOCES once you sort
5 of get your reading up a little bit?
- 6 A. Yes.
- 7 Q. So are you working on some kind of reading program that
8 you have at home? Have you tried to --
- 9 A. My mom's buying me books and I've been reading one of
10 them, Apollo 11, about the spaceship. I was reading that
11 for one a while.
- 12 Q. So do you know once you go to get your G.E.D., how many
13 classes you'll need to take?
- 14 A. Not really sure.
- 15 Q. Or how long -- do you know how long it will take?
- 16 A. I haven't looked into that.
- 17 Q. Then once you do that, then you -- what? Would you apply
18 to become a corrections officer?
- 19 A. Yes.
- 20 Q. And what makes you like that field?
- 21 A. Well, I like helping people in the community.
- 22 Q. And of all -- there's a lot of jobs, I guess, to help
23 people. What makes you think you might want to be in a
24 kind of detention facility kind of thing?
- 25 A. Well, I'm kind of -- well, I kind of wanted to be
0033
- 1 somebody like -- not like give back to the community; just
2 be somebody or something.
- 3 Q. And do you know any corrections officers?
- 4 A. There's one of them that goes -- there's a police officer
5 that used to go to program but he's back -- he's working
6 now.
- 7 Q. All right. And do you think that you're going to want to
8 live up in New York and stay there?
- 9 A. Yes. There's more opportunity up there. The south is --
10 there's good things about the south but there's more
11 opportunity up there.
- 12 Q. And Elmira, is that sort of what they call Upstate New

- 13 York or is it nearer to the city.
- 14 A. It's hours from the city on the interstate.
- 15 Q. So is it up kind of near the lakes up there?
- 16 A. No. It's -- here's New York State. Elmira is on like,
- 17 closer on the borderline of Pennsylvania and New York and
- 18 the city is over here like near the, Jersey or whatever.
- 19 It's like an over-three-hour trip on the interstate.
- 20 Q. Are you familiar with like north, south, east, and west?
- 21 A. Yes.
- 22 Q. Do you know if the city, New York City is east? Is it
- 23 east of Elmira?
- 24 A. Yes.
- 25 Q. And so how far are you from Pennsylvania, do you think?
- 0034
- 1 A. You know, I would have to look at a map. I wouldn't be
- 2 able to do that.
- 3 Q. Are you close to any of the big cities in Pennsylvania
- 4 like Pittsburgh or Philadelphia?
- 5 A. I'm not really sure.
- 6 Q. Have you ever been to any of those places?
- 7 A. No, but I've been to Niagara Falls.
- 8 Q. How far is that from your place?
- 9 A. Well, I'm not really sure. Niagara Falls -- I'm not
- 10 going to guess, I'm not really sure.
- 11 Q. That's a pretty spot; isn't it?
- 12 A. Yes. I've been there. I was on -- I've been there with
- 13 my grandparents. We were there like in 2001. We went on
- 14 a -- we stayed in a hotel room for like ten days and --
- 15 Q. Did you stay on the Canada side or the New York side?
- 16 A. The Canada side.
- 17 Q. And could you imagine somebody going over those falls in
- 18 a barrel?
- 19 A. I saw that on TV. That's horrifying.
- 20 Q. They used to do that a lot.
- 21 A. I know. It's dangerous unless you have like something
- 22 that's military, the piece of equipment you're in, you
- 23 shouldn't do that.
- 24 Q. Did you go on the boat that went under?
- 25 A. The Maid of the Mist?
- 0035
- 1 Q. Did you go on that?
- 2 A. Yes, I went on that.
- 3 Q. Okay. So you feel pretty comfortable up there now in New
- 4 York?
- 5 A. Yes.
- 6 Q. So your arrangement at the family care home, how long can

7 you stay there? Is that sort of indefinite?
8 A. As long as you want. Nancy is a really nice lady but --
9 she's really nice and her boyfriend -- her ex-husband is
10 really nice.
11 Q. And so how does that work? Do you have to pay them or
12 does the state pay them?
13 A. The state pays them.
14 Q. And how did you get set up with that? How did that work?
15 Do you have to apply to the state?
16 A. Yes -- well, when I was at the psych center I had like
17 this kind of like social worker guy that kind of like -- I
18 forgot his name but he was with me and he got the
19 paperwork.
20 Q. There was a psych center in New York you were at?
21 A. Yes.
22 Q. What were you -- why were you at the psych center?
23 A. Because I got in a fight with my mom.
24 Q. Was that around the time you left?
25 A. Yeah.
0036
1 Q. What were you all fighting about?
2 A. Well, I was trying to calm her down because she was doing
3 drugs. I was saying, "you shouldn't do that." And she's
4 been doing it for a long time but she hasn't really hurt
5 anybody.
6 So she was doing drugs and I said, "stop doing it."
7 She was calling me names too, which I mentioned that.
8 Q. What kind of drugs was she doing?
9 A. Just pot.
10 Q. And does that interfere with -- does she take medication
11 for her problems?
12 A. Yes.
13 Q. Does that interfere with her medication when she takes
14 those?
15 A. Well, not in a bad way. It's not good to do drugs but
16 not in a -- it doesn't really -- she's not a violent
17 person. She doesn't -- she's not a violent person.
18 Q. Did you like staying with her better than staying with
19 [REDACTED]?
20 A. Yes.
21 Q. What was better about staying with her?
22 A. Well, she didn't really have a temper like he does.
23 Q. So would he actually hit you?
24 A. Yeah. We got into it pretty -- some stuff. See, he was
25 a -- he took martial arts and. . .

0037

- 1 Q. Did he ever try to use it on you?
2 A. Well, not to a degree where I would hurt. He taught me
3 how to -- me and him used to like to have like boxing
4 stuff.
5 Q. You all would box?
6 A. Yeah.
7 Q. With gloves?
8 A. I have some boxing gloves; yes.
9 Q. So when you say he had a temper, when he had a temper,
10 would he be -- like what would he do?
11 A. Well, there was a shot he taught me: Tic, slip, and
12 loose something. I'm not sure if that's the way you say
13 it. Back in the '70s, that was like some kind of martial
14 arts slogan or something.
15 Q. And so what? When he got mad, he would use that move on
16 you?
17 A. Well, not unless I was like really -- no, he didn't do
18 that; no.
19 Q. So what was it -- you said he had a temper. Would he
20 scream at you and lose his temper a lot at you?
21 A. Well, not really; no. He would just tell me not to do
22 certain things. But when I was younger, I used to get
23 whippings a lot.
24 Q. What does a whipping mean?
25 A. Like with a belt, but not really to a bad degree. Just
0038
1 like a 15-second -- well, I was doing something that -- I
2 was really, I was really a little something when I was
3 like in my grade-school years.
4 Q. Some people would say a handful?
5 A. Yeah, a handful.
6 Q. And so he would lose his temper when you might do
7 something?
8 A. Yeah.
9 Q. And then he would whip you with a belt?
10 A. Yeah. Like every little -- well, not every little thing.
11 Just like if I knocked a drink over or something when I
12 playing my video game or something, like he would like
13 lose his temper -- not -- excuse me. Not lose his temper,
14 but -- but he didn't have a temper then.
15 Q. How many times do you think he whipped you with the belt?
16 A. You know, I can't really say.
17 Q. Like are you talking like 50 times or five times?
18 A. Maybe in a lifetime, 50.
19 Q. Would he leave marks?
20 A. Minor. But he's doing -- he would never do anything to

21 hurt me. It's just that he's -- he was in the Army and he
22 was -- excuse me. National Guard. And people that have
23 that like in the '80s or something, he was in the National
24 Guard, he served in the National Guard.

25 And he really doesn't like to do stuff like -- be a
0039

1 violent person. He's really a good -- he's a really good
2 guy, really good father. I've been talking to him on
3 Facebook.

4 Q. So what made you like staying with mom then? What was
5 better about staying with mom?

6 A. Well, she was not as like judgemental of me as he was.

7 Q. And what do you mean? Can you give me like a comparison
8 of what that would mean?

9 A. Well, like let's just say I was at a soccer game. He
10 would be like yelling at me go to -- I'm not really --
11 it's been so long since I played soccer, I can't really --
12 I played Little League soccer when I was in the third or
13 fourth grade.

14 Q. Are you saying that like he would find a way to criticize
15 your performance --

16 A. Yeah.

17 Q. -- where your mom would be, "oh, you did fine, you did
18 good, you tried hard" kind of thing?

19 A. That's a good thing. You need that. You need that
20 motivation.

21 Q. But sometimes you thought he would go over the line some?

22 A. Yes.

23 Q. I may be guilty of that myself unfortunately with my kids
24 but --

25 A. It's always right to try to motivate people.

0040

1 Q. So then you left Landrum and you said you had these
2 problems with the sergeant and you had this issue with the
3 kid accessing your computer.

4 Any other things you had going on there that you
5 sort of wanted to get away from?

6 A. No.

7 Q. During the time you were living you Landrum, were you
8 living with [REDACTED] or living with your grandma?

9 A. Grandparents.

10 Q. Were you getting along with them okay?

11 A. Yes.

12 Q. Were you having any kind of problems like arguing with
13 them?

14 A. Over -- occasionally. Not very -- not very often.

15 Q. Were there ever any instances where you might have struck
16 your grandmother or threatened to strike her?

17 A. Well, a long time ago like when I was like 13 and 12, I
18 used to -- I would probably -- I used to -- I'm not sure.
19 I used to like every once in a while kind of punch her or
20 hit her.

21 But I shouldn't done that. But I've -- over time,
22 over time, I've really managed to control my temper.

23 Q. What would make you do that? What kind of things would
24 set you off?

25 A. Well, just little things.

0041

1 Q. Things that probably shouldn't have made you get that
2 upset?

3 A. Well, like we're in the car listening to the radio or
4 something. I have a radio station that I really like
5 called 93.3, The Planet. I love that radio station. Do
6 you know that radio station?

7 Q. Yes. Kind of like modern rock kind of stuff?

8 A. Hard rock and some metal.

9 Q. So what -- you would be driving and she wouldn't want to
10 hear it?

11 A. Yeah, because --

12 Q. Most grandmothers don't like that station.

13 A. Right. Now, I realize that she's a product of the '50s
14 and '60s and she doesn't really want to hear that because
15 it's not soothing and it's -- well, some old people like
16 stuff like that but not people that are brought up in like
17 a Brady Bunch family or something.

18 Q. So what? Would you yell at her or push her or hit her
19 when she would change the channel?

20 A. When she would change the channel, I would like put my
21 hand and say, "just relax, this is modern -- this is
22 alternative stuff."

23 And sometimes I would turn it off if I was in a good
24 mood. But now I'm really respectful and I'm not like I
25 was six or seven years ago.

0042

1 Q. All right. So then at the home, are you required to --
2 at Family Care home, are you required to do any jobs or
3 any chores or anything?

4 A. Yes.

5 Q. What are you supposed to do there?

6 A. Well, I offered to do anything they want me to do.

7 Q. Is there a list of things you're supposed to do a day?

8 A. No. There's just -- well, keep your room clean, don't

9 use a lot of toilet paper. Sometimes I may offer to mow
10 the lawn but Brian usually does that. But often, it's
11 been too cold to mow the lawn since I've been there. But
12 maybe in the spring or summer, I'll do it.

13 Q. Okay. And --

14 A. Definitely, I'll volunteer to do it. I take the dog for
15 a walk. They have a husky named Cody that's like 13.
16 He's still like a -- he's still in very good shape.

17 Q. And you walk Cody?

18 A. Yeah. I love animals, I love animals. I used to have a
19 Boxer.

20 Q. And so do you have a roommate in your room?

21 A. Yes. Now, I do.

22 Q. Who is that?

23 A. Jerry Austin.

24 Q. And how long has Jerry been your roommate?

25 A. I'm not sure.

0043

1 Q. You said "now, I do," so it sounds like at sound point
2 you didn't and then you did. Is that true? Or when you
3 got there, was Jerry there?

4 A. When I got there, Jerry was my roommate but then I moved
5 into a single room by myself. And now Tim, the new guy,
6 wanted to move there because Jerry was snoring and Jerry
7 was kind of -- we were kind of good friends so I moved in
8 there with him.

9 But I know something about him that -- I'm not -- I
10 shouldn't tell you this but. . .

11 Q. You know something about who? Jerry?

12 A. Yeah. He's a Level One.

13 Q. What does that mean?

14 A. Sex offender.

15 Q. Is that -- is there a certain -- does everybody have a
16 category of --

17 A. In New York State, there's a Level One, Two and Three.
18 Three is the worst and Two is the medium and One is the
19 least. I'm not real -- I take that back. I'm not really
20 sure. That's what somebody told me. I shouldn't have
21 said that.

22 Q. Do you know what he did to be a Level One?

23 A. Well, all I know is what people have told me. Somebody
24 at program -- Mary, somebody at program, that's a girl who
25 I used to know. She told me the reason -- he's asked her

0044

1 out a couple of times. And she said, "the reason I can't
2 go out with him is because I think he might be a Level

- 3 One." I'm not sure so -- if you don't know, why are you
4 just assuming?
- 5 Q. Do you know what you have to do to be a Level One?
- 6 A. Well, yes. Like if there's somebody in your family that
7 has like -- or that you've kind of messed or you've kind
8 of violated or something, that you can be a Level One by
9 doing it. You can be a Level One for looking at
10 pornography.
- 11 Q. All right. Do you have any level?
- 12 A. I hope not.
- 13 Q. I'm just asking. Does anybody else in the house have any
14 levels, that you know?
- 15 A. Not that I know of.
- 16 Q. And so Jerry, what does he do? Like does he go to
17 program too?
- 18 A. Yes.
- 19 Q. To live in the home, do you have to go to the program?
- 20 A. Yes.
- 21 Q. That's part of the --
- 22 A. That's part of rules unless -- a normal person wouldn't
23 be allowed to go to family care. That's just the way it
24 works. It's not -- it wouldn't be fair for -- you'd be
25 taking a bed up for somebody who might need so it wouldn't
0045
- 1 be fair for like a normal person to be there but. . .
- 2 Q. I see. Okay. Have you ever talked to Jerry about what
3 he may or may not have done?
- 4 A. Yes. I've had some discussion. And another thing, I've
5 been trying to talk to Nancy about is he's, he's been
6 looking at a program and like: Do you know that they can
7 type your name in and find that out? Well, I'm like,
8 well -- they don't do it there, but the government can
9 so. . .
- 10 Q. What has he been looking at?
- 11 A. I don't know. Well, just -- I'm not sure. I didn't ask
12 him.
- 13 Q. Well, you said he was looking at something.
- 14 A. I don't know. He didn't -- he told me, he was like: I'm
15 looking at this -- I forgot. Let me think a minute. Imo
16 (phonetic) or something.
- 17 Q. What is that?
- 18 A. Imo, like gothic.
- 19 Q. Kind of like the black make-up and the pale faces and
20 stuff?
- 21 A. Yeah.
- 22 Q. Okay. So is he into like girls or boys?

- 23 A. Girls.
- 24 Q. Into regular girls or young girls?
- 25 A. I don't know. I don't really ask people a question like
- 0046
- 1 that. But he -- he's been kind of -- I've been kind of
- 2 upset with this because there's been some things missing.
- 3 The pornography is just a thing that we -- I don't really
- 4 ask him about. But all I know is what people tell me.
- 5 But the thing I'm worried about is some things that
- 6 are missing from Family Care and he's blaming me for it.
- 7 Q. So what kind of stuff's been missing?
- 8 A. Well, there's a nine-millimeter handgun that's missing
- 9 from Nancy. I don't know how that got missing. All I
- 10 know, I don't think -- it leaves -- I don't think Tim -- I
- 11 don't know.
- 12 I don't think Tim would have took it. And Jim, who
- 13 is an Army veteran, I'm not sure if he would take it. But
- 14 I don't know because he went to BSU when he was there for
- 15 some kind of like hurting himself or something.
- 16 Q. What is BSU?
- 17 A. Behavior Science Center.
- 18 Q. So Nancy's allowed to have a handgun in the group home?
- 19 A. Yeah. She's -- she doesn't have a criminal record. I
- 20 think her -- I'm sure her husband -- one of her -- her
- 21 daddy gave it to her.
- 22 Q. And have the police been involved?
- 23 A. Yes. They came there and they like -- they questioned me
- 24 about it and they were like -- I was like, I'm loyal, I
- 25 don't take -- I don't believe in stealing. Like we had a
- 0047
- 1 conversation for like ten minutes. And they just said,
- 2 "well, okay. Well, they're going to pat you down whenever
- 3 you leave." I was like, "okay, sir. I agree with you."
- 4 And I personally am not positive but I'm pretty sure
- 5 it leaves me with a clue it had to have been Jerry Austin
- 6 or Jim. Those are the only two familiars that are, I
- 7 would question.
- 8 Q. Why do you think it might be them?
- 9 A. Because, well, Jim is a veteran with manic depression and
- 10 Jerry is a bipolar, has bipolar and he's been known to
- 11 steal stuff. The only thing I did was I regret taking a
- 12 glass of milk when I was in the kitchen but that's it.
- 13 Q. You're not supposed to eat unless there's certain times
- 14 of the day?
- 15 A. Yeah.
- 16 Q. So what is Jerry saying? Is Jerry blaming you?

- 17 A. Well, that's what, the clue -- I'm not sure.
- 18 Q. Did the police interview everybody?
- 19 A. No. They just interviewed me. Because for some reason,
- 20 like Jerry -- he even told me that they gave me a 30-day
- 21 notice because Jerry was like -- she respects Jerry for
- 22 some reason like he gets to go everywhere with Nancy, he's
- 23 like the -- he's like the house family care pet.
- 24 Q. So they've asked you to leave?
- 25 A. I'm not -- I think -- that's what Jerry told me. I don't
- 0048
- 1 know if it's true or not. Because they might have changed
- 2 their mind since my behavior's been so good because I've
- 3 been taking dogs for walks and everything.
- 4 Q. So when did the gun get taken?
- 5 A. Seems like it was -- I'm not really sure. I didn't
- 6 really -- I'm not really sure.
- 7 Q. Like was it around Christmastime or Thanksgiving?
- 8 A. Well, it went missing around, around close to like six
- 9 days before Christmas.
- 10 Q. Then the police have interviewed you and has there been
- 11 anymore talk about the gun?
- 12 A. Well, I've been trying to -- I told Nancy about it, about
- 13 it, and she says she'll look into it.
- 14 Q. What have you told her about it?
- 15 A. I told her -- well, I told her that -- if Jerry has a
- 16 history of stealing food, he's going -- he would be
- 17 questionable. But I didn't know for sure, I just said it
- 18 would questionable.
- 19 Q. Where did you keep the gun?
- 20 A. You know, she told me she kept it in her bedroom, which
- 21 no one's allowed to go in there.
- 22 Q. Right. So if they ask you to leave, do you have to leave
- 23 or can you ask somebody to not have you leave?
- 24 A. Well, I'm not really sure. But all I know is, I don't --
- 25 I don't believe in stealing. I think stealing is one of
- 0049
- 1 the Ten Commandments and you should not steal.
- 2 Q. Did anybody search your room to see if you had it?
- 3 A. Yes. They searched everybody's room: Jerry's, Jim's,
- 4 and mine.
- 5 Q. If you had to leave, where would you go?
- 6 A. I'm not sure.
- 7 Q. Would you go back with your mom?
- 8 A. Probably try to find an apartment somewhere. I'd
- 9 probably ask my girlfriend if I can move in with her.
- 10 Q. How long have you been seeing her?

11 A. About three weeks.
12 Q. Would you come back to South Carolina?
13 A. No.
14 Q. So you're going to trying to make up it in New York
15 whether you're out of the family care home or not. Right?
16 A. Yeah. But things have like been getting a little bit
17 better now because -- just because I fit the, like a
18 suspect but, just because like a punk kid doesn't really
19 give anybody -- you see, Nancy's not -- I don't think
20 she's biased but some of these people in that house are.
21 I think Jerry may be.
22 Q. Biased? What do you mean by that?
23 A. Like the way people look or act.
24 Q. So what -- do you think that they're biased about you?
25 A. Nancy's not biased. She's a very nice woman.

0050

1 Q. What do you think the other guys think? I mean, what --
2 I mean, you look normal. What do you think they --
3 A. I think I kind of look -- because I have a Mohawk, I
4 spike my hair, I look like a -- well, they never said
5 that. It just get the feeling they think that because all
6 this stuff's been missing and it's coming to me.
7 Q. So normally you wear a Mohawk?
8 A. Yes.
9 Q. You have your hair spiked?
10 A. Yeah.
11 Q. So do you have like a picture of when you're like that?
12 A. Yeah.
13 Q. Do you do it yourself?
14 A. Yeah.
15 Q. Because you don't look like you have a Mohawk now.
16 A. It's a faux hawk.
17 Q. What does that mean?
18 A. Like half -- like on the top of your head, not down the
19 back or not all over, just half.
20 Q. So is your hair like a certain way right now like
21 covering it up?
22 A. No.
23 Q. So like what would you take to -- because it looks fuller
24 on the top.
25 A. Yes.

0051

1 Q. So you take that and you push it up?
2 A. Yes.
3 Q. And you use some type of hair product to keep it --
4 A. Yeah. I use Screaming Hold Got to Be. It's like a punk

5 rocker hair styler --

6 Q. And do you ever go to like punk shows and clubs to watch
7 music?

8 A. Well, me and my girlfriend are talking about going to a
9 Slipknot concert when I get back.

10 Q. Have you ever been to one of those kind of shows?

11 A. Nobody I was living with allowed me to go to something
12 like that. I went to a Jackal's game before. Hockey is
13 big in New York.

14 Q. Right, right. Are you able to kind of come and go as you
15 please from the family care home?

16 A. Yes. But I -- at one point, I asked Brian if he wanted
17 to search me and he said "just go -- I believe you." And
18 I just went to Annie's house.

19 Q. What else was taken beside the gun?

20 A. Well, Nancy told me some pills had been taken. But I've
21 never seen -- I don't know where that would come from.

22 Q. Is there any -- did the stuff that's been taken, did it
23 happen around the time a new person came? Because if it
24 wasn't happening before and then it started to happen and
25 the only difference was somebody came, I mean, did they

0052

1 say it didn't happen until you got there?

2 A. That's what they were just saying. But Jim was there
3 when I was, when I was, when I was -- what's the word?
4 Accused of taking the --

5 Q. But are they saying that before you got there, nothing
6 ever got taken? And then you got there and things were
7 taken? Is that --

8 A. No. They're saying when I was there, it was taken.

9 Q. That's what I'm saying. Like before you got there, are
10 they saying that nothing had ever been taken?

11 A. Yes.

12 Q. And now they're saying once you got there, things got
13 missing?

14 A. Yes.

15 Q. And so that's -- you think that's why they're blaming
16 you?

17 A. Yes, that's why they're blaming me obviously -- well,
18 definitely. I'm not sure about this but Jim is the only
19 one -- is somebody -- not the only one. Is somebody who
20 had had depression problems.

21 And he would -- I'm not bad mouthing the guy. He's
22 a veteran and I think all veterans deserve the respect for
23 serving this country. But it's a little puzzling because
24 he went to BSU right, a week after that stuff was taken.

- 25 Q. And what was wrong with him then?
0053
- 1 A. He was upset because his wife -- or he couldn't see his
2 daughter.
- 3 Q. Do they live in the area?
- 4 A. I'm not sure where they live at, but they come -- Nancy
5 let's them come over for dinner sometimes.
- 6 Q. Now, have you ever had a job anywhere and worked?
- 7 A. Yes.
- 8 Q. Tell me about that?
- 9 A. I worked at McDonald's. I was a fry cook and I really
10 liked that position. But I kind of wanted -- after I was
11 there for like almost two months, I kind of wanted to do
12 something else.
- 13 I did the job, I did whatever they told me to do
14 because I wasn't -- you act professional at a job. You
15 don't act like, get an attitude; you act professional.
- 16 Q. And where was that? Was that here in South Carolina?
- 17 A. Yes. And it was in Inman, Inman McDonald's.
- 18 Q. And then have you ever had a paying job up in New York?
- 19 A. No.
- 20 Q. Have you thought about that?
- 21 A. I think about it often. That's one of my goals, is to --
22 well, being a corrections officer down the road; I mean,
23 that's not something that's going to happen overnight.
24 But in the meantime, I'm probably going to try to get a
25 job like at Dicks Sporting Goods or a department store or
0054
- 1 something like a stock boy or something.
- 2 Q. All right. And do they have like buses and trains that
3 you can get around up there? How would you get around?
- 4 A. A bus or -- because -- or a taxi even. That's kind of
5 pricey. But if I get a good paying job, it won't be an
6 issue.
- 7 Q. Do you have a driver's license?
- 8 A. I have a -- no. But I have a permit that's expired.
- 9 Q. Is that from South Carolina?
- 10 A. Yes.
- 11 Q. So you had like a learner's permit?
- 12 A. Yes.
- 13 Q. And what did you have to do to get that?
- 14 A. Well, I took, just take a written test and like driver's
15 ed. There's a class that you can take that has a teacher,
16 of course, that helps you with the test.
- 17 Q. Did you get that driver's ed training at Landrum High?
- 18 A. Yes.

19 Q. And then any reason why you let it expire?
20 A. Well, for number one, I didn't have a car to drive;
21 number two, at that point I was too lazy and laid back to
22 get a job. But now I'm kind of opening my eyes and I want
23 to achieve, I want to be somebody.
24 Q. Right. So are you thinking about trying to get your
25 license in New York?

0055

1 A. Yes.
2 Q. What would you have to do to get that?
3 A. Go to the DMV and take the -- study and go to the -- they
4 gave me a driver's ed manual. Just go to the DMV and --
5 if you study if for a few days or a week or something and
6 memorize it, you go to the DMV and try to take the road
7 test.
8 Q. So do you have to take the written test again in New York
9 since you had the permit here?
10 A. Yes.
11 Q. So you would have to take the written test, get your
12 permit, and then take the road test?
13 A. Yes. Because in South Carolina, if you don't have a
14 driver's license -- like you can wait like 30 days -- and,
15 I mean, if you have a driver's license, you can wait 30
16 days to get your New York license.
17 But if you have a permit and you're under 18 or --
18 no, that's not -- like if you have a permit, you can't --
19 you can't -- you have to take the test again. So I'll
20 have to -- sadly, I'll probably have to take the permit
21 test again.
22 Q. So you're looking into doing that?
23 A. Yes.
24 Q. All right. Now, are you good? Do you need a little
25 break right now?

0056

1 A. I kind of have to go to the bathroom.
2 BY MR. WALSH:
3 All right. Let's take a little break.
4 (OFF THE RECORD)
5 EXAMINATION RESUMED BY MR. WALSH:
6 Q. So we're here because of some lawsuits. Do you
7 understand that's why we're here?
8 A. Yes.
9 Q. What do you understand is going on, why we're all here
10 today? I mean, obviously we're here to take your
11 deposition but there are lawsuits filed. Do you
12 understand what's been filed?

13 A. Yes.
14 Q. Tell me what you understand?
15 A. What I understand is, the biggest one is with my scout
16 leader, Brian Rhinehart. Some other allegations, I'm
17 pretty upset with against Dustin and Shea. They're making
18 allegations on me, false allegations on me.
19 Q. Who is Dustin?
20 A. Dustin is my half -- no. Dustin is my step-cousin.
21 Q. And who's Shea?
22 A. Shea is also my step-cousin.
23 Q. And where do they live?
24 A. The last time I heard, they were staying with -- Well,
25 Dustin was staying with my dad and Beverly at Lamar, South

0057

1 Carolina.
2 Q. What is Dustin's last name?
3 A. [REDACTED]
4 Q. Is that Beverly's --
5 A. That's Beverly's grandson.
6 Q. And Shea, what's his last name?
7 A. [REDACTED]
8 Q. Is he living with Beverly and Oliver too?
9 A. I'm not sure.
10 Q. What are they saying that you don't like?
11 A. They're saying that I was, that I molested them, which is
12 not true. I would never harm a child.
13 Q. How old are they?
14 A. Well, Dustin is, was -- I think is 18 now. He got -- I
15 know he's 18. He got his G.E.D.
16 Q. What about Shea?
17 A. Seventeen.
18 Q. And how do you know they're saying that?
19 A. Well, because I've been talking to my dad on Facebook and
20 he's telling me that stuff.
21 Q. What is your dad saying?
22 A. He's saying -- I remember him saying -- he said that
23 "don't worry about anything. Dustin got in trouble for
24 stealing Beverly's car and he went to court and has to go
25 to court so don't worry about anything he says." And that

0058

1 kind of is obvious because I don't have anything to worry
2 about.
3 Q. What about Shea? What did he say about Shea?
4 A. He didn't even mention him.
5 Q. Well, how do you know Shea's saying it about you?
6 A. I just -- that's just what my dad told me on Facebook.

7 It was more Dustin who was making the allegations. Me and
8 Dustin didn't really -- he was kind of like a jerk. He
9 was good some of the time.

10 He used to -- he was -- because it all started when
11 we went to a -- we were going to a church thing to go to
12 paint ball. The Restoration Church goes paint balling.
13 They have like a paint ball center you go to like in Red
14 Fox. Do you know where that is?

15 Q. No, sir.

16 A. Red Fox is a paint ball club that -- it's not a club --
17 or some place where youth go to paint ball -- everybody
18 goes to paint ball.

19 They furnish you a paint ball gun -- no, they --
20 what's the word if they give you a --

21 Q. They loan it to you?

22 A. Yeah, for the day. They loan you a paint ball gun --

23 Q. Or rent it?

24 A. Yeah. Rent it.

25 Q. Okay. So what? Is he saying something happened there?

0059

1 A. That's what my dad told me. And I didn't even -- I
2 wasn't even on the same side as him. I didn't even go
3 near him.

4 Q. What did your dad say they said happened?

5 A. He said that when we were -- during break time, I like --
6 he called me over to do something with him and I stayed
7 away from him.

8 Q. So did he call you over and you stayed away?

9 A. Yeah.

10 Q. So at the paint ball day, Dustin asked you to do
11 something to him?

12 A. Yes.

13 Q. What did he ask you to do?

14 A. He asked me to -- I'd rather not say about it because I'm
15 not -- I'm not -- I don't like guys that way. I'm a
16 straight person.

17 Q. I understand. I'm not saying you liked it but -- and I
18 know that some of this stuff that -- like you mentioned
19 your scout leader Brian Rhinehart. And some of the things
20 we're going to talk about I know are not going to be, you
21 know, as pleasant to talk about as some other things.

22 But what I would ask, if you would, is to just try
23 to give me the words that describe it.

24 A. Well, he asked me to give him a hand job. And I said,
25 "Dude, I'm not queer. I don't do that."

0060

- 1 Q. And then what did he say?
2 A. He said, "all right, faggot. Go on somewhere else." So
3 I said, "all right, whatever," and I just went on the
4 other side. Because there's red and skins, they're the
5 teams that we were on. We were playing Capture the Flag
6 and I was -- I think I was red and he was a skin. That's
7 like a color you wear that the teams fight each other.
8 Q. About when was that? Was that when you were at Landrum
9 High?
10 A. No. That was like in 2005. That was in 2005.
11 Q. And what do you understand he's saying? That you
12 approached him?
13 A. No. He called me over.
14 Q. I know. But what is he saying now to your dad? Like how
15 is he saying that you molested him? You say he asked you
16 and you said no. What does he say happened?
17 A. You know, he's telling my dad that I molested him when we
18 were on the trip. And I told him, "that's bullshit, I
19 don't do that stuff." I don't do that to people under
20 age.
21 I think that anybody who molests a child should be
22 executed. Back in the olden days, that was what they did
23 on death -- they would send you to death row if you would
24 harm a child.
25 Q. Do you know why or did your dad tell you why Dustin would
0061 be saying that now?
1 A.
2 A. Well, he's -- honestly, he's always -- he's kind of a
3 greedy person. He would -- he's -- you know, he's in for
4 -- he's trying to -- he knows I might be getting a
5 settlement, he wants it. He wants. . .
6 Q. How do you know that? Did your dad tell you that?
7 A. Yeah. That's what my dad told me on Facebook.
8 Q. So your dad says that he heard that you might be getting
9 a settlement so he's trying to make something up to get
10 some money?
11 A. Yeah. But what he said on Facebook is about him stealing
12 the car, Beverly's car, and me and him -- and him going to
13 court so don't worry about anything he says.
14 I can show you that on Facebook but we're probably
15 not allowed to do that.
16 Q. So this is something your dad put on Facebook to you?
17 A. Yeah.
18 Q. What about Shea? What does Shea say?
19 A. Shea's not in this, in this.
20 Q. But is he --

- 21 A. Not that I know of.
22 Q. Well, is he saying that you did it to Dustin but not to
23 him? Is that what --
24 A. I don't know that for sure because my dad didn't tell me
25 that.
0062
1 Q. All right. Now, was there ever any sort of investigation
2 of that day back then?
3 A. I don't know.
4 Q. Do you know if Dustin ever reported that, anything like
5 that years ago? Do you know? And said that that had
6 happened?
7 A. No. I don't know that for sure.
8 Q. Did you ever tell anybody that he approached you?
9 A. Actually -- yes. Actually, I told Beverly that and she
10 said she didn't want hear it. Because she has this belief
11 that her children are Mr. Golden Kid and they don't do
12 anything wrong.
13 Q. So when did you tell her that? Like right after it
14 happened?
15 A. Like in -- this was in 2001 because we -- also, we had a
16 camp-out.
17 Q. 2001?
18 A. Yeah. And that's another time. I think I was like -- I
19 know I was like nine years old and he was like six or --
20 he was seven. I was ten and he was seven because we're
21 three years apart.
22 Q. What happened then?
23 A. We were in a tent and I was trying to sleep. He said --
24 we were like having these, telling ghost stories and
25 stuff. And he was like, "hey, John Doe. You know what
0063
1 the YMCA -- do you know what they do at the YMCA?" And I
2 said, "I don't want to know. I know that everybody that
3 goes to the YMCA are queers." That's what I told him.
4 Because he kind of has a perverted nature too and
5 that -- I don't really want to be around anybody that's
6 like that. I don't want to be around anybody that's like
7 that.
8 Q. So back in 2001, you guys were in a tent?
9 A. Yeah.
10 Q. Where were you?
11 A. It was like a large tent -- I'm not really sure what kind
12 it was. I think it was -- let me think. It was a
13 Columbia or something.
14 Q. Was it part of any kind of group or a church or Boy

- 15 Scouts or something?
- 16 A. No. It was in our back yard.
- 17 Q. And it was you and Dustin in a tent together sleeping out
- 18 in the backyard?
- 19 A. Shea was in there too but he was sleeping.
- 20 Q. And was Dustin wanting you to do something then or was he
- 21 just talking sort of dirty?
- 22 A. He kind of -- he got on top of me. And I said, "Dude,
- 23 I'm trying to sleep." And I said -- I kind of -- I let
- 24 him, let him do that. He was like -- he gave me a blow
- 25 job or something. I let him do that because, you know,
- 0064
- 1 there's not much I could do because I didn't want to go
- 2 tell anybody.
- 3 Because if I would do that, then my mom would
- 4 probably get the -- my step-mom would probably get the
- 5 belief that I was doing something I shouldn't be doing.
- 6 Q. And so that happened then. Then did you do anything to
- 7 him?
- 8 A. Yes.
- 9 Q. What did you do to him?
- 10 A. I gave him a hand job and -- because he asked me to. And
- 11 I regret -- that was bad but I was -- like I said, I was
- 12 only nine or ten and he was seven.
- 13 Q. Right. And then --
- 14 A. That's still wrong. I wouldn't -- a guy should -- it
- 15 says in the bible guys shall not, shall not lay together
- 16 or perform sex to each other, because that's like a sin.
- 17 Q. Do you read the bible?
- 18 A. Yes. I'm a really devoted Christian.
- 19 Q. Do you go to church?
- 20 A. Yes.
- 21 Q. What church do you go to?
- 22 A. Right now, I'm looking for one. There's one in Elmira
- 23 called Assembly of God I'm thinking of going to.
- 24 Q. When was the last time you had been to church?
- 25 A. About three months ago.
- 0065
- 1 Q. Where was that?
- 2 A. Coopers Plains Holy Church.
- 3 Q. Is in New York?
- 4 A. Yes. It's a small church.
- 5 Q. Who did you go there with?
- 6 A. John Strausser (phonetic). My mom was asleep. She
- 7 sleeps in constantly. She's -- she gets up occasionally
- 8 but she's -- that's a real big problem. Like if you get a

- 9 job or something, you can't sleep in because that will
10 ruin your career.
- 11 Q. Right.
- 12 A. And I have the motivation to get up. I'm not trying to
13 get off topic, I'm just trying to answer --
- 14 Q. Sure. And I asked you about the church. So then you had
15 that incident in 2001. And then until 2005 at the Red
16 Fox, were there any other things between you and Dustin?
- 17 A. No. I just -- after that happened, I walked away and I
18 just -- I stayed away from him. But he's not really like
19 that all the time. Sometimes we play video games and
20 games and stuff. We play Halo, Battlefields.
- 21 Q. So between the 2001 tent thing the 2005 paint ball thing,
22 did you all stay friends and you'd see him and play video
23 games and stuff?
- 24 A. Yeah, we were still friends.
- 25 Q. So you didn't have any other times where he asked you to
0066 do stuff or didn't want him to do stuff?
- 1 A. No. He respected the fact that I didn't want to.
- 2 Q. When you were in the tent there with Shea, did Shea do
3 anything?
- 4 A. No.
- 5 Q. Was he awake?
- 6 A. No. He was sleeping.
- 7 Q. All right. So then this 2005 thing comes up at the red
8 fox. Do you know why all of a sudden after all these
9 years, he asked you to do that?
- 10 A. I think I've answered that.
- 11 Q. Well, I'm sorry if you did. Can you just tell me again
12 because I don't recall.
- 13 A. Oh. Well, when we were at Red Fox, I told him -- I
14 walked away when he called me over to the -- when he
15 called me over.
- 16 Q. Well, do you know why four years went by before he asked
17 that again? Like what would have made him ask it in 2005?
- 18 A. Because he didn't really have a girlfriend at that time
19 and he was just -- he had a perverted sex life. I
20 wouldn't say he's gay because I don't think -- he's not
21 gay because he has -- well, I don't know. He might be. I
22 haven't seen him in like six years.
- 23 Q. But at that time, you didn't think he was gay?
- 24 A. No.
- 25
0067
- 1 Q. And so then after 2005 where he sort of what I would say
2 propositioned you -- he asked you to do something; right?

- 3 A. Yes.
- 4 Q. Well, did he want you to do it like right -- like where?
- 5 Like behind a building or --
- 6 A. No. We were -- when we were doing this, it was Junk Yard
- 7 Derby and he was sitting out because he had to get another
- 8 gun because his gun -- his CO2 cartridge was running out
- 9 and he needed to get a gun replacement.
- 10 So when he was doing that, he called me over. He
- 11 called me over to the woods and asked me to do it. And I
- 12 told him -- I just kept on walking and I said, "Dude, I'm
- 13 going to Junk Yard Derby. And if you don't like it, you
- 14 can just quit playing paint ball because I'm not -- if you
- 15 want me to -- I'm straight and I don't participate in any
- 16 of that stuff, that queer stuff you got going on."
- 17 Q. And then after 2005, did he ever ask you to do anything
- 18 again?
- 19 A. No.
- 20 Q. Is that kind of one of the last times you saw him?
- 21 A. I haven't seen him in six years.
- 22 Q. Did you see him again after that day?
- 23 A. Yes.
- 24 Q. Did anything come up sexually at that point?
- 25 A. No. We were -- see, we were friends. He respected the
- 0068
- 1 fact that I didn't want to do that after -- I didn't want
- 2 to do that afterwards. And we just played video games
- 3 together and we had a good friendly relationship.
- 4 He kind of respects the fact, my wellbeing and my
- 5 facts to, you know, have a straight sex life.
- 6 Q. Did you and Shea ever do anything like that?
- 7 A. No.
- 8 Q. Did he ever ask you?
- 9 A. No.
- 10 Q. Now, what about anybody else? Has anybody else ever
- 11 asked you to do something like that?
- 12 A. My girlfriend.
- 13 Q. What has she asked you?
- 14 A. Well, when we were watching -- the second day I was
- 15 dating her, we were watching a Johnny Cash movie when he
- 16 goes to concert. And when we were in the middle of doing
- 17 that, she wanted me to -- we cut the movie off and went in
- 18 the bedroom and made love.
- 19 Q. All right. Now, had you ever had a girlfriend before
- 20 her?
- 21 A. Yes.
- 22 Q. All right.

23 A. Several.
24 Q. Was that the first time you had ever made love or had you
25 done that before?

0069

1 A. That was the first time.
2 Q. And this was the girlfriend you have now?
3 A. Yes. She's a very devoted Christian?
4 Q. And so other than her and Dustin, has anybody ever asked
5 you to perform or have performed any kind of sex act?
6 A. Well, my scout leader, of course, Brian Rhinehart.
7 Q. And we'll talk about him in a second. Anybody else
8 beside him?

9 A. No, not that I know of.
10 Q. Now, in reviewing some of your records, there's some talk
11 that other things may have happened to you besides Dustin
12 and Mr. Rhinehart.

13 A. Oh. Well, let me think real hard on that. I had -- my
14 memory's not that good. I had a girlfriend in eighth
15 grade; her name was Sierra Thompson. We had a good
16 relationship.

17 We were in a resource class together but she was
18 only in there one period. She was kind of like an honor
19 roll student. But, needless to say, she couldn't take
20 advantage of me because I'm good at -- women can't take
21 advantage of me. I can -- I know that.

22 But that wasn't the point. She wouldn't take
23 advantage of me. That was the girlfriend I had when I was
24 at Boiling Springs High School.

25 Q. What about a person named Emanuel Blackwell?

0070

1 A. Oh, oh. That was one of my friends from Springfield.
2 That was Springfield when I was going -- when I was living
3 in Stone Creek.

4 Q. What was that about?

5 A. Well, I spent the night at his house and he -- I was
6 sleeping, I was sleeping and he was like asking me to give
7 him a blow job. And I was like, "no, dude, I don't do
8 that." And he molested me.

9 Q. So about when was that? You said you were where? What
10 school?

11 A. Then, I was going to Boiling Springs Middle School at
12 that time.

13 Q. All right. And he was a fellow classmate?

14 A. He was in junior high at that time. He was like a
15 seventh-grader.

16 Q. And how did you know him?

- 17 A. Well, we were really good friends. We were really good
18 friends. I met him -- he lived in an apartment behind me
19 and I first met him when I was making a snowman in the
20 front yard.
21 And he walked out there and said, "hey, dude, do you
22 need some help?" And I'm like, "sure man." And he helped
23 me make it and we built a snowman.
24 Q. So then you all became friends?
25 A. Yeah. We became friends for a while before that
0071
1 happened.
2 Q. Then so about how old were you then, do you think?
3 A. Eleven.
4 Q. So he asked you for you to do that. And what did you do?
5 A. At first, I kind of agreed with him, honestly. But after
6 that, he kind of used to hold me down and make me perform
7 oral sex on him.
8 Q. About how many times did that happen, do you think?
9 A. I'm not sure.
10 Q. More than --
11 A. Not that many.
12 Q. Less than five?
13 A. Not sure. I don't think it was that many times. I know
14 it wasn't that many times.
15 Q. And did you tell anybody about that?
16 A. No, because I was a little bit -- I was afraid of him.
17 But he was pretty much a good friend, but that was -- that
18 was -- doing that, doing that is not a good thing.
19 But the only reason I didn't tell anybody, because
20 he wasn't that much older than I was so there was nothing
21 I could do at that point in time. But now in thinking
22 about it, I told -- I told somebody at my high school
23 about it and they found out about it. And I don't know if
24 they questioned him about it or not but -- and I also ran
25 into him at the Psych Center in Anderson County one time
0072
1 about a year and a half ago. And he said, "hey, are you
2 John Doe?" "Yes." "I thought you looked familiar." And
3 I was like -- I didn't really -- I didn't talk to him
4 much. But I said, yes, I was John Doe and I shook his
5 hand. But I didn't -- I didn't really associate with him
6 after that.
7 Q. So back when you were 11, Mr. Blackwell asked you to
8 perform a sex act and that happened a few times?
9 A. Wait, wait.
10 Q. I'm sorry.

11 A. I just realized something. Something just dawned on me.
12 His last name wasn't Blackwell, it's Emanuel Rooker. It
13 wasn't Blackwell because he never told me his last name.
14 I never -- that's a coincidence. I knew him for two years
15 and I didn't even know what his last name was.

16 Q. And so you had several incidents with him, as you have
17 described, when you were around 11; right?

18 A. Yes.

19 Q. After that, did you have anymore contact with him? Did
20 you guys do anything -- did he ask you to do anything?

21 A. No. But I did see him at the Psych Center in Anderson
22 one time.

23 Q. And did he proposition you or ask you to do anything --

24 A. No. We just got to talking about -- I asked him how he
25 was doing. He said, I was -- I'm in here for like -- he

0073

1 didn't have a criminal record. He's -- so he says. He
2 got in a fight with his sister or something and he got
3 admitted into the Psych Center for anger issues.

4 Q. And did he do anything to you?

5 A. When we were in the Psych Center?

6 Q. No. When you were in the tent.

7 A. No. Emanuel Blackwell wasn't in the tent. That was --

8 Q. I'm sorry. Not the tent. Back in his apartment when you
9 spent the night, did he do anything to you? You said he
10 asked you to do stuff for him. Did you do anything to
11 him -- I'm sorry. Did he do anything to you?

12 A. Yes.

13 Q. What did he do to you?

14 A. He made me perform oral sex on him.

15 Q. But did he perform anything on you?

16 A. Yes.

17 Q. What did he do to you?

18 A. He was -- he was -- he was giving me a blow job.

19 Q. So how many times did he do that --

20 A. I'm not sure.

21 Q. Each time you did something for him, did he do something
22 for you?

23 A. I'm not sure.

24 Q. All right. And did anybody ever -- you said at school,
25 somehow people found out about that?

0074

1 A. I didn't say that.

2 Q. I thought you said it was discussed, that somehow that
3 you told somebody or it came out in some way.

4 A. I told -- I didn't talk to any students about it. I

- 5 talked to my caseworker but I didn't tell any students
6 about it.
- 7 Q. And what did the caseworker say?
- 8 A. Well, she said she was going to -- she didn't really do
9 anything because he wasn't that much older than me --
10 well, it wasn't a criminal offense if you all are the same
11 ago. I was like, okay. But I will question him about it.
- 12 Q. Do you know if that ever happened? Did he ever get
13 questioned?
- 14 A. I don't know.
- 15 Q. All right. Now, you mentioned the Psych Center in
16 Anderson. How many times have you been there?
- 17 A. Once. My total admissions in my whole life are five
18 times in the Psych Center.
- 19 Q. So tell me what -- you seem to remember that
20 specifically. Can you tell me where you went -- the first
21 one, where that was?
- 22 A. The first one was in the Medical University in Charleston
23 in 2001, was the first time I was admitted to the Psych
24 Center.
- 25 Q. And why were you admitted there?
- 0075
- 1 A. Because my step-mom wanted to get me tested.
- 2 Q. That's Beverly?
- 3 A. Yes. I wasn't really doing anything wrong. I just
4 wanted to get tested.
- 5 Q. And were you tested?
- 6 A. Yes.
- 7 Q. And do you know what the results of the tests were?
- 8 A. ADHD.
- 9 Q. Did you get put on any kind of medication for that?
- 10 A. Yes. I was put on Adderall.
- 11 Q. And then did you have to go to anymore different
12 counseling or any different things because of that visit?
- 13 A. No. After that -- I was only there about a week and then
14 they sent me back to my grade school and I was doing
15 pretty well. I had like anger issues then.
- 16 I used to -- not with any teachers but like some
17 other students that were like -- I'd get in confrontations
18 and stuff.
- 19 Q. Were you getting into like fights with them and stuff?
- 20 A. Out on the playground, we used to -- I remember getting
21 in a fight with some African-Americans.
- 22 Q. And so your step-mom had you checked out and you spent
23 about a week down there?
- 24 A. Yes.

25 Q. And then when's the next time?
0076
1 A. The next time was in -- let me think.
2 Q. It doesn't have to be exact. Just kind of roughly, when
3 was the last time?
4 A. The last time?
5 Q. Yes, sir.
6 A. Okay. The last time was in -- I'm not sure what the date
7 was but it was in St. James Hospital in Hormel, New York.
8 Q. So was that the most recent time you were living up
9 there?
10 A. Yes.
11 Q. And Hormel, New York?
12 A. Cornell -- no. Let me think. Hornell, Hornell. The
13 name's kind of tricky.
14 Q. And what were you there for then?
15 A. Getting in a fight with my mom.
16 Q. So that's when you and your mom had that fight about nine
17 months ago before you went to family car?
18 A. Yeah.
19 Q. And who asked to you to go to St. James Hospital?
20 A. Well, the trooper said that he was taking me in. I
21 cooperated with him and I went in the car. I'm really,
22 really, really, really glad I didn't get charged with --
23 because my mom didn't charge me with it.
24 It was a good thing because I slapped her and that's
25 assault and you can get charged for that. And I'm
0077
1 really -- it's a really good thing I didn't get charged
2 because I couldn't be a corrections officer if I have a
3 criminal record.
4 So I got to thinking about that when I was in the
5 Psych Center. And my caseworker told that me that
6 motivated me to not get into confrontations with people.
7 Q. So she called the police during that incident?
8 A. Yeah.
9 Q. And a trooper came and he took you away but never charged
10 you?
11 A. Yeah.
12 Q. So how was the decision, if you know, made to take you to
13 the hospital?
14 A. Because I was getting -- I wasn't taking -- I wasn't on
15 my mood stabilizer, which is a big thing. But I know now
16 I have to take it all the time for the rest of my life,
17 one pill.
18 It's a good thing. Because I know if I take my

- 19 medication, I can pretty much achieve and live life.
20 Q. So how long were you in there for that?
21 A. Thirteen days.
22 Q. What did they do for you while you were in there?
23 A. Just -- the funny thing was: When I first got there, I
24 was so good -- my behavior was so good that they, they
25 didn't -- they only increased my medication to two pills
0078
1 or something and then they increased it to one pill.
2 Because while I was at the family -- wait a minute.
3 When I was at the Psych Center, I was taking a shot
4 too but I wasn't taking that many mood stabilizers. Now
5 I'm only taking one pill, the Tenex, a mood stabilizer.
6 Q. So that was last year you were in the St. James Hospital?
7 A. You know, I'm not really sure what time it was. I know I
8 was living with my mom for nine months but I'm not really
9 sure -- I'm not sure -- I doesn't feel like it's been that
10 long because I was living with my mom for quite a while
11 before --
12 Q. Well, I mean, it could have been like just the fall of
13 last year. I mean, it didn't have to be a year ago.
14 A. You know, I'm not sure when the date was.
15 Q. All right. So now we've got the first one and the last
16 one. So now the other three, where were they? Not
17 necessarily in any order, just where were they?
18 A. Where was what?
19 Q. Where did you go to the Psych Centers? You said you went
20 five times. We know you went to MUSC first and then you
21 went to St. James last. So you went to Anderson once;
22 right?
23 A. Yes.
24 Q. And that would have been Anderson Memorial Hospital or
25 something like that? What was it? Marshall Pickens or --
0079
1 A. No. Marshall Pickens -- oh, I didn't go to Marshall
2 Pickens because that's kind of a really good hospital for
3 really stuck up people with mental illnesses.
4 Q. So where in Anderson did you go?
5 A. Anderson. Let me think. Patrick B. Harris.
6 Q. And, now, where else have you gone besides those three?
7 Any place in, like in Spartanburg or other parts of South
8 Carolina?
9 A. The one I was -- the one I was in was when I got into
10 a -- you know, I'm not really sure.
11 Q. Did you go any place in Columbia?
12 A. Yes. William S. Hall.

- 13 Q. And do you think you went to that before Anderson,
14 Patrick Harris, or after?
- 15 A. Before. That was years after. Because I went there in
16 2006 and then I went to Anderson in 2009 for the first
17 part of 2010.
- 18 Q. So then there would be one more. Do you think that was
19 after MUSC but before William Hall?
- 20 A. You know, I'm not really sure what you're saying.
- 21 Q. Well, you said you had five psychiatric visits to the
22 Psych Centers.
- 23 A. Yes.
- 24 Q. So we've got MUSC, we've got William Hall --
- 25 A. That was the first one. William Hall was the second one,
0080
- 1 Patrick B. Harris was the third one, and Hornell St. James
2 Hospital was the fifth one.
- 3 Q. Then what's the fourth one?
- 4 A. Oh. The fourth one? Patrick B. Harris.
- 5 Q. Did you go there twice? You told me MUSC, William Hall,
6 Patrick Harris, and St. James Hospital in Hornell. So
7 we'd be missing one.
- 8 A. My memory's not that good.
- 9 Q. That's okay.
- 10 A. Let me think really hard. I went to -- it just dawned on
11 me. I went to the Medical University twice but it was in
12 2005 after, when I had like a history -- when joy-riders in
13 my step-mom -- in Beverly's car. She sent me there.
- 14 Q. So that was the first time and second time then?
- 15 A. Yes.
- 16 Q. Then William Hall in Columbia, Patrick Harris in
17 Anderson, and then the Hornell Hospital?
- 18 A. Yes.
- 19 Q. So when you went to MUSC in 2005, you said you took
20 Beverly's car?
- 21 A. Yes.
- 22 Q. What did you do with it?
- 23 A. Just joy-riders in it because I really wanted to drive. I
24 was fascinated with learning how to drive.
- 25 Q. Did you get arrested for that?
- 0081
- 1 A. No. She didn't press charges because. . .
- 2 Q. And did you wreck it or just bring it back?
- 3 A. Well, I drove it into a ditch mistakenly, of course. But
4 the trooper -- I was -- and I did something stupid. Like
5 3:00 o'clock in the morning, I ran into a ditch. And
6 there was like a big old house on the hill -- this was in

7 the Boiling Springs area outside of the town.

8 I went to their house and rang the doorbell and like
9 they -- I waited for like two minutes and they answered
10 the door. And I left and I went back to the car. And
11 like when I was trying to get out of the ditch, the
12 trooper pulled up behind me and said, you know -- he told
13 me to get out of the of car.

14 And when I get out of the car, he pulled the car out
15 of the ditch -- there was two of them. I don't know what
16 their names were but they said, "why the hell -- they
17 called the police because you woke them up, you woke them
18 up in middle of the night. And they were like, so what in
19 the hell are you doing over here, in this area?" And I'm
20 just, "I'm just joy-riding and trying to learn how to
21 drive here." "Well, you didn't need to be doing that.
22 You don't --" and they took me home and they -- they said,
23 "go in and go to sleep."

24 And my mom was like, "well, I want to press
25 charges." She was like -- well, she didn't really press

0082

1 charges, she just said she was going to.

2 Q. So then why did they send you back to MUSC? What were
3 they wanting to do there?

4 A. No, no, no. Let me think. Oh. They did send me to
5 MUSC.

6 Q. And what did they do for you when you got there?

7 A. They just talked to me about -- they gave me counseling
8 on how to respect -- there was a guy there named Mr. Joe,
9 a mental health specialist, that talked to me about
10 respecting other people's property and not doing -- like
11 telling me what stuff not to do. Because I was in Boy
12 Scouts at that time.

13 Q. So you were in the troop by then?

14 A. Yes. That was before -- that was right after I got out
15 of the Psych Center, I think. Because that was the year
16 of me going to -- what was it? Let me think. Camp Bob
17 Hardin.

18 But nothing happened there. We were just -- we had
19 events and stuff. We had a performance that we did in
20 front of people like a talent show. But nothing happened
21 there that wasn't supposed to happen.

22 Q. So Camp Bob Hardin was a Boy Scout function?

23 A. Yes. It was a Boy Scout camp.

24 Q. Where was that?

25 A. North Carolina.

0083

- 1 Q. And was that in the summer?
2 A. Yes.
3 Q. Had you been in the scouts very long at that point?
4 A. That was my second year in there because I went in the
5 Boy Scout Troop 292 in 2003.
6 Q. 2002 and 2003?
7 A. No. I was in there in 2003 but I was, I was kicked out
8 my third year I was in there.
9 Q. So you started in 2003 and you were out of the scouts in
10 what? 2006?
11 A. 2006.
12 Q. You say you were kicked out and we'll talk about that.
13 So how long were you at MUSC that second time?
14 A. About two weeks.
15 Q. All right. Then what happened that you went to William
16 Hall?
17 A. Well, I attacked my step-mom. I would rather not talk
18 about -- well, she was kind of threatening me and stuff
19 and I kind of did something I'm not really too proud of.
20 But it's past and I just forgot about it.
21 Q. You said she was threatening you. Like what? She was
22 trying to lay rules down --
23 A. No. She was threatening -- she told the troopers that
24 she just told me to go to school. That was a lie. She
25 was punching me in the face.
0084
1 Q. This is when you took her car?
2 A. No. This is when I came at her with a knife.
3 Q. Okay. And this was in 2006?
4 A. Yes.
5 Q. And how did it get broken up?
6 A. Well, I stabbed her in the arm and then I laid the knife
7 down. Then she called the troopers and they came over.
8 Then it was -- they took me to The Detention Center but I
9 didn't get -- my social worker told me I didn't get
10 charged because due to insanity but -- and I'm fortunate
11 that happened.
12 Q. Why is that?
13 A. Because I can get a job now.
14 Q. How badly was she hurt?
15 A. Just a bleeding arm that was kind of not bleeding
16 profusely, just bleeding.
17 Q. Now, where was your dad when this happened?
18 A. He was in the house, you see.
19 Q. Was there something going between you and him that made
20 you upset?

- 21 A. No.
22 Q. Did he break it up?
23 A. No -- well, I went in the bedroom to say, to try to tell
24 her, mom or Beverly -- well, I called her "mom" because
25 she was like a mother to me at that time and I was like --
0085
1 I was saying "mom" -- I was like -- I was pretty upset. I
2 said, "mom, can you stop? You need to stop thinking about
3 yourself and thinking about what you're doing." My dad
4 was like, "don't come in here, John Doe, stay away." He
5 had a chair blocking the door.
6 Q. What were you trying to tell her?
7 A. I was trying to apologize to her.
8 Q. For what?
9 A. For -- I assaulted her with a knife.
10 Q. Oh, okay. But before that, what got you to that point?
11 A. Her -- she was punching me, trying to keep me out of the
12 house, all the time telling me I'm no good, I'm worthless,
13 not wanting to just -- not wanting to have anything to do
14 with me.
15 Q. So you all were not getting along?
16 A. Yeah.
17 Q. And what was your dad doing when this was all going on
18 and you guys not getting along?
19 A. He would just study and just ignore it.
20 Q. He wouldn't get in the middle of it and try to calm
21 anybody down?
22 A. No. And the sad part about it was: I couldn't -- at
23 that point, I couldn't -- they wouldn't even get -- my
24 grandparents were asking for custody and they wouldn't
25 give them custody because -- my relationship with my
0086
1 grandparents is really good but it's not really -- I'd
2 rather live in a more independent environment up in New
3 York.
4 Q. And so how long did they put you in William Hall for
5 that?
6 A. Six months. And then I was quietly released after to my
7 grandparents -- well, wait a minute. I went to a group
8 home first but I'm not sure that was -- it was
9 somewhere -- I went to a group home first and then I was
10 released to my grandparents at the court hearing when they
11 gave my grandparents custody of me.
12 Remember I told you about that? I said --
13 Q. Yes, sir.
14 A. I said -- because they offered to give -- they were

15 giving parenting classes, my dad parenting classes -- they
16 were offering to do that or to get evaluated. He said,
17 "no, I'm not going to do that."

18 He didn't want help and so they just gave my
19 grandparents custody over me.

20 Q. So the six months you were gone, did that include the
21 group home or was that just a hospital?

22 A. That was just the hospital.

23 Q. Then how long were you in the group home?

24 A. Two weeks.

25 Q. And then your grandparents took custody over --

0087

1 A. Yes. I was living with them for a long time, like -- I
2 haven't had any problems with them like -- I'm not
3 really -- let's see. That was in 2006. 2009. Because
4 then everything started to happen for me.

5 I started going back to school, I started going to
6 church and -- but then in 2008, that's when the rumors
7 started. The year I was in school, the rumors started
8 about that with that Dillon kid.

9 Q. With the looking at the pornography?

10 A. Yeah.

11 Q. Because then in 2009, you ended up in Patrick Harris.

12 A. Yes.

13 Q. Why did you go there for that?

14 A. Well, I wasn't taking my medication. I was saying -- I
15 was talking about a horror movie at the job I was working
16 in and they got the idea that I wanted to harm my
17 supervisor but -- because this kid that I was hanging out
18 with told a lie, told my -- what's her name? Ashley
19 something. It was the vocational rehabilitation floor
20 supervisor.

21 Q. So you said you were working somewhere?

22 A. Yes. I had like a -- it wasn't -- it was like a job, a
23 training job where they would pay you. Vocational
24 rehabilitation is a place in Spartanburg County that they
25 train people with disabilities to get, like get a job or

0088

1 something.

2 Q. So you were training. And what kind of place were you
3 at?

4 A. Vocational rehabilitation.

5 Q. That's actually where you were working? In that
6 building?

7 A. Yes.

8 Q. Were you talking about some kind of like slasher movie

9 or something that you saw? Like you said they thought you
10 were going to harm the supervisor based on the movie?

11 A. Yes. I was talking, I was talking about a movie called
12 See No Evil by Kane, the WW superstar.

13 And I mentioned Ashley's name in that movie because
14 she kind of fits the character of his mom. I don't know
15 if you've seen that movie?

16 Q. I have not.

17 A. It's a movie about these juvenile delinquents that go
18 into a motel building that's run by his mom and he's like
19 locked up somewhere in there. He comes out at night to
20 like kill people or something.

21 Q. Were you joking that --

22 A. Yeah, I was joking. I was saying that if he was Jacob
23 Goodnight's mom, he would probably kill her at the end of
24 it. Because Jacob Goodnight was Kane's character's name.

25 Q. And somebody thought that you were maybe making a threat

0089

1 to Ashley?

2 A. Yes.

3 Q. And so what happened? Did the police come?

4 A. No. They just -- what they did is, they sent me in the
5 office and then my grandparents came and they took me to
6 the mental health center. And my -- what was her name?
7 Jean Dill decided that I was -- because I admit I wasn't
8 on the medication.

9 When you get off your medication, the symptoms, you
10 just kind of say off-the-wall stuff like, you know.

11 Q. Right. So you weren't actually planning on harming
12 Ashley --

13 A. No. I was just having symptoms because I wasn't on the
14 medication.

15 Q. So how long did you stay in Patrick Harris?

16 A. Like seven months, seven and a half months. But that was
17 only because of having nowhere to go.

18 Q. What? Your grandparents didn't want you to come back?

19 A. No. But after a long period of time of me being there,
20 they kind of decided: Yeah, he's ready to come back
21 because he's healed, he's stable.

22 Q. Then how long do you think it was that you were back with
23 your grandparents before you moved up to New York to stay
24 for good? Because, I mean, if it's 2009 and 2010 at
25 Patrick Harris and now it's 2012 now, so there's only '11

0090

1 there between them.

2 So do you think you were there with them a short

- 3 period of time and then moved back to New York?
4 A. Like a short period of time like a number of months.
5 Like I'd say, if I was guessing, six months, because I was
6 in New York for about a year and a half because I watched
7 the ball drop of 2011 and '12.
8 But it wasn't like a two-year period, it was more --
9 it feels to me like it was about a year and six months.
10 Q. So then what made you decide to -- when you were living
11 with your grandparents, you said they were good to you and
12 treated you good. What made you decide to leave them then
13 and go up to New York?
14 A. It wasn't their fault. It was the people in Landrum. I
15 was like -- I was like if I'd go somewhere, like people
16 would say, "there's that kid who looks at child porn" or
17 whatever. Because Dillon would spread rumors around the
18 whole school. He was dropping my name all over the place.
19 That's why I just left. I just said, "I'm going to live
20 an independent life."
21 Q. All right. So it sounds like you've had run-ins with the
22 police a number of times but you don't think you've ever
23 actually been arrested. You know, you said the trooper
24 pulled you over for wrecking Beverly's car, you had the
25 fight with Beverly. But do you think you've actually
0091 never been arrested?
1 A. Well, I've been arrested in the past but I didn't get
2 charged because of, you know, insanity.
3 Q. So other than Beverly's car and then the knife incident,
4 any other times where you've been arrested?
5 A. No.
6 Q. What about, did you ever take your grandmother's car?
7 A. Yes.
8 Q. Tell me about that?
9 A. In 2005, I was trying to -- I wanted to go up to New York
10 and live a more independent life and I got lost. And this
11 is why it was really stupid. I asked the trooper for
12 directions. I was pretty stupid.
13 Q. Did he recognize you being young?
14 A. Yeah. I was only 13 at the time.
15 Q. And what did he do?
16 A. He caught me -- he patted me down, because I approached
17 him and asked him for directions. Like he put me in the
18 back of his car and said, "what's your grandparents'
19 number?" And I give him our number. And he called them
20 up and they went there and picked me up.
21 Q. So you took Jane Doe's car?
22

- 23 A. Yes.
- 24 Q. Where did you talk to the trooper? Here in this area?
- 25 A. Asheville.
- 0092
- 1 Q. So you drove all the way to Asheville?
- 2 A. Yes.
- 3 Q. And where were you trying to go from there?
- 4 A. New York State.
- 5 Q. You were going to drive to New York State?
- 6 A. Yeah.
- 7 Q. And you were what? You were asking him the way to New
- 8 York?
- 9 A. Well, like a map of -- yes. I'm asked him to give me
- 10 directions on the GPS.
- 11 Q. So what? He brought you back or they came and got you?
- 12 A. Well, they came and got me.
- 13 Q. And what was their response to that? How did your
- 14 grandparents take that, that you did that?
- 15 A. Pretty lightly.
- 16 Q. Did they send you to the Psych Center for that?
- 17 A. No. They got me -- they made an appointment for Dr.
- 18 Barwick but that's about it.
- 19 Q. Who's Dr. Barwick?
- 20 A. She was my family doctor at the Spartanburg Mental Health
- 21 Center.
- 22 Q. All right. Were you arrested for taking the car?
- 23 A. No.
- 24 Q. He just kind of let you go?
- 25 A. They didn't press charges.
- 0093
- 1 Q. You've been fortunate with that. That's something he
- 2 could have easily done for you.
- 3 Any other times where you've sort of encountered the
- 4 police? You know, any other times you can think of where
- 5 that's come up?
- 6 A. Well, when I was really young, I ran away -- when I was
- 7 like three years old, I ran away from home. And I was
- 8 brought back by the police.
- 9 Q. Where did you go?
- 10 A. I was just wondering off in the woods. I was going to go
- 11 back when I just got lost when we lived out in the country
- 12 in Cheraw.
- 13 Q. Now, earlier I was asking you about why we were here and
- 14 you mentioned Brian Rhinehart.
- 15 A. Yes.
- 16 Q. And then you mentioned Dustin.

- 17 A. Yeah.
- 18 Q. And I wanted to ask you a little bit about Dustin, about
- 19 that. You said that he might think that you're going to
- 20 get a settlement so he's bringing things up to maybe try
- 21 to get some money. Do you recall saying that?
- 22 A. Yes.
- 23 Q. All right. Has he asked you for money?
- 24 A. In the past, he's like -- he asked me for money when we
- 25 were at the fair. But my dad -- all I know is what my dad
- 0094 told me on Facebook, that he was. . .
- 1 Q. Well, asking like at the fair for like some money to buy
- 2 a corn dog is different than --
- 3 A. Yeah, I know. It wasn't -- yeah, it's different. He
- 4 used to kind of take advantage of me because he was really
- 5 good with math.
- 6 Q. Do you think that he's wanting some significant amount of
- 7 money from you for what he says happened in the past?
- 8 A. That's what -- yeah.
- 9 Q. What do you understand he wants?
- 10 A. As much as he can get.
- 11 Q. Has anybody given you a number?
- 12 A. No.
- 13 Q. Do you know if -- does he have a lawyer?
- 14 A. I don't know.
- 15 Q. Has your dad told you if they've discussed what he thinks
- 16 he wants?
- 17 A. No.
- 18 Q. Have you talked to your grandparents or your mom about
- 19 what Dustin's looking for?
- 20 A. I have talked to my dad about it on Facebook. But the
- 21 only thing he said was that Dustin stole, robbed or stole
- 22 Beverly's car and then robbed a gas station by stealing
- 23 gas out of the pump -- not really just robbed, but
- 24 stealing gas.
- 25
- 0095
- 1 Q. Okay. Do you know if Dustin is wanting to sue you for
- 2 money?
- 3 A. That's what my dad told me but. . .
- 4 Q. And do you know how your dad found that out?
- 5 A. Well, he's known that -- you see, the first time he
- 6 told -- well it was after it happened because I didn't
- 7 tell anybody because I wasn't -- it's not like me to just
- 8 go in the house and tell them that he was doing that.
- 9 So we were riding in the car and he said -- we were
- 10 listening to the radio and he said, "John Doe molested me

11 last night." And I was like, "no, I didn't. Dude, you
12 asked me to do that."

13 So we were riding in the car -- I had a flashback on
14 it. I remember it was 2001 and we were riding in the car
15 going to a movie. This is before the paint ball incident.

16 Q. So this is right after it happened?

17 A. Yeah.

18 Q. You're saying the next day?

19 A. Yeah; yes. We were riding in the car and he mentioned,
20 "John Doe molested me."

21 Q. Who did he say that to?

22 A. Beverly, which is my step-mom.

23 Q. And what did she say?

24 A. She said, "you all need to stop talking -- you all like
25 the girls, you all aren't queers; are you?" Something

0096

1 like that.

2 Q. And then what did he say?

3 A. He just listened to his radio. It wasn't really -- it
4 was just -- it was something random he blurted out.

5 Q. So was it ever discussed again with Beverly?

6 A. Yeah.

7 Q. Tell me about that?

8 A. Well, the only time I heard about it was when I was
9 listening on the phone when she was talking to Janet. And
10 she said that, "you can let Dustin and Shea come up here,
11 John Doe ain't going to mess with them." Because that was
12 when Janet was in the rehab center because she has drug
13 problems.

14 Q. Now, who is Janet?

15 A. Janet is Dustin's and Shea's biological mom.

16 Q. So when was that in relation to 2001?

17 A. That was in 2005 before any of that happened when we were
18 in the -- when I was living in Springfield; at our house,
19 not our apartment.

20 Q. So there was some discussion about having Dustin and you
21 hang out?

22 A. No, no, no. It wasn't us hanging out. After that, she
23 was -- he was like -- she was telling my mom -- because we
24 got in a fight, we got in a fight because -- we got in
25 a -- I also remember that we got in a fight in the living

0097

1 room because he was like -- he was talking to my friends
2 on the phone and he was like telling me, "John Doe wants
3 to know if you have any sisters that aren't married."

4 This was a friend that we met at a park in Lake

- 5 Bowen. He was like, "John Doe wants to know if you have
6 any sisters that aren't married." And we got in the fight
7 because he was telling stuff that wasn't true and that
8 kind of motivated -- I have a feeling that kind of
9 motivated him to make those allegations.
- 10 Q. But he started making those allegations the very next
11 day?
- 12 A. Yeah -- no. That was in 2001 after the tent incident.
13 But this was like in the future, because that was -- he
14 didn't really mention much about it then. This was in the
15 future when we were living in Springfield.
- 16 Q. So is it fair to say that after the 2001 incident, he's
17 talked about that over the years? It was discussed
18 amongst the family?
- 19 A. Well, I'm not really sure about that.
- 20 Q. Well, the reason I ask is because some of the records,
21 it's referenced about having some kind of incident with
22 the step-mother's grandchild reported by the stepmother.
23 I mean, it sounds like she knew about it and had
24 mentioned it --
- 25 A. She was never -- I don't remember a time -- she wasn't
0098 anywhere around any of that while it was going on.
- 1 Q. But you said the day after the incident.
- 2 A. The day after the incident was when we were in the car
3 going to see a movie, he mentioned that.
- 4 Q. Right. But I guess what I'm saying is: It was sort of
5 knowledge amongst -- whether it was true or not is
6 different than it was talked about over the years.
- 7 A. Yes. It was probably -- rumors were spread.
- 8 Q. And so did you ever -- do you remember seeing this guy
9 Willie Garrett?
- 10 A. Who.
- 11 Q. He's a social worker with the Children's Advocacy Center
12 of Spartanburg.
- 13 A. I don't -- that doesn't sound familiar.
- 14 Q. In November or December of 2005, he saw you, I think,
15 after the Brian Rhinehart incident came out to the police.
16 And he indicated that he had been told by your stepmother
17 about this incident involving the stepmother's grandchild.
18 Do you remember talking with him about that?
- 19 A. I don't remember that. I don't even remember that name.
- 20 Q. Because in his report, it says, "John Doe admitted to
21 sexually acting out with the step-mother's grandchild."
22 Did you admit that to him?
- 23 A. You know, I'm not really sure. But I admitted to you
24

25 that when he asked me to give him a hand job, I did. But
0099

1 I don't really remember that.

2 Q. Well, I'm just wondering -- and I know you did. And I'm
3 just trying to figure out -- I guess it's been -- Dustin,
4 you said, has been apparently asking around for money but
5 apparently this has been talked about, this incident,
6 since it happened?

7 A. Yes.

8 Q. Is that right?

9 A. Yes.

10 Q. And do you know when he started talking about money?

11 A. No.

12 Q. Do you know how he would know that you might be getting a
13 settlement?

14 A. Yes. From my father.

15 Q. Tell me what you know about that?

16 A. Well, I just -- I don't -- I'm -- I'm almost positive but
17 I'm not really sure because my dad has been telling me on
18 Facebook like, that about him getting in trouble and
19 stuff, with getting in trouble with grand theft auto, was
20 stealing Beverly's car and then having to go to court
21 so --

22 Q. "Him" being Dustin?

23 A. Yeah.

24 Q. But how does Dustin know that you might be getting a
25 settlement? You said your dad might have said something.

0100

1 A. You know, my dad -- my dad's really kind of a greedy
2 person when it -- he's not -- he's not successful -- he's
3 very smart but he's not successful enough to get a job
4 because of his drug problems.

5 Q. So what -- has he been talking, you think, about the
6 chance that you might get some money?

7 A. No. It's a little confusing to me if he would tell me on
8 Facebook that Dustin -- "Well, don't worry about anything
9 Dustin says. He's stolen Beverly's car and has stolen
10 money from a gas station -- excuse me. Gas from a gas
11 station." And his mom is still a druggie.

12 That doesn't really make sense why he would tell
13 Dustin something like that if he was to tell me that on
14 Facebook.

15 Q. Well, what I'm trying to figure out, I guess, is Dustin
16 thinks apparently, according to your dad who told you that
17 he thinks you might be getting a settlement.

18 A. Is that written down anywhere?

- 19 Q. No. I think that's what you said to me. I may be wrong
20 but I thought you said that earlier today.
- 21 A. Yeah, I did say that.
- 22 Q. And so I'm wondering where Dustin, how he would know
23 that? Is that something your dad has said or somebody
24 else has said?
- 25 A. Well, I don't talk to him. I only have him on my
0101 Facebook page.
- 1 Q. Do you think -- you said your dad was a greedy person.
2 Do you think your dad's talking about you might get a
3 settlement?
4
- 5 A. Yes, but I don't know if he's talking to Dustin about it.
6 I'm not really sure.
- 7 Q. Have you ever said to anybody that you might be getting a
8 settlement other than what you've just told me?
- 9 A. I don't usually -- no. I don't usually tell people my
10 personal business because then they'll want to, they'll
11 want to -- they'll take advantage of me.
- 12 Q. Well, I took Ralph [REDACTED]'s deposition, I guess Jane
13 Doe's husband; right?
- 14 A. Yes.
- 15 Q. He's not your actual biological grandfather, though;
16 right?
- 17 A. Yes.
- 18 Q. And he mentioned that you would say that to people, that
19 you would mention that you were going to get a settlement
20 from your lawsuit. Have you ever done that?
- 21 A. No.
- 22 Q. So --
- 23 A. He just assumed that.
- 24 Q. Well, he said he heard it from you and he would say, "you
25 didn't need to be saying that kind of thing." Do you
0102 think that happened?
- 1 A. I don't know why he would say that.
- 2 Q. You don't recall saying that maybe to a doctor or --
- 3 A. No. I said it to him, though, and he told me not to be
4 mentioning that to people because they'll be taking
5 advantage of you.
6
- 7 Q. So what have you told Ralph?
- 8 A. Well, I mentioned something about justice from all of
9 this. And he agreed that should, that justice should be
10 served. But he told me not to mention about the
11 settlement because that can -- you know, that's not
12 something you want to mention.

13 Q. So when you say "justice," what do you mean by that?
14 A. Justice will be served by all these people: My scout
15 leader, Dustin, and Emanuel Blackwell.
16 Q. Are you trying to -- are you going to try to recover some
17 money from Dustin?
18 A. No. He's a -- he doesn't have any mental problems that I
19 know of but I'm not really going to. . .
20 Q. What about Emanuel Blackwell? Are you looking to try to
21 assert some kind of a claim or charge against him?
22 A. No. Why would I? He was my same age, he was almost the
23 same age.
24 Q. Well, you mentioned justice and you mentioned your scout
25 leader and then you mentioned Dustin and Mr. Blackwell

0103

1 together.
2 A. I just think that he should -- he should not really just
3 get like prison time for this but not really -- well, I
4 don't think anybody should go to prison, I think they
5 should have opportunity. But if they commit a crime,
6 that's the only choice.
7 He didn't really commit -- Emanuel Blackwell didn't
8 really commit a crime because we were almost the same age.
9 Q. So what about -- when you say your scout leader, are you
10 talking about Mr. Rhinehart?
11 A. Yes.
12 Q. And what is the justice that you want pertaining to him?
13 A. I want him to serve -- I think it's proper for him to
14 serve his full 12 years, not get parole and when he gets
15 out, to not go anywhere near [REDACTED] Rhinehart or Dena --
16 even Danielle, which is his biological daughter that he
17 had with Ms. Rhinehart.
18 Q. And you mention [REDACTED], and that's his step-son?
19 A. Yes.
20 Q. Was [REDACTED] a friend of yours?
21 A. Yes. He was -- we were really good friends.
22 Q. Do you still communicate with him ever?
23 A. No.
24 Q. Does [REDACTED] have Facebook?
25 A. You know, I've never looked into that. I have tried to

0104

1 contact his sister Dena, which is -- there's a Facebook
2 page that came up but it was a privately -- it was a
3 private picture on there. Like when you go into Facebook,
4 you know how those white pictures come up?
5 Q. Right. So you mentioned the justice that you wanted from
6 Mr. Rhinehart: Serve his 12 years, stay away from the

7 Rhinehart kids.

8 A. Yes.

9 Q. Anything else?

10 A. Well, when he gets out, he's going to be a sex offender,
11 is what the newspaper said.

12 Q. Right. So when you talk about a settlement that you
13 night get, do you envision that Mr. Rhinehart will be
14 paying you some kind of a settlement?

15 A. You know, all I think -- all I think is the damage is
16 done, for justice to be served. Not anything particular,
17 just justice.

18 Q. So in your view, does justice mean that James Brian
19 Rhinehart should pay you some kind of money?

20 A. Well, not really -- well, the thing is, I'm kind of -- I
21 would need, I would probably need the help for me to get a
22 house and live independently. Because I may have a job
23 one day but this did happen so I would need some -- I
24 couldn't -- my grandma said I couldn't find, I couldn't
25 take up for myself if my life depended on it. So this is

0105

1 a good thing that this is happening for me. That's not
2 true. I have skills, I have skills to learn.

3 Q. So how is it a good thing that it happened to you?

4 A. It wasn't a good thing that the molestation happened.
5 But it was a good thing this is kind of coming to an end
6 because. . .

7 Q. Because you might get some money out of it?

8 A. That's not the point.

9 Q. What is the point?

10 A. The point is justice being served.

11 Q. Well, now, have you sued -- do you know if you sued James
12 Brian Rhinehart?

13 A. You know, the only time I've heard about that is when we
14 were in court. My dad had a letter -- I don't know what
15 happened -- it was a letter from the Boy Scouts by Shelby
16 something.

17 Q. Culbreth?

18 A. I'm not sure what her name was. I couldn't pronounce her
19 last name. It was Shelby something, the letter I read.

20 Q. And what did the letter say?

21 A. Let me think what the letter said. You know, I'm not --
22 I forgot. But it did say -- I just forgot.

23 Q. You were in court, you say, when you saw the letter?

24 A. Yes. But the actual letter, it vanished. No one ever
25 saw it again.

0106

1 Q. Were you in court because of James Brian Rhinehart or
2 because of some other reason?

3 A. Both reasons. The Boy Scout letter is what he sent to
4 me, was a biggest thing. Because they were kicking me out
5 because I turned him in.

6 Q. All right. And so we'll talk about the letter in a
7 little bit but --

8 A. I hate to do this but I've got to pee.

9 BY MR. WALSH:

10 Let's go off the record.

11 (OFF THE RECORD)

12 BY MR. PHILLIPS:

13 I think you were told this by Mr. Walsh. But you all
14 have a great lunch, have a great visit but you can't talk
15 about the case for the next hour. Okay?

16 BY THE WITNESS:

17 Yes.

18 (OFF THE RECORD)

19 EXAMINATION RESUMED BY MR. WALSH:

20 Q. John Doe, we're back on the record and you're still under
21 oath. You understand that; right?

22 A. Yes.

23 Q. All right. Well, I think what I had been talking with
24 you about, I think, was you had -- we were talking about
25 justice and Mr. Rhinehart and you mentioned some things.

0107

1 And then you mentioned there was this letter that you had
2 referred to that you said it sort of disappeared after
3 that.

4 A. Yes.

5 Q. So I was trying to figure out where you were when you
6 first realized there was some kind of a letter?

7 A. I was living with my dad and step-mom in Springfield,
8 South Carolina. House -- I'm not sure what the house
9 number was.

10 Q. And tell me how you became aware of this letter?

11 A. Well, I came home from school one day and my parents --
12 my dad and step-mom said, "John Doe, you got a letter from
13 the Boy Scouts and it said --" and it told me, but I can't
14 remember exactly what it said but I do remember this: It
15 had all the -- I think -- I'm sure it had all the
16 people -- it had all the Boy Scouts' names on it and that
17 was the actual letter.

18 I'm not sure what happened -- my dad copied that
19 one, I never saw it again. He was -- I don't think he
20 threw it away, he was just looking for it because I

- 21 remember him asking me, "John Doe, we need that letter,
22 that's very important." But I said -- I didn't know where
23 it was, I honestly didn't. It's vanished.
- 24 Q. What was your understanding of what was in the letter?
25 A. Some of the Boy Scouts' names. And the only one I
0108
1 recognized was Tony and Robert Cathcart. That was the one
2 I remember.
- 3 Q. Do you remember the name or the number of your troop?
4 A. 292.
- 5 Q. So who were the leaders of the troop that you knew?
6 A. It was Jackie -- I don't know her last name. Brian
7 Rhinehart, Shelby and -- those are all the leaders.
- 8 Q. And had you ever, as far as you knew, received a letter
9 from the troop before that letter you're talking about?
10 A. No.
- 11 Q. And what did your dad say or your step-mom say about the
12 letter?
13 A. Well, when I first received the letter, they said -- they
14 were just telling me, "well, they're kicking you out of
15 scouts" because that was after I made the allegations on
16 Mr. James Brian Rhinehart that were true, true
17 allegations.
- 18 But they didn't -- they got so upset that Shelby --
19 that was the one who sent the letter. That's all I know
20 except their name or Tony and Robert Cathcart's name. But
21 she sent the letter because it had her name on it.
- 22 But I can't remember what it said besides Tony
23 Cathcart's name. Those are the only names I remember.
- 24 Q. So you remember a lady named Shelby being on the letter?
25 A. Yes. That was the one who wrote the letter.
- 0109
1 Q. How do you know that?
2 A. Because it said that on the letter.
- 3 Q. What do you remember it saying? Like how do you know?
4 Did the letter say: This is Shelby writing and I'm going
5 to tell you something?
6 A. I can't pronounce her last name, but it said Shelby on
7 it.
- 8 Q. Was it your understanding that she was the one who signed
9 the letter?
10 A. She was the one who wrote the letter; yes. It said that
11 in plain view when I saw the letter.
- 12 Q. Do you know if you got any other letters besides that
13 letter?
14 A. Well, the letter that my dad copied because he couldn't

15 find the original one was the same thing. Because I
16 remember looking at it in the courtroom. It just was a
17 copy of it, like that was the main letter but the letter
18 was from Boy Scouts of America and it was like the bird
19 and the Boy Scouts symbol was kind of yellowish-brown --
20 that's what the color -- but the letter my dad had was
21 like gray because it was a copy of it because we couldn't
22 -- it just vanished. We misplaced it or something.
23 Q. So you believe that the letter that your dad had in the
24 courtroom was the same letter that you had seen at your
25 house when you first saw the letter?

0110

1 A. I know it was.
2 Q. You don't think there were more than one letter --
3 A. No, there was only one letter. There was -- there's two
4 letters because they were both the same thing. But it was
5 just a copy because we lost the original one.
6 Q. All right. So you said there were two letters. There's
7 one letter, but the one you saw in the courtroom was a
8 copy of the one letter?
9 A. Yes.
10 Q. All right. And you believe on your recollection that as
11 far as you can recall, the lady named Shelby wrote the
12 letter?
13 A. Yes.
14 Q. Well, do you think Shelby was the one that sent the
15 letter or both?
16 A. She -- both. Because when -- he saw her when she came --
17 my dad saw her when she -- she came to the house in person
18 and delivered the letter.
19 Q. Were you there when she did it?
20 A. No. I was at school. But when I got home, that's when I
21 first heard about it.
22 Q. So what did you hear about -- what were you told about
23 the letter? Like how do you know that Shelby came? Tell
24 me about that conversation.
25 A. Well, my dad came home -- well, I came home from school

0111

1 and walked in the door. And he said -- my dad and Beverly
2 said, "John Doe, we need to talk. I hate to break it to
3 you but do you know that you're no longer in scouts?"
4 "No, I didn't know." "Well, we just received a letter
5 from Shelby --" I don't know her last -- I forgot her last
6 name but Shelby, a scout leader named Shelby. And it
7 was -- "and you're officially kicked out of Boy Scouts
8 forever."

9 And I'm like -- I said, "well, I never really
10 actually liked Boy Scouts anyway." I said something like
11 that. And after that, after that I didn't really like Boy
12 Scouts. Because after that all happened, it's not really
13 -- it's a good program but it's not something like you
14 should probably -- what my scout leader did and what
15 Shelby did ruined the Boy Scouts of America. It gave them
16 a bad name, in other words.

17 Q. So your understanding was you came home from school;
18 right?

19 A. Right.

20 Q. And your parents were there?

21 A. Yeah -- well, step-mom and biological dad.

22 Q. Right. And they told you that they had a letter for you?

23 A. Well, they told me they received a letter from Shelby.

24 Q. So they told you specifically that? They said, "we
25 received a letter from Shelby?"

0112

1 A. Yes.

2 Q. Do you know why they would tell you that it was from
3 Shelby?

4 A. Because it said that -- it said that she signed that. It
5 was printed out and it had her name on it.

6 Q. All right. And you also said that Tony and Robert
7 Cathcart were listed as well?

8 A. Yes.

9 Q. Well, how do you know that they didn't -- I mean, why are
10 you saying Shelby sent it and not the Cathcarts?

11 A. Because Shelby signed it. It had her -- the letter had
12 her signature and her name typed into it. They were just
13 the Boy Scouts that were listed on there.

14 There's a large number of people that are in Scout
15 Troop 292 but that was the ones that I could recall, I
16 could remember; because I was so fond of them.

17 Q. All right. And do you know why the letter said you were
18 no longer in scouts?

19 A. Because I -- the reason why is because I turned Brian in
20 and he was like a well, so-called a well-respected guy in
21 the community. I think he told me he was like -- he told
22 me he used to be a police officer.

23 Q. So what do you think Brian has to do with being out of
24 scouts? Tell me what you believe the relationship --

25 A. I believe we had a good relationship to start with. But

0113

1 then like after I kind of turned him in and told the
2 truth, it kind of -- everybody gave me, thought that I was

3 a bad guy for doing that because he was so respected in
4 the community, real popular, real successful. But he's a
5 child molester, you know. That kind of stuff happens.
6 Q. So how do you know that the letter came after you had
7 identified Brian as a child molester?
8 A. To be honest, [REDACTED] told me about that at school in
9 class. Because I walked in the classroom and, "I'm not
10 talking to you, John Doe." And I was like "why?" And he
11 was like, "because you managed to get yourself kicked out
12 of scouts."

13 Well, I told the truth and you shouldn't have to --
14 and Brian isn't his real dad. That's why me and him were
15 friends, but I haven't seen him and I haven't heard from
16 [REDACTED] in years.

17 Q. So you knew before you got home that you had been kicked
18 out of scouts?

19 A. No. When I first got -- he didn't say anything about --
20 well, he did -- wait a minute. He did -- he said I was
21 kicked out of scouts.

22 But when I got home, I was -- I looked like to my
23 parents that I was really shocked or whatever because I
24 didn't want to put [REDACTED]'s name in it because I was
25 protecting him.

0114

1 Q. So you and [REDACTED] were in school together?

2 A. We were in sixth grade to ninth grade.

3 Q. And you were in the same classes?

4 A. Pretty much; yeah.

5 Q. So when you had that conversation with [REDACTED] about you
6 managed to get yourself kicked out of scouts, had you
7 already disclosed that his step-father had abused you?

8 A. Yes.

9 Q. All right. Who did you disclose that to?

10 A. I called the school superintendent.

11 Q. You made a telephone call?

12 A. Yeah. That's how -- I don't know who it was but -- I
13 can't remember. But I called them and then they contacted
14 the detective and -- Detective Cantrell was her name. I
15 remember her.

16 I reported it to her and she had -- I think she said
17 she was going to have Brian for a lie detector test or
18 something. And she asked me would he pass it or fail it?
19 I said he'd fail it.

20 Q. Who said that?

21 A. Detective Cantrell from Spartanburg County Sheriff's
22 Office.

23 Q. Now, at the time that you reported this abuse from Mr.
24 Rhinehart, were you having some sort of a dispute or issue
25 with the Boy Scouts about popcorn?

0115

1 A. No.

2 Q. Do you remember that as a fundraiser, the Boy Scouts
3 would sell popcorn?

4 A. Yes, I remember selling popcorn.

5 Q. Do you remember around the time when you made the
6 allegations against Brian that there had been a fundraiser
7 for popcorn going on around that time?

8 A. Yes, I knew that.

9 Q. Were you participating in the popcorn sales?

10 A. Yes, I was very participation. Me and Brian and [REDACTED],
11 we'd go to houses in Turtle Creek. That was a very nice
12 neighborhood they lived in and we used to go to houses --
13 houses everywhere, not just their houses in -- Springfield
14 and all over the place and Lake Bowen selling popcorn. We
15 were pretty successful.

16 Q. And do you remember that there was some question about --
17 well, let me withdraw that.

18 Was the program set up that you would sell popcorn
19 and then the money that you got would go back to the Boy
20 Scouts?

21 A. Yes.

22 Q. You weren't supposed to keep the money yourself?

23 A. No.

24 Q. That if you had any popcorn left over, you were supposed
25 to give that back to the Boy Scouts?

0116

1 A. Yes.

2 Q. And if you had popcorn that you didn't sell and didn't
3 return, would you be responsible for that popcorn?

4 A. Yes.

5 Q. Do you recall prior to the issue of the letter and the
6 abuse allegations against Brian that the scouts were
7 saying that you owed -- you had to return some popcorn or
8 pay for it?

9 A. Yes, I remember that.

10 Q. Tell me what you remember about that?

11 A. I remember I was in -- I was at [REDACTED]'s house; right?
12 And [REDACTED] loves food, he loves food. He'll eat anything.
13 I remember -- I can't -- honestly, I didn't really see him
14 take anything but I recall like something -- there was a
15 box that had -- it looked like it was opened of \$8, some
16 kind of -- I forget what the name of it was. It was like

17 caramel popcorn or something and I remember it being gone.
18 And I said to Brian that somebody opened this box.
19 And he said, "well, just put it back on the shelf. We've
20 got a bunch of them." And so I did and I went back in the
21 house. And I didn't -- honestly I didn't see anything
22 that was missing. I don't usually go through people's
23 stuff. But [REDACTED] does have a history of eating food but
24 that's really fine but you shouldn't really take stuff
25 that doesn't belong to you.

0117

1 Q. So did the Boy Scouts, the leaders of the Boy Scouts ever
2 mention that they thought that you had some popcorn that
3 you needed to return or you needed to pay the money for
4 what you had missed returning?
5 A. Yes. They mentioned that. And my grandparents were
6 like -- they -- I think they went over to Brian's house at
7 Turtle Creek after I turned them in. And it was like, "I
8 didn't --" they told me like he said something, "I didn't
9 do it" or something like that when they showed up.
10 Q. Who said "I didn't do it?"
11 A. Brian. He was like making like a friendly -- he was
12 being friendly to my grandparents.
13 Q. So you're saying that after you had accused Brian, your
14 grandparents went over to Brian's house?
15 A. Yes.
16 Q. Did they pay for the popcorn that the scouts said you
17 owed?
18 A. I'm not -- I don't know. But I know they went over there
19 for some reason. I'm not sure if it was the popcorn or
20 just to ask a question. I'm not sure.
21 Q. And do you know how much popcorn that they said that you,
22 that the scouts said that you owed?
23 A. They said I owed \$8, an \$8 thing of popcorn, which was
24 the cheapest one they had.
25 Q. Did you eat any of the popcorn?

0118

1 A. No.
2 Q. Are you saying that [REDACTED] ate the popcorn?
3 A. You know, I didn't see him. But all I remember him is
4 him going out in the garage, and I don't follow him where
5 he goes because he has a habit of taking stuff like food,
6 especially food. Because he goes in the refrigerator and
7 gets food a lot because he loves to eat.
8 Q. But how do the Boy Scouts do the popcorn? I mean, didn't
9 you have popcorn that you take? Don't the scouts take it
10 to sell?

11 A. Yes.
12 Q. So why would it be in [REDACTED]'s garage, your popcorn?
13 A. No. That's where all the popcorn was. We had boxes and
14 boxes of it that the Boy Scouts were shipping to us to
15 sell.
16 Q. So at some point before you accused Brian, there was
17 some -- somebody was talking to you about owing some \$8
18 popcorn?
19 A. Yes.
20 Q. And did you answer that or did you have somebody respond
21 for you? Like how did you respond to them saying you owed
22 \$8 of popcorn?
23 A. Well, I didn't really think much of it because they --
24 that was just a lie they told, an excuse to kick me out
25 for turning a scout leader in.

0119

1 Q. Well, I understand. But you said that the issue of the
2 popcorn money came up before you blamed Brian for the
3 abuse.
4 A. I can't really remember.
5 Q. Because I asked you, I said: You've got to sell it,
6 you've got to give the money back, you've got to give the
7 popcorn back. And that before this thing with Brian came
8 up about him abusing you, there was discussions with you
9 and the scouts about whether you had given all the money
10 back that you owed. Is that right?
11 A. Yes.
12 Q. All right. So when they said that, did you answer -- did
13 you say: I've given you everything? Or how did that --
14 A. I didn't really -- sorry. Go ahead.
15 Q. I'm just wondering how you responded to that.
16 A. I didn't respond to it. My grandparents came over to the
17 house and -- I don't know if they gave them any money.
18 But all I remember them telling me is him saying: I
19 didn't do it. That's the only thing I remember.
20 Q. So who made the allegation or complained that you owed
21 money to the scouts? Was it an individual? Did somebody
22 come to you and: Hey, John Doe, where's the money? You
23 owe us money?
24 A. You know, the only thing I remember is the letter that
25 was sent. I don't remember anybody confronting me.

0120

1 Q. Well, now, the letter, did it say anything about popcorn?
2 A. The only thing I remember is Tony -- Tony and Robert
3 Cathcart. I didn't really read it because I was too -- I
4 was really fond of them like that we did a lot of stuff

- 5 together. But I don't really remember it saying anything
6 about popcorn.
- 7 Q. So then somebody had to tell you about the popcorn
8 dispute?
- 9 A. Yes.
- 10 Q. But you don't recall who that was? Was it Brian or
11 somebody else in the troop that said: Hey -- because I
12 imagine this: That at some point, there's a deadline for
13 everybody to bring their money back or the unused popcorn;
14 right?
- 15 A. Yes.
- 16 Q. You've got a certain day to return everything. Right?
- 17 A. Yes.
- 18 Q. So when that day comes, the scout person who's in charge
19 of checking all that would say: Okay. You need this, you
20 need this. And then would have said, you, John Doe, you
21 owe us \$8 for this box of popcorn or give us the popcorn
22 back. When can you do that?
- 23 Did that happen where somebody said, you know:
24 We're checking and you owe us a box of popcorn or give us
25 the money?
- 0121
- 1 A. You know, I'm not really good with counting money back
2 then. I'm pretty good with it now but I'm not really good
3 with counting --
- 4 Q. Well, I'm not asking the amount of money. What I'm
5 saying is: Was there a conversation that you had with the
6 troop, someone with the troop who said, "okay. The
7 deadline has passed to give your money and your popcorn
8 back. If you haven't given it back, you owe us the
9 money?"
- 10 A. They didn't mention that at all. They were like -- they
11 didn't mention that at all. Because when I was in there,
12 I was really respectful and really loyal so they didn't
13 really mention that.
- 14 I did kind of do some things I wasn't supposed to.
15 I did the -- what was the name of that place?
16 Campcroft -- no, not Campcroft. Camp Bob Hardin. I did
17 some things, like I would go places I wasn't supposed to.
18 I would like not keep up with people. I would just --
19 during the like Boy Scouts challenge stuff when you would
20 have events there, I would probably -- Brian would make me
21 do -- would make me like walk -- he would make me walk, do
22 punishment for like not participating.
- 23 Q. When you had meetings -- did the scouts have meetings?
24 Troop meetings?

- 25 A. Yes.
0122
- 1 Q. Would you ever kind of wander off from the troop meeting
2 and wander around the halls?
3 A. No. I was pretty still. But I do remember when I was --
4 I do remember -- I used to pace a lot back then.
5 Q. Would you ever like slip out of the meeting room and go
6 walk the halls and walk through classrooms and, you know,
7 to kind of wander around during the meetings?
8 A. No.
9 Q. Did you ever go in anybody's car in the parking lot
10 during any of the meetings?
11 A. No.
12 Q. So going back to the popcorn, you obviously knew, though,
13 sitting here today that there was a problem with the
14 popcorn money.
15 A. Yes.
16 Q. So somebody had to tell you that?
17 A. Yes.
18 Q. But you just don't recall how you knew?
19 A. I don't remember.
20 Q. All right. And the letter that you got didn't say
21 anything about throwing you out because of any -- it
22 didn't give a reason; did it?
23 A. I don't really remember. But I remember it had the names
24 of Tony and Robert Cathcart.
25 Q. Now, would you agree that if you take the popcorn, you
0123
1 have to either give it back or pay it back; right? That
2 was --
3 A. Yes. I believe in that.
4 Q. And if you didn't, if a scout didn't give the money back
5 or the popcorn back, what should their punishment be?
6 A. You know, I think that if you steal something, you should
7 probably -- that's a misdemeanor. Stealing is a
8 misdemeanor. It doesn't matter where you are when you
9 steal something or what you steal. It's a misdemeanor.
10 Q. So if a scout in your troop had taken the popcorn and not
11 returned it and not given money back for, would it be
12 reasonable for that scout to be put out of the troop?
13 A. No. It would probably be reasonable for him to like go
14 to jail but for -- not for a misdemeanor because stealing
15 is a small step for bigger and worser things.
16 Q. And so they shouldn't be a scout anymore either; should
17 they?
18 A. No.

- 19 Q. All right. Now, so then when you got the letter, you had
20 said that that day at school, was it, that [REDACTED] had told
21 you about being kicked out. Or was it another day?
22 A. It was another day.
23 Q. All right. And when he told you that, was that -- do you
24 know if that that was several days before you got the
25 letter or the day before? Do you recall?
0124
1 A. I don't know.
2 Q. All right. So at that point that you talked to [REDACTED],
3 had you gone to the police and talked about Brian?
4 A. Let me think. Yes.
5 Q. How do you recall that?
6 A. I recall calling Detective Cantrell after I called the
7 school superintendent.
8 Q. Did you have any way to recall whether you had already
9 spoken with [REDACTED] when you called the superintendent? Do
10 you know --
11 A. That was before.
12 Q. What was before?
13 A. When I called -- I spoke with the superintendent before
14 I -- the next day when [REDACTED] questioned me. He said,
15 "you managed to get yourself kick out of scouts after that
16 happened."
17 Q. After what happened?
18 A. After I called the school. What's -- the
19 superintendent's office.
20 Q. So the next day after you called the superintendent,
21 [REDACTED] said, "you managed to get yourself kicked out
22 scouts?"
23 A. Yes.
24 Q. And then sometime after that, you got the letter?
25 A. Yes.
0125
1 Q. All right. Do you know if the decision to kick you out
2 of the scouts was made after you called the superintendent
3 or before?
4 A. Not sure.
5 Q. Did anybody ever tell you that the decision to throw you
6 out of the troop had anything to do with you blaming
7 Brian?
8 A. No. No one -- they were pretty quiet about it.
9 Q. So do you think that the letter was sent and you were
10 kicked out of the troop because you accused Brian?
11 A. Yes.
12 Q. Why do you think that?

13 A. Because he molested me. And also -- I don't know if you
14 heard about this, but it was [REDACTED] too. We were in the
15 same bed together. I just remembered that.

16 Q. But other than the fact that he molested you, why do you
17 think that the troop kicked you out of the scouts other
18 than the fact that you accused Brian?

19 Like what evidence or proof do you have in your mind
20 that they're related?

21 A. You mean [REDACTED] and --

22 Q. No, sir. I'm sorry. Let me start over. You got the
23 letter, you were thrown out of the scouts, and [REDACTED] told
24 you you were thrown out of the scouts. And around that
25 same time, you also accused Brian of abusing you. Right?

0126

1 A. No. It was before that.

2 Q. I understand. I'm not saying it's before or after. What
3 I'm asking you is: What evidence or proof do you have in
4 your mind that because you accused Brian, you were thrown
5 out of the troop?

6 A. Because he was so respected in the community, that he --
7 that's why they kicked me out. Because he was so
8 respected -- he was posing as a really good person. He
9 had a wife, a daughter, two stepchildren.

10 Q. So what is it about the fact that he's respected and has
11 a family that would make you think that the troop would
12 throw you out of the scouts because you accused Brian?

13 A. Because -- can you repeat that?

14 Q. Sure. I asked you why you thought that the letter was
15 sent in response to you accusing Brian. And you said,
16 well: Brian was respected in the community, he had a
17 family.

18 And I guess what I'm wondering is: Anything else
19 other than that that the troop would throw you out of
20 scouts that would make you think that that was the reason,
21 is because you accused Brian?

22 A. I can't really think of anything.

23 Q. Well, if you believe Shelby wrote and sent the letter,
24 she's not Brian. So, I mean, would you think that she's
25 covering for Brian?

0127

1 A. Yes.

2 Q. And why do you think that?

3 A. Because they were really, really close.

4 Q. In what way? What do you -- what do you remember about
5 them that made you think that they were close?

6 A. Well, I don't remember anything like out of the ordinary.

7 I just remember them like talking a lot and stuff and
8 making decisions and stuff.

9 Q. Did Brian and Shelby, did they sort of run the troop?

10 A. They were -- I guess you could say all the adults were
11 basically in charge. So all the adults were some kind of
12 scout leader.

13 Q. Did you think that Brian or Shelby were somehow like the
14 head of the troop or were they all kind of equal?

15 A. They were kind of equal.

16 Q. So then why would you think that Shelby would cover for
17 Brian if Brian doesn't control her and they're all equal?

18 A. Well, you know, if they're equal, they're all -- it
19 doesn't really matter because if he's respected in the
20 community and here comes up a kind of not, mediocre
21 popular kid like me confronts him, it doesn't really
22 matter if they're all equal. All that matters is what's
23 going to happen. Because she likes to do paperwork. She
24 did a lot of paperwork in scouts.

25 Q. Now, after the abuse allegations came out against Brian,
0128 the police, of course, they investigated. Right?

1 A. Yes.

2 Q. And one of the things they did was they interviewed your
3 dad Oliver?

4 A. Yes.

5 Q. And one of the things that Oliver said was that he was
6 talking about Brian and he said that Brian told you that
7 if you did not turn in the money for a popcorn drive that
8 they had, "that he would be kicked out of the club; the
9 victim," you, "were very angry about that." Is that true?

10 A. Well, I was a little angry but I wasn't really explosive.
11 I was just very disappointed but I wasn't like explosive
12 rage. I don't get. . .

13 Q. And he said the complainant, you he's talking about --
14 said that, "the victim," you, "is very vindictive."

15 A. What does "vindictive" mean?

16 Q. Vindictive means that you want to get -- you want to get
17 back at somebody, you want revenge, you want to seek to do
18 something back to somebody who you might have some reason
19 to be mad at.

20 A. Well, I'm not going to do. I do kind of get like that at
21 times but it has to be something like very dramatic.
22 Little things don't really affect me.

23 Q. Because what this suggests to me reading it is that your
24 father said that, you know, he didn't know what to believe
25

0129

- 1 but that there was this popcorn money dispute and you were
2 mad about getting kicked out of the club and that you want
3 to get revenge, which is suggesting to me that you knew
4 about getting kicked out before you made the allegations.
5 Is that what happened?
- 6 A. That's not true.
- 7 Q. So if your dad suggested that to the police or said that,
8 you would say that's wrong?
- 9 A. That's not true. I don't -- I don't -- I don't judge
10 people like that. But I do think that justice shall be
11 served because. . .
- 12 Q. Because he also said that you've ripped the phone wires
13 out of the house when you've not gotten your way. Have
14 you ever done that?
- 15 A. No. But I've turned the power off before.
- 16 Q. So what made you decide to report Brian?
- 17 A. Because I was molested.
- 18 Q. Well, the day you reported it, had you been molested that
19 day?
- 20 A. No.
- 21 Q. How many times were you molested by Brian?
- 22 A. I'm not really sure. A few. Not many.
- 23 Q. More than one?
- 24 A. Yes.
- 25 Q. More than two?
- 0130
- 1 A. Yes.
- 2 Q. More than three?
- 3 A. Yes.
- 4 Q. According to some of the paperwork, you had indicated
5 that you thought you were molested three times from Brian.
6 Do you think that's not accurate?
- 7 A. I'm not really sure what the actual number is. But it
8 seems like it was less than four -- less than five but
9 more than three. Because it happened -- the first couple
10 of times it happened, it happened at the church right down
11 where the creek is.
- 12 Q. What church is that?
- 13 A. St. Margaret's.
- 14 Q. Is that a place where you would meet?
- 15 A. Yeah. That's where we would meet for our scout meetings.
- 16 Q. So you think one or two times there you might have been
17 molested?
- 18 A. Once.
- 19 Q. Once there. All right. And then where else?
- 20 A. In the bedroom downstairs in [REDACTED]'s room and upstairs.

- 21 Q. At [REDACTED]'s house?
22 A. Yes.
23 Q. So in [REDACTED]'s bedroom and then in an upstairs bedroom in
24 [REDACTED]'s house?
25 A. The master bedroom is upstairs.
0131
1 Q. So that's three times.
2 A. Yes.
3 Q. All right. So what time period are we talking about?
4 Like from the first one to the third one, how much time
5 was between them?
6 A. I'm not really sure.
7 Q. Are you talking like a few days, a few weeks, or a few
8 months?
9 A. Say a week or so.
10 Q. So all three happened within a week?
11 A. You know, I'm not really sure. It seems like it
12 happened -- the first one happened like when me and [REDACTED]
13 couldn't go to sleep and he offered to come in and sleep
14 with us to help us calm down and go to sleep. Because we
15 were like -- we played video games a lot.
16 And he said, "you all need to turn the lights off."
17 And so he laid down with us and -- it first started out
18 like the first time that happened.
19 Q. So the first one was in [REDACTED]'s bedroom and he came into
20 the bedroom?
21 A. Yes.
22 Q. And you were spending the night?
23 A. Yes, I was spending -- I was having a sleep over.
24 Q. And then the second time was which one?
25 A. I'm not really sure.
0132
1 Q. Do you remember when the last one was?
2 A. No.
3 Q. So it could have been the church? It could have been the
4 upstairs bedroom? You're not sure which order it was?
5 A. The first time was in his bedroom downstairs.
6 Q. And then the other two --
7 A. I have a short-term memory.
8 Q. The other two, you're not sure what the order was?
9 A. Right.
10 Q. All right. So then they all didn't happen in one day?
11 A. Yes.
12 Q. So then why did you report the abuse on the day you
13 reported it if it didn't all happen in one day? In other
14 words, it wasn't the next day that you reported it; was

15 it?
16 A. Well, you know, back then I wasn't really sure -- if
17 something happened, I was like -- I wasn't really sure. I
18 wasn't really good with like -- I wasn't really good with
19 time back then.
20 Q. But I guess I'm wondering: What was it that made you
21 decide on the day you called the superintendent that that
22 was the day you were going to report it?
23 A. I'm not really sure.
24 Q. Did anything happen the day before that would have made
25 you want to call the superintendent that next day?

0133

1 A. No. I just -- I was afraid of him. I had to wait until
2 a proper time while I was away from him. He owned -- he
3 was -- if he was a police officer, which he told me he
4 was, he had -- he had handguns -- well, he didn't really
5 threaten me but he showed me he had handguns that maybe we
6 can go on a field trip one day and use. He had some kind
7 of like a nine-millimeter and a -- I don't know what kind
8 the other two were. But he had three handguns.
9 Q. When was the last time you had seen him -- Brian, that
10 is -- before you called the superintendent?
11 A. I'm not really sure.
12 Q. Now, in the time period from the first time he abused you
13 to the last, did you see him in times when he didn't abuse
14 you or was it every time he saw you in those three times,
15 he abused you?

16 So, in other words, what I'm saying is: Did he
17 abuse you the first time and then you might have seen him
18 a time or two and nothing happened and then you were
19 abused and then nothing happened and you saw him? Or was
20 it all one, two, three the next three times you saw him?

21 A. It was off and on.
22 Q. So you came into [REDACTED]'s bedroom and something happened.
23 Then you saw him how many times, do you think, before it
24 happened again?
25 A. Not really sure.

0134

1 Q. Like more than a couple of times?
2 A. A couple.
3 Q. Then you were abused again. And then how many times do
4 you think you saw him when nothing happened before it
5 happened again?
6 A. I'm not really sure.
7 Q. A couple of times, you think?
8 A. I'm not sure.

- 9 Q. But you think there was some other times in between the
10 number two and number three where he didn't do anything?
11 A. You know, I'm not really sure, to be honest.
12 Q. And you weren't living with him; were you?
13 A. No. I would just go over -- like once or twice a
14 weekend, I might go there. [REDACTED] would invite me over to
15 hang out.
16 Q. So after the first time, did you go home the next day?
17 A. You know, sometimes I would stay for like two days or
18 even three days. He would take me to school on some
19 occasions.
20 Q. Do you remember when you left the house after that first
21 time?
22 A. Yes. When he took me to school.
23 Q. So did you stay another night after that?
24 A. No.
25 Q. So you think it was a school night that you spent the
0135 night?
1 A. No. It was -- yes, but -- yes.
2 Q. Was it a Sunday or a regular week day?
3 A. A Sunday.
4 Q. So you would from time to time stay Sunday and then he
5 would take you to school?
6 A. I would stay -- I would come over there Saturday -- well,
7 Friday is three days a week. So I would come there Friday
8 after school and stay until Monday morning. Then he would
9 take me to school. It was just like a -- he wouldn't
10 really -- yeah.
11 Q. How many times had you stayed there before the first time
12 that he abused you?
13 A. I'm not sure.
14 Q. A number of times?
15 A. I'm not really sure.
16 Q. Like this wasn't the first time you had spent the night
17 there; was it?
18 A. No.
19 Q. You had been friends with [REDACTED] at that time for how
20 long? Two years? Three years?
21 A. Well, let me think about this.
22 Q. Because you said you were in scouts for three years.
23 A. Yes. 2003 to 2006.
24 Q. And [REDACTED] was in scouts with you the whole time?
0136
1 A. Yes. He was -- he was actually voted to be the patrol
2 leader.

- 3 Q. So at what point during your scout career did you start
4 staying over at the Rhineharts? Was it kind of like at
5 the first year?
6 A. Well, I knew him in, before I went to scouts, which was
7 in sixth grade.
8 Q. So you knew him even before you were in scouts?
9 A. Yes.
10 Q. Did you stay at his house before you were a scout?
11 A. You know, I don't really remember. I remember him coming
12 up to shoot firecrackers with me at a band in Bi-Lo in
13 Landrum that we were allowed to go to events there.
14 Q. Then after that, did you all start hanging out?
15 A. Yes.
16 Q. You think for several years you had been staying at the
17 Rhineharts' house before he abused you?
18 A. No, I wasn't staying there a number of years. I was just
19 going there to visit.
20 Q. Well, that's what I mean. I don't mean you were living
21 there, I mean. But over those year that you knew him, you
22 were staying there from time to time?
23 A. Yes.
24 Q. All right. So do you know -- if you know, and you may
25 not know -- why it was that on this particular night after
0137
1 you had been friends of the family and had been staying
2 over there, why Brian abused you that night?
3 A. To be honest, he was trying to -- he came in the bedroom
4 because we were having trouble sleeping. We were playing
5 video games and he wanted -- he just -- he got in the bed
6 to keep us, to help us go to sleep.
7 And then we were sitting down and he was molesting
8 us. Because I could hear [REDACTED] because he was on this
9 side and I was on this side.
10 Q. So he was in the middle of you?
11 A. Yes.
12 Q. In the bed?
13 A. Yes.
14 Q. And [REDACTED] was on your left?
15 A. Yes. And I was on the right.
16 Q. And what did Brian do?
17 A. Molested us.
18 Q. What did he do, though, specifically?
19 A. Jacked us off.
20 Q. Your penis?
21 A. Yes.
22 Q. Did he want you to do anything to him?

- 23 A. Not that night.
24 Q. How long did that last?
25 A. I'm not really sure. It didn't last -- it seems like --
0138
1 it seems like it would last maybe three minutes.
2 Q. All right. Now, you described these others sexual
3 activities you had in the past with Emanuel and Dustin.
4 Was it longer or shorter or about the same as those?
5 A. It was -- with Brian or the others?
6 Q. Well, Brian compared to them.
7 A. It was -- well, Emanuel, I moved -- I first moved to
8 Stone Creek Apartments in Springfield in 2002. I didn't
9 really meet him until the end of 2002 or the beginning of
10 2003 because I was making that snowman outside. I don't
11 know when --
12 Q. How many times did you and him have your activities
13 together?
14 A. You know, I'm not really sure.
15 Q. A few times or less than that, do you think?
16 A. I'm not really sure.
17 Q. And who were you living with when that happened?
18 A. My dad.
19 Q. Oliver. Was Beverly there too?
20 A. Yes. She was living in the apartment with us.
21 Q. Did they know, as far as you knew, that this had happened
22 with Emanuel?
23 A. Well, the only thing they knew about it was me telling
24 them about the video game that I gave him because he asked
25 me for that, the Game Boy. And they were upset with me
0139
1 for giving -- I didn't really give my stuff away but I
2 just thought it would be nice because he didn't have one.
3 Q. But they didn't -- they never knew or suspected, as far
4 as you know, that you and Emanuel were doing stuff
5 together?
6 A. No.
7 Q. And then with Dustin, who were you living with when that
8 happened back in 2001?
9 A. Beverly and my dad.
10 Q. Did they know about that other than when Dustin announced
11 it in the car? Did they know it?
12 A. No.
13 Q. All right. So those instances with Dustin and Emanuel,
14 would those be longer occurrences than that time with
15 Brian in the bed with [REDACTED] or shorter or about the same?
16 A. Shorter.

- 17 Q. So Brian was not as long or was longer?
18 A. It was not -- Brian -- it was longer. Because it was
19 2006 when it first started to happen, the beginning of
20 2006. And it was -- I'm not really sure when it happened
21 with Emanuel but -- all over. But I know when it was
22 Dustin, it was like 2001.
23 Q. And I'm talking about the length of time that it
24 happened. You've described certain acts that you did with
25 Emanuel and certain acts that you did with Dustin that
0140
1 were reciprocal, that you did something for him and he did
2 something for you. Right?
3 A. Yes..
4 Q. For both of those boys. Right?
5 A. Yes.
6 Q. In this case with Brian the first time, he did something
7 to you and [REDACTED]. In terms of the time that took, was
8 that the same amount of time or shorter or longer than
9 those times with the boys?
10 A. I'm not sure.
11 Q. And then did he say anything before he did it that time
12 in the bed with [REDACTED]?
13 A. Well, he did -- like he -- he used to -- he said a couple
14 of threats but not at that time. Like when I was selling
15 the popcorn -- like one time I wandered off and I wandered
16 off from the troop trying to sell popcorn on my own time.
17 But like I wandered off and sold it in a different part of
18 the neighborhood and I got lost and they had to come look
19 for me.
20 And he made me apologize to the people that bought
21 something, and they were waiting on me because I did
22 wander off. But after that, after that occurred, a couple
23 of days later we were selling some popcorn in a
24 neighborhood, Lake Bowen neighborhood, and he said, "if
25 you pull that stunt you did last week of wandering off,
0141
1 I'll personally take your penis in this truck and drive
2 you all over Boiling Springs."
3 Q. And so what did you say?
4 A. I said, "okay, I won't do it again." And I went and sold
5 the popcorn.
6 Q. So then when Brian came into the bed that night, it
7 sounds like you and [REDACTED] were kind of hyper and had been
8 playing and carrying on and just excited about the night.
9 Is that what was going on? That's why he came in?
10 A. Yeah. He wanted to like -- he wanted to -- well, we were

- 11 playing on Game Boys and we were like laughing and we
12 were -- Let me think what I was playing. I was playing
13 Dragon Balls Chai for Game Boy Advanced and [REDACTED] was
14 playing something on his Game Cube. I'm not really sure
15 what it was. And he was --
- 16 Q. And in your time spending the night at the Rhineharts,
17 did they want you to go to bed at a certain time or did
18 you get to stay up as late as you wanted?
- 19 A. No. They wanted us to go to bed at like a reasonable
20 hour, but I'm not really sure -- like I'm not really sure.
21 But [REDACTED] and me -- well, I don't really play video games
22 as much as I used to. But [REDACTED] he'll be up all night
23 if he's playing.
- 24 Q. So had Brian come into the room a few times that night
25 and said, "you all need to settle down and get in bed" and
0142
- 1 kind of giving you some opportunity to settle down? Or is
2 this the first time he came in, is when he got in the bed
3 with you?
- 4 A. That was the first time; yeah.
- 5 Q. The first time that night that he got in?
- 6 A. Yes.
- 7 Q. So when he came in, were you all still playing your
8 games?
- 9 A. Yes.
- 10 Q. And did he say, "you all need to settle down, put the
11 Game Boys away and put the lights out?"
- 12 A. No. He came in the bedroom and he said, okay -- a couple
13 of nights before when he we were playing the video games,
14 he told us to calm down. And then -- but he didn't come
15 in the room, he just told us to calm down.
- 16 The second time, he did come in the bed.
- 17 Q. You're saying the second time that other night?
- 18 A. Yes -- no. Let me -- the night before.
- 19 Q. He was in the bed?
- 20 A. I'm not really sure. Let me think. No. It was the
21 second night. Because the first night, he told us to calm
22 down because we were up so late and we were going to go to
23 a sale tomorrow, like -- it was like a thing at the church
24 where they were selling old games. And it was like an
25 event they had at the church where they were selling stuff
0143
- 1 to people, like a yard sale.
- 2 Q. And so you said -- you think this was the same weekend?
- 3 He came in the night before and said, "you all need to
4 settle down" and you did. And then the next time you were

- 5 there that same weekend and he came in and this time he
6 got in the bed?
- 7 A. Yes.
- 8 Q. So had he ever gotten in the bed before that night?
- 9 A. No.
- 10 Q. All right. So then he got in the bed. Were the lights
11 out?
- 12 A. Yes.
- 13 Q. Does [REDACTED] have anybody that shares his room with him?
- 14 A. Well, when I sleep over there, I usually sleep with him
15 because he's my best friend. But, honestly, that's
16 usually -- that's the only time that his dad -- I don't
17 know. I'm not going to say anything but I've seen a
18 picture of his dad hugging him in jacuzzi that was framed
19 on his wall.
- 20 Q. But [REDACTED]'s sisters had their own room?
- 21 A. Yes.
- 22 Q. So he had his own room too?
- 23 A. Yes.
- 24 Q. All right. So there was one bed in the room?
- 25 A. Yes.
- 0144
- 1 Q. And you and [REDACTED] would stay in the same bed when you
2 would spend the night?
- 3 A. Yes.
- 4 Q. All right. So then Brian gets in the bed, the lights are
5 out. And then what happens?
- 6 A. He starts to jack us off.
- 7 Q. Does he say anything like, "would you guys like this" or,
8 you know, "pull down your pants?" I mean, does he saying
9 anything about it?
- 10 A. I don't really recall him saying anything but he was --
11 [REDACTED] was laughing. I was just really quiet.
- 12 Q. Did he ask you if you wanted him to do that?
- 13 A. Well, no. All I remember is sleeping and I heard -- you
14 know, I felt myself being jacked off.
- 15 Q. While you were sleeping?
- 16 A. Well, I -- well, let's see. Wrong word choice. I was
17 getting ready to fall asleep and I heard something messing
18 with my pants.
- 19 Q. You were trying to sleep?
- 20 A. Yes.
- 21 Q. And then did [REDACTED] say anything?
- 22 A. All I heard him was him laughing. I didn't hear him say
23 anything.
- 24 Q. Did you see Brian doing anything to [REDACTED]?

- 25 A. The lights were off but I heard him laughing.
0145
- 1 Q. So you're assuming that something was happening. But I
2 guess I'm wondering do you know?
3 A. I'm assuming that I, that he was doing that. Because I'm
4 pretty sure he was doing that if I was right next to him
5 because I could hear it.
6 Q. Okay. So then after it was over, did you ejaculate?
7 A. No.
8 Q. Did [REDACTED]?
9 A. No.
10 Q. Then what did Brian do?
11 A. After that, we just went to bed.
12 Q. Did he leave?
13 A. No. We went to bed because he wanted to help us go to
14 sleep.
15 Q. So he stayed in the bed?
16 A. Yes.
17 Q. And were the sisters home then?
18 A. I'm not really sure. I don't really -- I'm not really
19 sure.
20 Q. Was [REDACTED]'s door closed?
21 A. Yes.
22 Q. And did they -- are the sisters' rooms near [REDACTED]'s
23 room?
24 A. Yeah. Danielle's room is on the right -- I mean the left
25 of the hallway. And Dena's door is right across the hall.
0146
- 1 Q. So the girls are on one side of the hall and he's on the
2 other?
3 A. Yeah. Well, Danielle's on the same side of the hall but
4 Dena's across the hall.
5 Q. So there like a section of the house where there's a
6 hallway and Dena's got a room across the hall and then
7 [REDACTED] -- and what's the other girl's name?
8 A. Danielle.
9 Q. Are on the same side?
10 A. No. Danielle is in the middle of the hallway on the
11 right side.
12 Q. Is there one bathroom for the three rooms or does each
13 have their own bathroom? How does that work?
14 A. They have their own bathroom.
15 Q. So [REDACTED] had his own bathroom?
16 A. Yes.
17 Q. So basically when [REDACTED]'s door is closed, he's got a
18 self-contained little room there? Nobody can get in

- 19 besides that door that's closed?
- 20 A. Yes.
- 21 Q. All right. Now, where is the master bedroom in relation
- 22 to those rooms?
- 23 A. It's upstairs.
- 24 Q. And when Brian came into the bed that first time, was Ms.
- 25 Rhinehart home?
- 0147
- 1 A. You know, I'm not really sure.
- 2 Q. What did you call her?
- 3 A. Mrs. Rhinehart.
- 4 Q. Was she nice to you?
- 5 A. She was very nice.
- 6 Q. And do you think that she might have been out when that
- 7 happened?
- 8 A. I mean, I wasn't sure if she was there or out doing
- 9 something. They usually stay together. They're a pretty
- 10 well-oriented family.
- 11 Q. But you don't remember seeing her when Brian was in the
- 12 room with you?
- 13 A. No.
- 14 Q. Do you remember when you had seen her that night? Was
- 15 she even around that night? Like had she gone to bed or
- 16 gone to the store?
- 17 A. I don't really -- I don't really remember. I don't
- 18 remember. I just remember me and Brian coming in the
- 19 bedroom where we were sleeping and getting in and he
- 20 ejaculated us.
- 21 Q. I thought you said he didn't.
- 22 A. No. I remember him coming in the bedroom like --
- 23 Q. I thought you said he didn't ejaculate you.
- 24 A. Yeah, he did. He was jacking me and -- well, I didn't --
- 25 I assumed he was jacking [REDACTED] off.
- 0148
- 1 Q. Right. You didn't ejaculate?
- 2 A. No.
- 3 Q. So when he came into the bed that night, did that
- 4 surprise you? I mean, was that unexpected?
- 5 A. It was unexpected for him to like do what he did but not
- 6 just tell us to calm down. I thought he was going to
- 7 leave after that.
- 8 Q. Right. So acting like a regular dad and telling you to
- 9 calm down and to go bed was not unexpected?
- 10 A. No, it wasn't unexpected.
- 11 Q. But the abuse was unexpected?
- 12 A. Yes.

13 Q. So up until that moment, did you have any reason to think
14 that he would somehow do that to you, that he might abuse
15 you? Did you ever have a reason to think and suspect that
16 he might abuse you until he did?

17 A. No.

18 Q. So this was a total surprise to you?

19 A. Yes.

20 Q. All right. Then after it happened, did you and [REDACTED]
21 talk about it?

22 A. No. We kept stuff to ourselves.

23 Q. So you and him didn't discuss it later that --

24 A. Well, actually, we didn't discuss it between each other.
25 But after I turned him in, I think he -- I know he told --

0149

1 from what I hear, he told a police officer that questioned
2 him about it and he said: Yes.

3 Q. But -- and I understand that may have happened as well
4 but I'm asking what you two talked about. Did you two
5 ever talk about his step-father abusing him or you until
6 after you reported it?

7 A. No.

8 Q. Until you reported it to the police and the
9 superintendent, did you ever tell anybody else that you
10 had been abused by Brian?

11 A. Well, I told the principal about it -- well, he was
12 asking me something and I whispered something in his ear:
13 Do you know what happened to my scout -- and he said,
14 "yes, don't go around telling everybody about that,
15 though."

16 Q. And when was that in relation to calling the
17 superintendent? Was it like the same day?

18 A. I'm not really sure when that was but it was at school
19 sometime.

20 Q. Was it after the three times you had been abused?

21 A. I'm not really sure.

22 Q. And so you may have told the principal at some point.
23 Anybody else?

24 A. Not that I know of.

25 Q. Did you ever tell Oliver until you reported it?

0150

1 A. You know, I don't really remember.

2 Q. Do you ever tell your grandma or your step-granddad?

3 A. No.

4 Q. Did you ever tell Doni Rhinehart?

5 A. No, no.

6 Q. Why do you say it like that?

7 A. Because that -- I just -- I don't know what would happen.
8 Q. What do you think might happen?
9 A. Well, I don't -- I don't really think -- if somebody like
10 that, you know, you tell somebody like that, it's probably
11 not a smart move because then they're going to -- she's
12 going to tell him and who knows what he might do.
13 Q. Tell who?
14 A. She's going to tell her husband about it and who knows
15 what he might do.
16 Q. Do you think she might have -- if you had told her, she
17 might have told your grandmother?
18 A. No. She would tell Brian because that's her husband.
19 Q. Do you think she would have -- well, did you ever confide
20 in Doni Rhinehart anything?
21 A. No, I didn't -- I didn't tell her anything.
22 Q. All right. So after that first time, it happened again
23 either at the church or back at the Rhinehart house;
24 right?
25 A. I'm not really sure when it happened.

0151
1 Q. Well, let's talk about the church. Tell me how it was
2 that you were there?
3 A. Well, we went there to go get supplies for the car wash,
4 to get drinks and stuff. We went down to the creek to go
5 get the canoe, because they own about -- they own a number
6 of acres of land at St. Margaret's church of woods. And I
7 think there's a river or a creek down there.
8 Q. So who was there when this happened?
9 A. Me and Brian.
10 Q. So where had you been before you were at the church?
11 A. I was at -- before that, I was -- I'm not sure.
12 Q. Did he pick you up from your house with your grandma or
13 were you at [REDACTED]'s house or somewhere else?
14 A. I was as [REDACTED]'s house.
15 Q. So had you spent the night there that night?
16 A. I think so -- yes.
17 Q. So was he supposed to be taking you home then?
18 A. I'm not really sure.
19 Q. Had he ever -- had Brian ever had you leave with him to
20 go do something in his vehicle before that?
21 A. That was the first time because -- the first time it
22 happened, we were sitting down there and he heard some
23 people in the background laughing, like some kids or
24 something playing in the background like in the woods. We
25 didn't see anybody.

0152

1 And he pulled my pants up and said, "let's go, let's
2 go."

3 Q. Let me go back a step. When you would stay the night at
4 ██████'s, would you typically get dropped off by your
5 grandparents?

6 A. He usually takes me home, to home a lot.

7 Q. Brian would?

8 A. Yes.

9 Q. Would he drive you by himself?

10 A. Yeah.

11 Q. And how many times do you think he did that? Ten times?
12 Twenty times? Thirty times?

13 A. I'm not really sure of the number. It feels -- I'm not
14 really sure what, to put a number on it.

15 Q. But like a bunch of times?

16 A. A few times, not a -- like a -- just a few, not a lot.
17 Just a few like maybe a couple of times but not a lot of
18 times.

19 Q. So less than ten?

20 A. Yes.

21 Q. But more than five maybe?

22 A. I'm not really sure, but it was less than ten.

23 Q. And he would drive you home?

24 A. Yes.

25 Q. And it would just be you and him?

0153

1 A. Yes.

2 Q. And on all those times he drove you home, did he ever lay
3 a hand on you?

4 A. Yes.

5 Q. What did he do?

6 A. At the creek, at the St. Margaret's Church creek --

7 Q. We're going to talk about the creek. But other than the
8 creek, did he ever do anything else, touch you improperly
9 any other times he took you home?

10 A. You know, I can't remember. I do remember one time he
11 picked me up at my house -- no. We were in my bedroom
12 because I was looking for some clothes to bring with me on
13 the -- we were going swimming at Lake Bowen, because they
14 have a lake house too on Lake Bowen.

15 And I was thinking about going swimming and he was
16 helping me find some swimming trunks that I was looking
17 for. And he said, "do you want to have some fun?" I
18 said, "no, my parents will be home in a little while."
19 And he said, "all right."

20 Q. What do you think he meant by that?

- 21 A. Well, he didn't want to get caught because I -- he didn't
22 want to get caught because I said my parents will be home
23 in a little while. And he was like, "okay, okay."
24 Q. So this was after the time he laid in the bed?
25 A. I'm not really sure. It's been like six years ago.
- 0154
1 Q. Well, do you think it was before that time?
2 A. I'm not really sure.
3 Q. I mean, if he -- well, we'll just withdraw that.
4 All right. So he would also not only drive you home
5 but he would pick you up from your house occasionally too?
6 A. Yes.
7 Q. Would he come alone?
8 A. Most -- yes. All the time.
9 Q. And on those drives back home, did he ever abuse you?
10 A. Yes.
11 Q. What did he do?
12 A. Are you talking about at my house or at the lake?
13 Q. I'm talking about when he would pick you up. And on the
14 drive back, would he ever do anything to you in the car --
15 other than the church -- or pull over to the side of the
16 road or drive into the woods or anything like that?
17 A. Not that I can recall.
18 Q. And so then the second time -- well, you're not sure if
19 it was the second or the third time. But of the other
20 two, we'll talk about the church.
21 So he said he needed you to go with him to do what?
22 Tell me that again? I'm sorry.
23 A. Well, to go with him to get supplies for the, to get
24 supplies for the -- to get drinks and stuff.
25 Q. And was this the same weekend that he had been in the bed
- 0155
1 with you?
2 A. I'm not sure.
3 Q. Do you think it was a different time?
4 A. I'm not really sure. It's been like six years.
5 Q. All right. Well, why would you go with him alone if he
6 had already abused you in the bed?
7 A. Because I was afraid of him. He owned firearms.
8 Q. Well, why would you go back to the house?
9 A. Because [REDACTED] was a really good friend. He was like a
10 brother to me.
11 Q. And why didn't you report Brian after the first time?
12 A. Because I was terrified of him.
13 Q. Well, when you got home, he was no longer there; right?
14 He didn't live with you; right?

- 15 A. Yes.
- 16 Q. And so did you -- why didn't you tell your grandmother or
- 17 Ralph what had happened?
- 18 A. Well, because I was afraid. I mean, say I went home --
- 19 after he left, I turned him in. You know, what if he
- 20 didn't get convicted? What if he like tried to hurt or
- 21 kill me or something?
- 22 Q. Then why did you report him that time you did? What was
- 23 different about then that was different that let you
- 24 report him that time but not the other times?
- 25 A. Because then I let some people -- I let some people know
- 0156
- 1 about it. Like I let the superintendent know about it and
- 2 then I called Detective Cantrell. After she reported it,
- 3 then Detective Cantrell interviewed me.
- 4 Q. Then why did you tell the detective and the
- 5 superintendent then but not after the first time?
- 6 A. I'm not really sure.
- 7 Q. Was there any particular reason that you decided then to
- 8 report that and not the first time?
- 9 A. Well -- what was that again?
- 10 Q. Yes, sir. I'm trying to figure out: After the first
- 11 time, you said you were afraid, you were afraid he might
- 12 do something. But you did eventually report him but it
- 13 was after the third time.
- 14 A. Because after that happened, he was like -- he was
- 15 like -- he went on a vacation. He went to Ramada Inn and
- 16 he was there for a while and then I reported him.
- 17 Q. All right. So what was different about -- if he's gone
- 18 at the Ramada Inn, then why didn't you report while he was
- 19 gone because he couldn't come after you?
- 20 A. Well, he's a very smart man. If he -- anybody who's
- 21 served in the military, a police officer, any security
- 22 guard or whatever, they know how to track people down.
- 23 Q. So what made you think he couldn't track you down when
- 24 you reported him?
- 25 A. He could have. I just took a stand and hoped for the
- 0157
- 1 best. I would just take a stand.
- 2 Q. Is it possible that you decided to report him when you
- 3 did because you had been thrown out of the troop and you
- 4 were mad at him?
- 5 A. No.
- 6 Q. And that when you got very angry and vindictive, as your
- 7 dad told the police, that's when you decided to report
- 8 him?

- 9 A. Well, I was a little upset but I wasn't like enraged.
10 Q. But that would be the only difference, wouldn't it,
11 between the first time, the second time and the third
12 time, was this issue with the Boy Scouts? And isn't that
13 when you decided to report him, because they had thrown
14 you out of the scouts?
15 A. No. No, sir.
16 Q. All right. So then the second time, you and Brian went
17 to get ice?
18 A. Yes. Ice for the drinks.
19 Q. Did you actually get the ice?
20 A. Yes.
21 Q. Did you get the ice before or after you went to the
22 church?
23 A. After because he didn't want it to melt. We had a
24 cooler -- we weren't down there very long. It was a hot
25 summer day and he didn't want the ice to melt. So we went
0158
1 on the creek. He said we were going to get this -- there
2 was a canoe that we needed to pull up on the bank because
3 there was a canoe down there.
4 And we pulled the canoe up and he told me, "lay down
5 right here next to me."
6 Q. All right. Now, according to the police report, they've
7 got the report of the abuse in October.
8 A. Yes.
9 Q. So you're saying that second incident or this other
10 incident happened in a hot summer day?
11 A. I'm not really sure when it was, but it was -- the
12 weather felt kind of hot.
13 Q. And according to the report, over the past three months
14 you had been abused, is what the report says. Is that
15 right?
16 A. Abused by who?
17 Q. By Brian. According to the report that Officer Gist
18 reported, it says that you were assaulted by your Boy
19 Scout leader over the past three months.
20 A. Oh, yes. Well, it was -- I was assaulted -- it was more
21 like -- I was trying to feed the neighbor's dog and it was
22 barking at me. And he slapped me really hard on the chest
23 and said, "those dogs aren't friendly, don't feed them and
24 stuff." I said, "okay, I'm sorry."
25 Q. Well, the report says being molested and sexually
0159
1 assaulted by his Boy Scout leader over the last three
2 months.

- 3 A. Yes.
- 4 Q. So is that true? It was a three-month period?
- 5 A. I got confused because you said assaulted and --
- 6 Q. And I apologize. That's why I wanted to clarify. Do you
- 7 think it was over three months that these three events
- 8 occurred?
- 9 A. You know, I'm not really sure. It's been so long.
- 10 Q. Would you think you would have remembered better when you
- 11 told the police in October of 2005 than now? Because if
- 12 the police report indicates there months, do you think
- 13 that would have been fresher in your mind in 2005 or now?
- 14 A. It would be fresher back then.
- 15 Q. So do you think that it's more likely three months if
- 16 that's what you told the policemen?
- 17 A. Yes.
- 18 Q. All right. The church incident, you went down to the
- 19 bank of the creek?
- 20 A. Yes.
- 21 Q. And what did he say then?
- 22 A. Well, when he was jacking me off, a couple of minutes
- 23 after that we heard some like children or people laughing
- 24 in the background, like children playing like outside.
- 25 Because we were in the woods and he said -- when he heard
- 0160 that, he knew there was people. And he pulled my pants up
- 1 and said, "let's go, let's go."
- 2
- 3 Q. Now, I thought you said you were laying down.
- 4 A. I was. But when he heard the people laughing in the
- 5 background like in the woods -- because there were people
- 6 there hiking and stuff. And he pulled my pants up and
- 7 said "let's go" because he didn't want to get caught.
- 8 Q. So you drove up to the church. Did he tell you why you
- 9 were going to the church?
- 10 A. I didn't drive.
- 11 Q. Well, he drove you; right?
- 12 A. Yeah.
- 13 Q. You drove up to the church; right?
- 14 A. Well, he drove up to the church.
- 15 Q. And then what did he say? "Let's get out?"
- 16 A. Well, he didn't really say anything. It's normal for us
- 17 just to get out and -- we didn't get the ice yet, we went
- 18 down to the creek.
- 19 Q. Well, why -- did he tell you why you were going to the
- 20 church?
- 21 A. To get ice for the drinks.
- 22 Q. So there's an ice machine at the church?

- 23 A. Yes. There's a little ice maker thing, like a little
24 freezer thing that has ice in it.
- 25 Q. So then he said, "let's go down to the creek?"
- 0161
- 1 A. No. He said, "let's go down to the creek before we got
2 the ice."
- 3 Q. Right. And then did you ask him why?
- 4 A. No. I don't really ask people -- I wouldn't ask somebody
5 who owns firearms a question like that.
- 6 Q. Well, did he show a firearm or threaten a firearm?
- 7 A. Well, he didn't threaten us. But he showed us firearms
8 like -- because I asked because I like to go hunting and
9 stuff. And he asked me, "yes, I used to be in law
10 enforcement and I owned firearms." "Well, can we go on a
11 field trip?" "Maybe if we get some permission slips
12 signed."
- 13 And he showed me and [REDACTED] the firearms and he let
14 us hold them and everything.
- 15 Q. So did he tell you anything about a firearm when you went
16 down to the creek?
- 17 A. No.
- 18 Q. Did you voluntarily go down to the creek --
- 19 A. No --
- 20 Q. -- or did he have to drag you or carry you?
- 21 A. No. I agreed to go with him. But he didn't say
22 anything. We just walked down there because we were going
23 to pull the canoe up.
- 24 Q. And then he said, "lay down with me?"
- 25 A. Yes.
- 0162
- 1 Q. Then how did your pants come down? Did he ask you to
2 take them down or did he pull them down?
- 3 A. Before he left, I pulled -- he asked me to pull them down
4 and I pulled them down. But when he was jacking me, he
5 heard some people like some children laughing or something
6 in the background like in the woods or something. And he
7 said, "pull them up and let's go."
- 8 Q. So he said to you when you got down to the creek, he said
9 "let's lay down?"
- 10 A. Yes.
- 11 Q. And then he asked you to pull your pants down?
- 12 A. Well, when we got down there, he did ask me that but he
13 didn't pull them down himself. I pulled them down.
- 14 Q. And then you said he performed a sex act on you?
- 15 A. Yes.
- 16 Q. Did you ejaculate?

- 17 A. No, I didn't ejaculate. He ejaculated me. I was just
18 sitting there.
- 19 Q. But you ejaculated? You know what that mean?
- 20 A. Yeah. Like masturbate.
- 21 Q. Well, that means that you had semen come out.
- 22 A. Well, I thought it meant like jacking off.
- 23 Q. No. Ejaculation means that you actually have semen or
24 sperm come out.
- 25 A. Oh. I thought -- I didn't know it meant that. I thought
0163
1 it meant something else.
- 2 Q. So did that happen? Did you have something come out?
- 3 A. No. It was jacking off.
- 4 Q. Did somebody come out?
- 5 A. No.
- 6 Q. The first time in the bed, did something come out?
- 7 A. No. Nothing really ever came out.
- 8 Q. So that second time, about how long did that last -- or
9 the church time, I should say. Was that -- because you
10 said you heard voices. Was that a few seconds or --
- 11 A. No. I wasn't hearing voices, he heard them too. There
12 was some people -- there was some people in the woods
13 hiking. We didn't see them but we heard them in the
14 background. And the minute he heard that, he pulled my
15 pants up and said, "let's go."
- 16 Q. So is that right when it started or had he been doing it
17 a while? I'm just trying to get a idea of how long --
- 18 A. About like -- I'd say about 35 to 40 seconds.
- 19 Q. Were you doing anything to him?
- 20 A. No.
- 21 Q. And then he said "let's go, I hear voices, we need to get
22 out of here?"
- 23 A. Well, we both heard them.
- 24 Q. And so then you pulled up your pants and you all went
25 back to the truck?
- 0164
1 A. Yes. Because there was people that hike in the woods and
2 we heard them, heard them walking up and say: Hey, hey, I
3 did so and so. And then he said "let's go" because he
4 didn't want them to know what we were doing.
- 5 Q. Okay. Then did you go get the ice?
- 6 A. Yes.
- 7 Q. Then where did you go?
- 8 A. Then we went back to his house. And I can't really
9 remember what we did at that point. I think we had the
10 drinks set out for the. . .

11 Q. As we talk about this, do you think that the church time
12 was the second time or the third time?
13 A. I'm not really sure.
14 Q. After that second time -- or after the church time, did
15 you tell anybody until you reported it to the
16 superintendent and then the police?
17 A. I'm not really sure.
18 Q. Did you tell your grandparents?
19 A. No. The only way they knew about it is because when they
20 came back to his house and he was like saying, "I didn't
21 do it" or whatever.
22 Q. You mean, they didn't even know until then?
23 A. That's the only time -- well, they knew before then but
24 that was the only time -- that's the only thing they told
25 me.

0165

1 Q. So you don't recall telling anybody anything after the
2 church time until you reported it to the authorities?
3 Right?
4 A. I'm not really sure.
5 Q. Now, let's talk about the time back at [REDACTED]'s house;
6 okay? Were you spending the night there again?
7 A. You mean after the church incident?
8 Q. Do you think it was after?
9 A. No. I'm just asking you was it --
10 Q. I don't know in what order it was in. That's what I'm
11 asking. Do you think that after the church incident, then
12 you had the third incident back at the house?
13 A. I don't really remember that.
14 Q. Do you remember about that incident at the house, though?
15 A. Yes.
16 Q. So do you think you were spending the night there?
17 A. Yes, I was spending the night because we were playing
18 video games and he told us like to go to sleep and. . .
19 Q. So you were back in [REDACTED]'s room again?
20 A. Yes.
21 Q. And then what happened?
22 A. Well, then Brian came -- that was when Brian came in and
23 said we have to stop playing video games because we're
24 making too much noise.
25 Q. And then what happened?

0166

1 A. Then he told us to lay down and go to sleep and he -- was
2 that the first time or the second time?
3 Q. I wasn't there. I don't know. You described for me a
4 few minutes ago that the first time was when he got in the

- 5 bed with you and [REDACTED] and then you couldn't remember if
6 the second or third time was the church and then the
7 second time at [REDACTED]'s house.
- 8 A. I can't remember. I remember him coming in the bed,
9 laying down in the bed with us the first time. The second
10 time, he just wanted us to calm down because he's a
11 married guy and he wants to sleep with his wife.
- 12 Q. So what did you calming down have to do with him sleeping
13 with his wife?
- 14 A. No. Look. When he was in there with us helping us go to
15 sleep, that kind of took the time away from his wife.
16 Because people, married couples want to have a
17 relationship with their wife and not be separated for a
18 long period of time.
- 19 Q. So how did the abuse this time happen?
- 20 A. Well, like what?
- 21 Q. Well, I mean, did he do anything then? Because I think
22 you said there were three times. And I'm trying to figure
23 out what the third one was.
- 24 A. You know, I know one of them was at the church and one of
25 them was upstairs and one of them was in the bedroom. But
0167
- 1 I'm not really sure what order they were in.
- 2 Q. I'm not asking about the order. But now you said
3 something happened at [REDACTED]'s house upstairs. Okay. So
4 what happened upstairs?
- 5 A. When we were upstairs, he made me give him a blow job and
6 he gave me one.
- 7 Q. Where was [REDACTED]?
- 8 A. He was -- at that time, he was at Camp Spearhead. And I
9 was over there helping his dad out with some stuff.
- 10 Q. Who was there at the house when this happened?
- 11 A. There was Dena, Danielle, and Doni.
- 12 Q. And where werethey?
- 13 A. They were downstairs.
- 14 Q. And what were you doing at the house to help them? What
15 were you trying to do?
- 16 A. I was helping them with scout stuff, counting money. We
17 actually tried to sell popcorn.
- 18 Q. Okay. So this was around the time of the popcorn sales?
- 19 A. Yes.
- 20 Q. So this sounds like it would be more like the last time.
21 Because if the summer was the creek and [REDACTED] and the bed
22 was the first and you reported it in October, it sounds
23 like this was the last --
- 24 A. Well, I'm not really sure if the creek was summertime

25 because -- it felt kind of hot outside but I don't really

0168

1 know if it was summertime.

2 Q. But if you were doing the popcorn sales, the popcorn
3 sales were like in October; weren't they?

4 A. I'm not really sure.

5 Q. Because if you reported it October 7th and your dad said
6 that there was some issue with the popcorn that you were
7 mad about, did that happen just -- did this issue with
8 being mad about the popcorn happen just around the time
9 you made the allegations?

10 A. I'm not really sure.

11 Q. So what were you helping Brian with at his house with the
12 popcorn sales? You said you were counting money. Does
13 that mean that you would -- it sounds like you were in the
14 middle of the sale or the end of the sale and the money --

15 A. There was somebody else at the table watching me because
16 we were counting money like putting it in the envelopes
17 and stuff. Because with the money -- we don't get a -- we
18 get a profit for, we keep ourselves for -- it's for field
19 trips and stuff.

20 Q. So there was an office upstairs?

21 A. No, no. We were downstairs at the kitchen table at the
22 time we were counting the money.

23 Q. Was there somebody else from the scouts there?

24 A. Yes.

25 Q. Who was there?

0169

1 A. Brian.

2 Q. Besides Brian?

3 A. Well, Doni was grocery shopping and Dena was in her
4 bedroom listening to music.

5 Q. What about Danielle?

6 A. I'm not really sure where she was at that time. I think
7 she was staying with her grandma and grandpa.

8 Q. So it was really just -- really at the time this was
9 happening, only Dena was home?

10 A. Yes.

11 Q. And then why was [REDACTED] at Camp Spearhead and not you? I
12 mean, what was he doing there?

13 A. Well, he was like -- it's a camp where you can -- I've
14 never heard about it but I've heard of places where you go
15 to places like that. I'm not really sure. I've never
16 been there.

17 Q. And did Brian pick you up and bring you over to help him
18 with the popcorn money that day or did you get dropped

19 off, you think, by your grandparents?

20 A. When?

21 Q. The day he took you upstairs.

22 A. The day he took me upstairs when he -- he came to me --
23 he's over -- like 70 percent of the time, he would take
24 me, he would come pick me up.

25 Q. So you think he probably picked you up?

0170

1 A. I know he did.

2 Q. Had you ever been to the house before that day without
3 [REDACTED]?

4 A. When?

5 Q. The day that he took you upstairs, had you ever been
6 there with [REDACTED] to the house?

7 A. Yes. Nothing happened with [REDACTED] upstairs.

8 Q. I understand. But what I'm saying is: [REDACTED] wasn't
9 home; right?

10 A. Yes.

11 Q. [REDACTED] was at camp?

12 A. Yes.

13 Q. Had you ever been at [REDACTED]'s house when [REDACTED] was not
14 there and was off somewhere else? Because it sounds like
15 you would go there to see [REDACTED] but now [REDACTED]'s not
16 there this time. Had you ever done that before?

17 A. That was the only time.

18 Q. And so that was the first and only time you had gone over
19 there to [REDACTED]'s house without [REDACTED] being home?

20 A. Yes.

21 Q. And when you got there, was just Dena there or was Doni,
22 Danielle, [REDACTED], or were any of them there and then left?

23 A. Me, Brian, Doni, and Dena were there.

24 Q. And then --

25 A. Danielle was at her grandparents' house.

0171

1 Q. Then Doni left to go grocery shopping?

2 A. Yes.

3 Q. And then Dena was there. Is Dena your age? Older?
4 Younger?

5 A. She's about -- she's about two years younger than me.

6 Q. And so you all were working at the kitchen table counting
7 money?

8 A. Yes.

9 Q. Trying to package it to get it sent to whoever the
10 popcorn people were?

11 A. Yes.

12 Q. How long were you working on that before he took you

- 13 upstairs?
- 14 A. I don't really know if it there's a time limit or if that
- 15 was the same day. But it doesn't -- it seems like we were
- 16 counting money for, I don't know, an hour or something. I
- 17 don't think -- I'm not really sure if that was the same
- 18 day when we went upstairs.
- 19 Q. What would you have been over there to do if you weren't
- 20 doing that? What other things would you be doing over
- 21 there?
- 22 A. To be honest, I wouldn't go over there for the reason to
- 23 have a sexual incident with Brian because I had a
- 24 girlfriend at that time.
- 25 Q. So does that make you think there was some kind of Boy
- 0172 Scout business that you were doing?
- 1 A. Yes, I was taking -- I went over there to take care of
- 2 business.
- 3 Q. And that's the money, you think?
- 4 A. Managing the money and packaging it and getting it sent
- 5 to the popcorn providers and getting profit off of it for
- 6 field trips.
- 7 Q. Did any of the other Boy Scout leaders show up there that
- 8 day to help?
- 9 A. No.
- 10 Q. So you were counting the money for about an hour and the
- 11 he took you upstairs?
- 12 A. I don't really remember if he took me upstairs at that
- 13 time.
- 14 Q. Well, when do you think that time was?
- 15 A. I'm not really sure.
- 16 Q. Do you think you were -- I think you told me a minute ago
- 17 that you think that was the first and only time you had
- 18 been in [REDACTED]'s house when [REDACTED] wasn't there.
- 19 Do you think then there was another time when [REDACTED]
- 20 wasn't there or do you think that [REDACTED] was there when
- 21 this happened?
- 22 A. There was -- I'm not really sure. I'm stumped here. But
- 23 there was -- it's just been so long, I don't really
- 24 remember. I can't really think about it.
- 25
- 0173 But it seems like -- I don't know. It's hard for me
- 1 to -- I don't have a good memory.
- 2 Q. All right. So then -- but in any event, how did he get
- 3 you upstairs? What did he say?
- 4 A. We went up there to like watch a movie. I had a movie I
- 5 brought over. There was a movie out I liked to watch
- 6

7 called American History X. Have you heard of that movie?
8 Q. No, sir.
9 A. It's about these -- well, we were like doing -- we were
10 doing -- he was showing me about it because he's Indian
11 and he really didn't really like the fact that I picked
12 out a movie like that. So was watching it to tell me
13 about it.
14 Q. And where were you watching it?
15 A. Upstairs.
16 Q. What room?
17 A. The master bedroom.
18 Q. Had you ever been in that room before?
19 A. I can't remember.
20 Q. All right. And what was Dena doing when you all went
21 upstairs?
22 A. I'm not -- I don't know if she -- oh. She was in her
23 room listening to music.
24 Q. Did she have her door closed?
25 A. I'm not sure.

0174

1 Q. But it was just the two of you up there?
2 A. Yes.
3 Q. And then what happened?
4 A. Then we were watching the movie. After it was over, he
5 said, you know, something about other races or something.
6 Because Edward Norton is one of the actors that played in
7 it and Brian was about, is about -- Edward Norton is about
8 the same age. I think he's two years younger than Brian.
9 Q. So then happened?
10 A. They didn't know each other. He asked me to -- that's
11 when the blow job happened.
12 Q. So what did he say?
13 A. I don't remember his -- I don't remember what people say.
14 I just remember what happened.
15 Q. So did he ask you if -- did he do you first or did you do
16 him first?
17 A. Me first. Then --
18 Q. He did you first?
19 A. -- I agreed to do him.
20 Q. So then did you ejaculate then?
21 A. No, no.
22 Q. In other words, did you come, is what it is.
23 A. No.
24 Q. Did he?
25 A. No.

0175

1 Q. Then how did it stop? Did Doni come home? Did Dena come
2 out? What happened?
3 A. No. He just told me like -- we decided to stop because I
4 wanted to do something else. I wanted to -- I said, "I
5 want to go get something to drink" or something. He said,
6 "we can play later." And he said. "Okay; all right."
7 Q. Then you just went downstairs?
8 A. Yes.
9 Q. Then how long after that did Doni come home?
10 A. I'm not sure.
11 Q. And then did you stay like the night or did you go back?
12 A. I went home -- I went home -- let me think. Was it a
13 Monday? No -- yes. I went home.
14 Q. Because you did not spend the night?
15 A. No.
16 Q. Did Brian take you home or did your grandparents get you?
17 A. He took me home. He took me -- I was living with my dad
18 and Beverly at that time.

19 BY MR. WALSH:

20 Let's take a break. This would be a good stopping point.

21 (OFF THE RECORD)

22 EXAMINATION RESUMED BY MR. WALSH:

23 Q. All right. So we're going to just go -- I think what
24 we've agreed to, we'll put on the record, I guess, just
25 to make sure we're all clear.

0176

1 We're going to go a few more minutes, John Doe, and
2 then we understand that you're not leaving South Carolina
3 until next Friday. And so we're going to try to finish
4 our deposition next Thursday at the offices of Nelson
5 Mullins downtown.

6 A. All right.

7 Q. And we'll get you directions and all that.

8 BY MR. WALSH:

9 Are we all agreed on that?

10 (OFF THE RECORD)

11 EXAMINATION RESUMED BY MR. WALSH:

12 Q. So we're going to try to reconvene next Thursday here in
13 Greenville. Okay, John Doe?

14 A. Yes. Yes, sir.

15 Q. So we were talking about that instance where you all were
16 watching the movie. And so after that, you think that
17 Brian took you home at some point that day?

18 A. Yes, he did take me home. But it was like -- was this --
19 let me think. This was, this was a Monday so -- I'm not
20 sure if it was Labor Day that day or not, so I'm not

21 really sure. Because I remember being over there on a
22 Labor Day. And Labor Day, you don't usually have school.

23 Q. Do you think he abused you on a Labor Day?

24 A. No, no, no. Sunday was the night before.

25 Q. But do you think it was Labor Day weekend when you were

0177

1 abused?

2 A. No, no, no. It was before that. Because Labor Day --
3 well, I went back to bed and fell asleep. I slept by
4 myself. Labor Day was the morning he took me to school
5 and nothing happened that night or. It was Sunday.

6 Q. Well, I'm just trying to figure out -- I'm confused now.
7 So did anything happen on Labor Day weekend?

8 A. I don't remember.

9 Q. Well, why does Labor Day stand out?

10 A. Oh, Labor Day weekend. I thought you meant Labor Day.
11 Yes, it did happen on Labor Day.

12 Q. The upstairs-watching-the-movie-incident happened on
13 Labor Day?

14 A. Yes.

15 Q. Well, that's the first weekend in September. That's the
16 first Monday in September, is Labor Day. Okay?

17 A. Yes. It wasn't a pornographic movie, it was just a movie
18 about American history.

19 Q. Sure. And so that's a hot time of the year in South
20 Carolina.

21 A. I'm not really sure.

22 Q. It typically is.

23 A. Okay.

24 Q. If you've been living up in New York, you've forgotten
25 how hot it is down here. It's hot.

0178

1 So do you think that that -- now that you think
2 about -- now that we have sort of a time for that
3 incident, did that happen before or after the church
4 incident?

5 A. Let me think. I'm not really sure.

6 Q. Because you had mentioned -- you said you thought it
7 might be the summer when the church incident happened.

8 A. I said I thought that because it was kind of hot.

9 Q. I understand. So after Labor Day, things typically tend
10 to cool down in The Upstate at least. And so does that
11 make you think that maybe the upstairs incident was the
12 last incident of the three?

13 A. I'm not really sure.

14 Q. All right. Now, when you had the church incident, you

15 were getting drinks and so forth and ice. What was that
16 for?

17 A. That was for us to -- we were working outside and we
18 needed some -- it was kind of warm and we needed -- we
19 were exhausted that day because we were working and
20 helping Brian with the popcorn money, putting the boxes,
21 stacking the boxes and everything.

22 So we needed the drinks to help us -- there wasn't
23 that much -- that's why Doni went shopping that day,
24 because there wasn't any drinks. We had to drink water.

25 Q. Well, I'm talking about when you went to the church and

0179

1 you went down to the creek. That's a separate incident;
2 isn't it?

3 A. Yes.

4 Q. And I thought you had said that you needed to get some
5 ice because there was something going on the next day.

6 A. No, no. We got the ice after --

7 Q. I understand. But why did you need to get the ice?

8 A. For the drinks.

9 Q. Because of what?

10 A. Because it was hot outside and we needed -- we were
11 working counting money and stacking boxes and we needed to
12 keep ourselves hydrated.

13 Q. So do you think then that the -- you also said that the
14 upstairs incident happened when you were counting money
15 for the popcorn too.

16 A. I don't recall saying that.

17 Q. So you think that when you came over there -- because you
18 said you went over there because you had money to count
19 and that's why you went over there and then went and
20 watched the movie. Do you not recall that?

21 A. No. I kind of have short-term memory.

22 Q. Why do you think you went over there then?

23 A. I went over there because Brian needed some help with
24 some things, with like counting the money and -- because
25 there was boxes -- there were like 200 different boxes in

0180

1 there in the garage. They were really hard to pick up and
2 move.

3 Q. All right. Do you think you also went over there the day
4 of, when you went to the church because you were also
5 dealing with the popcorn and the popcorn money?

6 A. Well, can you repeat that?

7 Q. Yes, sir. I think we've established that the day that
8 you went over there and went upstairs and watched the

- 9 movie, you were over there because there was work to do,
10 money to count, popcorn boxes to move?
- 11 A. Yes.
- 12 Q. Now, then I asked -- when you told me about the church,
13 you told me that you had to go get ice at the church. And
14 my question then was, "why?" And you said, well, it was
15 hot and you were moving the popcorn boxes and you needed
16 drinks.
- 17 A. Yes.
- 18 Q. Is that true?
- 19 A. Yes.
- 20 Q. So do you think then that those two incidents -- the
21 church incident and the upstairs incident -- were close in
22 time if it's all dealing with the popcorn money and the
23 moving of boxes?
- 24 A. That's pretty close in time, but I can't recall if it was
25 summer or what --
- 0181
- 1 Q. But you remember that one of those days was Labor Day
2 weekend?
- 3 A. I thought it was Labor Day weekend. It may have just
4 been a Monday. I'm not really sure.
- 5 Q. Well, if it was a Monday, you would be in school;
6 wouldn't you?
- 7 A. Yes. So it had to be Labor Day weekend.
- 8 Q. Then can we reasonably conclude that the other incident
9 was either right before Labor Day or right after Labor Day
10 because it's dealing with the popcorn?
- 11 A. Yes. Right before.
- 12 Q. You think it was right before?
- 13 A. The molestation or the. . .
- 14 Q. Well, you've got the church incident and the upstairs
15 incident; right? Two incidents there; right?
- 16 A. Right.
- 17 Q. Can we both agree that one of them happened on a Monday,
18 which was probably Labor Day weekend. Right?
- 19 A. Yes.
- 20 Q. And then the other one, we're not sure if it happened
21 before or after, but you also were helping Brian deal with
22 the popcorn and the moving of boxes. Is that right?
- 23 A. Yes.
- 24 Q. So can we conclude that they were probably close in time
25 because we're dealing with the popcorn boxes?
- 0182
- 1 A. Yes.
- 2 Q. All right. After the third incident, whether it was the

3 church or the upstairs incident, did you tell anyone about
4 it until you reported it to the school?
5 A. I told the principal. But I'm not sure if that was
6 before or after.
7 Q. So tell me how you told the principal?
8 A. We were in the cafeteria. And he was like -- well, I was
9 waiting on my bus and I was like, "hey" -- I forget what
10 his name was -- "come over here, I have to tell you
11 something. Did you hear about what happened at Brian's?"
12 "Yes. Don't go around telling anybody about it, though."
13 Q. So you said what? I'm sorry. Tell me what you said
14 before you tell me what he said?
15 A. He said -- well, I said, "did you hear what happened to
16 Brian Rhinehart?" And he said, "don't go around telling
17 everybody about that but yes."
18 Q. So what did you mean when you said, "did you hear what
19 happened to Brian Rhinehart?"
20 A. I was just -- I was just trying to let the community know
21 what happened.
22 Q. Well, how would he know if nobody was told?
23 A. Well --
24 Q. I mean, what did you expect him to hear?
25 A. Maybe he just heard it from someone else. Like his
0183
1 parents were really connected with the school.
2 Q. Whose parents?
3 A. [REDACTED] and Brian or Doni.
4 Q. So did you think that [REDACTED] or Brian or Doni would have
5 told the principal?
6 A. Yes.
7 Q. Why would you think that?
8 A. I just think that they would -- well, obviously somebody
9 or -- maybe just -- I'm not really sure if it was them or
10 somebody else, but somebody probably told them.
11 Q. Why do you say that?
12 A. Because if I were to tell him and for him to like
13 randomly know that, like the minute, the second I asked
14 him that, somebody has to, would have to have told him.
15 Q. Do you think it's possible that you mentioned it to the
16 principal after you had told the police and then you were
17 asking him, "did you hear about this?" Because it would
18 be unusual for a principal to just ignore information like
19 that if he heard it.
20 A. Yes, it would. I think -- yeah. I did tell -- I
21 remember telling the police that -- I'm not sure if it was
22 before or after I contacted the school and superintendent.

23 Q. So you think it's possible you told the principal after
24 you told the police?

25 A. Yes.

0184

1 Q. All right. So then until you told the police, you didn't
2 tell anybody anything until that time?

3 A. No, but -- no.

4 Q. So the first thing you did was you called the
5 superintendent?

6 A. Yes.

7 Q. Who is that? I mean, how do you know who that is?

8 A. Well, I'm not sure. I just dialed the -- well, I dialed
9 the operator and she said, "411, what city and state,
10 please."

11 Q. So you looked it up in the phone book?

12 A. No, I didn't look it up in the phone book.

13 Q. So why the superintendent and not somebody else?

14 A. Because I was afraid to contact the police. I wanted
15 them to do it.

16 Q. All right. Why were you afraid to contact the police?

17 A. Because he owned firearms. He didn't threaten me but
18 that kind of gave me a fear of what might happen.

19 Q. And so you called -- you got a number from information?

20 A. Yes.

21 Q. And then who did you talk with?

22 A. I forgot her name. She was some kind of, some
23 superintendent or associate or something.

24 Q. And what did you tell the superintendent?

25 A. I told her that I was molested by my scout leader. And I

0185

1 gave his name and I gave a couple of people in the troop's
2 name. And then they -- she said she would memorize those
3 names and look them up.

4 Q. So you gave them Brian Rhinehart's name?

5 A. Yes.

6 Q. Anybody else's name you gave them?

7 A. I gave -- I gave -- No. I gave him Coach Rumble -- it
8 was Coach Rumble, which was one of my resource teacher's
9 names. And I gave them -- I gave them -- those are the
10 only two people; yeah.

11 Q. Why did you give them Coach Rumble's name?

12 A. Because he was a teacher that kind of like didn't really
13 give me the supplies I needed in class.

14 Q. So why would you call the superintendent in the same call
15 with accusing Brian that you made some complaint about the
16 coach?

- 17 A. Well, it was just like a thing that -- because he
18 wouldn't really give me the help I needed. He wouldn't
19 give me -- like it was like a geometry class and we would
20 do stuff with maps and stuff. And he wouldn't let me
21 like -- I was sitting in the back of the room and I wasn't
22 able to go up at like the front of the class with like,
23 with other people that had like a white box or something
24 to copy the map on.
- 25 Q. Did you tell the superintendent why you gave him Coach
0186 Rumble's name?
- 1 A. I can't really remember.
- 2 Q. All right. Why did you want to tell the superintendent
3 about the coach?
- 4 A. Well, just -- just from the -- to talk to him or
5 something.
- 6 Q. What did you want them to say about the coach?
- 7 A. For him to give me the, like the same respect that, the
8 same opportunity as everybody else in the class.
- 9 Q. All right. So then what happened next? Did they call
10 you back at the superintendent's office or did you make
11 some other calls.
- 12 A. They didn't -- I didn't hear from them. But then the
13 detective, Detective Cantrell started -- called my dad or
14 something. And I went there for a deposition -- not a
15 deposition. An interview or investigation.
- 16 Q. Did you ever talk with your dad about these allegations
17 before you talked to the police?
- 18 A. No.
- 19 Q. Did you ever talk to your dad about these allegations
20 before you called the superintendent?
- 21 A. No.
- 22 Q. So do you think that the first time he found out about
23 the abuse allegations was when the detective called him?
- 24 A. Yes.
- 25 Q. He didn't come to you -- I'm sorry. You didn't come to
0187 him the night before you reported it and talk with him
1 about it?
- 2 A. No.
- 3 Q. All right. And so you then went down to the police
4 station? Is that the next thing that happened after the
5 detective called?
- 6 A. Yes.
- 7 Q. And who went with you?
- 8 A. My dad.
- 9
- 10

- 11 Q. And what happened down there then?
12 A. They just -- they questioned -- I don't really remember
13 the whole thing. But they like were asking me questions
14 like, "do you think if Brian gave a lie detector test,
15 would he pass it or fail it?" And I said "fail it."
16 Q. Did they offer to give you a lie detector test?
17 A. No.
18 Q. If you had taken a lie detector test, would you have
19 passed it or failed it?
20 A. Probably passed it. I would have passed it.
21 Q. You're not sure?
22 A. I think -- I'm pretty sure I would because I would
23 probably get a really high score on it.
24 Q. Why do you think that?
25 A. Because it depends on what kind of questions they asked
0188
1 me.
2 Q. What kind of questions do you think you would get a bad
3 score on?
4 A. Well, I'm not really -- I think that the only bad score I
5 would get is them asking me questions like about Labor Day
6 or something like that. Because I wasn't sure if that was
7 Labor Day or what weekend.
8 Q. Did you ever talk to Brian Rhinehart after the police got
9 involved?
10 A. No.
11 Q. Did you ever talk to [REDACTED] about what was going on once
12 you reported it to the police?
13 A. Uh-huh (affirmative response).
14 Q. That's a "no?"
15 A. Wait a minute. Wait a minute. He talked to me in class.
16 He said, "you managed to get yourself kicked out of
17 scouts. I'm not talking to you."
18 Q. Then what did you say?
19 A. I said, well -- I don't really remember.
20 Q. And have you ever spoken to him other than then? That's
21 the last time?
22 A. I haven't seen him in -- I haven't heard from him since
23 that happened.
24 Q. So is that the last time you actually saw [REDACTED]?
25 A. Well, not that particular time. Like after our school
0189
1 year was over, he moved -- him and his mom moved to
2 Anderson, South Carolina and I haven't heard from him.
3 Q. Well, this was in October when it was reported, according
4 to the police report. Does that sound right?

- 5 A. I don't really know what the date was.
6 Q. And then you would have been in school with him for some
7 period of time after that?
8 A. No, no, no.
9 Q. Or did he move immediately?
10 A. He moved like immediately after the school year was over.
11 Q. Okay. But then he would have been in school for
12 November, December, January, February, March, April.
13 Right?
14 A. What was the date?
15 Q. You reported it in October.
16 A. Yes.
17 Q. So you were together in school the rest of the year.
18 A. Yes. But after that, I moved to -- I went to the high
19 school to a special education class.
20 Q. So after you reported it, were you and [REDACTED] still
21 remained friends during the period you were in school
22 together?
23 A. We didn't talk much.
24 Q. Did you talk at all about --
25 A. No.
0190
1 Q. -- the allegations?
2 A. No. I didn't even call him.
3 Q. Did he ever tell you that he was abused by Brian?
4 A. No. But he -- when I asked him something, I said, "well,
5 so how's your relationship with your dad?" He said,
6 "Brian isn't my dad. My real father is dead," because his
7 real dad died, his biological father.
8 Q. Why did you ask him about that?
9 A. I was always wanting to know, you know, how things have
10 been going.
11 Q. Was this during the school year after you had reported
12 the abuse or sometime later than that?
13 A. It was like -- I'm not really sure.
14 Q. At some point, you said you were present in a courtroom
15 with your dad and you saw this letter.
16 A. No. I saw the -- well, yes. I saw the copyrighted
17 letter, the one he printed out because he couldn't find
18 the other one.
19 Q. Well, if he couldn't find the other one, how did he copy
20 it?
21 A. You know, I'm not really sure. I think he may have
22 hacked into some of the computers of the Boy Scouts
23 because -- or somebody must have gave him another copy.
24 I'm not really sure how he got it.

25 Q. A computer hacker?

0191

1 A. I'm not -- he's good with computers, but I'm not really
2 sure how -- maybe a friend gave it to him. But it looked
3 just like the letter that they sent.

4 Q. You saw the first letter that day it was at your house?

5 A. Yes.

6 Q. And then it looked like the same letter later?

7 A. Yes.

8 Q. Now, when you were in the courtroom, was this having
9 anything to do with the Brian Rhinehart and his charges or
10 was this for something else?

11 A. That was -- I'm not sure if that was a hearing or -- I'm
12 not sure what that was. But it seems like it would be for
13 his charges because he got criminal charges -- first, my
14 dad told me when a lawyer called -- when somebody called
15 and said he was in jail, they told me about it.

16 Q. Well, back in the spring of this year, there was a
17 hearing for you and whether, if you should have a guardian
18 appointed for you. Do you remember that?

19 A. Yes. That was like before, when I came here to get
20 evaluated.

21 Q. Do you think that's when you saw the letter again?

22 A. No, no, no. I haven't seen the letter in a while.

23 Q. You think there was another time you were in court other
24 than the time you got evaluated?

25 A. Well, there's a letter here I saw.

0192

1 Q. Here where?

2 A. Mr. Jeffcoat showed me.

3 Q. What did you see?

4 A. The same letter that was in the courtroom.

5 Q. When did you see that letter?

6 A. Before the hearing started.

7 Q. Well, when did you see it? You saw it today?

8 A. Yes.

9 Q. Was it this morning before we started or sometime today,
10 in the middle of the day?

11 A. This morning.

12 Q. Before we started?

13 A. Yes.

14 Q. All right. And what else did you look at? Any other
15 documents?

16 A. No. Well, I didn't look at -- I had his permission to
17 look at it. I don't look through people's stuff.

18 Q. I'm not saying you did. I'm just asking if you looked at

- 19 any other documents besides that letter.
20 A. No.
21 Q. So why did you come back in the spring to be evaluated?
22 A. Well, I'm not really sure if it -- what the date was.
23 But it was, seems like it was almost a year ago when I got
24 evaluated to see if I was capable of giving a deposition.
25 Q. Did you think you were?
0193
1 A. I knew I was.
2 Q. Did somebody think that you weren't?
3 A. Apparently.
4 Q. Do you know who that was?
5 A. No.
6 Q. What did they do in the evaluation?
7 A. They just asked me questions like how I feel. They
8 didn't -- they didn't really say anything like -- I'm not
9 really sure if -- when they evaluated me, they just asked
10 me questions like, "how did you feel? Do you feel like
11 you're going to hurt yourself? Are you angry? Do you
12 hear voices?" Stuff that doesn't really mean anything.
13 Q. All right. Do you understand that you have a guardian
14 appointed for you?
15 A. Yes.
16 Q. Who is that?
17 A. Jane Doe.
18 Q. Do you know why you have a guardian appointed?
19 A. Here or. . .
20 Q. At all. Do you know why you have a guardian appointed?
21 A. Well, because there's a belief that I'm not able to take
22 care of myself. But that can change like -- this is a
23 fictional story, but Forest Gump joined the -- was a
24 veteran.
25 Q. Pretty good ping-pong player too.
0194
1 A. Yeah.
2 Q. Do you think you need a guardian?
3 A. Well, to be in here just to have one.
4 Q. Just in general, do you think you need to have a guardian
5 to live your life?
6 A. Not -- no. I can take care of myself. At this point --
7 maybe when I was younger but not at this point.
8 Q. Do you get any kind of support like money from Jane Doe?
9 A. That's it.
10 Q. Does Jane Doe send you money?
11 A. Yes. She takes care of me.
12 Q. What does she give you?

13 A. Well, birthday money, food, gifts.
14 Q. So but do you get like a monthly check to support
15 yourself?
16 A. No, no. The government gives me that.
17 Q. So other than like gifts and things, you get your money
18 to live from the government?
19 A. Yes.
20 BY MR. WALSH:
21 All right. Well, I think this is probably a good place
22 to stop if we all agree.
23 BY MR. PHILLIPS:
24 Thank you for accommodating me.
25 BY MR. RHENEY:
0195
1 Let me throw in, since we're continuing the deposition
2 for a week, you can't speak to him about the deposition
3 over the course of the next week.
4 BY JANE DOE:
5 We understand.
6 BY MR. RHENEY:
7 I just want to make sure everybody knows that.
8 EXAMINATION RESUMED BY MR. WALSH:
9 Q. And just to illuminate on that a little bit, I'm going to
10 ask you when we reconvene if you've talked to anybody
11 about it. So if you do talk about it, we're going to ask
12 about it and want to know what you said. Okay?
13 A. I'm not going -- I'm sure not going to talk to my friends
14 about it.
15 Q. Well, that includes your family.
16 A. All right.
17 Q. Thank you, sir. We'll see you next week.
18 (THERE BEING NOTHING FURTHER AT THIS TIME, THE DEPOSITION WAS
19 ADJOURNED AT APPROXIMATELY 4:35 P.M.)
20
21
22
23
24
25

0196

1

CERTIFICATE

2

This is to certify that the foregoing deposition of JOHN
DOE (Volume I) was taken by the within court reporter for the
3 state of South Carolina, duly commissioned and qualified as
such, on the 27th day of January, 2012, at the law offices of
4 Clarkson, Walsh, Terrell & Coulter, P.A., P.O. Box 6728,

0001

1 State of South Carolina
In The Court of Common Pleas
2 County of Spartanburg
3 JANE DOE, as Guardian for
JOHN DOE,
4
Plaintiff,
5
vs. C.A. No.: 2010-CP-42-2349

6 BOY SCOUT TROOP 292, SPARTANBURG, SC,
7 PALMETTO COUNCIL OF THE BOY SCOUTS OF
AMERICA, ST. MARGARET'S EPISCOPAL
8 CHURCH, SHELBY CULBRETH, JACKIE LAFONTAINE,
BRANDON SMITH, ROB GREEN, ROY COLE, BOB
9 FAULKS, AND SCOTT O'NEILL,
10 Defendants.

11 JANE DOE, as Guardian for
JOHN DOE,
12
Plaintiff,

13 vs. C.A. No.: 2010-CP-42-2350
14 DONI RHINEHART,
15
Defendant.

16
17
18
19 Deposition of
20 JOHN DOE (Volume II)
21

22 Pursuant to notice of deposition and/or agreement in the
23 above entitled case, a deposition was taken on the 2nd day of
24 February, 2012, commencing at approximately 10:00 a.m.,
25 attended as follows:

0002

1 APPEARANCES:
2 MICHAEL R. JEFFCOAT, Esquire
The Michael Jeffcoat Firm
3 4723-A Sunset Boulevard
Lexington, South Carolina 29072,
4
On Behalf of the Plaintiff;
5
JAMES P. WALSH, Esquire
6 Clarkson, Walsh, Terrell & Coulter, P.A.
P.O. Box 6728
7 Greenville, South Carolina 29606,
8 On Behalf of Doni Rhinehart;
9 G. MARK PHILLIPS, Esquire

10 Nelson Mullins Riley & Scarborough, LLP
Liberty Center/6th Floor
151 Meeting Street
11 Charleston, South Carolina 29402-2239,
12 On Behalf of Boy Scout Troop 292, et al.
13 NICK FARR, Esquire
Gallivan, White & Boyd, P.A.
14 55 Beattie Place, Suite 1200
Greenville, South Carolina 29603,
15
On Behalf of Shelby Culbreath.

16 ALSO ATTENDING: JANE DOE

17 [REDACTED]
18 DEPOSITION REPORTED BY: BARBARA L. GILL
Certified Court Reporter
19 Depositions And..., Inc.
P.O. Box 10268
20 Greenville, South Carolina 29603
(864) 235-3518

21
22 The attached 236 pages of testimony of JOHN DOE, Volume
II, in the above matter is the work product of Depositions
23 and..., Inc., and not to be copied or utilized in any manner
without the express written authorization of Depositions
24 and..., Inc.
25

0003

1	INDEX	PAGE
2		
3	Examination by Mr. Walsh.....	4
4	Examination by Mr. Phillips.....	101
5	Re-Examination by Mr. Walsh.....	204
6	Examination by Mr. Jeffcoat.....	211
7	Re-Examination by Mr. Phillips.....	233
8	Certificate of Notary Public.....	237
9	EXHIBIT: (Attached to Deposition)	
10	Defendant's Exhibit No. 1 Marked.....	211

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
0004

1 Pursuant to notice and/or agreement to take depositions,
2 the within deposition was taken by Barbara L. Gill, Certified
3 Court Reporter, a Notary Public, as required under South
4 Carolina Court Rule 30, et al., by consent of all parties at
5 the law offices of Nelson Mullins Riley & Scarborough, LLP,
6 Poinsett Plaza, 9th Floor, Greenville, South Carolina.

7 WAIVER:

8 It is not agreed by counsel for all parties that the
9 reading over of and signing of the deposition by the witness
10 are waived.

11 It is not agreed by the witness that the reading over of
12 and signing of the deposition are waived.

13 ** ** ** **

14 The deponent was duly sworn to tell the truth, the whole
15 truth, and nothing but the truth of his own knowledge
16 concerning the matter herein.

17 JOHN DOE, being duly sworn, testified as follows:

18 EXAMINATION BY MR. WALSH:

19 Q. John Doe, good morning?

20 A. Good morning.

21 Q. Appreciate your coming back for the second day of your
22 deposition. You remember last week, we were asking
23 questions about Mr. Rhinehart and the Boy Scouts and all
24 that sort of stuff; right?

25 A. Yes.

0005

1 Q. And I want to just sort of pick up from where I left off
2 the other day. I kind of have an idea of where I was but
3 we may cover some of the stuff twice but I'll try not to
4 do that but it's possible that we will.

5 And then Mr. Phillips is going to probably ask you
6 some questions as well. So probably most of today will be
7 him more than me, but I've still got some stuff I was
8 going to ask you about.

9 So as the court reporter indicated, you're still
10 under oath. Do you understand that?

11 A. Yes.

12 Q. And that obviously means you're here to tell the truth;
13 right?

14 A. Yes.

15 Q. All right. So the first thing I wanted to ask you was:
16 In the time from the last deposition until now, is there
17 anything that you think you may have told me that you want
18 to change or correct?

19 A. No. No, sir.

20 Q. And since we left that deposition, have you talked with
21 anybody about your deposition testimony?

22 A. No. I haven't even told my friends about it.

23 Q. Have you been on Facebook at all talking about it?

24 A. No.

25 Q. Have you talked to your dad, [REDACTED], about it?

0006

1 A. Well, in the past I have but not since we, I gave the
2 deposition.

3 Q. Did anybody like [REDACTED] or any of your friends ask you
4 what happened that day? The day of the deposition, how it
5 was?
6 A. Not since I came from the deposition last week. But in
7 the past, a couple of them have.
8 Q. So were any of them curious after you had your deposition
9 last week about what went on?
10 A. No. They didn't know about it.
11 Q. What about [REDACTED]? He knew you were coming in for the
12 deposition; didn't he?
13 A. Yeah. He knew but I haven't talked with him in like two
14 months.
15 Q. And talking would mean Facebooking too?
16 A. Yeah. He has like a -- I gave him my number and he
17 called me and he consolidated a little bit. But we
18 haven't -- I haven't seen him in like two months or --
19 excuse me. I haven't talked to him in two months. I
20 haven't seen him in like five years.
21 Q. You haven't seen him in five years?
22 A. No. Wait a minute. I stand corrected. I wasn't really
23 sure. I saw him in 2006 at a court hearing, so that would
24 be about six years ago.
25 Q. And was that court hearing having to do with your

0007

1 custody? Who had custody of you?
2 A. Yes.
3 Q. And that's when your grandparents got custody?
4 A. Yes.
5 Q. And he was at the hearing?
6 A. Yes. And they were like -- I'm not badmouthing them, I'm
7 just saying they said he should like get like, take
8 parenting classes or go to like -- get evaluated because
9 he had drug problems in the past.
10 Q. What kind of drugs did he take?
11 A. I don't know. That's the thing. I didn't really -- I've
12 never seen him do drugs. He was like -- he's a very
13 private person, you know, very. . .
14 Q. He would keep that to himself?
15 A. Yes.
16 Q. So you haven't seen him but you've had Facebook
17 communication with him?
18 A. Yes.
19 Q. And since your deposition, have you and he Facebooked?
20 A. No.
21 Q. Do you have access to Facebook at your grandparents?
22 A. Well, not currently, I don't. Because I had one on my --
23 I had a cell phone that had Facebook on it. But the time,
24 I have to pay my bill so I haven't had access to Facebook
25 in like over three weeks.

0008

1 Q. Okay. What happened to your phone? It was taken away or
2 disconnected?
3 A. No. It wasn't taken away. It was -- yes, it was
4 disconnected but it wasn't taken away.

5 Q. Because you didn't pay your bill?
6 A. Yes.
7 Q. Who was paying it before? Like did you pay it?
8 A. Yeah.
9 Q. Where would you get the money for that?
10 A. Well, I get like a -- I live at Family Services and I
11 would get like a monthly check. And I would pay it with
12 that.
13 Q. Then how come you didn't pay it this last time?
14 A. Well, I didn't -- you know, I didn't have the money
15 because I had to buy other stuff with it, clothes and
16 stuff.
17 Q. So your phone was like -- it was suspended from working
18 for a while or --
19 A. It wasn't really suspended. It was just -- I couldn't
20 afford to make the payments so, you know, it was just cut
21 off.
22 Q. Did you still have the phone?
23 A. Yeah.
24 Q. So you could pay up and get the phone back if you wanted
25 to?

0009

1 A. Yes.
2 Q. All right. And did you talk with your grandparents at
3 all about your deposition between the two times?
4 A. Uh-uh (negative response).
5 Q. Is that "no?"
6 A. Well, my grandpa did say -- we were upstairs and he kind
7 of like said, "do you know about that?" And my grandma
8 told him to be quiet, we're not supposed to talk about
9 that. Because she's really good -- she's really good
10 at -- he listens to whatever she tells him to do.
11 Q. That's the secret of a good marriage.
12 A. Yeah.
13 Q. So you've been staying with them since you've been back
14 to South Carolina?
15 A. Yes.
16 Q. When are you planning on leaving?
17 A. Whenever, you know, this is over with. I was planing --
18 my grandma was going to call my mom [REDACTED] and she was
19 going to come pick me up. But she's -- she was going to
20 come pick me up.
21 But now that we might have to stay another week, I'm
22 not really sure how this is going to work. But I'm
23 willing to wait as long as it takes, you know.
24 Q. And then you think [REDACTED] is going to come back and pick
25 you up?

0010

1 A. Yes.
2 Q. Did she drive you down?
3 A. Yes. Well, she was with her -- her landlord John
4 [REDACTED] (phonetic) had an SUV that he took us down with.
5 Q. All right. And they're going to at some point come back
6 and get you?

7 A. Yes.
8 Q. Do you still plan on going back to York to live?
9 A. Yes.
10 Q. Do you know anymore about your status at the group home?
11 You said that there was some issue with maybe them
12 thinking you had taken something and that they were
13 talking about maybe you having to leave. Have you heard
14 anything more about that?
15 A. Well, I haven't really heard anything about that but --
16 well, because Nancy did say like -- my roommate told me
17 she gave me a 30-day notice but she never did tell me that
18 and I don't know if it's true or not. But that's just
19 what he told me, you know.
20 I don't believe in stealing. They're just assuming
21 I took something but now they're believing that I probably
22 didn't take anything.
23 Q. All right. So now I think where we were talking was, I
24 had asked you about the instance that Brian Rhinehart had
25 touched you and abused you. Do you recall that?

0011

1 A. Yes.
2 Q. And I think you remembered three instances. Do you
3 recall that? Do you remember us talking about that --
4 A. I don't remember.
5 Q. -- that you had mentioned that there were three? Does
6 that ring a bell?
7 A. I can't -- I have short-term memory and I can't really
8 remember.
9 Q. Well, how many times do you think Brian did touch you
10 sexually?
11 A. Well, I can't really put a number on it. But I remember
12 it was down by the church, behind the river at the church,
13 at St. Margaret's Church a few times. But I'm not really
14 sure how many times it was because I can't really put a
15 number on it. It wasn't that many. It was a couple; more
16 than one, more than two.
17 Q. Did any of the abuse happen anywhere else?
18 A. Yes.
19 Q. Where else did it happen?
20 A. Upstairs and in [REDACTED]'s bedroom.
21 Q. Now, when we talked the last time, you had given me three
22 different times: Once at the church by the creek, once in
23 [REDACTED]'s bedroom and once upstairs in [REDACTED]'s house. Do
24 you think it was more than that?
25 A. I'm not really sure. I'd have to like give my mind like

0012

1 a check and rethink things.
2 Q. Do you think that whatever you would have told the police
3 would have been, then back when it happened would have
4 been the most accurate version of what happened?
5 A. Accurate?
6 Q. Yeah. That would have been the most truthful or the
7 closest to what really happened was back when you told the
8 police?

- 9 A. Yes, because that's been like six years ago.
- 10 Q. All right. And so one of the things that I think we were
- 11 talking about then was what made you decide to report
- 12 Brian at the time that you did. What do you recall -- you
- 13 told me that you had called a school superintendent.
- 14 A. Yes.
- 15 Q. And then you went to who? Some school administrator in
- 16 the school office?
- 17 A. Well, it was -- I called the superintendent and then I --
- 18 I called some lady superintendent, they put me on. And I
- 19 told her what the names of a couple of people that were
- 20 giving me a hard time, and Brian was one of them.
- 21 He wasn't -- some people at school were like --
- 22 that's past. I don't --
- 23 Q. But I think you mentioned you had a complaint about Brian
- 24 Rhinehart and also had a complaint against a coach.
- 25 A. Yes.
- 0013
- 1 Q. And then what did the school tell you when you made the
- 2 complaint against the coach and against Brian Rhinehart?
- 3 A. They told me that they were going to look into it and
- 4 just to wait it out and maybe just to try push on through
- 5 and they were going to get me, like transfer me to a
- 6 different school.
- 7 Q. That was Coach Rumble?
- 8 A. Yes.
- 9 Q. So then what -- then at some point, though, the police
- 10 contacted you; is that right?
- 11 A. Yes.
- 12 Q. So how much time went by from the time that you called
- 13 and complained about Brian Rhinehart and Coach Rumble
- 14 until the officer contacted you?
- 15 A. A few days.
- 16 Q. All right. Was that Detective Cantrell?
- 17 A. Yes, yes.
- 18 Q. And what did Detective Cantrell tell you?
- 19 A. Well, I can't really remember. She did -- I do remember
- 20 this: She discussed with me, "do you think if Brian
- 21 Rhinehart took a lie detector test, would he pass it or
- 22 fail it?" And I said "fail it."
- 23 That's been so long, I can't remember. I do
- 24 remember Detective Cantrell, though.
- 25 Q. And so did you ever have any conversations with Brian
- 0014
- 1 Rhinehart after you reported it?
- 2 A. No. I wouldn't even call him because I was just -- I
- 3 kind of had a fear, I had a fear of him because he was --
- 4 I think he was, he used to be in law enforcement. He
- 5 owned several firearms.
- 6 Q. Did he ever try to contact you after you reported him?
- 7 A. Uh-uh (negative response).
- 8 Q. Is that "no?"
- 9 A. "No."
- 10 Q. Remember, you have to give me a verbal answer.

11 A. No, no, no.
12 Q. Okay. After you reported Brian, did you ever speak with
13 [REDACTED] about reporting him?
14 A. Yes, I mentioned it. We were -- it was first period at
15 Boiling Springs High School -- Junior High -- ninth-grade
16 campus. And he said, "I'm not talking to you. You got
17 yourself kicked out of scouts for ratting, for telling a
18 lie on my dad." I was like, "Brian's not your dad, he's
19 your step-dad. Your real father is dead and what he did
20 was wrong." And he said -- after that, the police
21 questioned him. And then for some reason, he told on him.
22 Q. What do you understand he told the police?
23 A. He didn't tell me. All I know is I remember my grandma
24 telling me that [REDACTED] blew the whistle on his father.
25 That doesn't sound like him; I mean, if he's like getting

0015

1 upset with me in class, why would he -- that just doesn't
2 make sense. That's just what I'm saying.
3 Q. Did you tell the police that Brian had touched [REDACTED] in
4 your presence?
5 A. Yes. I told Detective Cantrell that.
6 Q. So do you think that that's how the police knew to talk
7 to [REDACTED]?
8 A. Yes.
9 Q. Or do you think that [REDACTED] went to the police on his
10 own?
11 A. No. They questioned him in the school.
12 Q. They questioned [REDACTED]?
13 A. Yes.
14 Q. Were you present when he was questioned?
15 A. No, I wasn't there. I was like -- I was -- I just
16 remember being in class and like a student walking up to
17 the room -- and you know how students walk up and say,
18 "[REDACTED], [REDACTED], please come to the office" or something
19 or whatever. And then he went in the class and they
20 questioned him, is what my grandma told me.
21 Because Doni Rhinehart and my grandma were like
22 pretty good friends back then.
23 Q. They were not good friends after that?
24 A. Yes.
25 Q. Do you know that Doni has passed away?

0016

1 A. Yes.
2 Q. How did you find out about that?
3 A. My grandma told me. She had breast cancer or something.
4 Q. Right. Did you that she was sick like back then when you
5 were in high school?
6 A. No.
7 Q. Did you know that she had been sick when you found out
8 she had passed away?
9 A. I knew that then.
10 Q. You knew that she had been sick back then?
11 A. Yes.
12 Q. How did you know that?

- 13 A. I didn't know that -- excuse me. I didn't know that -- I
14 got off -- I didn't know back then but I knew that now.
15 Q. So when she passed away, had you known she had been sick
16 then when she passed away or is that when you found out
17 she had been sick?
18 A. When she passed away, then I found out she had been sick.
19 Q. So all the time you knew her, you never knew her to be
20 sick?
21 A. Well, in the past I've known her -- for many years, I
22 didn't know she had -- she seemed like a really healthy
23 person.
24 Q. Was she nice to you?
25 A. She was really -- Doni's really nice; yes. Very caring,
0017 very supportive.
1 Q. Did she take care of her kids good, that you could tell?
2 A. Yes.
3 Q. And so did you ever speak with Doni after you reported
4 Brian?
5 A. No. I wouldn't -- I wouldn't go there. I wouldn't
6 just -- she would be -- you know, after an experience like
7 that, you don't contact somebody's wife or somebody.
8 That's just something that would be obnoxious.
9 But she did call my grandma before she died to tell
10 her that she was thankful for me telling on him. Because
11 she said [REDACTED] Rhinehart would have never told because
12 was -- he had fear of Brian.
13 Q. And he lived in the same house with him; right?
14 A. Yes. She called about two years ago or something. I
15 remember the conversation on the phone.
16 Q. You were present when she called?
17 A. Yes.
18 Q. So Doni called -- did you answer the phone?
19 A. No. My grandma answered the phone.
20 Q. But you were sitting there listening?
21 A. Well, I was listening for a while. But she said, "hello
22 Doni," and then I left the room.
23 Q. So did your grandmother tell you that Doni said that she
24 was thankful that you reported it?
25
0018
1 A. Yes.
2 Q. Because [REDACTED] never would have?
3 A. Yes.
4 Q. What did your grandmother say?
5 A. She said she was thankful for me doing that, for
6 reporting Brian. Because looking back on it now, if I
7 hadn't done that, who knows what could have happened, you
8 know.
9 I didn't -- I probably wouldn't have even have done
10 it. But now I realize that since I did turn him in, you
11 know, who knows what he could have done. He could have
12 killed somebody.
13 Q. So did it make you feel good that Doni had told your
14 grandma that she was thankful that you had done that?

- 15 A. Yes.
- 16 Q. Do you blame Doni for anything that's happened to you?
- 17 A. No. I like Doni.
- 18 Q. Have you had any communication with Brian Rhinehart --
- 19 not just necessarily calling, but has he written you or
- 20 sent you an e-mail or a text or anything since you
- 21 reported him?
- 22 A. Uh-uh (negative response).
- 23 Q. That's "no?"
- 24 A. "No, no." Sorry.
- 25 Q. Well, he was eventually charged with some crimes. Do you
- 0019 understand that?
- 1 A. Yes.
- 2 Q. Okay. Were you present at any of the hearings that he
- 3 had?
- 4 A. Well, I remember -- I remember showing up at a court,
- 5 some kind of hearing or something in Spartanburg when I
- 6 saw Doni about six years ago. But I remember him not
- 7 being there.
- 8 He was like -- he must have been in shackles or --
- 9 he wasn't even in jail at the time. He was like -- he was
- 10 on -- he had paid bail and got out before he went to
- 11 prison.
- 12 Q. After you reported the abuse and then [REDACTED] reported it
- 13 and Brian got arrested, did [REDACTED] and Doni move? Do you
- 14 know?
- 15 A. Yes. They moved to Anderson, South Carolina.
- 16 Q. Do you know why they moved?
- 17 A. Because I just -- well, it was on News Channel Seven so I
- 18 was all -- it was all over town. So that's -- they wanted
- 19 to move because of what -- his father was on the news so
- 20 they didn't want to have to deal with the rumors.
- 21 Q. So do you know where Brian went to live when he was out
- 22 on bail? Did he go to Anderson or did he stay over in
- 23 Spartanburg?
- 24 A. You know, I don't know. I don't know, to be honest.
- 0020 Q. And I may have asked you this. But since you had that
- 1 conversation with [REDACTED] in the classroom about him
- 2 talking to you about why did you do this and get kicked
- 3 out of scouts, have you had anymore conversation with him
- 4 ever again?
- 5 A. No.
- 6 Q. You guys haven't talked on the phone or anything?
- 7 A. No. I've tried looking them up on Facebook, but I
- 8 couldn't -- I found like something that said Dena
- 9 Rhinehart and [REDACTED] [REDACTED] But their Facebooks had
- 10 like a block on it -- not a block.
- 11 Like you send them a message saying you'll refer
- 12 them, if he would know you -- you know have some people
- 13 have Facebooks will have like a white face or whatever.
- 14 Q. Right. Do you know if [REDACTED] has Facebook or ever did?
- 15 A. I don't know for sure, because when I looked up -- it
- 16

17 could be a different [REDACTED] or a different Dena.
18 All I remember is typing it in and something coming up
19 that said Facebook, Dena Rhinehart and [REDACTED]
20 But it didn't have a picture on it, it just had a blank
21 thing. You know what I'm talking about?

22 Q. Yes, I do. It's like blocked for security. You can't
23 see the person's face.

24 A. Yeah.

25 Q. All right. So then, I guess, Detective Cantrell

0021

1 interviewed you and asked you about the lie detector test;
2 right?

3 A. Yes.

4 Q. Did you ever talk to the police again after that? Did
5 they come back and interview you some more?

6 A. Well, I can't -- I can't remember. But I do remember
7 this: I do remember -- my grandparents told me Brian gave
8 them a dirty look and they saw him when he was on bail out
9 like in Lowe's or something, like Lowe's home improvement
10 warehouse. But then they walked away or something.

11 Because they mentioned they saw him at a distance at
12 some store at Lowe's and him giving them a dirty look.

13 Q. Did you ever talk to any other officers beside Cantrell,
14 do you think?

15 A. No.

16 Q. Now, did you ever talk with your dad [REDACTED] about all
17 this? Like before you moved away; I mean, as it was going
18 on, did you tell him what was going on? Did he ask you,
19 you know, "what did you the tell the police? What are
20 they doing?" Did you guys talk about that at all?

21 A. Yes, but I didn't really -- I was -- I didn't -- my dad
22 would probably have been -- not upset-upset with me. But
23 I called the school first and then the detective came to
24 me -- wait a minute.

25 I called the detective and they sent me a letter to

0022

1 my house after I turned him in. And it -- do you remember
2 that letter I was telling you about?

3 Q. Yes, sir.

4 A. That's how my dad found out about it. Because they sent
5 a letter to the house telling me they're kicking me out.
6 Then I told him what happened and he said, "we're going to
7 call --" excuse my language. "We're going to have that
8 SOB arrested."

9 Q. So you think the letter came before he was arrested?

10 A. No, no. It came -- yes, it came before. Because they
11 kicked me out because he was so respected in the
12 community, nobody believed me. But then [REDACTED] told on
13 him. Because -- I don't know. Maybe it came out when
14 they were questioning him.

15 Q. Is it possible that you told your dad before you reported
16 Brian and you asked him first what to do? Could or do you
17 think that's not possible?

18 A. I didn't do that.

- 19 Q. All right. Did you ever read the police file on the
20 investigation of this whole thing?
- 21 A. No.
- 22 Q. Has anybody ever showed you those documents? There's
23 reports the officers have done, there's statements people
24 have told? Anything like that?
- 25 A. No, but I would like to. Do you have it?
- 0023
- 1 Q. Yeah. But I think your attorney has it and you can talk
2 with him about that. I'm just curious if you had.
- 3 A. Uh-uh (negative response).
- 4 Q. You don't recall ever reading that stuff?
- 5 A. No.
- 6 Q. All right. It looks like, according to the police
7 report, that an officer came, an Officer Gist came to your
8 house, [REDACTED]'s house, where you were staying.
- 9 A. Yes.
- 10 Q. Do you remember an officer coming to your house?
- 11 A. Male or female?
- 12 Q. I'm not certain. It's just S.L. Gist.
- 13 A. I remember a female officer coming to the house.
- 14 Q. I think Cantrell is female.
- 15 A. Yes. But there was another female that came to the house
16 a while back, but I'm not sure when it was. She was like
17 just asking some questions about something.
- 18 Q. And on that day that that officer came, had there been
19 some sort of a -- had you claimed that Beverly had
20 assaulted you at that time and had given them a story that
21 she had somehow -- when she was trying to wake you up for
22 school, she did something to assault you? Do you remember
23 saying that to the officer?
- 24 A. You know, I don't remember her ever hitting me or
25 anything. But in the past, I think she's struck me a
- 0024
- 1 couple of times before. But it happened recently, but I
2 don't remember her ever doing that when I was going to
3 school. I remember her pouring water on my face one time.
- 4 Q. Well, according to the report, it said that when they got
5 to your house, you reported that your mother had assaulted
6 you when she tried to awaken you that morning to get up
7 for school, which you refused to do.
- 8 A. Oh. I couldn't remember that. Now I remember it. It
9 was an African-American officer that came -- yes, I
10 remember that, I remember that. I just couldn't remember
11 it because it's been so long, but it came back to me.
- 12 Q. So did you tell the officer that Beverly had done
13 something to assault you that morning?
- 14 A. Yes.
- 15 Q. Had she?
- 16 A. Yes. But after she left -- this is what happened. A
17 while back -- this is what happened. I wouldn't go to --
18 I was having trouble going to sleep at night. It was like
19 early in the morning like 5:00 and I was up until 6:00.
20 And after that, she took like a pocket knife and was

21 chasing me. But she didn't, had no intention of hurting
22 me. She was just trying to scare me so I would go to
23 sleep. She said, "go back to bed or I'm going to stab
24 you, John Doe."

25 But I didn't think she meant that. She didn't mean

0025

1 that like very, like she was trying to hurt me, just to
2 control me like I would go to sleep. She's a good
3 Christian woman.

4 Q. So did you tell the officer that she had assaulted you?

5 A. I don't recall -- well, I don't remember. I don't
6 remember.

7 Q. And then the report indicates that [REDACTED] said that you
8 weren't assaulted and there was no such incident like
9 that. Did he say that to the officer?

10 A. Yes. Because they were in the -- they were in the
11 bedroom. She was asking questions -- she filled out a
12 restraining order or something -- I don't know what it was
13 and but she said -- and the officer said I was confused.

14 Q. And then the report says that you indicated that Brian
15 Rhinehart had touched you improperly and also had
16 improperly touched [REDACTED]. Do you recall telling the
17 officer that?

18 A. Yes.

19 Q. Then the report says that the father, [REDACTED], reported
20 that his son has lied repeatedly in the past but never
21 lied to this magnitude.

22 A. What does "magnitude" mean?

23 Q. Like to this significance or degree, like you've lied
24 about maybe smaller things but never made a story up that
25 somebody was doing something like this. Because you would

0026

1 agree that if you accused somebody of sexually abusing
2 you, that's a serious charge. Right?

3 A. Yes, but it did happen.

4 Q. Right. And so the report says that he said that you had
5 lied repeatedly in the past but never a lie of this
6 magnitude, meaning never something so big. Do you recall
7 him saying that to the officer?

8 A. No, I don't remember him like saying that. It's been so
9 long. All I remember her doing is coming in and telling
10 me like to be more respectful to my parents. And I agreed
11 that I should be more respectful.

12 But I was good kid. I just didn't really -- I
13 didn't have any chores to do, you know.

14 Q. Did your dad -- once you made the allegations against
15 Brian, did he question you as to whether it was true or
16 not? Did he ask you like, and say, "now, John Doe, are
17 you sure? This is serious. Did it really happen?" That
18 kind of thing?

19 A. I remember him saying, telling me something like that,
20 telling me that when we were -- here's what I remember him
21 saying.

22 I was afraid to go to sleep one night because I had

- 23 a fear that he was trying to get me because he owns -- he
24 owned a few firearms --
25 Q. Are you talking about [REDACTED]?
0027
1 A. No, not my dad. My dad, he was in the National Guard but
2 he didn't believe in owning guns.
3 Q. So do you remember -- he says in a report that he gave
4 [REDACTED] that he questioned you repeatedly concerning your
5 claim and whether it was true. Did he do that?
6 A. I don't remember.
7 Q. Now, he says that you had made a statement, "I know how
8 to handle adults." Do you ever remember saying something
9 like that?
10 A. I don't -- I wouldn't make a statement like that
11 because -- unless -- I would make -- that wouldn't be
12 something I would say because adults have their own,
13 have -- or grown individuals.
14 I can't really, you know, tell them what to do.
15 That's their business.
16 Q. He says in his report, "he --" being you, "claimed
17 recently that his stepmother assaulted him because he
18 would not get up and go to school. I personally know this
19 is not true."
20 Do you know why he would say that if it wasn't true?
21 A. Well, my dad, my dad was kind of, you know -- [REDACTED]
22 would -- they were like pretending they weren't married
23 and she agreed with -- he agreed with everything she told
24 him to do -- well, not everything, but just everything
25 that was like -- basically because they were breaking the
0028
1 law not being married and not paying child support.
2 So the point I'm making about what you're telling
3 me; when she said -- she assaulted -- I remember it now.
4 She assaulted me, she slapped me in the face because I
5 wouldn't get up. That's okay because that's legal to
6 punish your kids.
7 But then that wasn't -- when she left, I called --
8 she went to a church meeting or something and I called the
9 Spartanburg County Sheriff's office. And an
10 African-American lady -- excuse me. What was her name
11 again.
12 Q. My name?
13 A. No. The African-American police officer.
14 Q. Officer Gist?
15 A. Yes.
16 Q. Now, in the time period when you were telling the police
17 about Brian and you told him what had happened, during
18 that time period when you were getting abused by Brian,
19 did you ever try to touch [REDACTED]?
20 A. Uh-uh (negative response). Because we were --
21 Q. Give me a verbal answer to that. Is that a yes or a no?
22 A. No.
23 Q. Okay. Then go ahead. I'm sorry.
24 A. He was older than me but, you know, I wasn't -- I'm

25 not -- I don't really like males. I have a girlfriend
0029 that lives in Elmira, New York. And we're compatible
1 so. . .
2
3 Q. Well, [REDACTED] was interviewed by Officer Cantrell. And
4 according to the report, [REDACTED] said that both John Doe
5 and his step-father had both touched his penis with their
6 hands on numerous occasions.
7 A. Well, let me think about this. I remember him agreeing
8 for me to do it. But it was when we were both in the bed
9 and Brian was jacking us off or whatever. And he asked me
10 to -- I told him I would and then I asked him if he would
11 do it to me.
12 Q. So during the same time Brian was in there, you asked
13 [REDACTED] if --
14 A. [REDACTED]?
15 Q. I'm sorry. You asked [REDACTED] and he asked you that you
16 would touch each other?
17 A. Yes.
18 Q. Why would you be asking each other if Brian was already
19 in there touching both of you?
20 A. Because the reason why is because -- I don't really --
21 I'm not -- I'm a straight person. I had some questionable
22 things in the past. But the only reason I did that is
23 because, you know, we were really good friends at that
24 time. And, you know, in some relationships you have stuff
25 like that.

0030 And he asked me, then I asked him. Looking back on
1 it now, I wish it hadn't have happened.
2
3 Q. How many times did you and [REDACTED] touch each other?
4 A. No, it wasn't -- twice.
5 Q. So other than the time in the bed with Brian, when else
6 did that happen, do you think?
7 A. It was at -- the first time was my grandma's house
8 upstairs.
9 Q. Would that have been before Brian had ever touched you?
10 A. Yes. That was in 2005.
11 Q. And so what were -- was [REDACTED] spending the night?
12 A. Yes.
13 Q. And so there were times when you would stay at [REDACTED]'s
14 and there were times when he would stay with you?
15 A. Yes.
16 Q. How would that work? Would you stay about equally at
17 each other's houses or more one versus the other?
18 A. Just we didn't really -- it was -- it wasn't really a
19 matter of -- it was just whenever we would invite each
20 other over. It wasn't like -- you know, we were really
21 good friends, we were best friends like back then. We
22 still are today but I haven't seen him in a while.
23 Q. So had he spent the night at your house on other
24 occasions before this incident where you all touched each
25 other occurred?

0031

1 A. No. The first time was in 2005 when we had known each
2 other for about two years -- three years actually, because
3 I knew I mean him when we were -- we've known each other
4 since the sixth grade.

5 Q. So the first time he spent the night, you guys touched
6 each other or had he already spent the night --

7 A. It was a couple of nights -- it was in the future.

8 Q. What do you mean: In the future?

9 A. Like it was -- it was in the future, like not the first
10 couple of times. I'm not sure what the date was but it
11 was -- we knew each other for a long time before that
12 happened.

13 Q. So what prompted it to happen that night then? If you
14 guys had known each other and nothing had happened and
15 then you had spent the night with each other and nothing
16 had happened, what happened on this night to change that?

17 A. We were sleeping together and we were talking about -- he
18 likes to talk about -- he was just talking about this girl
19 that in his -- I forget what his class was called. Some
20 girl in his chemistry class or whatever that we were
21 talking about. I forgot her name.

22 We were talking about girls or something; yes, we
23 were talking about girls. And he said, "do you know what
24 a blow job feels like? Sarah --" I forgot her name. It's
25 been a long time. It was a little skinny girl like

0032

1 with -- tall, skinny, and blond hair in chemistry class in
2 eighth grade.

3 Q. So he was talking about her?

4 A. Yeah.

5 Q. Then what happened?

6 A. Well, he asked me, "do you know what it felt like when
7 she gave me a blow job?" And I said "no." And he was
8 like, "well, do you want to know what it's like?" And I
9 was like, "okay."

10 So he give me a blow job and -- but I didn't do
11 anything to him. But I did in the future, but not then.

12 Q. Well, now, you knew what that felt like, though; right?

13 A. Yes.

14 Q. So did you tell him you didn't know?

15 A. Because I was a virgin and I never -- I had a few
16 girlfriends but I never had sex.

17 Q. But, now, when you and I talked the last time, you had
18 described this incident in the tent with your cousin; was
19 it?

20 A. Yes. [REDACTED] and [REDACTED]

21 Q. And then another incident with Emanuel Blackwell you
22 described. Was that after --

23 A. I meant with a female.

24 Q. But [REDACTED]'s not a female.

25 A. I know.

0033

1 Q. So you had had that experience with boys. So when [REDACTED]
2 asked you had you ever had that experience, you had,

- 3 though, right? When he asked you?
- 4 A. Well, he was asking me a female because he -- well, he
- 5 was kind of a ladies man in high school, in grade school
- 6 and high school, you know.
- 7 He was asking -- a girl in chemistry class that was
- 8 helping him that he went out with that give him a blow
- 9 job. He asked me if I wanted to know how that felt and I
- 10 said no. And he said, "do you want to know how it feels?"
- 11 And I agreed. And I wish I hadn't but. . .
- 12 Q. Did he ask you to do anything to him then?
- 13 A. No. I think he -- he did but I didn't really -- I don't
- 14 want to. But in the future, in the future I agreed to do
- 15 some things I'm not too proud of.
- 16 Q. So the first time was at your grandmother's house?
- 17 A. Yes.
- 18 Q. Did you have your own room at your grandmother's house?
- 19 A. Yes. But we slept upstairs in the master bedroom.
- 20 Q. And where did your grandparents sleep when you slept in
- 21 the master bedroom?
- 22 A. In their bedroom.
- 23 Q. So they didn't sleep in the master bedroom?
- 24 A. The master bedroom's upstairs.
- 25 Q. And so when you had [REDACTED] spend the night, would you all
- 0034 sleep upstairs?
- 1 A. Yes.
- 2 Q. Was that because it was a bigger bed?
- 3 A. Yes. Because it's a king-sized bed and my bed's a queen
- 4 size.
- 5 Q. All right. Were your grandparents home when this
- 6 happened?
- 7 A. Yes.
- 8 Q. Where were they?
- 9 A. They were down -- it's a fairly big house. They were
- 10 downstairs in their bedroom.
- 11 Q. Did they know what had happened?
- 12 A. I didn't tell them. I -- you know, [REDACTED] was one of my
- 13 good friends. I wouldn't -- you know, I feel bad about it
- 14 now but, you know, I wouldn't just blow the whistle on my
- 15 friend, saying that with any relationship.
- 16 Q. So you never told them that had happened?
- 17 A. No.
- 18 Q. To this day, you've never told them?
- 19 A. No.
- 20 Q. So then the next time something happened with you and
- 21 was when, do you think? A week later? A month
- 22 later? A year later? What do you think?
- 23 A. A few months later.
- 24 Q. Then where did that happen?
- 25 A. That happened -- that was the same time that happened at
- 0035 his house because that was like -- I'm not sure. It
- 1 was -- it felt like it was a couple of months later.
- 2 But it happened in his bedroom in their house on
- 3
- 4

5 Turtle Creek with Brian Rhinehart and me and him when he
6 was sitting in the middle and we were --
7 Q. So other than Brian touching you all during that day, did
8 you and John Doe also touch each other?
9 A. [REDACTED]?
10 Q. I'm sorry.
11 A. When we were in the bed that time, we did.
12 Q. So was Brian still there when you all touched each other?
13 A. Yes.
14 Q. How did that work? He's in the middle so did you all
15 switch positions?
16 A. Yes, we did.
17 Q. So he's in the middle, Brian's in the middle at some
18 point, and then who gets in the middle?
19 A. I was never in the middle. I was in the -- see, it's a
20 queen-sized bed and -- I'm not sure. Some queen sized
21 beds are different sizes than others. It was about
22 maybe -- let me see. Four-foot wide or whatever, maybe
23 four-foot wide, six fee -- I'm guessing six feet long.
24 Q. And so you think [REDACTED] got in the middle at some point
25 and Brian moved?
0036
1 A. Yes, he did.
2 Q. Then what happened?
3 A. Then -- well, I agreed to ejaculate him because it wasn't
4 anything, mouth or anything.
5 Q. So you used your hand on [REDACTED]?
6 A. Yes.
7 Q. Did [REDACTED] use his hand on you?
8 A. No. But at my grandma's house, he did. He gave me a
9 blow job.
10 Q. Did you ejaculate then --
11 A. I didn't --
12 Q. -- at your grandma's house?
13 A. I didn't -- nothing came out.
14 Q. What about the second time at [REDACTED]'s house? Did
15 anything come out?
16 A. No. I don't think anything ever came out. It didn't
17 like -- it didn't really. . .
18 Q. So when you were touching [REDACTED], what was Brian doing?
19 A. At that point in time, he was on this side and he wasn't
20 doing anything.
21 Q. The left side of you?
22 A. No, no. [REDACTED] -- I was on this side, [REDACTED] was in the
23 middle, and Brian was on this side.
24 Q. So you were on the right side of the bed?
25 A. Yes.
0037
1 Q. [REDACTED]'s in the middle and then Brian's on the left side
2 of the bed?
3 A. Yes.
4 Q. So was he watching or were you under the covers?
5 A. The lights were turned off. I couldn't really tell what
6 was going on. But I remember -- I just remember him

- 7 sitting there at that point in time not doing anything.
8 Q. Then after you were doing this to [REDACTED], then what
9 happened?
10 A. You know, we didn't -- it ended in about a matter of
11 minutes and then we went to bed. It never really lasted
12 for a long period of time.
13 Q. So that was pretty much all what happened that second
14 time?
15 A. Yes. Then we went to sleep and then we got up the next
16 morning and did chores and stuff.
17 Q. Did you and [REDACTED] talk about what had happened that
18 night?
19 A. No. We don't usually -- we keep that to ourselves.
20 Q. Then after that, did you and [REDACTED] ever touch each other
21 again?
22 A. You know, I can't remember. It happened -- the only time
23 I remember is at my grandma's and then the bed. That's
24 the only two times me and [REDACTED] ever did that. We
25 weren't like -- we weren't like homosexual people. There
0038
1 was a couple of girls that came over to our house, to the
2 house one time that we hung out with; Dena's friends that
3 were in -- I think she was a cheerleader. I can't really
4 remember what it was.
5 Q. So at that point when you and [REDACTED] had touched each
6 other and then Brian had come in and you described that,
7 had you ever touched a girl up until that time?
8 A. No.
9 Q. When was the first time you ever touched a girl or a girl
10 touched you?
11 A. In seventh -- in eighth grade when I was dating -- let me
12 think. Sierra Thompson.
13 Q. Was that after Brian started touching you?
14 A. That was like a year, two years before that.
15 Q. All right. So --
16 A. Well, a year before that.
17 Q. So when you and [REDACTED] touched each other, had you
18 already touched the girl?
19 A. Well, we didn't have like an intimate relationship -- we
20 had an intimate relationship because we never had sex
21 because we were --
22 Q. Well, did you like hug her or kiss her, that kind of
23 thing?
24 A. Yes.
25 Q. Is that what you're talking about?
0039
1 A. Yes.
2 Q. So that was before you and [REDACTED] started touching each
3 other?
4 A. Yes.
5 Q. All right. So other than that girlfriend you had,
6 Sierra, did you have any other girlfriends up until the
7 time you and [REDACTED] and then Brian started touching you?
8 A. I had one in ninth grade.

- 9 Q. Was that after then Brian had touched you?
10 A. It was going on then.
11 Q. So you had another girlfriend around that time Brian was
12 touching you?
13 A. Yes.
14 Q. What was her name?
15 A. Angel Thomas.
16 Q. Did you have any sexual touching with her?
17 A. No.
18 Q. All right. Now, when [REDACTED] was interviewed by the
19 police, he said that -- he said that it annoys him when
20 John Doe did it -- the touching -- but it was okay when
21 his step-father did it. Did he ever tell you that?
22 A. Did he really say that?
23 Q. Well, that's what the report says.
24 A. Okay.
25 Q. I don't know what he said because I wasn't there --
0040
1 A. That sounds like something he would say. Because, you
2 know, it's wrong for someone who's like almost 40 and
3 somebody who's in their early teens for that to be going
4 on. And it was probably even before that. I don't even
5 -- I'm not going to judge or say nothing I don't know, but
6 it probably happened to Dena and Danielle, as far as I
7 know. But that's beside the point. I didn't see that,
8 I'm just assuming.
9 Q. What do you assume?
10 A. That he touched Danielle and Dena. But I didn't see that
11 so I can't really say that.
12 Q. All right. And so you described the two times with
13 [REDACTED]. And then any particular reason why you and [REDACTED]
14 didn't touch each other again after that?
15 A. Yeah. Because, you know, we were -- we agreed that we
16 weren't going to go there. Because I remember we were
17 playing a video game upstairs called Mario's Sunshine on
18 Game Cube.
19 We agreed that we weren't -- he was like, "John Doe,
20 I want to just be friends, I don't want us to go this way
21 anymore." I said "all right. Well, just don't --" well,
22 I agreed for us not to do that anymore.
23 Q. How did that come up? You asked him if he was interested
24 in doing something?
25 A. Well, we both did. We were really good friends. But,
0041
1 you know, we agreed that it was time for us to, you know,
2 move on, not have a queer relationship, just be friends.
3 Q. Now, was this the same time that Brian was touching you?
4 A. Yes, it was -- it was -- it kind of falls in the same
5 place of happening at the same time. But when [REDACTED],
6 when it happened with [REDACTED], it was before, it was before
7 Brian. It was -- the first time was at my grandma's house
8 in 2005.
9 Q. All right. Now, so at some point Brian, you understood
10 he got arrested; right?

11 A. Yes. He was on the news.
12 Q. And how did that make you feel when he got arrested?
13 A. Kind of, you know, really happy, you know. I was in my
14 room and I was like, "yes," you know.
15 Q. Then did anybody ever tell you that you were going to
16 have to testify at a trial?
17 A. Yes. Detective Cantrell mentioned that.
18 Q. What did she tell you?
19 A. Well, she -- the only thing I remember is her telling me
20 that the trial was going to be in about a year.
21 Q. What did she tell you you would have to say?
22 A. Just whatever -- the truth, basically. That's the only
23 thing that you can do. It's not what they tell you to do.
24 Q. Did you have to testify in court?
25 A. You know, I never really -- it never really happened.

0042

1 Deposition is the only thing that happened.
2 Q. Do you know why there was no trial?
3 A. No. Probably because -- no, that couldn't be the reason
4 why. I was going to say for good behavior but -- his wife
5 Doni did mention to my grandmother his behavior was really
6 good in prison.
7 Q. Did you ever find out that Brian had reached some kind of
8 an agreement with the court where he would agree to some
9 of the charges against him but not all of the charges?
10 A. Yes. He confessed.
11 Q. Do you know what he confessed to?
12 A. No.
13 Q. Did you ever read his confession?
14 A. Do you have that or can I read it now or wait until
15 later?
16 Q. Well, I'll tell you what: Maybe we'll take a break and
17 let you read it then.
18 A. All right.
19 Q. But who told you he confessed?
20 A. It was on the news. It was on News Channel Seven. A
21 former Boy Scout -- here's what it said: "A former Boy
22 Scout leader is in jail for molesting two teenagers." It
23 made the news and it was on there twice.
24 Q. Now, it's my understanding that Brian admitted to
25 touching [REDACTED] --

0043

1 A. He did.
2 Q. -- but not you.
3 A. No. He did -- I feel -- -- yes, he did. That sounds
4 like something he would do. I'm not sure but that sounds
5 like something he would do if that's in the report. But
6 he did, he did; he did, in fact, touch me.
7 Q. And I understand. I'm just going through what he said.
8 A. The only reason he said that is because [REDACTED], you know,
9 blurted it out when he got questioned. That was the only
10 reason he would say that.
11 Q. What do you mean by that?
12 A. Well, I first found out about it like a short period

13 after the letter was sent. They questioned [REDACTED] and my
14 parents called the Spartanburg County Jail and then they
15 told me that Brian's in jail. They told us that.

16 Because you know you can call a jail if an inmate is
17 there or something and they'll tell you they're there, you
18 know.

19 Q. Okay. So you heard that he had admitted something about
20 [REDACTED] but not you?

21 A. Yes.

22 Q. How did that make you feel?

23 A. You know, that made me feel kind of upset because, you
24 know, he was just -- he was -- the only -- it made me feel
25 kind of upset that [REDACTED] would say that. But, you know,

0044

1 he was covering for his dad. You know, he loves his dad.

2 His dad was a -- let me put it this way: His dad
3 was a good guy in the community --

4 Q. Let me interrupt you just one second. I'm talking about
5 Brian, whether he admitted it or not. Not [REDACTED].

6 Did you hear that Brian had admitted to doing
7 something with [REDACTED] but not you? He denied touching
8 you. Did you ever hear that?

9 A. Yes.

10 Q. How did you find that out?

11 A. I found that out when it was on the news. They said: A
12 former Boy Scout leader confessed or something. And it
13 showed his picture on there again.

14 Q. In Brian's statement, it says, "I, Brian Rhinehart, I
15 have not touched John Doe's penis. I have touched
16 [REDACTED]'s penis once in his bedroom." Did anybody ever
17 tell you he said that?

18 A. No one told me that but I was assuming that it happened
19 because it was on TV. But he did touch my penis. And the
20 first time it happened, I was laying back sleeping and I
21 felt like something -- I felt him putting, ejaculating me.
22 I didn't say anything.

23 Q. This was in [REDACTED]'s bedroom?

24 A. Yes. He slept with us two nights. The third night, he
25 told us -- we went to bed because we were -- the only

0045

1 reason he did that is because we were making a lot -- we
2 were listening to music loud and we were -- he was like
3 playing video games and stuff.

4 He had a hard time sleeping and Brian would come in
5 there to help us go to sleep.

6 Q. So the first two times Brian come in and kind of got in
7 the bed, nothing happened?

8 A. No. It happened, it happened --

9 Q. It was the third time, is what --

10 A. No. It happened, it happened three times. But the first
11 time it happened was the first time he slept with us.

12 Q. So you're saying he slept with you two other times and
13 nothing happened?

14 A. No. It happened three times. But the first time it

- 15 happened, he was -- I was -- [REDACTED] didn't do anything.
16 He was just sleeping with us. And I remember, I remember
17 him grabbing my penis while I was sleeping but --
18 Q. Let me make sure I understand. The three times you've
19 described was once in the upstairs at [REDACTED]'s house, once
20 in his bedroom with [REDACTED] in the bed, and once at the
21 church by the creek?
22 A. You know, I'm not -- it was once at the church. That was
23 the first time when we went there to get ice for the
24 drinks.
25 Q. And why? Because you were working in the garage, did you
0046 say?
1 A. We were -- yes. We were stacking boxes and stuff.
2 Q. The popcorn boxes?
3 A. Yes.
4 Q. Were any other scouts there when you guys were working on
5 the boxes?
6 A. You know, there's -- I don't remember but it felt like it
7 was just me and Brian. Because [REDACTED] at that point in
8 time was at his grandpa's house at a lake house. But Dena
9 was there. She was in her bedroom.
10 Q. So the time that you went to the church, you thought it
11 was just you and Brian working on the popcorn boxes in the
12 garage?
13 A. Yes.
14 Q. Were there any other scout leaders present?
15 A. No.
16 Q. Then the time that you went upstairs at [REDACTED]'s house,
17 were you there -- well, why were you there?
18 A. Well, we were -- when was this?
19 Q. Not while you were upstairs -- not when you went
20 upstairs, but why were you even at his house? I think you
21 had told me that [REDACTED] was at Camp Spearhead, I think you
22 said.
23 A. Yeah. But let me think about it. I have a short-term
24 memory so I kind of get confused.
25
0047
1 Q. Take your time.
2 A. The time we were upstairs, he was at Camp Spearhead. But
3 the time we were working in the garage, he was at his
4 grandparents' at the lake house.
5 Q. So when you went upstairs when [REDACTED] was at camp, were
6 any other scouts there?
7 A. I can't really remember.
8 Q. Do you think some were?
9 A. I'm not sure. It doesn't -- I don't remember seeing any
10 because Tony Cathcart and Robert Cathcart were somewhere
11 else. I don't know exactly where they were but they
12 weren't there.
13 Q. You mean somewhere else like not at the house?
14 A. Not at the house. I have no clue where they were but
15 they weren't at the house.
16 Q. How many scouts were in the troop?

17 A. You know, there was Tony Cathcart, Robert Cathcart, John
18 Doe, which is me, Quartermaster, [REDACTED], and
19 there was a couple of more -- two African-American boys.
20 The reason I'm saying that is because I forgot their
21 names -- oh. Brandon was one of them and Rashad.
22 Q. Was there ever a time when the troop would go over to the
23 Rhineharts' house and have some kind of meeting or scout
24 activity?
25 A. Yes.

0048

1 Q. Tell me about that?
2 A. Well, the time I remember is when I was there and we were
3 working outside. And Jackie -- me and [REDACTED] had an
4 argument and Jackie made us -- I didn't really like her.
5 She made us go stand in the corner.
6 Q. Do you remember Jackie's last name?
7 A. No. But she was -- she was a lesbian, so I heard. She
8 had real short hair and it was like blond.
9 Q. And so you were there -- what was the Boy Scout activity
10 that you all were working on?
11 A. We were -- we were like voting on different stuff to do.
12 BY MR. WALSH:
13 Let's just take a minute break, if you don't mind. Let's
14 just take a break outside.

15 (OFF THE RECORD)

16 EXAMINATION RESUMED BY MR. WALSH:

17 Q. So I think we were talking a little bit about when you
18 were at the Rhinehart house. And you said that there was
19 a time when you had a Boy Scout function at the house?
20 A. Function.
21 Q. Like an event or a meeting or something --
22 A. Yes.
23 Q. -- related to scouts.
24 A. It was when we were having discussion outside. This was
25 when nothing was going on, nothing sexual. This is when

0049

1 we were having a discussion about some of the decisions we
2 were going to make with, you know, some of the stuff we
3 would do to help out.

4 And I asked if I could hop over the fence to help
5 them with some things that they had been doing back there.
6 And I agree this was a bad idea because the fence was
7 about ten feet high and it was -- it was something like to
8 do like to get back there and -- because Brian owned some
9 land in Turtle Creek that was like some wooded area. He
10 owned about two acres where he was living and some wooded
11 area back there.

12 Q. So you had a meeting with your troop at the Rhinehart
13 home?

14 A. Yes.

15 Q. And the purpose of the meeting was what, you think?

16 A. The purpose of the meeting was to -- it was just to
17 discuss things, events -- like voting on events to do,
18 like where, some of the trips we would go. And I

19 mentioned that we would go to Okefinokee Swamp, which is
20 not a place a lot of parents -- it's kind of like a
21 tropical place -- you know what this is; don't you?
22 Q. No.
23 A. In Georgia. It's like -- it borderlines the Everglades.
24 I've always wanted to go to the Everglades and they
25 agreed -- they said that we couldn't -- we wouldn't want

0050

1 to go there because there are too many parasites but we
2 would maybe look into it in the future, is what they said.
3 Q. And so were the other troop members present at the
4 meeting?
5 A. Yes.
6 Q. And were other scout leaders there?
7 A. Yes.
8 Q. And is that when you got put in the corner?
9 A. Yes.
10 Q. By Jackie?
11 A. Yes.
12 Q. What were you and [REDACTED] doing?
13 A. We were just kind of like arguing over something. Then
14 Jackie put us in the corner.
15 Q. All right. Now, do you recall any other times when
16 you've had meetings at other people's houses for the
17 scouts besides --
18 A. No. Brian Rhinehart and [REDACTED] was the only
19 house we attended. We did attend places at St. Margaret's
20 Church mostly.
21 Q. Did you ever have any kind of overnight camping at the
22 Rhinehart house?
23 A. Not that I can remember.
24 Q. Do you remember ever having overnight camping with the
25 scouts?

0051

1 A. Yes.
2 Q. Where did you go do that?
3 A. The first time was in 2004. This was when nothing was
4 going on, before anything, anything even thought happened
5 with anybody. This was when Alex was still in the troop
6 and Paul -- because there used to be a different scout
7 leader.
8 The scout leader was Paul Hoyle but he retired and
9 gave the job to Brian.
10 Q. So Paul Hoyle was the scout leader for some period of
11 time?
12 A. Yes.
13 Q. Is that when you started up the troop?
14 A. That was in 2003.
15 Q. Were you a member of the troop when it started or had it
16 already been going on for a while?
17 A. It had already been going on for a couple of months.
18 Q. And then how long was Mr. Hoyle the scoutmaster before
19 Brian Rhinehart became it?
20 A. The only -- I don't -- I'm not really sure. It felt like

- 21 it was like half a year or something.
- 22 Q. And how long do you think that Brian was the scoutmaster
- 23 before --
- 24 A. Years.
- 25 Q. Years? And I say before you were let go being a scout.
- 0052
- 1 That was years?
- 2 A. Yeah. He was like -- it feels like -- so if that was in
- 3 2003 when he was -- 2003 when he was elected to be a scout
- 4 leader, then that would mean that would be three years he
- 5 would be a scout loader. In 2006, I was kicked out.
- 6 Q. All right. So you camped somewhere with the old
- 7 scoutmaster?
- 8 A. Yes.
- 9 Q. And then did you ever camp anywhere when Brian was the
- 10 scoutmaster?
- 11 A. No.
- 12 Q. You had a mentioned in the last deposition that you went
- 13 to a camp --
- 14 A. Bob Hardin; yes. I remember that.
- 15 Q. Was that with the Boy Scouts?
- 16 A. Yes, that was the first time we ever went to camp.
- 17 Q. Was that with Mr. Hoyle as the scoutmaster?
- 18 A. No. He was -- that was the first part of 2005.
- 19 Q. So you did go to a camp with the Boy Scout troop?
- 20 A. Yes.
- 21 Q. How long were you there, do you think?
- 22 A. About five days.
- 23 Q. Other than that camp, did you guys as a troop ever camp
- 24 anywhere else besides that time with Mr. Hoyle?
- 25 A. They went to Campcroft, but I wasn't -- I didn't get to
- 0053
- 1 go because -- not because I was doing anything wrong.
- 2 Because I was -- I can't remember where I was. I think I
- 3 was in my grandma's and didn't get to go.
- 4 Q. Now, was Brian Rhinehart at the camp the whole time or
- 5 was this the camp that you guys went and there were other
- 6 leaders in charge?
- 7 A. But Brian -- there was other leaders there but -- he
- 8 wasn't always -- I just remembered this: He wasn't always
- 9 the scout leader. He was an assistant before Mr. Hoyle,
- 10 Paul Hoyle left.
- 11 Q. Right. And then when Mr. Hoyle left, did Brian become
- 12 the scoutmaster?
- 13 A. Yes.
- 14 Q. And did he stay scoutmaster until you were kicked out?
- 15 A. Yes.
- 16 Q. Do you know who else was in charge of the Boy Scouts when
- 17 you were there, like was Jackie in charge or Shelby or
- 18 anybody --
- 19 A. All the adults were basically in charge.
- 20 Q. Did they have titles?
- 21 A. Titles?
- 22 Q. Yes.

- 23 A. Like what?
- 24 Q. Like assistant troop master or --
- 25 A. Oh, yes, yes, yes. That's what. . .
- 0054
- 1 Q. Do you know who was who?
- 2 A. I know Brian was a scout leader, I was quartermaster,
- 3 Tony was assistant patrol leader, and I don't know what
- 4 Tony, Robert Cathcart was.
- 5 Q. What about the adults? Did they have titles beside
- 6 Brian? Were they like assistant scoutmaster or treasurer
- 7 or anything like that?
- 8 A. No. I wasn't really sure -- it's been so long. But I do
- 9 remember that they did have titles. I just can't remember
- 10 what they were.
- 11 Q. So you went to that five-day camp. And Brian, was he at
- 12 the camp or did he just --
- 13 A. He was at the camp.
- 14 Q. Was he there the whole time?
- 15 A. Yes.
- 16 Q. Did anything happen at the camp?
- 17 A. Not that I know of.
- 18 Q. All right. So then other than that camp, you've never
- 19 been camping with Brian Rhinehart and the troop?
- 20 A. Uh-uh (negative response).
- 21 Q. Except for the time when Mr. Hoyle was the master; right?
- 22 A. Yes.
- 23 Q. Did you all ever have any sleep overs as a troop anywhere
- 24 at somebody's house?
- 25 A. No. The first time it ever happened, it was -- was at my
- 0055
- 1 house. But Camp Bob Hardin, nothing even happened.
- 2 Q. What happened -- you said the first time --
- 3 A. At my house with me and [REDACTED]
- 4 Q. All right. What I'm asking, though, is: Did the troop
- 5 ever have like a sleep over where they might not have
- 6 camped but everybody went to somebody's house, you know,
- 7 spent the night and slept on sleeping bags on the floor or
- 8 something? Did that ever happen?
- 9 A. We never slept in sleeping bags on the floor but mostly
- 10 in tents. So the first -- the one and only tent -- there
- 11 were two tents: One in 2000-something, I can't remember,
- 12 but it was at St. Margaret's Church when Hoyle was the
- 13 scoutmaster. And the second one was with -- well, at camp
- 14 Bob Hardin, we slept in tents.
- 15 Q. So then would you ever spend the night at any other of
- 16 your fellow troop members' homes beside
- 17 A. No.
- 18 Q. Did any of the other troop members spend the night at
- 19 your house beside [REDACTED]?
- 20 A. Well, no. But I was really good friends with them.
- 21 Q. Any particular reason why [REDACTED] would stay with you and
- 22 you would stay with him but the others didn't stay with
- 23 you?
- 24 A. Well, I'm not really sure.

25 Q. Do you know if any of the troop members stayed with
0056 [REDACTED]?
1 A. Yes.
2 Q. Who do you think?
3 A. Robert and [REDACTED] were really good friend. They may be
4 still to this day. I don't know.
5 Q. Did [REDACTED] ever stay with Robert?
6 A. They hung out, they hung out more.
7 Q. More than you and [REDACTED] did?
8 A. Yeah. But we were really good -- I got along with
9 everybody in scouts.
10 Q. Do you know what Robert's last name was?
11 A. Cathcart.
12 Q. So then were you ever over to the Rhinehart house for Boy
13 Scout meetings besides that meeting you had outside where
14 you talked about kind of the plans for the future, that
15 you can think of?
16 A. I'm not really -- I forgot. What were you saying?
17 Q. The question was: You told me that you had been, you had
18 went to the Rhinehart house at one point and had a meeting
19 with the troop and you talked about what your future plans
20 were and that's when you got put in the corner.
21 A. Yes.
22 Q. Any other time that you had a Boy Scout meeting at the
23 house?
24 A. Not that I know of. It was mostly just -- it was mostly
25 just at the -- a few times, it was -- at one time, it was
0057 at the house. But it was mostly just here at St.
1 Margaret's Church.
2 Q. Now, your job as quartermaster, what did that mean?
3 A. A quartermaster is somebody in the troop who makes sure,
4 makes sure -- like in the flag detail, they make sure
5 everybody's present and accounted for. They're basically
6 to manage everybody in the troop and make sure they're
7 accountable, make sure the supplies are -- you know,
8 everything's correct, all supplies are -- everything.
9 Q. Now, when you told me that you had been in the Rhinehart
10 house a couple of times with Mr. Rhinehart and were
11 working on the popcorn boxes and moving stuff and counting
12 money, was that because you were the quartermaster or do
13 you know why you were doing that job?
14 A. Because I was the quartermaster. That's the
15 quartermaster's job to manage all the stuff.
16 Q. Okay. So when you had told me that on two of the
17 times -- or the two times, I should say, that you were at
18 the Rhinehart house and Brian touched you, you were over
19 there working with the popcorn boxes, is that what you
20 were saying?
21 A. I'm not -- I can't remember.
22 Q. Well, you said -- I think at one point you said you guys
23 went to the church to get some drinks --
24
25
0058

- 1 A. Ice; yeah.
2 Q. To get some ice because you were working on the popcorn
3 boxes in the garage?
4 A. Yes.
5 Q. Is that right?
6 A. I'm not -- yes. I remember the part with the church and
7 getting the ice but -- yeah. I remember stacking the
8 boxes; yes.
9 Q. Do you know why you were asked to do that?
10 A. No. Because I was the -- yes. Because I was the
11 quartermaster.
12 Q. So no other scouts were there helping you? Is that
13 right?
14 A. Not that I know of. Because, you know, [REDACTED] was at his
15 grandparents'. And Robert Cathcart, I don't know where
16 they were.
17 Q. And do you know how long you were working with the boxes
18 before you all went to the church?
19 A. I don't really know a time limit. It felt like it was
20 like a few hours maybe.
21 Q. All right. And then when you were there the time you
22 went upstairs with Brian, I think you had told me last
23 week that you might have been there counting money. Do
24 you recall saying that?
25 A. No, I don't remember.
- 0059
1 Q. Do you remember why you were over there? Because I think
2 you told me [REDACTED] was at camp.
3 A. Yes. He was at Camp Spearhead at that time.
4 Q. So do you know why you were over there for that? I think
5 you told me you were in the kitchen for a while.
6 A. I was counting money in the kitchen. I remember now.
7 Q. Now, is this part of your job as a quartermaster?
8 A. Yes. That's what the quartermaster does, is he manages
9 everything.
10 Q. So had you ever done that for any other fundraiser --
11 well, let me ask you first: Had you been quartermaster
12 before that time period? Like is that a job you had had
13 for a while?
14 A. No. I wasn't -- the first time I've ever been in scouts
15 was my sixth-grade year in grade school.
16 Q. In 2003?
17 A. Yes.
18 Q. And how long had you been quartermaster, do you think,
19 when you went to the church with Brian?
20 A. I'm not sure.
21 Q. Was there another quartermaster before you that you
22 remember that you took over for?
23 A. No.
24 Q. Had you ever --
25 A. I agreed -- I wanted to be the platoon leader. But I
- 0060
1 agreed in a meeting when we were getting, figuring out
2 what our titles, our positions were, I agreed to be a

3 quartermaster.
4 I wanted to be a platoon leader, though, but that
5 was [REDACTED]'s job because he was [REDACTED].
6 Q. So had you ever been over to the Rhinehart home on other
7 occasions where you were working at the job as
8 quartermaster when you didn't get touched by Brian?
9 A. What?
10 Q. Yes, sir. You told me that you were at Brian's house and
11 you went upstairs and you had been working, counting the
12 money for the popcorn. Then you told me you were in the
13 garage working on boxes for the popcorn and then had gone
14 to the church. Do you remember you telling me those?
15 A. Yes.
16 Q. Had you ever been over to Brian's house doing
17 quartermaster duties beside those two times?
18 A. No.
19 Q. So at some point after you had complained about Brian,
20 did you have to meet with like a therapist or any sort of
21 counselors to talk about kind of what was going on with
22 you?
23 A. I don't really remember that.
24 Q. Did you meet with guy named Wylie Garrett? He's at the
25 Children's Advocacy Center in Spartanburg. Does that ring

0061

1 a bell?
2 A. I remember you mentioning that. Wylie Garrett.
3 Q. He's a social worker --
4 A. Oh. I remember him. He's a white-haired guy?
5 Q. I've never met the man --
6 A. I remember that, I remember that.
7 Q. What did you -- do you know why you went to see him?
8 A. For like to get counselling. But I wasn't really -- I
9 was upset but not to a degree where I would harm myself or
10 harm anybody else, you know.
11 Q. Tell me -- when you say you were upset, what were you
12 feeling?
13 A. I was just upset that, at what had happened in the troop.
14 You know, this was more than just Brian, you know. I was
15 treated, I got treated like crap some of the time because
16 I didn't get the positions some of the other Boy Scouts
17 did.
18 Q. And how did that make you feel?
19 A. Kind of upset.
20 Q. So you didn't really want to be the quartermaster?
21 A. No. I wanted to be the platoon leader but that wasn't --
22 that was [REDACTED]'s -- [REDACTED] was the quartermaster.
23 Q. Did you all vote?
24 A. Yeah, we voted. He was nominated.
25 Q. So did you run against him and he got more votes than you

0062

1 or did you actually have a vote?
2 A. I voted -- then I regret I voted that I wanted him to be
3 a platoon leader. But I regret that now because. . .
4 Q. Do they call that a patrol leader?

- 5 A. Yeah. Patrol leader.
6 Q. All right. And was there an assistant patrol leader?
7 A. Yes.
8 Q. Who?
9 A. Tony Cathcart was the assistant patrol leader.
10 Q. And was there a scout that was sort of above the patrol
11 leader or was the patrol leader like the highest scout job
12 you could have?
13 A. No. The scoutmaster was the highest job.
14 Q. But he's not a scout. I mean, he's the adult.
15 A. Yes.
16 Q. I'm talking about your age group. Was there another job
17 above patrol leader?
18 A. No. It was just -- it was -- that's the highest rank
19 position you could go.
20 Q. How long was [REDACTED] patrol leader?
21 A. Until the scouts were broken up when Brian was in jail.
22 Q. So like from 2003 on, he was patrol leader? Or did they
23 have different people do it?
24 A. It was -- he was the patrol leader for the entire time.
25 Q. And had you been quartermaster the whole time as well?
0063
1 A. Yes.
2 Q. And all that time, did you really want to be patrol
3 leader?
4 A. Well, at certain times I wasn't really feeling -- like
5 when I was getting along with everybody and having some --
6 not such stressful days, I kind of didn't really care what
7 position I was in.
8 Q. No. You said that they treated you like crap, you said,
9 the Boy Scout troop. What do you mean by that?
10 A. Not all the time. It was just like they would like tell
11 me -- they would like tell me -- like, you know, every
12 little thing I did, you know, like go to the corner. And
13 it was mostly Jackie that was doing that. She was a real
14 you know what.
15 Q. So if you acted up in their eyes, Jackie would put you in
16 the corner?
17 A. Yes. It was stuff like that.
18 Q. Did anybody else discipline you besides Jackie at the
19 troop?
20 A. Well, Brian did a few times. There's nothing wrong with
21 that; I mean, but, you know, they still shouldn't, you
22 know, do that.
23 Q. Well, any other things that you thought that the troop
24 did that made you be treated like crap beside put you in
25 the corner? Any other things they did?
0064
1 A. Well, I fitted really good in Boy Scouts. It was just
2 that, you know, some of the little things -- it wasn't the
3 little things that would, you know, make me upset. It was
4 the bigger things.
5 Like when we were at sculpturing lab and -- it was
6 kind of funny. I shouldn't have laughed but I didn't say

- 7 anything. When we were in sculpturing lab, Robert was
8 yawning and a scout threw some clay in his mouth.
9 Q. And so how did that affect you?
10 A. Well, it just -- that really didn't affect me. But the
11 fact that -- it was kind of embarrassing because I wanted
12 bigger and better things, not just to be in a
13 special-needs scout troop.
14 Q. So several times, you didn't like being in the troop?
15 A. Uh-uh (negative response).
16 Q. And so did you ever want to quit?
17 A. I wanted to. But, you know, it's for the best if you can
18 achieve bigger and better things.
19 Q. So did you ever like tell anybody you were sort of
20 frustrated?
21 A. Yes. I told my grandma I wanted to quit. I quit for a
22 little while but then I went back in.
23 Q. All right. So how long had you quit for before you went
24 back?
25 A. About a couple of months. I'm not really sure.
0065
1 Q. Did they meet every month or how often --
2 A. Once a week.
3 Q. Once a week. And would they meet like all year or would
4 you take off like the summers or over Christmas or
5 anything like that?
6 A. Pretty much all year. But you could -- you had like --
7 if you wanted to do something, you could go somewhere or
8 something.
9 Q. So do you remember when it was that you quit for a little
10 while? Like compared to when Brian touched you, was it
11 that year or the year before or some other time?
12 A. Before -- when I quit, it was before he touched me.
13 Q. But was it right before he touched you or was it like the
14 year earlier?
15 A. It was before.
16 Q. Like within that same year?
17 A. Yes.
18 Q. So we can agree that the touching occurred in 2005, you
19 think?
20 A. Yes.
21 Q. Do you agree with that?
22 A. The first time it happened was in -- I'm not sure what
23 the month or the date was, but it happened upstairs with
24 Brian. With me and [REDACTED], it was at my Grandma's house.
25 Q. Right. So do you think you had quit the troop a few
0066
1 months before the touching with you and [REDACTED] started?
2 A. No, no. It was when Brian -- well, I did it --
3 Q. So had you just rejoined the troop when Brian touched
4 you?
5 A. Let me think. I'm confused. When Brian -- it was before
6 -- I wanted to quit the troop before Brian touched me
7 because it was -- I wanted to do something else. I wanted
8 to go in ROTC. But then I got to thinking about it and I

- 9 wasn't really cut out for that. So I re -- I got back to
10 the troop.
- 11 Q. Is that when you -- didn't you have some kind of dispute
12 with the sergeant?
- 13 A. Yes. But that before -- I went to Landrum High School
14 way after, after Boy Scouts.
- 15 Q. So that was another time you were in ROTC?
- 16 A. Yeah.
- 17 Q. So when you were -- were you in eighth grade in 2005?
- 18 A. Yes.
- 19 Q. So did you join ROTC in eighth grade for a little while?
- 20 A. No. I wasn't -- that was for high school students. I
21 wasn't really -- that's why I didn't do it.
- 22 Q. But you think that you wanted to join the ROTC so you
23 quit the scouts for a while?
- 24 A. Yes.
- 25 Q. But that would have been in eighth grade; wouldn't it?
- 0067
- 1 A. Yes. But I didn't really know that then.
- 2 Q. All right. So how did you decide to go back? What
3 happened?
- 4 A. Well, what happened. Well, let me think what happened.
- 5 Q. Like did you go to high school that fall and realize the
6 ROTC wasn't for you and then went back to the scouts?
- 7 A. No. I was in eighth grade.
- 8 Q. Right. You were in eighth grade through the spring of
9 2005; right?
- 10 A. Yes.
- 11 Q. You reported the abuse like in October of 2005. So do
12 you think that you thought about going to ROTC over the
13 summer, quit the scouts, and then when you got to high
14 school in ninth grade, you realized you didn't want to do
15 the ROTC and joined the scouts again? Is that a timeline
16 that makes sense?
- 17 A. I'm not really sure. It was in eighth grade when I
18 didn't want to go in the scouts at the end of the year.
- 19 Q. Right. But --
- 20 A. But then I realized -- it was almost the end of the year.
21 So I realized if I got out -- I got some -- I read a
22 pamphlet about ROTC and I got to thinking, well, this
23 isn't really -- this could be worse if I join this.
- 24 Q. So did you actually ever try it in ninth grade at the
25 high school?
- 0068
- 1 A. No. My junior year, I tried it.
- 2 Q. So ninth grade, what high school were you in?
- 3 A. Boiling Springs.
- 4 Q. So did you ever try the ROTC in Boiling Springs?
- 5 A. No.
- 6 Q. So it would be sometime, you think, like the end of
7 eighth grade, for a couple of few months you were out of
8 the Boy Scouts?
- 9 A. What?
- 10 Q. Do you think that like from the end of the eighth grade

- 11 like May or so, you quit the Boy Scouts? And then for a
12 few months, you were out and you rejoined in the summer?
13 Is that what you think you did?
- 14 A. I don't really know what the date was. But I remember
15 leaving -- I felt like I wasn't getting all the, you know,
16 achieving everything I was supposed to be achieving. I
17 was working real hard to do everything they told me to do.
18 And I didn't feel like I was like, you know, getting it,
19 getting all the benefits needed, achieving everything.
- 20 Q. So when you went back -- well, let me ask you this first:
21 How long do you think you were out of the scouts then? A
22 couple of months?
- 23 A. Yes. A few months.
- 24 Q. And then when you went back, was it any different? Was
25 it better, worse, the same?
- 0069
- 1 A. It was a little bit better.
- 2 Q. What made it better?
- 3 A. Because Brian had a talk with Jackie because of giving
4 me, about being too hard on me.
- 5 Q. And did she say anything to you or you just noticed her
6 behavior was different?
- 7 A. She was little bit -- she wasn't as hard on me.
- 8 Q. And Jackie, did she treat everybody that way or just you,
9 in your view?
- 10 A. Well, you know, she treated everybody -- she didn't treat
11 everybody equally, you know. You know, that's -- she
12 didn't treat everybody equal. She treated everybody like,
13 you know, when they did something wrong, she would tell
14 them but she didn't treat everybody equally.
- 15 Q. So you felt like she was picking on you?
- 16 A. Well, she was just being really hard on me.
- 17 Q. You thought she was easier on other people?
- 18 A. Yes.
- 19 Q. And you didn't like that?
- 20 A. Uh-uh (negative response).
- 21 Q. Is that one of the reasons why you quit?
- 22 A. For a little while; yes.
- 23 Q. Then when you went back, did she still pick on you but
24 not as much or just she just left you alone?
- 25 A. She was pretty much nicer to me.
- 0070
- 1 Q. All right. So were you feeling like you could achieve
2 better when you started up again? Because you said you
3 thought you weren't able to achieve as much when you quit.
4 Did you feel like you had better opportunities to achieve
5 when you got back?
- 6 A. Yes.
- 7 Q. The time you quit, did you ever look at going to another
8 troop?
- 9 A. I thought about it but -- I thought about going to ROTC
10 but I was too young then. That was what I was trying to
11 do.
- 12 Q. But did you ever think about joining another Boy Scout

- 13 troop?
- 14 A. I thought about it but I didn't really ask anybody about
- 15 it.
- 16 Q. I was going to say: Did you look into it at all to see
- 17 if there were other troops available?
- 18 A. No. I was more interested in military. When I was --
- 19 can I say something?
- 20 Q. Sure.
- 21 A. When I was in high school, there were two teachers:
- 22 Colonel and Robert Sanders. They had like some -- when I
- 23 was there, I kind of like -- we were playing like
- 24 football -- we do that every Friday like for cadets. And
- 25 I pushed a black girl, African-American. Her name was
- 0071
- 1 Jessica. Because she threw -- we were playing two-man
- 2 touch and she threw a ball at me and I called her a B.
- 3 And after that, everybody in the ROTC didn't like me.
- 4 Q. Okay. So when you had your meetings at the church, what
- 5 would you all do?
- 6 A. Well, just like do stuff like, you know, we would -- let
- 7 me think. We would talk about events we were doing, we
- 8 were achieving.
- 9 Q. Would you do like skill activities you would do like work
- 10 on things?
- 11 A. Yes.
- 12 Q. Work on merit badges?
- 13 A. Merit badges. I got my first merit badge.
- 14 Q. How many merit badges did you end up with?
- 15 A. I only got one.
- 16 Q. What merit badge was that?
- 17 A. I forgot what it was called. The first one you get in
- 18 Boy Scouts. It's kind of a citizen thing or whatever.
- 19 Q. Citizenship?
- 20 A. Yeah.
- 21 Q. And so in the time that you were being touched by Brian,
- 22 were you still going to the scout meetings?
- 23 A. Yes. But that was before -- that was after I came back.
- 24 Q. Right. And did he ever touch you at a scout meeting?
- 25 A. No -- wait a minute, wait a minute. We were at the
- 0072
- 1 church, we were at the church one time, another time. It
- 2 was at night and we were getting ice for the car wash
- 3 thing. I just remembered that.
- 4 Q. What car wash thing?
- 5 A. It was a car wash at CVS, a free car wash. And we had
- 6 signs and donations accepted, free -- we would just tell
- 7 people we'd give them a free car wash.
- 8 Q. What happened? You said you were at the church?
- 9 A. Yeah.
- 10 Q. Who was at the church with you?
- 11 A. Let me think.
- 12 Q. Did Brian touch you at the church another time?
- 13 A. We weren't at the church, in the church. We were in the
- 14 truck. It was like 9:00 o'clock at night and we were

15 getting ice for something, for the drinks at the car wash
16 at CVS.
17 Q. And did he touch you in the truck?
18 A. Yes. But I remember somebody was pulling in down, like
19 down at the end of the road. And he pulled my pants up
20 because he saw somebody pulling in.
21 Q. So this was another time different than the creek time?
22 A. Yes. I don't know if it was before or after. I can't
23 really remember.
24 Q. Do you remember telling the police about that?
25 A. No. The only thing I told the police is -- I don't

0073

1 remember. The only thing I told Cantrell was that about
2 the lie detectors, the only thing I can remember. I may
3 have told her something else but that's the only thing I
4 remember.
5 Q. Do you remember that you told them that there were three
6 incidents kind of like you told me today? There was two
7 at the Rhinehart house and one at the creek?
8 Do you remember telling her that there was also this
9 incident in the parking lot?
10 A. It wasn't -- we were in the truck, we were still -- we
11 were in the truck. It was at nighttime.
12 Q. In the church parking lot?
13 A. Yes. We were on -- I remember somebody pulling into the
14 church or had their turn signal on and I remember him
15 seeing that and pulling my pants up.
16 Q. Okay. Did he actually touch you then or did anything
17 actually happen then or he was just trying --
18 A. He was jacking me off.
19 Q. And because the police report from Cantrell says, "I
20 attempted to interview the victim --" which is you. He
21 stated that on three separate occasions, you were touched
22 at the suspect's house two times and then once at a creek
23 behind the church. But it doesn't say anything about this
24 incident in the parking lot. So do you think you told the
25 officer that?

0074

1 A. I don't remember. You know, I must have didn't. But I
2 just -- I didn't think about it because, you know, it was
3 at night and, you know. . .
4 Q. And so he was touching your penis at that point?
5 A. Yeah.
6 Q. Were you doing anything to him?
7 A. No.
8 Q. Where had you been before that?
9 A. I don't remember. I can't -- I don't remember if that
10 was before -- now, that happened there was the -- nothing
11 ever happened after that.
12 Q. That was the last time?
13 A. Yeah. But I'm not sure if it was before or after.
14 Q. Before or after what?
15 A. That was -- if that was the last time, it would be after
16 the creek thing.

17 Q. Right. The last time would be certainly after the creek.
18 A. Yeah.
19 Q. So do you think that was the last time?
20 A. Yes.
21 Q. Do you remember how it was that you two happened to be in
22 the truck together at 9:00 o'clock in the church parking
23 lot? Like what was going on?
24 A. Well, he had told Doni we were going to go get soap at
25 Wal-Mart for the so-called car wash.

0075

1 Q. So you had been at the Rhinehart home?
2 A. Yes. I was spending the night.
3 Q. Where was [REDACTED]?
4 A. He was present that time.
5 Q. So you wanted to go to Wal-Mart. Any reason why [REDACTED]
6 didn't go?
7 A. He wanted to stay home and play video games. He loves
8 doing that. I can't say -- I love playing video games
9 too.
10 Q. And did you want to go with Brian to go to the Wal-Mart?
11 A. Yes, I agreed to go. I always wanted to help him.
12 Q. And the car wash was the next day?
13 A. Yes.
14 Q. Was that a Boy Scout fundraiser?
15 A. Uh-huh (affirmative response).
16 Q. Is that "yes?"
17 A. Yes. It was a fundraiser for a field trip. We would say
18 free car wash but we were hoping to get donations.
19 Q. Right. Now, if he had -- if Brian had touched you on
20 these other occasions, why did you want to go with him
21 alone in the truck?
22 A. Well, you know, I just -- honestly, I kind of -- looking
23 back on it now, I was kind of like really good friends
24 with Brian. But looking back on it now, it was a really
25 bad idea, you know. That's the whole reason why I told

0076

1 him it was wrong.
2 But he was considered a pretty good friend even
3 though he did those things, which is a bad -- which is,
4 you know, a bad thing. But, you know, looking back on it
5 now, I agree that that was a good, the best benefit of the
6 doubt, me turning him in. Because, you know, if I had not
7 done that, the results could be disastrous.
8 Q. So if that was the last time, when do you think that was
9 compared to when you reported him? Was it a few days
10 later or a month later? You know, when do you think that
11 was.
12 A. I'm not really sure. It feels like it was about a few
13 months later because the letter -- I'm not sure what the
14 date -- I have no clue when the letter, the date the
15 letter was sent.
16 Q. Well, was there anything about the fourth time, this last
17 time, that made you decide to report Brian? Anything
18 different about that? Or why then and not after the first

- 19 time, second time or third time, if there was a reason?
20 A. Well, because, honestly, I'm not going to lie. Me and
21 him were really good friends, like he was -- I got the
22 notion that he was a really good scout leader. But
23 even -- I was too young to understand that that was wrong.
24 Q. Well, wasn't it that the letter came and you saw that you
25 had been thrown out and that's when you reported him?
0077
1 A. Yes.
2 Q. Now, were you attracted to Brian?
3 A. No.
4 Q. Did you tell Wyley Garrett that you were?
5 A. I don't remember.
6 Q. If says here in Wyley Garrett's report that you admitted
7 to him that you wanted the sexual attention of Mr.
8 Rhinehart. Did you ever say that?
9 A. I don't remember saying that.
10 Q. It says here that you were talking to him in this report
11 and you said that you admitted to being abused by Mr.
12 Rhinehart and by Emanuel Blackwell.
13 A. Yes -- no. I didn't know Emanuel's last name. I forgot
14 it. His real name is Emanuel Rooker.
15 Q. Well, he's got Blackwell in the report.
16 A. I didn't realize what his last name was.
17 Q. So then it says that you were sexualized at an early age
18 and admitted that he first wanted the sexual attention of
19 Mr. Rhinehart.
20 Do you think that you did? Were you interested in
21 having him touch you and you touch him?
22 A. Well, if we were really good friends, I guess I would
23 probably be interested then. But looking back on it now,
24 it really angers me.
25 Q. Sure. I understand. I'm not talking about how you feel
0078
1 now. But then did you feel like -- in other words, when
2 he asked you to go with him in the truck, did you want to
3 go?
4 A. Yes, to help him out.
5 Q. But you knew when you were leaving that day to go in the
6 truck to get the soap, that he might try to touch you
7 again?
8 A. Yes.
9 Q. And you were okay with that then; right?
10 A. Yeah.
11 Q. And you didn't tell anybody or say anything about not
12 wanting to go when he asked you to go; did you?
13 A. No.
14 Q. So you felt like you and Brian were like best friends
15 too; right?
16 A. Really good friends. Like he would take up for me
17 like -- you know, well, you know, when we were in scouts,
18 he would -- I have to say there's not many people who
19 would tell Jackie, call Jackie out like that.
20 Q. Did you actually see him do it.

- 21 A. No. He had a talk with her.
22 Q. Did she ever say anything about what he said to her?
23 A. No. She was much more respectful, real, you know, nicer
24 to me after that.
25 Q. All right. So then after he got arrested, then he pled
0079
1 guilty to touching [REDACTED], then -- and then [REDACTED] and
2 Doni moved away, the boy scout troop broke up. Is that
3 what happened?
4 A. Yes.
5 Q. Then what happened? You were in Landrum High School at
6 that point?
7 A. Yes.
8 Q. And so did you drop out of school after this all came to
9 light or did you --
10 A. No. I stayed in school. I graduated.
11 Q. So you stayed like three more years, basically? Because
12 you would have been a freshman, ninth grade.
13 A. No. I was a junior -- I was a sophomore when I first
14 started.
15 Q. You were a sophomore at Landrum because you had went to
16 Boiling Springs for a year?
17 A. Yes.
18 Q. So when this all happened with Brian, you were a freshman
19 at Boiling Springs?
20 A. Yes.
21 Q. Then why did you go from Boiling Springs --
22 A. No -- well, what were you going to say? Sorry.
23 Q. Is that true? You were a freshman at Boiling Springs?
24 A. Yes.
25 Q. With [REDACTED]?
0080
1 A. Yes. But this happened after, after my grandparents got
2 custody of me after it was all over. And then I moved in
3 with them in 2006. In 2007, I went to school my sophomore
4 year and became a -- and enrolled in ROTC.
5 Q. So you changed schools after your grandparents got
6 custody?
7 A. I was a junior when I was in ROTC, though.
8 Q. So when the abuse happened and you reported Brian, you
9 were a freshman at Boiling Springs?
10 A. Yes.
11 Q. Then you finished the year at Boiling Springs; is that
12 right?
13 A. Yes.
14 Q. And is that when your grandparents took custody of you?
15 A. Yes.
16 Q. So you then started at Landrum High because that's where
17 they lived?
18 A. Yes.
19 Q. So do you know why it was that in 2006 your grandparents
20 took custody of you when all those other years they
21 hadn't? Like what happened? Why did it happen then, do
22 you think?

- 23 A. What?
24 Q. That they took custody of you then and not some other
25 time earlier?
0081
1 A. Because I got in a fight with my step-mom and, you know,
2 I mentioned that. But after that was over and I got out
3 of the Psych Center, I was, you know, stable and I moved
4 in with my grandparents.
5 I went to the group home first and then they got
6 custody over me at the -- they got custody over me at the
7 courthouse and I think it was Cheraw.
8 Q. So that's when you told me that you were going to William
9 Hall after you had the incident with your step-mother and
10 the knife?
11 A. Yes.
12 Q. Then when you got out, you went into the group home and
13 then the grandparents got custody?
14 A. Yes.
15 Q. So how did you like then living with your grandparents?
16 A. I liked it.
17 Q. So from basically 2006 until when do you think you moved
18 up to New York?
19 A. I moved up to New York in 2010, at the end of 2010.
20 Q. So for roughly four years or so, you stayed with your
21 grandparents?
22 A. Yes.
23 Q. And then since you had that hearing with your dad at the
24 courthouse, you haven't seen him since then?
25 A. No.
0082
1 Q. So that's roughly 2006 until now?
2 A. Yes.
3 Q. All right. Have you seen Beverly?
4 A. No, I haven't seen her. She didn't even come to the
5 court hearing.
6 Q. So were you doing well in Landrum? Did you like Landrum
7 High School?
8 A. Yes.
9 Q. Did you like it better than Boiling Springs?
10 A. Oh, yes.
11 Q. What was so much better about it?
12 A. Well, my first year was really good. I really made a lot
13 of friends. But after that, it kind of went downhill.
14 Q. At Landrum?
15 A. Yes.
16 Q. Why do you think that was?
17 A. Because I was in ROTC and I got in a -- I was -- I got
18 in -- I got in a fight with some African-American girl.
19 All I did was push her but that's still wrong, because she
20 threw a football at me.
21 Q. Do you know why she did that?
22 A. Because I was too rough on the two-hand touch. I was, I
23 was -- you know, at ROTC at our school, we have -- like
24 every Friday we'd go outside and play football like for an

25 event or something.

0083

- 1 Q. So as a junior, you got into this pushing match with the
2 girl and that's why everybody got mad at you?
3 A. It wasn't -- yeah. I was -- yes.
4 Q. So then did you stay in ROTC then?
5 A. Yes.
6 Q. All the way through your senior year?
7 A. Yes.
8 Q. But you said some people were mad at you for that?
9 A. Yes. Well, half the school was and half the school
10 wasn't.
11 Q. So then you got, you got out of high school. And then is
12 when you decided you wanted to go and live with your mom?
13 A. Yes.
14 Q. Did she ask you to come live there? How did that come
15 up? Like how did you decide to go there?
16 A. I agreed to come -- well, I asked her.
17 Q. You asked her and she agreed for you to come?
18 A. Yes.
19 Q. Then during the Landrum High, were you getting any --
20 were you seeing any regular doctor or counselor or
21 anything?
22 A. Yes. Jean Dill used to come to school and ask me how
23 things were going.
24 Q. You said Gill or --
25 A. Jean Dill.

0084

- 1 Q. Do you know who she's -- is she like with the county or
2 DSS or --
3 A. No. She's a social worker. I'm not sure. She works for
4 the Spartanburg Mental Health Center.
5 Q. So after you got into Landrum High, was that a better
6 period of time for you than it was when you were at
7 Boiling Springs?
8 A. Yes. In some ways not and in some ways yes.
9 Q. How was it not?
10 A. Because my first year there. . .
11 BY MR. WALSH:
12 Let's go off the record a second.
13 (OFF THE RECORD)
14 EXAMINATION RESUMED BY MR. WALSH:
15 Q. We're back on the record. So she would come in and meet
16 with you at the school or --
17 A. Like every two weeks.
18 Q. And were you taking your meds?
19 A. Yes. Some of the times, I wasn't, though.
20 Q. When you had problems like with behavior, do you think it
21 was because you weren't taking your meds?
22 A. Yes.
23 Q. And if you took your meds, you pretty much were okay?
24 A. Yes.
25 Q. When you had the incident with your step-mom and the

0085

1 knife, were you off your meds?

2 A. Yes.

3 Q. And so would she come in and kind of make sure you were
4 talking your meds and making sure you were doing what you
5 were supposed to do?

6 A. Yes.

7 Q. Did you see anybody else besides Ms. Dill during that
8 time at Boiling Springs?

9 A. No.

10 Q. And so when you went to New York, that must have been --
11 I mean, you must have been kind of nervous to go up and
12 start basically a new life up there. Were you?

13 A. No. I was pretty happy about it.

14 Q. And felt like it was time to sort of start out on your
15 own kind of thing?

16 A. Yes. I haven't had any problems with anybody.

17 Q. So you would say in New York you're doing the best you've
18 ever done?

19 A. Yes.

20 Q. You feel good about yourself right now?

21 A. Yes.

22 Q. And do you have a social worker that you see there?

23 A. Yes. Her name is Tracy. I don't know her last name. I
24 have her business card in my wallet.

25 Q. Do you have that with you?

0086

1 A. No.

2 Q. Where is your wallet?

3 A. I forget my wallet.

4 Q. Well, if you could get that information maybe to your
5 attorney, that would be good.

6 A. I'll show it to him.

7 Q. And do you see her every couple of weeks too?

8 A. She comes by the house like once a week. Can I -- I'm
9 telling you this, I'm not telling anybody like in here,
10 but can I give Mr. Jeffcoat her business card number after
11 this is over?

12 Q. Sure. Absolutely.

13 A. Well, we'll have to go pick it up at my house.

14 Q. Well, you can maybe even call it in.

15 A. Does he have a business card? I mean, I can't ask him
16 now.

17 Q. I think Mr. Jeffcoat does have a business card.

18 BY MR. WALSH:

19 Mr. Jeffcoat, will you arrange with your client to get
20 that information?

21 BY MR. JEFFCOAT:

22 Absolutely.

23 EXAMINATION RESUMED BY MR. WALSH:

24 Q. You're good at following the rules, John Doe. I
25 appreciate that. So other than seeing Tracy, do you have

0087

1 to get any other treatment? Like who prescribes your
2 meds?

3 A. Well, I'm not really sure. There's this Pakistani
4 doctor, female, at the Elmira Day Program that prescribes
5 my medication. I take one pill, Tenex.
6 Q. And how often do you have to see the Pakistani doctor?
7 A. Well, the last time I was in, she told me to see her in
8 three months.
9 Q. Do you have your medicine with you?
10 A. It's at home. I took it this morning.
11 Q. So there's a doctor's name on there?
12 A. Yes. I'll give that to Mr. Jeffcoat too.
13 Q. All right. And you see him every --
14 A. Her.
15 Q. Her. The Pakistani doctor is a her? And you see her how
16 often?
17 A. Usually once a month. But she said I was doing so,
18 making so much progress that she would only see me -- she
19 would see me in three months.
20 Q. And any other like social workers or doctors that you see
21 up in New York beside Tracy and the Pakistani?
22 A. When I was in Bath Day Program, I saw this doctor named
23 Dr. Conn.
24 Q. Conn?
25 A. Yeah.

0088

1 Q. What kind of doctor is Dr. Conn?
2 A. He's a mental health doctor.
3 Q. Is that K-A-H-N or C-O-N-N?
4 A. Conn.
5 Q. C-O-N? K-O-N? K-A-H-N?
6 A. No. Dr. Hon, H-O-N.
7 Q. Dr. Hon, H-O-N.
8 Q. Okay. It's not H-A-H-N?
9 A. I think so. I'm not really. . .
10 Q. All right. Now, the lawsuits that you filed, your
11 grandmother is listed as the --
12 A. Guardian.
13 Q. -- as your guardian. Did you know that that was going
14 on, that she was your guardian?
15 A. Yes. I'm really glad she's my guardian because she's
16 very supportive.
17 Q. And did you have a discussion with her about her being
18 your guardian, like was that discussed with you and they
19 asked you?
20 A. I kind of didn't want it. But now it's better for her to
21 be my guardian because, you know. . .
22 Q. So were you at some point like examined by a doctor?
23 A. Yes.
24 Q. Was that in South Carolina?
25 A. Yes. In Landrum.

0089

1 Q. The last time you were here before coming for this week
2 or two, when had you been to South Carolina, do you think?
3 A. Let me think. It feels -- I'm not really sure. I don't
4 know the date. It feels like it was four months ago or

5 five months ago.

6 Q. Is says like June of 2011. That's roughly six or seven
7 months ago. Does that sound right?

8 A. June, 2011 would be --

9 Q. Roughly six or seven months ago.

10 A. Yes.

11 Q. It looks like you saw like Dr. Rona?

12 A. Yes. At the Landrum Clinic or whatever.

13 Q. Now, he indicated that -- well, tell me what he did for
14 you? Did he --

15 A. I think it was a she.

16 Q. Okay. And what did she do? What was her examination
17 like?

18 A. She examined me to make sure I was capable of giving a
19 deposition.

20 Q. Did she think you could?

21 A. You know -- well, I'm not really certain. But my
22 grandpa -- she kind of was kind of like -- I felt like she
23 was kind of biased because I was dressed kind of funny
24 when I went there.

25 Q. Did you have your Mohawk?

0090

1 A. Yes.

2 Q. Did you have your like punk look there?

3 A. Yes.

4 Q. What would that be? What would your --

5 A. I shouldn't have done that.

6 Q. What are your clothes when you've got that look?

7 A. I had like a shirt with a cuss word on it, a Slipknot
8 shirt. I shouldn't have wore it there because I wasn't
9 looking presentable when I went there. That's probably
10 the reason she felt like that. I was really polite to
11 her, though.

12 Q. Now, she indicated in her report that she said that you
13 suffered from a schizoaffective disorder. Do you know
14 what that is?

15 A. That's like when you feel delusional.

16 Q. What does that mean? When you feel delusional, what does
17 that mean?

18 A. I haven't really experienced that. I experienced that in
19 the past but I don't show any symptoms of it anymore.

20 Q. So when you had those symptoms, what was that like?

21 A. There's paranoia, you know. When I was in the Psych
22 Center in 2010, I felt pretty paranoid.

23 Q. What would that mean? What would you be paranoid about?

24 A. Well, you know, it's kind of funny. Nothing ever
25 happened but I felt like -- you know, I felt like -- I

0091

1 told PSO that a staff member was having sex with an
2 African-American staff member.

3 Q. And that wasn't true?

4 A. It was true. I saw it, I was there. There was a witness
5 with me, Tim -- I don't know his last name. But he saw it
6 too. We were looking in the window in the social room.

7 Q. Did that get you in trouble?

8 A. Well, not really. I mean, I told -- a friend of mine, a
9 staff member, he told the head nurse. And she was like,
10 "well, I'm going to go get PS0 and you can tell him." I
11 explained it to PS0 and they wrote a report.

12 And then the next morning, I got -- one of the
13 officers took me out to the bat cave and asked me where it
14 happened and I told him. And he filled out the report and
15 he believed me. And after that, I kind -- I was off my
16 medicine, of course.

17 And after that, I was kind of nervous, I was kind of
18 upset that I was -- a couple of weeks after that, I
19 stopped talking my medicine. After that, I was kind of
20 paranoid that that they were going to try to kill me in my
21 sleep because I ratted on a member.

22 Q. What's PS0?

23 A. Public safety officer.

24 Q. And you said the bat cave?

25 A. It's the name for the social room.

0092

1 Q. And this was up in New York, did you have this?

2 A. No. This was in South Carolina at Patrick B. Harris.

3 Q. I thought you said it was in 2010?

4 A. Yes. I was in Patrick B. Harris in 2010.

5 Q. Okay. Well, help me with the timeline. I thought when
6 you left after high school you moved up to New York.
7 That's before you had left?

8 A. No, no, no. It was after -- it was like -- I didn't go
9 up to New York until like 2010. But I working at
10 vocational rehabilitation and I got put in the Psych
11 Center for talking about a horror movie.

12 Q. Right. And you told me about that. That's right. And
13 then after you got out is when you moved to New York?

14 A. Yes.

15 Q. All right. Do you need assistance to administer your
16 medication? Do you need that or can you take it on your
17 own?

18 A. I can take it on my own. I realize how important it is
19 to take it now. I only take one pill.

20 Q. And it says you need assistance to handle your personal
21 financial matters.

22 A. Well, temporarily. Not forever.

23 Q. What do you think would make it so that you can handle
24 it?

25 A. Because I learned to balance my checkbook in high school

0093

1 my freshman year.

2 Q. And so now you can't manage it, you say?

3 A. I can do it now. Some of the things, I have trouble
4 spelling some -- but I can -- I can balance my checkbook.

5 Q. Now, in the report it says that you were getting some
6 kind of injection weekly.

7 A. Yes.

8 Q. What was that?

- 9 A. Prolixin.
10 Q. Who was giving you that? Was there a doctor giving you
11 that?
12 A. Yes.
13 Q. What was that for?
14 A. For schizoaffective.
15 Q. But you're not taking that now?
16 A. No. I haven't been taking it for four months.
17 Q. Who decided that you didn't need to take that?
18 A. The doctor, the Pakistani female doctor in Elmira Day
19 Program.
20 Q. Why did you think that she concluded that?
21 A. Because I wasn't showing any symptoms.
22 Q. How long had you been taking the injection before you
23 stopped?
24 A. Pretty much about, I don't know, seven months.
25 Q. Was that -- did they start giving you that at Patrick
0094
1 Harris?
2 A. Yes.
3 Q. Had you ever had that before you went to Patrick Harris?
4 A. No.
5 Q. Do you feel like you need to have a guardian for your
6 lawsuits or can you understand what's going on your own?
7 A. Maybe temporarily but not for good. I'm going to achieve
8 to do that, to manage my money.
9 Q. So if you were asked to make decisions about your case on
10 kind of what to do and how to do it and that sort thing,
11 are those decisions you want to make or are you asking
12 your grandmother to make them for you?
13 A. I would make them.
14 Q. Would you consult with her? Like, in other words, if she
15 says to do one thing and you want to do another thing, who
16 decides?
17 A. I would decide this.
18 Q. And have you discussed that with her? Like does she know
19 that you're in charge of your case or do you think that
20 she thinks that she's in charge of your case?
21 A. She thinks she's in charge of it.
22 Q. But you think that you're in charge?
23 A. Well, I'm the one that was violated.
24 Q. But you understand that she's now the guardian of you and
25 she has the legal right to make decisions for you.
0095
1 A. Yes. And I'm a grown man and I should be able to make my
2 own decisions.
3 Q. So why would you want her to be a guardian then?
4 A. Well, I said temporarily. That doesn't mean like
5 forever. Just to help me until I get back on my feet and
6 study and study and learn how to manage money a little bit
7 more.
8 Q. Now, in looking through your records, you had told me
9 about Dustin and Emanuel and I thought you had told me
10 that Dustin was in 2001 and Emanuel would have been --

11 would that have been around the same time, you think?
12 A. No, no. 2001 was before I moved to Spartanburg. I lived
13 in Cheraw.
14 Q. And that's when you and Dustin had your incident with
15 each other?
16 A. Yes.
17 Q. And then when did Emanuel occur? Was that after Dustin?
18 A. It all started when I was outside working, building a
19 snowman.
20 Q. Do you know what year that was?
21 A. 2002.
22 Q. Because there's an incident, a report in November of 2003
23 where it talks about -- it says that you had reported to
24 DSS in Spartanburg that one of your friends who was 12
25 touched your penis. It happened twice.

0096

1 Is that a different incident than Emanuel or Dustin
2 or is that Dustin and Emanuel?
3 A. Who was it?
4 Q. It doesn't say. If says, it just says that, "John Doe
5 revealed to me that his friend who was 12 had touched his
6 penis twice and it was not consensual."
7 A. I don't remember that.
8 Q. But it doesn't really say where it happened. But it was
9 in November of 2003. And I'm wondering if that would have
10 been another incident or would have been Emanuel.
11 A. I don't remember, really remember when that was. They
12 maybe made a mistake.
13 Q. How old is Emanuel, was he when he touched you?
14 A. He was a year and a half older than me. So I was 11, he
15 was about -- I think he was about 12 or almost 13.
16 Q. Now, earlier in the deposition the first day, I asked you
17 about the lawsuit that you filed and what you kind of were
18 looking for or like what you wanted out of the case. And
19 I think you used the word justice.
20 A. Yes.
21 Q. So I don't know if you've had anymore time to think about
22 that, but do you have -- if this was to end -- you know,
23 at some point there can be a trial.
24 A. Yes.
25 Q. And you would go to court, you would tell your story,

0097

1 your attorneys would make their arguments, the defendants
2 would give their sides.
3 A. Yes.
4 Q. And then at the end of the day, the jury might return a
5 verdict either for you or against you. In your perfect
6 world, what do you want the jury to say?
7 BY MR. JEFFCOAT:
8 Object to the form you question.
9 EXAMINATION RESUMED BY MR. WALSH:
10 Q. You can answer.
11 A. What?
12 Q. He's just making an objection for the record. He's

13 objected to my question. But under the rules, you can
14 still answer the question.
15 A. No, I don't want to answer.
16 Q. You don't want to answer?
17 A. No.
18 Q. Well, you do have to answer.
19 A. Okay, okay.
20 Q. I mean, he's objecting but you still have to answer my
21 question.
22 A. Okay. I'll answer it.
23 Q. So if you're sitting there waiting for the jury to return
24 the verdict, what do you want them to say?
25 A. Whatever -- you know, whatever is -- whatever is the
0098
1 right thing for them to say, whatever they decide to say.
2 Q. Well, in a case like this, these cases the jury awards
3 money. They can't put Brian back in jail in this case,
4 they can't make the police do something to anybody.
5 They can either give money or not give money.
6 That's what the jury does. So do you want them to award
7 money?
8 BY MR. JEFFCOAT:
9 Object to the form.
10 EXAMINATION RESUMED BY MR. WALSH:
11 Q. You can answer.
12 A. That's not what it's about. It's not about the money.
13 It's about, it's about -- it's about justice. That may
14 come into play but it's about justice, not -- it's not
15 just about -- you know, that's not what court's about.
16 Q. But that's what this court is about. This court is about
17 money. It's not a criminal case; okay? But that's up to
18 the state and the solicitor.
19 The civil case is about money and whether the jury
20 awards a verdict of money or not. So do you have a number
21 that you think is fair? What is justice to you?
22 BY MR. JEFFCOAT:
23 Object to the form.
24 WITNESS ANSWERS:
25 A. Justice to me is -- you know, I'm not sure how to answer
0099
1 that.
2 Q. Well, do you want \$100?
3 BY MR. JEFFCOAT:
4 I'm going to object to the form again. I mean, you've
5 asked the question three times --
6 BY MR. WALSH:
7 Well, I'm trying to ask it in a way -- he hasn't answered
8 it. So until he answers it --
9 BY MR. JEFFCOAT:
10 He's answered it.
11 BY MR. WALSH:
12 You can object. That's your right.
13 EXAMINATION RESUMED BY MR. WALSH:
14 Q. So you said you don't know -- you want justice. But I'm

15 telling you that the justice in this case is for a jury
16 to award a monetary damage award, money. That's what
17 they do: They either don't award money or they do.
18 That's the choices. And then if they do award money,
19 they award some amount of money from a dollar up.
20 A. Well, I shouldn't mention that. That's not something I
21 should mention.
22 Q. Well, but that's what you've sued over. That's what your
23 lawsuit -- your lawsuits have asked for money. That's to
24 be compensated, to be paid for your injuries and damages.
25 So I guess what I'm asking you is: At some point,
0100
1 do you have an idea of what is fair, what is justice to
2 you?
3 BY MR. JEFFCOAT:
4 Object to the form.
5 WITNESS ANSWERS:
6 A. I'm not sure if I should, how I should answer that.
7 Q. Well, you've talked to people about maybe getting a
8 settlement in the case; haven't you?
9 A. Yes. But can we take a recess or should we --
10 Q. If you want to take a recess --
11 A. Well, I'm not trying to -- you know, you do have a point.
12 But, you know, I'm not sure what you're saying.
13 Q. Well, if you want to take a recess, we'll take a recess
14 or we can keep asking questions and answering questions.
15 You tell me.
16 A. Because I don't feel like, you know, I should -- if I --
17 how to answer that question.
18 Q. Well, do you want to take a recess or do you want to keep
19 going?
20 A. Take a recess.
21 BY MR. WALSH:
22 All right. Let's take a recess.
23 (OFF THE RECORD)
24 EXAMINATION RESUMED BY MR. WALSH:
25 Q. John Doe, I'm about through with my questions and I
0101
1 appreciate your being patient with me over the two days
2 answering them. I'm gong turn it over to Mr. Phillips
3 who represents the Boy Scouts.
4 And before I do that, though, I just want to ask you
5 one other set of questions. I represent Doni Rhinehart;
6 okay?
7 A. Yes.
8 Q. You've sued Doni Rhinehart in this case.
9 A. Whoa, whoa. Look, listen. Doni Rhinehart has nothing to
10 do with this. She didn't do doing so they shouldn't have
11 sued her estate. That was wrong. It was the Boy Scouts
12 and Brian, not her. She had nothing do with this.
13 Q. That's all I have. Thank you.
14 A. I'm just saying Brian -- Doni had nothing to do with
15 that.
16 Q. I understand and I appreciate you saying that. Thank

17 you.

18 EXAMINATION BY MR. PHILLIPS:

19 Q. John Doe, I've got questions too. Mark Phillips. You
20 and I, of course, have spent two days together almost by
21 now. So what I need to do -- a lot of this will be
22 follow-up on what you discussed with Jim Walsh over
23 basically a day and a half's time. And then just a few
24 things just through the records that we've talked about.

25 Real quickly: Have you ever been in a hospital

0102

1 besides the five trips to the psychiatric hospitals?

2 A. No.

3 Q. Just those?

4 A. I don't think so.

5 Q. And as best as you know, you've never been arrested, did
6 you tell us last time?

7 A. Well, I've been arrested but I didn't get charged,
8 because, you know, looking back on it now, it wasn't
9 really my fault.

10 Q. Tell us about that real quick?

11 A. I got in an incident with my step --

12 Q. Was that the one with the knife where she got stabbed and
13 the police came to the house?

14 A. Yes.

15 Q. And we covered that. That's -- were you charged with
16 probably assault and battery with intent --

17 A. I wasn't trying to kill her. I was just trying to -- I
18 was just trying -- I had no intention of killing her. I
19 stabbed her in the arm one time. I had no intention of
20 killing her.

21 Q. How far did the knife go into her flesh?

22 A. About that much. I didn't really stab her as hard as I
23 could. But, you know, that was just not a good
24 environment for me to live in.

25 Q. It was not a good thing? And that was --

0103

1 A. And all that's -- I hope that doesn't jeopardize me
2 getting a job or something because --

3 Q. I'm just not sure but it sounds like you're trying.

4 A. Yeah.

5 Q. Okay.

6 A. Because my social worker told me the only thing that was
7 on my record was a history of joy riding. That's the
8 only. . .

9 Q. You mentioned you haven't seen your father since 2006?

10 A. Yes.

11 Q. We're talking about six years?

12 A. Yes.

13 Q. Do you know where he lives now?

14 A. He lives in Lamar, South Carolina.

15 Q. I know where Lamar is.

16 A. I have one more question.

17 Q. Sure.

18 A. If you have charges when you're younger but you don't

- 19 get -- you get them dropped, are they still on your
20 record?
- 21 Q. Might not be. I can't really tell you for sure but I bet
22 you Michael can figure it out.
- 23 A. Because I had no intention of hurting Beverly -- well, I
24 wanted to teach her a lesson but I had no intention of
25 killing her. I'm not -- I don't -- I know that was wrong
- 0104
- 1 but, you know, I would never harm another human being
2 even -- what I would do like if I was in -- well, say I
3 was in the Army I had to like kill a kid that was like
4 coming up to me, up to my humvee and had a gun, that would
5 be justifiable. Right?
- 6 Q. I guess.
- 7 A. But I'm just saying that I have no intention of harming
8 anyone.
- 9 Q. Tell me, do you know if your father is working in Lamar?
- 10 A. No, I'm not sure.
- 11 Q. Is Beverly still his wife?
- 12 A. Yes.
- 13 Q. Do you know if Beverly is working in Lamar?
- 14 A. I'm not sure.
- 15 Q. Didn't you tell me she was a registered nurse?
- 16 A. Yes. She's still working -- I assume she's still working
17 because she's -- just -- if they can proof that I had -- I
18 just get the feeling like this is going to be jeopardizing
19 me getting a job.
- 20 And I wanted to -- it doesn't really worry me. I'm
21 just saying I don't think it's really fair for this to
22 impact my future.
- 23 Q. It may not, it may not.
- 24 A. Okay.
- 25 Q. And I just wanted to make sure that there wasn't anything
- 0105
- 1 we did not discuss that you --
- 2 A. Okay. I'll just drop that --
- 3 Q. But I don't want you to be distracted either so --
- 4 A. Well, let's just continue. I won't bring that up again.
- 5 Q. That's fine. Have you spoken with your dad from time to
6 time in the last six years?
- 7 A. Yes. I've actually -- the first time I spoke with him
8 was about a year ago on Facebook. I referred to him as a
9 friend. And it was a little bit more than that but I'm
10 not really sure how long it was. It was a little over a
11 year. I requested him as a friend on Facebook and he
12 accepted my request and we got to talking.
- 13 And he said that -- he did tell me that Dustin,
14 don't worry anything about what Dustin says. He had to go
15 to court from stealing Beverly's car and taking gas from
16 the pump.
- 17 Q. So Dustin has evidently stolen his grandmother's car --
- 18 A. His mom -- yes. His grandmother's. Excuse me.
- 19 Q. His grandmother's car. Because, remember, his mother had
20 drug problems and was in rehab; is that right?

- 21 A. Yes.
22 Q. What's her name again?
23 A. Janet Dixon.
24 Q. And, by the way, were Justin -- and the boy's name is
25 Shea?
0106
1 A. Shea.
2 Q. How do you spell Shea? Can you guess?
3 A. S-H --
4 Q. Would it be A-Y, something like that?
5 A. Yeah. That's how you spell it.
6 Q. Were they full brothers, do you know?
7 A. Yes. They were full-blooded brothers.
8 Q. Do you know what happened to Janet's husband or the
9 father of those two kids?
10 A. Yeah. The father is -- let's say a -- not overbearing
11 but kind of an abusive father, you know. He kind of --
12 not sexual but physical with them.
13 Q. Like beating them?
14 A. Not to a degree where it's going to hurt them but just
15 keep them in line.
16 Q. I see. But what's his name? Do you have any idea?
17 A. Paul -- I don't know -- Paul. I don't know his last
18 name.
19 Q. Shea and -- what's the other grandchild's name?
20 A. Dustin.
21 Q. Of course. We talked about him the other day. And
22 Beverly usually works, has been the working person in the
23 house?
24 A. Yes. But my dad has had a job in the past in -- he's a
25 hard-working man. He's very intelligent, very smart, but
0107
1 I think he still may have drug problems. He may have
2 changed. I'm not sure. He worked at this recycling
3 center in Cheraw.
4 He worked as a shift truck driver and he served in
5 the National Guard in '82.
6 Q. And that's before, before you and your dad parted ways
7 legally, I guess?
8 A. Yes.
9 Q. Didn't we think it was like May of 2006 when you all --
10 A. Yes.
11 Q. And that was after you were released from the William S.
12 Hall Hospital in Columbia?
13 A. Yes.
14 Q. Over the five years that you did not speak to your
15 father, did you ever hear anything from him like at
16 Christmastime or your birthday anything?
17 A. You know, I don't -- I'm not really sure. I would have
18 to check my Facebook page and that's not allowable. Could
19 I check my Facebook page or is that --
20 Q. We don't have to worry about it today. But you don't
21 remember then having any contact with him?
22 A. No.

- 23 Q. By the way, I meant to get it and I think I've got it.
24 But do you know what your social security number is?
25 A. I can go ask. I know the first digit is --
0108
1 Q. You know. I bet you it's in all these medical records
2 we've got so I'll leave that alone.
3 A. I didn't know -- I should have brought my wallet with me.
4 I don't know what I was thinking.
5 Q. It had all kinds of stuff in it; didn't it?
6 A. Yeah.
7 Q. That's all right. I know you've done some Facebook
8 communicating with your father and you said you've also
9 been -- you've had conversations with him too?
10 A. Yes.
11 Q. Have you ever all talked about the lawsuit at all?
12 A. Not -- not that I know of. We have talked about -- the
13 only thing I remember him saying is talking, is talking
14 about the incident with Dustin stealing Beverly's car.
15 Q. And so he basically said: Don't worry about Dustin, he's
16 not going to try to put a lien or try to put a squeeze on
17 your lawsuit recovery because he's stolen a car and stolen
18 some gas from a gas station?
19 A. That was sort -- that was exactly what he said.
20 Q. And did Dustin ever tell you he wanted some of your
21 lawsuit proceeds?
22 A. No. If he would have, I would have denied it on the
23 spot. We -- go ahead.
24 Q. No. You --
25 A. We did have like -- we were really good friends at one
0109
1 time. But, you know, after -- you know, after what he
2 pulled in that tent, I don't want to have anything to do
3 with him.
4 Q. He was seven -- no. He was about three years younger
5 than you?
6 A. Yes. And I was ten, ten at that time.
7 Q. You're 20 now and he's about 17 or 18?
8 A. He's 18; yeah.
9 Q. And Shea is a year younger?
10 A. Yeah.
11 Q. Okay. Now, would you tell me again, please, what it was
12 that Coach Rumble did? Because I know that when you
13 called the school superintendent to report Brian
14 Rhinehart, you also reported Coach Rumble. Is that right?
15 A. Yes.
16 Q. And we've got pretty good records, it looks like, that
17 the interviews that the police officers did with you and
18 your father were on October 7 -- that's a Friday. That's
19 sort of important to us.
20 Was it also the same day, a Friday, that you called
21 the school superintendent and she sent, for instance,
22 Detective Cantrell to come see you right after that?
23 A. No. I went to her.
24 Q. Oh. You went to see the detective?

25 A. Yes.

0110

1 Q. Did you get a call from her to come see her at the
2 station, I guess?

3 A. You know, I'm not certain. But I think we called her --
4 well, I'm not sure.

5 Q. But it all started with you -- I think that your father
6 had testified that maybe he had, that you had told him
7 about the abuse and that he told you to tell the folks at
8 the school. Could it have been that way --

9 A. No, no. I made that decision myself.

10 Q. And you made that decision without discussing it with
11 anybody?

12 A. Yes. But the thing that Coach Rumple did, other students
13 in the classroom are like -- you know, he'd make me sit in
14 the back of the room. But that's a little thing. It's
15 not really -- he shouldn't even be a part of this, I mean,
16 he. . .

17 Q. Was he sort of picking on you as a student?

18 A. Yeah. That's past. We had some, you know, like not so
19 bad days and bad days. But he's just out of the picture.
20 He was just trying to do his job.

21 Q. And you were at -- I'm sorry to be a little confused
22 myself. You were at Boiling Springs School when you made
23 this report; is that right?

24 A. Yes.

25 Q. And when you talked to the superintendent, was that by

0111

1 telephone or did you go see her at her office? How was it
2 that you made these reports?

3 A. Telephone.

4 Q. So you called the school superintendent and reported that
5 you had been abused by Brian Rhinehart and that you had
6 been mistreated by Coach Rumple. Is that right?

7 A. Yes. But nothing sexual from Coach Rumple. It was just
8 like just like a classroom thing. He really didn't
9 support me when other students, some of the other students
10 in the classroom were like, you know, poking fun at me.

11 Q. Let me ask you this, and I don't mean to offend you, but
12 were you a special-needs class with Coach Rumple?

13 A. Yes.

14 Q. And do you know what your sort of special need is?

15 A. Yeah.

16 Q. When you were kind of younger, you know, about middle
17 school --

18 A. ADHD. I mean, another thing: I was kind of lazy. It
19 wasn't that; I was just kind of lazy. I didn't really
20 want to -- but now I've learned that you have to study in
21 order to achieve things in life.

22 Q. Do you know, by the way, what [REDACTED]'s special
23 need was?

24 A. Well, they're saying -- he seems really smart. He made
25 better grades than I did. But his mom told me -- well,

0112

1 didn't tell me, consulted it with my grandma that he was
2 mildly retarded. But I don't think that's right because
3 he made like straight As in school.
4 Q. Was he a hard studier?
5 A. Yes.
6 Q. Hard worker?
7 A. Yes.
8 Q. Do you know whether you were diagnosed with any sort of
9 mental deficit or retardation also?
10 A. Well, I was never diagnosed with it but -- well, it was a
11 long time ago. But after their diagnosis -- when I was in
12 grade school, they diagnosed me with ADHD because I was
13 just too lazy. I was just not able to pay attention.
14 It's not that I couldn't do the work, I wasn't able
15 to pay attention and focus. I didn't have interest in it.
16 But now I've changed. You now, there's a difference
17 between mental retardation and somebody who doesn't want
18 to focus. But, yes, that was my diagnosis then.
19 Q. Does the medicine that you take for -- I think it's
20 called Tenex -- for your bipolar disorder, does that also
21 help your ADHD or do you also have any Adderall, access to
22 Adderall?
23 A. No. No, sir.
24 Q. So do you still have ADHD, you think?
25 A. Well, yes. But, you know, I've still -- I've motivated
0113 myself to get through high school and get a -- I want to
1 get a Ph.D. one day. See, I want to -- did I tell you
2 what I wanted to do on my treatment plan?
3 Q. Yes.
4 A. What?
5 Q. No, you didn't --
6 A. I wanted to be a corrections officer.
7 Q. You did tell us that last Friday. That's right. Right
8 now, you've got some sort of certificate of attendance at
9 a high school but not a high school diploma?
10 A. Yes. I'm going to go back to school and get my high
11 school diploma.
12 Q. And did you say a G.E.D. or --
13 A. A diploma.
14 Q. And would you just re-enroll in school then up in New
15 York, do you think?
16 A. No, I wouldn't want to do that.
17 Q. Well, how would you get your diploma?
18 A. Well, they have a program up there called BOCES where
19 people with like mental problems or special needs go to
20 learn. It's not like -- they wouldn't really enroll you
21 back in a public school. That doesn't -- that's not how
22 it works, I mean. It may have worked like that in the
23 past but now that I'm almost 21 I can't do that.
24 Q. Let's see. Now, a couple of things. Do you have an
25
0114 understanding of what sort of sexual abuse that Brian
1 Rhinehart committed against [REDACTED] besides the night that

3 he manipulated both of your genitals or, as you said, gave
4 you hand jobs?

5 A. Yes.

6 Q. What else did he do to [REDACTED] that got him to go to jail
7 for --

8 A. You know, I'm not really certain about that. Honestly, I
9 don't really know. That's something you would have to ask
10 him because I haven't heard from [REDACTED] in like over six
11 years.

12 Q. Did you ever discuss any of that with [REDACTED], oh, after
13 his dad got arrested about what his father had done to
14 him?

15 A. One incident in the classroom when we said, "I'm not
16 talking to you, you got yourself kicked out of scouts," I
17 didn't mention it then. But a couple of days later, I
18 mentioned, "do you know what your father did?" And he
19 said, "Brian's not my father, my real dad is dead," or
20 something like that. Because his biological father is
21 dead.

22 Q. That was Mr. Patel, I think you said?

23 A. I don't know what his name was. Isn't it in the report,
24 the paper, the document or whatever that he's Mr. Patel?

25 Q. I think -- I thought I remembered that's what his name

0115

1 was, but I may be wrong about that. All right. Just a
2 second.

3 And I think you said when you found out -- you found
4 out, therefore, through [REDACTED] that they were going to,
5 that you were being dismissed from the Boy Scout troop?

6 A. Yes.

7 Q. And I believe you testified for us the other day that
8 part of your reaction was, you know: At the end of the
9 day, I really didn't like the Boy Scouts anyway. Is that
10 right?

11 A. Yeah.

12 Q. All right. So it wasn't -- so was it not so upsetting
13 that day at school when [REDACTED] told you this?

14 A. I mean, it was -- it wasn't -- it was pretty upsetting.
15 But now looking back on it, it's past, the future is, you
16 know, set to achieve. I don't -- I just want to forget
17 about it but I. . .

18 Q. So tell me this: The day that [REDACTED] revealed this to
19 you, is this the day that you found out that your parents
20 had gotten a letter or a visit?

21 A. I'm not -- let me think about this. They got the letter,
22 I think it was before the church -- they got the letter
23 before the incident at school when he said, "I'm not
24 talking to you because --"

25 Q. Oh. But you found out about it first, I think you told

0116

1 us, through [REDACTED] at school. Isn't that right?

2 A. Well, I'm not really sure, it's been so long.

3 Q. Oh, I see. So you don't remember, you don't remember
4 looking at the letter then?

5 A. I saw the letter when they delivered it to my house. I
6 think it was -- was it Shelby who delivered it to my
7 house?
8 Q. I don't know. I just assumed it was mailed to you but --
9 A. No. Somebody literally brought it over to the house.
10 And my grandparents -- my dad and Beverly, my step-man,
11 told me somebody with blond hair brought this letter over
12 to the house.
13 Q. And who had blond hair?
14 A. Jackie.
15 Q. Jackie did.
16 A. Yeah. She was the lesbian scout leader.
17 Q. What makes you think she was a lesbian?
18 A. Well, that's what my grandparents told me. It's been all
19 over the church that she has a significant other that came
20 to the scout troop one day.
21 Q. I see.
22 A. Her partner.
23 Q. Do you know who the significant other was?
24 A. I'm not sure.
25 Q. So this is something your grandparents told you they had
0117 heard at church?
1 A. Yes.
2 Q. Do your grandparents go to St. Margaret's Episcopal
3 Church?
4 A. They don't. They're Baptist. But they have visited
5 there in the past.
6 Q. Where did they say they heard it?
7 A. From -- I'm not sure. They heard it from a bunch of, a
8 few people there. I'm not sure. I couldn't catch their
9 names or -- but she just told me she heard rumors about
10 Jackie being a lesbian.
11 Q. Was the letter delivered to your parents at the house?
12 A. Yeah.
13 Q. I see. So were you still at school when the letter was
14 delivered or out playing or doing something else?
15 A. I was at school. When I got off the bus, they told me
16 about what had happened.
17 Q. Do you know what you told us the other day, if you agree
18 with this -- I just want to make sure you're
19 comfortable -- was that you had heard it from [REDACTED]. And
20 then when your parents told you about it, I guess after
21 you got home from school, that you acted like you were
22 upset but that you really weren't because you didn't
23 really like scouts anyway.
24 A. Well, I was really upset. But at the same time, I didn't
0118 really like scouts -- I didn't like scouts because, you
1 know, number one, 85 percent of the people there were, you
2 know, obnoxious, you know.
3 Q. Are you talking about the kids or --
4 A. Not really the kids, but some of them were at different
5 times. They weren't like that all the time but at
6

- 7 different points in time they were like that. You know,
8 anywhere you work and have a job, you're going to have
9 that anywhere.
- 10 Q. I see. Some sort of bad apples --
11 A. So with your coworkers -- I don't mean a judgment -- you
12 probably have people you don't like.
13 Q. Yeah. You don't enjoy working with as much as others.
14 A. Yeah.
15 Q. So is it -- therefore, you think it's probably accurate
16 that you heard something from [REDACTED] and then you heard
17 something from your parents that afternoon?
18 A. Yes.
19 Q. And [REDACTED] had probably heard it from Brian, I suppose?
20 A. Yes. Definitely.
21 Q. So this was, I presume, before Brian got arrested?
22 A. Yes.
23 Q. And was Brian arrested within a pretty quick time after
24 you talked to the superintendent and the police detective?
25 A. No. What happened was: They questioned [REDACTED] and he
0119 admitted that Brian Rhinehart touched him.
- 1 Q. I see. Oh. I see. So the police questioned both you
2 and [REDACTED] at different times or different places?
3 A. The detective asked me and a detective asked him.
4 Q. I see. And you had also mentioned the other day you had
5 problems with the Boy Scouts or the Boy Scouts said they
6 had problems with you because of the monies through this
7 popcorn program. Is that right?
8 A. Yes.
9 Q. I saw that on October 7th, which is the same day that the
10 police interviews were given, your grandparents paid a
11 check to the Boy Scouts. I have got copies of it. Checks
12 for about \$42.
13 A. What was it?
14 Q. Was this the amount that was in dispute? Do you know?
15 A. The popcorn was only \$8, that they said I took.
16 Q. It was \$8 a box?
17 A. Yeah.
18 Q. You don't know -- I wonder if maybe somebody thought you
19 had taken some more?
20 A. I didn't take anything. But the one that was missing is
21 the \$8 one.
22 Q. I've just got a record that your grandparents wrote
23 checks for \$42 to the Boy Scouts.
24 A. Well, why would they do that?
0120
- 1 Q. I don't know. That's why I'm asking you, my friend.
2 A. That's ridiculous.
3 Q. Okay. But those allegations -- that means -- you know
4 what an allegation --
5 A. Yeah. Allegation means like telling --
6 Q. Accusations.
7 A. Yeah.
8 Q. And those had been sort of hanging over your head for a

- 9 while with the Boy Scouts. Is that right?
- 10 A. You know, it doesn't really -- you know, I've tried to
- 11 forget it. I've blocked it out of my mind, most of it.
- 12 Q. Oh, I see. And did you say you later saw the letter that
- 13 the Boy Scouts had sent over at your parents' house?
- 14 A. No. When I got off the bus -- well, I -- this is what
- 15 happened. Why would they, he know about it after they
- 16 sent the letter? Because after they sent -- they sent the
- 17 letter -- yes. [REDACTED] did -- I stand corrected.
- 18 [REDACTED] did say that at school. But when I got home,
- 19 I saw the letter and my parents were telling me, reading
- 20 it to me. And it had, were telling me all about it and
- 21 everything. And they said: You are currently closed from
- 22 Boy Scouts forever or any Boy Scout events.
- 23 Q. Do you remember if it had a date that they were going to
- 24 dismiss you from the Boy Scouts on?
- 25 A. You know, it was for right then. But I'm not really
- 0121 sure. What was the date? Oh, you can't tell me.
- 1 Q. That's all right. What we're trying to do is figure out
- 2 if this was what we call a prospective dismissal, like as
- 3 of this day you're going to be dismissed from the Boy
- 4 Scouts?
- 5 A. No. It was forever.
- 6 Q. It was -- oh, I see. Okay. And did you ever try to join
- 7 any other troops after that?
- 8 A. No. After that, I joined like --
- 9 Q. You were in ROTC; weren't you?
- 10 A. Yes. But it was a few years after -- I joined ROTC in
- 11 2008.
- 12 Q. Were you going to say you joined the Boy Scouts a little
- 13 bit later?
- 14 A. No. Troop 292 was the only Boy Scout troop I was in.
- 15 Q. It was disbanded after the arrest of Mr. Rhinehart?
- 16 A. Yes.
- 17 Q. So [REDACTED] just basically spilled the beans --
- 18 A. Yes.
- 19 Q. -- on the morning that your parents found out through the
- 20 letter?
- 21 A. Well, here's what happened: He spilled the beans but he
- 22 was questioned by a detective or an officer and he said
- 23 that -- because we agreed that we had -- we agreed we've
- 24 had sexual experience with both of us.
- 0122 But he said, he said -- he told the officer that it
- 1 annoys him when I do it but he likes it when Brian does
- 2 it. That's just -- that's wrong. He's like almost, was
- 3 almost 40 years old then.
- 4 Q. Oh. And he was doing it to [REDACTED]?
- 5 A. Yes.
- 6 Q. I see. But the way he would have been able to tell you
- 7 that this was happening that day was he had heard it from
- 8 his dad or from his stepfather?
- 9 A. Yeah. He probably heard -- well, he would probably hear
- 10

- 11 it from the officer that was questioning him. Because his
12 parents try to keep basically to themselves. They don't
13 usually --
- 14 Q. Well, I just don't know that an officer would reveal that
15 or would know that about the Boy Scouts. That's the
16 reason.
- 17 A. Well, the point I'm making: His parent wouldn't probably
18 tell him something like that. They would probably keep
19 that to themselves.
- 20 Q. Well, do you know how he found out then?
- 21 A. Because the officer that -- well, I don't know if it was
22 the same one. But when I told -- when Detective Cantrell
23 interviewed me, then they interviewed [REDACTED]. Then is
24 when he spilled the beans. That's how I knew about it.
- 25 Q. That's how you knew that you had reported his
0123
- 1 step-father?
- 2 A. Yes.
- 3 Q. Oh, I see. We were talking about two different things.
4 That's my fault. But if I understood correctly, the
5 morning that he told you you got yourself kicked out of
6 the Boy Scouts, it was probably the same day that your
7 parents got hand delivered a letter from the Boy Scouts.
8 Right?
- 9 A. Yes.
- 10 Q. And how do you know that it was hand deliver? Did you
11 learn that through your --
- 12 A. Yeah. They told me like -- it must have been Jackie
13 because she's the only one in the scouts that has blond
14 hair. It's short blond hair, like it's spiked or
15 whatever.
- 16 Q. So you were told by either your step-mom or your father
17 that a short blond-headed woman --
- 18 A. Well, she's not short. She's like -- she's really
19 stocky. She's --
- 20 Q. I see. But you were told by one of them that a woman had
21 differed this letter to --
- 22 A. Yes.
- 23 Q. And that's when you got home from school?
- 24 A. Yes.
- 25 Q. But, as you said, you already knew about it because you
0124
- 1 had been told at school?
- 2 A. [REDACTED] had told me about it.
- 3 Q. And [REDACTED] learned about the scout troop dismissal
4 through his father, as best you could tell?
- 5 A. Yes.
- 6 Q. Now I'm getting the sequence down. Then at some point
7 thereafter, Brian Rhinehart -- you told the school
8 superintendent and Mr. Rhinehart got arrested?
- 9 A. No. Afterwards, after I told the superintendent, they
10 sent me to a detective and then they questioned me. And
11 then they questioned [REDACTED] and he spilled the beans.
12 Then he got arrested.

- 13 Q. All right. Did you understand that Doni Rhinehart had
14 moved out with [REDACTED] as soon as, at some point shortly
15 after Brian Rhinehart got arrested or made a confession?
16 A. Yes.
17 Q. All right. Do you know what Mr. Rhinehart or Brian, your
18 troop leader, was doing for a living?
19 A. Well --
20 Q. I know he had been a police officer in an earlier life.
21 But what was he doing back at the time he was your troop
22 leader?
23 A. He didn't have a job then.
24 Q. Did Mrs. Rhinehart have a job?
25 A. No. He didn't have any mental problems or nothing. He
0125
1 just -- he didn't have a -- the troop was a way of life, a
2 way of making a living.
3 Q. But, as best you know, he didn't have a living outside
4 the house?
5 A. Not that I know of.
6 Q. Do you know how many days after you heard about the troop
7 dismissal and your parents or your father and stepmother
8 got this letter that you made the report to the school
9 superintendent?
10 A. I don't have a clue. It's been so long.
11 Q. But you made the report to the school superintendent at
12 some point after the troop dismissal; correct?
13 A. Yes.
14 Q. Did anybody else from the troop ever -- did you ever tell
15 anybody any of grownups in the troop -- you know what I
16 mean when I say the "grownups?"
17 A. Yes.
18 Q. About the abuse by Mr. Rhinehart before you told the
19 school superintendent?
20 A. No, no, no. I wouldn't do that because they worked for
21 each other.
22 Q. I see. So as best you know, it was news to everybody
23 when Mr. Rhinehart got arrested?
24 A. Yes. It was on the News Channel Seven.
25 Q. It was news around Spartanburg County, I guess?
0126
1 A. Yes.
2 Q. So but you never told any of the other scout volunteer
3 grownups that Brian Rhinehart had been doing this stuff to
4 you?
5 A. No.
6 Q. And I think, as you already told Mr. Walsh, you never
7 told Doni Rhinehart that either?
8 A. I wouldn't, you know --
9 Q. Excuse me. You have to answer that question. You didn't
10 tell Doni Rhinehart either; right?
11 A. No.
12 Q. And was it in effect a bad but dark secret between you
13 and Brian and maybe [REDACTED]?
14 A. Yes. It was -- you know, if I would have told him, the

- 15 results could have been, you know, deadly. I mean, if I
16 would have told anybody in the troop, it wouldn't go well
17 for me.
- 18 You know, I was terrified but -- that's why I went
19 to somebody, a police officer. Because I wouldn't -- the
20 scouts work for each other so that would be a bad idea.
- 21 Q. And I'm sure none of the grownups -- when I say
22 "grownups," I'm talking about the scout volunteer grownups
23 that were part of the troop -- none of them ever told you
24 that you were dismissed from the scouts because of your
25 turning in Brian Rhinehart?
- 0127
- 1 A. They didn't even mention that.
- 2 Q. Where did the scouts meet over at -- it was at St.
3 Margaret's Church?
- 4 A. Yes.
- 5 Q. Where at the church did you all meet?
- 6 A. In the room beside of the cafeteria.
- 7 Q. Is that a big church?
- 8 A. It's medium sized.
- 9 Q. But, as you said, they own a pretty big piece of land?
- 10 A. Oh, yes. They own like 50, 60 acres or -- well, almost
11 100 acres.
- 12 Q. Oh. It's a real big piece of land?
- 13 A. Yes.
- 14 Q. And how far is that creek from the church?
- 15 A. You know, I'm not really sure.
- 16 Q. Is it down a hill from the back of the church?
- 17 A. Yes.
- 18 Q. And, I mean, would it take us a couple of minutes to walk
19 down there?
- 20 A. Yes. It would take -- they owned wooded area too.
- 21 Q. And that's where the kids were hiking the day that you
22 and Brian Rhinehart were abruptly interrupted?
- 23 A. Yes.
- 24 Q. But how far is it -- how long does it take to walk down
25 from the church to the creek bed or the water?.
- 0128
- 1 A. Forty-five seconds, 50 seconds.
- 2 Q. About almost a minute then?
- 3 A. Yeah.
- 4 Q. I got you. So it might be a number of yards or
5 whatever?
- 6 A. Yeah.
- 7 Q. How deep is that creek?
- 8 A. I don't know. It has a canoe in it.
- 9 Q. Is it one that people swim in?
- 10 A. Yeah. It's right -- all the wooded area they own is all
11 the way up to the lake.
- 12 Q. As it turns out, was Troop 292, even after you got
13 dismissed and then reported Brian Rhinehart and then he
14 got arrested, was it disbanded very shortly after that?
- 15 A. Yes.
- 16 Q. Did the other kids find another scout troop or do you

- 17 know?
- 18 A. You know, I'm not sure.
- 19 Q. Because the Cathcart boys, were those some of your best
- 20 friends besides [REDACTED] in the troop?
- 21 A. We got along pretty fairly.
- 22 Q. All right. And your biggest disappointment with your
- 23 fellow troop members was that you couldn't get elected
- 24 something better than quartermaster?
- 25 A. Yeah. But, you know, that's a small thing. I mean, I'm
- 0129
- 1 happy to be in a troop, not just because I -- but I was a
- 2 little bit disappointed but that's not. . .
- 3 Q. Now, I had one question about your young fellow
- 4 encounters with [REDACTED]. I know you mentioned he had been
- 5 at your house and was describing what this eighth-grade
- 6 chemistry class girl had done for him, which was, as you
- 7 called it, a blow job, you know.
- 8 A. Yes.
- 9 Q. At some point, you told us today that you did that for
- 10 [REDACTED] later?
- 11 A. Yes.
- 12 Q. So did you all have a few encounters besides just what
- 13 happened with Brian Rhinehart in the bed that one night?
- 14 You and [REDACTED], I mean.
- 15 A. Once at our house. But that's the only time that I
- 16 recall.
- 17 Q. And then that night that you already described for Mr.
- 18 Walsh that involved his dad as well?
- 19 A. Yes.
- 20 Q. His step-father. We're both talking about Brian
- 21 Rhinehart; aren't we?
- 22 A. Yes.
- 23 Q. Were there any other cases -- you said that you had done
- 24 that for [REDACTED] later, which I presume meant the oral sex
- 25 or the blow job?
- 0130
- 1 A. I'm not really sure. The only time I think it happened
- 2 was at my grandma's house.
- 3 Q. I know we talked about that first incident where Brian
- 4 came and started by just trying to get you boys to go to
- 5 sleep because, I guess, the video games were loud. Is
- 6 that right?
- 7 A. Yes.
- 8 Q. And the music was loud?
- 9 A. Yeah.
- 10 Q. And you all were probably bouncing around a little bit?
- 11 A. Yeah.
- 12 Q. Okay. You had said that [REDACTED] had been a real good
- 13 friend of yours for a number of years even before that?
- 14 A. Yes.
- 15 Q. Before you all were old enough to join the Boy Scouts;
- 16 right?
- 17 A. Yes.
- 18 Q. And you from time to time spent the night at his house

- 19 and he from time to time spent the night at your house
20 even before you became a Boy Scout?
- 21 A. Yes.
- 22 Q. So that night, obviously, there were no other scouts or
23 adult volunteers at the Rhinehart house; right?
- 24 A. When?
- 25 Q. The night that Brian Rhinehart got in the bed with you
0131
- 1 two.
- 2 A. No, I'm not -- I don't real remember.
- 3 Q. What I'm saying is: There weren't any other troop
4 members over at the house or anything like that?
- 5 A. I'm not really -- it's hard for me to remember that.
- 6 Q. Do you remember that there was anybody else except for
7 you and -- it was just you and and Brian in the
8 bedroom; right?
- 9 A. Yes.
- 10 Q. And you don't remember anybody else from the troop --
- 11 A. No, I don't remember.
- 12 Q. You were just going to spend the night at [REDACTED]'s house
13 because he was your buddy?
- 14 A. Yes. [REDACTED] and me are really good friends so he
15 shouldn't have anything to do with this.
- 16 Q. Right. I'm not sure that he does. I'm not sure that he
17 does. And then the -- I thought you told us last Friday
18 that the other incident at the house which happened
19 upstairs in the master bedroom, you were bringing a movie
20 over to look at with Brian Rhinehart. Is that right?
- 21 American --
- 22 A. History X.
- 23 Q. American History X?
- 24 A. Yes.
- 25 Q. And it was something about the Native Americans or
0132
- 1 American Indians?
- 2 A. No. It was a fairly new movie. I feel kind of guilty
3 for renting it. It has Edward Norton in it. Are you
4 familiar with him?
- 5 Q. I know who Edward Norton is. I don't know the movie,
6 though.
- 7 A. It's about skinheads and neo nazis, and I'm really sorry
8 that I rented it.
- 9 Q. Oh. And Edward Norton goes to prison?
- 10 A. Yeah.
- 11 Q. I think I have seen part of that movie somehow, probably
12 at a hotel somewhere. And so you all watched that, that
13 movie?
- 14 A. Yeah.
- 15 Q. Oh, I see. You and Mr. Rhinehart?
- 16 A. I'm not racist. I just feel kind of guilty for doing
17 that.
- 18 Q. Because Edward Norton played a guy that had a swastika, a
19 nazi symbol. Is that right?
- 20 A. Yeah. I feel so bad for renting that movie. I just --

21 we -- like I took American history in high school.
22 Q. I see. But on that occasion, I sort of heard it two
23 ways. Do you know for sure that you were doing anything
24 having to do with popcorn sales that day or was it just
25 that you had come over to watch that movie with Mr.
0133
1 Rhinehart?
2 A. Well, I'm not sure -- you know, I was counting money
3 downstairs for the fundraiser money. That's what I was
4 doing.
5 Q. But was it on that day, though, that that happened? Or
6 was it on a different day that you might have been
7 counting the fundraising money?
8 A. I can't really remember.
9 Q. But certainly if it was you and Mr. Rhinehart upstairs,
10 there were no other -- this wasn't a scout function over
11 there.
12 A. No, no. [REDACTED] was -- I think [REDACTED] was at Camp
13 Spearhead.
14 Q. Was it there or was it actually at his grandparents' lake
15 house? I don't remember.
16 A. I think it was --
17 Q. Spearhead.
18 A. Spearhead; yeah.
19 Q. And maybe the time that you and Brian Rhinehart were on
20 the hill together, is that when he was at his
21 grandparents' lake house?
22 A. I can't remember.
23 Q. It's hard, I know. We've got a lot of factoids flying
24 back and forth.
25 A. Yeah. But if I'm going to be a corrections officer, I'm
0134
1 going to have to remember stuff.
2 Q. I guess so.
3 A. Well, that's kind of -- I can really do that job if I
4 really put my mind to it.
5 Q. You'd wear a uniform, I suppose?
6 A. Yeah.
7 Q. How did you get interested in that?
8 A. Well, I got the notion to help people. And I have a
9 tolerance for name-calling so I have high self esteem so I
10 could do that.
11 Q. Have you had to live with a lot of name calling during
12 your life?
13 A. Somewhat.
14 Q. Didn't you say -- was it your stepmother or your mother
15 that used to pick on you and call you names or was it --
16 A. It was my mom. But the only reason she got that way,
17 because she would get up real early in the morning and
18 like not have a cigarette or something so. . .
19 Q. She'd be grouchy?
20 A. Yeah. That's a little thing, you know. When a family
21 member -- you know, it's not as bad as like when other
22 people do it, you know. That's the. . .

- 23 Q. Right. You mentioned that -- we know that your
24 grandparents are Jane Doe and your step-father is [REDACTED]
25 [REDACTED]. Right?
0135
- 1 A. Yes.
2 Q. And those are your mother Jessica's parents -- or your
3 mother Jessica's mother.
4 A. Jane Doe is Jessica [REDACTED]'s biological mom but --
5 Q. And your biological grandmother.
6 A. But [REDACTED] is not related but he's considered a
7 grandfather.
8 Q. He's a step-granddad?
9 A. Yeah.
10 Q. Your grandfather -- that is, Jessica, your mother's
11 dad -- is that person, that man, deceased?
12 A. Who?
13 Q. Your maternal grandfather, did he die?
14 A. He died in '95.
15 Q. Oh, I see. And then your grandmother later remarried to
16 [REDACTED]; is that right? Or had they gotten divorced?
17 A. I thought you were talking about Grandpa [REDACTED], my
18 father on my dad's side.
19 Q. Okay. Let's stay on your mom's side for a second. Jane
20 Doe, was she married to your grandfather when your
21 grandfather died?
22 A. I'm not --
23 Q. I don't mean to confuse you. Your mother is Jessica;
24 right?
25 A. Yes.
0136
- 1 Q. And her mother is Jane Doe, your grandma?
2 A. Yes.
3 Q. And who was her father? Jessica's father?
4 A. [REDACTED].
5 Q. Is [REDACTED] still alive?
6 A. No. He died in the '90s.
7 Q. Was he still married to your grandmother when he had
8 died?
9 A. No.
10 Q. They had divorced?
11 A. Yes.
12 Q. And then she remarried [REDACTED]?
13 A. Yes, sir.
14 Q. And [REDACTED]'s deceased now?
15 A. Yes.
16 Q. Now, Grandpa [REDACTED] that's your father's father; right?
17 A. Yes.
18 Q. Is he still alive or do you know?
19 A. He died in '95.
20 Q. He died in 1995?
21 A. Yeah.
22 Q. The last question on that line: Your father, [REDACTED]'s
23 mother, do you know who she is and is she still alive?
24 A. She died two years ago.

- 25 Q. So you've got your dad but one natural grandparent and a
0137 step-grandfather.
1
2 A. Well, I have a large family. They're all over the
3 places, like 40, 50 people.
4 Q. Do you know where your father grew up, by the way? Where
5 he's from?
6 A. He is from Cheraw. He's lived most of his life in
7 Cheraw -- well, wait a second. Part of his adult life was
8 in Cheraw. But during his younger years like his late
9 twenties, he was in The National Guard.
10 Q. Do you know where he went to high school?
11 A. Francis -- no. Francis Marion is a college. I'm not
12 sure --
13 Q. That's that college in Florence; isn't it?
14 A. I'm not sure what college he went to, honestly.
15 Q. You don't remember what high school your dad went to?
16 A. Yeah. High school. Sorry.
17 Q. But he's real well educated, it sounds like.
18 A. He's real, real intelligent.
19 Q. That's what I kind of gleaned --
20 A. Probably has an IQ of 160.
21 Q. A lot more than mine.
22 A. Maybe 150. But, you know, I'm not judging you. I'm just
23 saying that he studies -- he studies, he studies, you
24 know. Somebody mentally retarded can study for ten years
25 and become like a governor, you know.
0138
1 Q. Now, one more thing that you discussed tonight, and I
2 couldn't tell if this was overlap or not, was with Brian
3 Rhinehart, it sounds like either at the church or at some
4 area near the church.
5 I thought we established last Friday and through the
6 records that we have all been given that there were three
7 incidents with Brian Rhinehart. And I guess what I want
8 to do is make real sure that we're not adding one that we
9 don't need to be adding.
10 A. Well, let me think. One of them was at -- the first one
11 was at the --
12 Q. In the bed with all three of you all in [REDACTED]'s bedroom;
13 right?
14 A. Yes. The second was down at the creek. And the third --
15 Q. Was it the master bedroom?
16 A. Yes. And there's one more that happened, the last one.
17 When we were in St. Margaret's Church getting the ice for
18 the drinks and this car pulls into the gate and he pulls
19 my pants up.
20 Q. So that didn't last very long?
21 A. No.
22 Q. Was he performing oral sex or a blow job or was he doing
23 a hand --
24 A. A hand job.
25 Q. So that one, it was interrupted just like it was
0139

1 interrupted when you were down at the bottom of the creek?
2 A. Yes.
3 Q. Both times at the church?
4 A. Yes.
5 Q. And these weren't for scout meetings, if I remember
6 correctly. It was you and Brian that happened to be over
7 there?
8 A. It wasn't a scout meeting. Nothing happened in the scout
9 meetings. My grandma got the notion that it has but
10 nothing happened at the scout meetings. No, no.
11 Q. And nothing happened at the scout camp outs or anything
12 where it was an official scout event; is that right?
13 A. Yes. Yes, sir.
14 Q. Thank you. You're very polite. Now, you said one source
15 of frustration for the scouts was that your friends didn't
16 ever elect you as the troop leader. Is that correct?
17 A. Well, that's -- yeah.
18 Q. Troop leader? Is that what it's called?
19 A. The platoon leader.
20 Q. That was a source of some frustration; is that right?
21 A. Yes.
22 Q. And one source was that, for whatever reason, you and the
23 lady named Jackie didn't get along too well?
24 A. Yeah, at first. And then Brian had a talk with her.
25 Q. And I know you all had that meeting over at the Rhinehart

0140

1 house and that's where she put you in the corner. What I
2 didn't understand was, I think you were telling me you
3 made a suggestion about the backyard or some kind of
4 service project I didn't quite understand.
5 A. I didn't make a suggestion like that -- well, I did
6 complain so they put me and [REDACTED] in the corner. I just
7 remember that. Because we were arguing and she said,
8 "[REDACTED] and [REDACTED], go to the corner." I just remembered
9 that.
10 Q. Oh. Do you know what you -- were you all just arguing
11 while they were trying to talk to --
12 A. We were just arguing over something, something like,
13 stupid like. Because we used to wrestle on the trampoline
14 or whatever.
15 Q. Because you all were buddies and -- I see.
16 A. Yeah.
17 Q. Anyway, she got angry and said: You get in the corner?
18 A. Both of us.
19 Q. Oh. She sent both of you all in different corners?
20 A. Yeah. That was the one thing that was, that she did not
21 like. But I wanted to kind of take the blame for [REDACTED]
22 because he was a really good friend. He shouldn't have
23 anything to do with this.
24 Q. That's okay. He didn't just happen to be a good friend,
25 he happened to be [REDACTED] of the man who did the

0141

1 things that we're talking about. And that's why we're
2 asking.

- 3 A. Yeah.
- 4 Q. So she was kind of strict; is that right?
- 5 A. Yeah.
- 6 Q. Was Mr. Rhinehart at the house that day when you were
- 7 having that meeting?
- 8 A. Yes.
- 9 Q. So he didn't get mad at her for putting discipline on
- 10 [REDACTED] and on you?
- 11 A. No. He basically, well, let them handle it. And so I
- 12 like spoke up and said, "I just don't like the way
- 13 Jackie's been treating us." He said, "John Doe, all
- 14 right. I tell you what I'm going to do. I'll have a talk
- 15 with Jackie." And I was like -- then after what he
- 16 said -- "I just thought that you felt like she this was
- 17 being a little too hard on you."
- 18 Q. I see.
- 19 A. That's what I remember him saying.
- 20 Q. Now, you also mentioned that you had a little trouble
- 21 with ROTC, some trouble with ROTC when you got in a
- 22 shoving match with the black girl, the African-American.
- 23 Is that right?
- 24 A. Yes.
- 25 Q. And the reason you shoved she was because she threw a
- 0142 ball at you?
- 1 A. Threw a football at me.
- 2 Q. Kind of real close range, like if I threw one at you --
- 3 A. Yeah. Like I shouldn't -- I was kind of like playing
- 4 with her being rough but not -- I shouldn't have -- we
- 5 weren't allowed to tackle, it's just two-hand touch.
- 6 And I tackled her, I two-hand touched her. And she
- 7 got a little upset and threw at football at me.
- 8 Q. Did you touch her on her chest --
- 9 A. No, no. On her back.
- 10 Q. But she thought it was too hard and that's why she threw
- 11 a football at you?
- 12 A. Yeah.
- 13 Q. And then you gave her a shove?
- 14 A. Yes.
- 15 Q. And then some of the ROTC people were mad at you and some
- 16 were not?
- 17 A. Yes. Do you know what ROTC is.
- 18 Q. I'm sort of familiar with it. I think it's Reserve
- 19 Officers Training Corps. Right?
- 20 A. Yes.
- 21 Q. They train you to be a soldier one day?
- 22 A. Yeah.
- 23 Q. I never got a chance to do it but I'm a little bit
- 24 familiar with it.
- 25
- 0143
- 1 When you were at Landrum High School, were you also
- 2 in a special-needs program at school?
- 3 A. One period, I was. And after that, I had occupational
- 4 math and occupational English and ROTC.

- 5 Q. I see. So you had ROTC, occupational math, occupational
6 English and a special-needs class?
7 A. Yes. And ROTC. There were four periods.
8 Q. All right. You mentioned your social worker is named
9 Tracy up in New York state where you live in Elmira.
10 A. Yes.
11 Q. Is that right?
12 A. Yes, sir.
13 Q. How many people did you say are at the group home that
14 Nancy Griffin's the host of?
15 A. Four.
16 Q. You and Jerry Austin are two of them?
17 A. Jerry Austin, me, Jim, which is an Army veteran, and Tim.
18 Q. You don't know Jim's last name offhand?
19 A. No, no. Jim Jones is the one, the veteran.
20 Q. The veteran?
21 A. Yeah.
22 Q. Does Mr. Griffin live at the house? You mentioned that
23 she was an -- that was an ex-husband, I guess.
24 A. I don't -- I'm not sure if his name is Griffin. But it's
25 Brian -- it's not the same Brian as Brian Rhinehart but
0144 they have the same name. It's Brian something.
1 Q. I see. But does he live at the house?
2 A. Yes.
3 Q. But he's not married to Nancy anymore?
4 A. No.
5 Q. And you mentioned you were -- when you were accused of
6 stealing that nine-millimeter pistol and whatever that
7 prescription medicine was --
8 A. Yes. And I wasn't even downstairs. The reason they kind
9 of like put it on me is because I was the only one there.
10 Q. Oh. When the things supposedly went missing?
11 A. Yeah.
12 Q. Do I understand correctly that you all are not allowed to
13 go in the kitchen except at mealtime?
14 A. Yes.
15 Q. So the they put three square meals on the table --
16 A. Yes.
17 Q. -- a day and Ms. Griffin cooks for you all?
18 A. Yes.
19 Q. Is she pretty good?
20 A. Really good cook.
21 Q. But you all aren't allowed to mess with anything in the
22 kitchen?
23 A. No. Honestly, I did go down and get some water a time or
24 two.
25
0145 Q. And I think you said one time you got some milk and she
1 got to fussing about it.
2 A. Yes. But it was during meal time.
3 Q. Oh, I see. Are you all allowed to watch TV in the den
4 over there at that house? Or is there a den where you
5 can --
6

- 7 A. Yes. There's a den downstairs. We have to get
8 permission to do that, though. Honestly, I wouldn't want
9 to do that because they're going to put blame on me every
10 time I go down there.
11 But now it's kind of calmed down because it's
12 probably Jerry that's been doing it.
13 Q. Have you heard from any of those folks since you've been
14 down here on kind of a vacation --
15 A. No. I'm going to call them.
16 Q. I see. So did you ever get 30-days' notice beside a
17 report from Jerry Austin, I think it was?
18 A. No -- well, she mentioned -- Nancy called me up and said,
19 "why the hell are you asking for the key again?" I was,
20 "nobody laid my meds out." And she was like, "well, if
21 you do that again, you'll get a 30-days' notice." "Well,
22 I'm sorry."
23 And we got to talking. And she called me downstairs
24 and she was like, "[REDACTED], has your mom been putting you up
25 to this?" She said -- after we got through talking, she
0146 said, "okay, I believe you."
1 Q. And what key was she talking about?
2 A. There's a key you have to open -- there's a little file
3 drawer that has a key that has all the medication in it.
4 Q. I see. And do you have a separate drawer? Like is there
5 a drawer for John Doe?
6 A. No. It's just one box that has the names on them. We're
7 not allowed to get them out without -- but sometimes my
8 pill won't be laid out.
9 Q. I see. Now, when did you get out of the St. James Mercy
10 Hospital last year? Do you know when they released you?
11 A. No.
12 Q. What I'm trying to find out is: You said at some point
13 they took you off of the, that medication that you were
14 on. I believe it's for the schizoaffective disorder.
15 A. Let me think.
16 Q. I forgot the name of it.
17 A. Prolixin?
18 Q. I think that's right.
19 A. I've been off that for four months. No symptoms.
20 Q. Do you know when you got out of the hospital? Was that
21 more or less than four months ago?
22 A. You know, to be honest it feels like it's been five
23 months but I'm not -- let me think about that. About four
24 months.
25
0147 Q. Okay. Did they take you off of it at the hospital or was
1 it afterwards?
2 A. Afterwards.
3 Q. So it was while you were living with the Griffins in the
4 group home?
5 A. Yes.
6 Q. The doctor that comes to see you in the group home, did
7 you say his name was Conn or Hon?
8

- 9 A. The doctor that I was seeing in Bath Day Program was the
10 one that, the doctor then. I'm in a different program
11 now.
12 Q. You said about the day program. What was it called?
13 A. Bath Day Program. But that's in Bath, it's in a
14 different county, a different town. I'm in Elmira now and
15 it's in a different county.
16 Q. So which doctor took you off of the injections for
17 schizophrenia?
18 A. You know, I'm not sure. I forgot her name. She was a
19 really nice Pakistani lady.
20 Q. Oh. It was a she doctor, if you will.
21 A. Yes.
22 Q. And she was up in New York?
23 A. Yes.
24 Q. Do you know if she worked at the hospital, at the St.
25 James Mercy Hospital?
0148
1 A. No. She work at Elmira Day Program.
2 Q. Say that again? I'm sorry.
3 A. Elmira Day Program.
4 Q. Elmira day program. Now, right now, John Doe, how much
5 interaction do you have with either medical or counseling
6 personnel?
7 A. I'm not sure.
8 Q. You've got the social worker whose name you don't
9 remember; right?
10 A. Yes.
11 Q. And that's a she or a he?
12 A. A she.
13 Q. How often does she come by?
14 A. Like about once a week, I think.
15 Q. And does she interview you and just talk about how things
16 are going and try to figure things out with you?
17 A. Yes.
18 Q. I see. And then you get to see a physician that is a
19 doctor. Is that the Pakistani lady?
20 A. No the physician, the doctor is a male.
21 Q. Do you know his name? Is that Dr. Conn or Dr. Hon?
22 A. No. I forgot. I don't really remember his name.
23 Q. Do you have that one in your wallet?
24 A. No.
25 Q. You don't?
0149
1 A. No.
2 Q. Who is it that prescribes that Tenex?
3 A. I'm not sure.
4 Q. And you've been in that group home for about four months?
5 A. Yes.
6 Q. And how long do you expect you'll stay there if you don't
7 get a 30-day notice? Indefinitely or. . .
8 A. Until I get some money, you know, and move out on my own.
9 Q. Okay. Is that a couple-of-months job that you had when
10 you were at South Carolina McDonald's? Is that the only

- 11 job that you've had for pay, a full-time job for pay?
12 A. Yes.
13 Q. And that was for a couple of months?
14 A. Yes.
15 Q. All right. Do you get payments right now through the
16 Social Security Administration?
17 A. Yes.
18 Q. So you get social security disability based on the mental
19 conditions that you've got?
20 A. Yes.
21 Q. Do you know how much they pay you per month?
22 A. Like 700 -- you know, I'm not sure.
23 Q. But it's some sort of a monthly pension? Is that right?
24 A. Yes.
25 Q. Plus -- I believe I understand this correctly that you
0150
1 also get Medicare insurance?
2 A. Yes.
3 Q. And do you now much of the money that you receive goes to
4 the Griffins for renting that group house?
5 A. \$700-something.
6 Q. They get \$700 of yours?
7 A. Yeah.
8 Q. And how much do you have left over?
9 A. \$130 a month, plus food stamps. There's a food stamp
10 credit card they give you.
11 Q. But do you have to go buy food since Ms. Griffin puts
12 three squares on the table?
13 A. I mean, if you want to, that's your right. You can do
14 that.
15 Q. Does she allow you to all have food and maybe keep it in
16 your bedrooms?
17 A. We're not allowed to eat in our bedrooms.
18 Q. I see. If you were going to buy some food, would you
19 just have to eat it at a park or something or could you
20 eat it at the house?
21 A. You could eat it at the house. There's a little kitchen
22 upstairs that you can eat in.
23 Q. Oh. That's different from her kitchen?
24 A. Yes.
25 Q. And you all can keep your food in there?
0151
1 A. Yes.
2 Q. I see. So you get -- I'm going to just do some raw math.
3 You say you pay her about \$730 or \$770 a month?
4 A. I'm not really sure.
5 Q. But you get about \$130 that you can put in your pocket?
6 A. Yes.
7 Q. And you buy clothes with that and sometimes -- and then
8 with your food stamp money, you can buy some food; right?
9 A. Yes.
10 Q. How much food stamp money do you get a month?
11 A. Well, get about -- it all depends. I think I get like --
12 I'm not really sure -- less than \$200. But some of it

- 13 goes for groceries and stuff.
- 14 Q. I see. And do you -- how can you get around -- you told
- 15 me you didn't have a driver's license.
- 16 A. I plan on getting one in the future.
- 17 Q. Do you take a bus or --
- 18 A. Yeah. I take a taxi to program. A taxi picks us up and
- 19 takes us to program every morning. And if you want to go
- 20 out to the mall or something, you have to take a bus.
- 21 Q. Where is program?
- 22 A. It's about little over a half a mile from the house.
- 23 Q. Do you have to go?
- 24 A. Yeah. That's one of the requirements of living in the
- 25 group home?
- 0152
- 1 Q. Is this program sort of group counseling of some kind?
- 2 A. It's called Family Care where somebody that has a house
- 3 opens it up for people to live in.
- 4 Q. But the program is not at the house. It's somewhere
- 5 else; right?
- 6 A. The program is -- yes, yes. Correct.
- 7 Q. Where do you all go?
- 8 A. Elmira Program.
- 9 Q. Do you know --
- 10 A. Elmira Day Program.
- 11 Q. And how many people are in the program?
- 12 A. To be honest, I don't know. Probably about 50 or -- 45
- 13 or 50.
- 14 Q. When you go to it, what do you all do?
- 15 A. We talk about skill building, jobs, dealing with
- 16 depression. Do you want me to go through the whole list?
- 17 Q. Sure.
- 18 A. Skill building, job training, coping with depression,
- 19 that sort of stuff, anger management. You name it.
- 20 Everybody has a different personality that goes there.
- 21 Q. And is it 50 on one or are you in small groups with
- 22 different counselors or what?
- 23 A. We have classes we go to.
- 24 Q. Oh. You go to classes?
- 25 A. Yes.
- 0153
- 1 Q. And who teaches the classes? Are these mental health
- 2 counselors?
- 3 A. Yes.
- 4 Q. I got you. One other follow-up from what we did today,
- 5 John Doe. When you were in the hospital in Spartanburg,
- 6 that was Patrick B. Harris. Is that right?
- 7 A. Yes.
- 8 Q. That one you got -- you got sent there for about seven
- 9 and a half months?
- 10 A. Yes.
- 11 Q. And that was late '09 -- some part of 2009 and some part
- 12 of 2010?
- 13 A. Yes.
- 14 Q. And somebody misunderstood, as you have told us, I think,

15 something about a horror movie and you made a statement
16 that: I wish somebody else would have been in the movie
17 and gotten killed. Is that right?

18 A. Yes.

19 Q. That person's name was Ashley. Is that right?

20 A. Ashley Stewart.

21 Q. And who was Ashley Stewart?

22 A. My floor supervisor.

23 Q. She was your supervisor where?

24 A. Vocational rehabilitation.

25 Q. So were you in a vocational rehabilitation program?

0154

1 A. Yes.

2 Q. And what were you doing at vocation rehabilitation?

3 A. Well, I was packing, working, bagging tools, making sure
4 they were like in an envelope or whatever. Basically just
5 learning a trade.

6 Q. And who did you tell -- what movie were you all talking
7 about?

8 A. See No Evil.

9 Q. Is that a horror movie or something?

10 A. With Kane in it.

11 Q. You mentioned that's the wrestler or something?

12 A. Yeah.

13 Q. And they must have been a female character that gets
14 killed at the end of the movie?

15 A. Yes.

16 Q. And who did you tell: I wish that person would have been
17 Ashley?

18 A. I was talking about it in the break room to a friend and
19 he told on me.

20 Q. Oh, okay. And for that, they put you in Patrick B.

21 Harris for almost a year, seven and a half months? Is
22 that right?

23 A. Yes.

24 Q. Wow. And was Ashley scared or something? Do you know
25 why it was they put you in for so long?

0155

1 A. Yeah, because I didn't have anywhere to go. And then my
2 grandparents changed their mind. They said they were
3 going to take me back.

4 Q. Oh, I see. Your grandparents --

5 A. I would have been out in a month, you know.

6 Q. But they didn't want to manage you for six and a half
7 months?

8 A. Yes.

9 Q. So you had to stay?

10 A. Yes.

11 Q. What did they work on when you were in the hospital?

12 A. Well, you know, basically depression, anger,
13 hallucinations.

14 Q. Is it kind of like what you all do in the group home --

15 not the group home. In the program? You know that Elmira
16 Day Program?

- 17 A. Yes.
- 18 Q. Is what you do at the hospital kind of like what you do
- 19 at the Elmira Day Program?
- 20 A. Yes. But it's more like you -- yeah. They teach you --
- 21 it's more like learning how to get you jobs and stuff.
- 22 It's like a social place where you get to meet new people
- 23 and stuff.
- 24 Q. That's at Elmira?
- 25 A. Yes.
- 0156
- 1 Q. Like at the hospital, is it more intense or something?
- 2 A. No. It's all right.
- 3 Q. You stay in like a hospital room?
- 4 A. I had a few roommates.
- 5 Q. So you had a room with maybe four beds, four guys?
- 6 A. Three beds.
- 7 Q. All right. And what I was getting to was ---I'm trying
- 8 to remember this question. But there was something you
- 9 had told a public safety officer that somebody on the
- 10 staff was having sex with an African-American patient.
- 11 A. Yes -- no, it wasn't a patient. It was a, it was a
- 12 worker, janitorial lady.
- 13 Q. So it was a female staff member and a male janitorial
- 14 worker?
- 15 A. No. It was a female, it was a female -- it was an
- 16 activity therapist and it was --
- 17 Q. Was that a female or a male?
- 18 A. A male. And it was like this janitorial lady that was in
- 19 her twenties, like she had a nose ring.
- 20 Q. And were these folks a different race?
- 21 A. Yes.
- 22 Q. Was one black and one white?
- 23 A. Yes.
- 24 Q. An so you reported that to the public safety officer?
- 25 A. Yes.
- 0157
- 1 Q. And how did you know they were having sex?
- 2 A. Because me and Tim saw it, a friend of mine. We were
- 3 walking -- we were in the hallway and we looked, we saw
- 4 commotion in the social room. And we looked in the window
- 5 and saw Dante and Nicole in there. That's none of my
- 6 business. I just -- I shouldn't have said anything.
- 7 Q. And did you get in trouble for reporting them?
- 8 A. No, not really.
- 9 Q. Did they treat you worse or anything?
- 10 A. No. They just had a talk with me. That's none of my
- 11 business. I should have just let it go because somebody
- 12 was with me who saw it before I did.
- 13 Q. I see. So I guess nobody -- I'm just trying to wrap up
- 14 some stuff because I know everybody's had enough and I
- 15 know you have.
- 16 Nobody from the Boy Scout Troop 292 told you that
- 17 you were dismissed from the troop because you had reported
- 18 Brian Rhinehart?

- 19 A. They never did mention that.
- 20 Q. Okay. Now, one of the notes I had was right about the
- 21 time that you were interviewed by the school counselors,
- 22 you know, in connection with the report of Brian
- 23 Rhinehart -- and Mr. Walsh may have covered this.
- 24 But were you abused some by your stepmother? Seems
- 25 like there was a report of that.
- 0158
- 1 A. Well, she was -- in the past, she kind of whipped me a
- 2 little bit for, you know, things.
- 3 Q. I know you said sometimes she'd slap you. Would she slap
- 4 you with an open hand?
- 5 A. Yeah.
- 6 Q. With a pretty good slap?
- 7 A. Yeah.
- 8 Q. And then how would she beat you?
- 9 A. Well, she wouldn't really beat me. I was getting
- 10 punished like a spanking. Like when I was in grade
- 11 school, I used to get them.
- 12 Q. Now, I also had an indication from somebody in this
- 13 case -- I don't know who because I haven't been at all
- 14 these depositions -- that at some point during that fall
- 15 of 2005 during the Boy Scout time, that you got caught
- 16 inside or messing around with Shelby Culbreth's car.
- 17 A. No, I don't remember that.
- 18 Q. Specifically, maybe even going to her purse or getting
- 19 some kind of personal item out of her car.
- 20 A. That never happened.
- 21 Q. Did she ever accuse you of that, that you remember?
- 22 A. Not that I remember.
- 23 Q. I know you said that you some trouble, at least what you
- 24 all went to Camp Hardin and I think when you had your
- 25 meetings, sometimes of acting up, that you would like fall
- 0159
- 1 behind sometimes --
- 2 A. Yes.
- 3 Q. -- that sometimes you might just start pacing because you
- 4 were mad and you were trying to --
- 5 A. Not really pacing, just -- I don't really do that. Just
- 6 like going, like walking by myself.
- 7 Q. And maybe walking away. Like if you're having a meeting,
- 8 if you're having some bad thoughts you just kind of walk
- 9 away from it?
- 10 A. No. Honestly, this one time I was supposed to go to a
- 11 meeting and Brian said to stay outside and wait on me and
- 12 I was supposed to be at that meeting.
- 13 Q. I see. So you would be pacing then?
- 14 A. I wouldn't pace. I would just sit out there and wait.
- 15 And then like a scout came out the door who was like an
- 16 assistant -- well, who worked at Camp Bob Hardin and told
- 17 me, "John Doe, you're supposed to be in there." I said,
- 18 okay. And I was going to walk in but I didn't because
- 19 Brian told me to wait outside.
- 20 Q. You've never had a -- or do you know if you've ever had a

21 sexually-transmitted disease?
22 A. No.
23 Q. So you've never been treated for that either?
24 A. No. I don't think I do.
25 Q. Good. I hope not. And is Tenex the only medicine you're
0160 on right now?
1 A. Yes. Why would you ask me that? I've never had, like, a
2 sexually-transmitted disease.
3 Q. What?
4 A. Why would you ask me that?
5 Q. I didn't know if you had or not and I'm glad that you
6 hadn't.
7 A. Well, did it say something about that?
8 Q. Not as far as I know.
9 A. Okay. Because I've been tested before and nobody ever
10 told me. But I'm just -- why would you ask me?
11 Q. Well, I just knew you had some sexual encounters over
12 time and so --
13 A. I remember my brother was like kind of picking at me and
14 said, "John Doe, I heard your dad talking about you had a
15 sexually-transmitted disease." And he said, "I'm just
16 kidding."
17 We were playing video games or whatever. But that's
18 nothing to joke about.
19 Q. No kidding. You said -- do you have a brother?
20 A. Yes.
21 Q. I'm sorry. I forget to ask about it. Who's your
22 brother?
23 A. Andy [REDACTED]
24 Q. Oh. That's your mom's new husband's child?
0161
1 A. Yes.
2 Q. So is this your mother's child also?
3 A. Yes.
4 Q. So he's your half-brother?
5 A. Yes. But one more question. I've never really -- no one
6 ever told me I had any, I'm a unhealthy person.
7 Q. No. I was just asking. And I'm glad to know that, as
8 far as you know, you've never had any of that. I
9 probably --
10 A. Was it written down anywhere? I don't think I do.
11 Q. Not that I know of. Not that I know of.
12 A. Okay.
13 Q. How long were you on those Prolixin shots?
14 A. About almost a year.
15 Q. Do you have a computer right now?
16 A. Yes, but it doesn't work.
17 Q. Is that the one that you keep up in New York at the group
18 home?
19 A. Yes.
20 Q. Is it a laptop or --
21 A. A laptop.
22 Q. What kind is it?

23 A. Inspiron.
24 Q. So when you're these days Facebooking, how do you get on
25 to do it?

0162

1 A. You just like -- you go to Google and type in Facebook.
2 Or you can even have a little bar down there where you
3 click on and you type in your security code and your
4 password.
5 Q. So most anything that's got an internet connection,
6 Google connection, will get you back onto Facebook?
7 A. Yes.
8 Q. So how long has that computer been broken, the one that
9 you've got?
10 A. About over -- about a year and a half.
11 Q. So when you're doing Facebook at your group home, whose
12 computer do you use? Do you borrow somebody else's?
13 A. I have a phone that has a computer on it.
14 Q. Is it like a smart phone or --
15 A. It's a Verizon LG.
16 Q. Is that what you all were talking about that you didn't,
17 had not paid the bill on?
18 A. Yeah.
19 Q. So they shut it off for a while?
20 A. Yeah.
21 Q. If you start paying your phone bill again, your Verizon
22 bill, then you'll have access to the internet again?
23 A. Yes.
24 Q. So most of Facebook was being done on a hand-held?
25 A. Yes. One more question. I hate to keep bringing this

0163

1 up but --
2 Q. That's all right.
3 A. No one ever, never in my life told me like I had
4 something like that.
5 Q. Are you talking about sexually-transmitted disease?
6 A. Yes.
7 Q. I asked the question just to make sure that there never
8 has been.
9 A. Yeah. Because like I've I shared a drink with a friend.
10 But other than that, that's -- I don't usually do that
11 with a friend that -- but I don't usually do that anymore.
12 Q. I got you. You're talking about sharing the same glass
13 or something?
14 A. Yeah, drink. But. . .
15 Q. Are you talking about like an alcohol drink?
16 A. No. Just a regular drink.
17 Q. Oh, I see. Well, that's good. Not to worry about that.
18 So if you want to move on vocationally and educationally,
19 at some point you're going to have to hunker down and go
20 get your G.E.D.?
21 A. Yes, sir. High school diploma.
22 Q. Or high school equivalency, one?
23 A. Yeah.
24 Q. And you said the name of that program that you would get

25 a G.E.D. or a high school diploma equivalency. Do you
0164 recall what it was called?
1
2 A. BOCES.
3 Q. Can you spell that?
4 A. I think it's B-O-S-S-E-I-S or something like that.
5 Q. Is that like a school or a program up in New York?
6 A. It's like a program; yeah.
7 Q. There was a report in one of the records that your
8 step-mother complained that you had tried to touch her
9 breasts inappropriately. This is back when you were
10 young, like eight or nine years old.
11 A. I kind of was curious about that back then. When I was
12 really young, I kind of. . .
13 Q. That's what you did?
14 A. Yeah. I was really young, though, just kind of curious.
15 Q. You had sort of an acting out thing?
16 A. Yes.
17 Q. And what did she do? Just get fussing with you or --
18 A. Yeah. She took me to the doctor.
19 Q. And do you know how you got, by the way, with that Dr.
20 Barwick who was your doctor a good long while down here?
21 A. I'm not sure.
22 Q. Do you remember her?
23 A. Yes. She was really nice.
24 Q. Was she in Anderson or do you know?
25 A. Spartanburg County.
0165
1 Q. Spartanburg?
2 A. Yes.
3 Q. When the criminal investigation was going on for Brian
4 Rhinehart, do you know if you ever gave to any of the
5 police investigators or prosecutors -- that's the lawyers
6 for the state or for the county -- a videotape? Did they
7 ever videotape a conversation with you?
8 A. No.
9 Q. Do you know if they ever recorded a conversation with
10 you?
11 A. They may have. I'm not really sure.
12 Q. Do you remember them ever asking your permission to do
13 that?
14 A. I don't remember.
15 Q. And you don't remember ever getting behind the camera and
16 telling your story with a camera --
17 A. I don't remember that.
18 Q. You've said that you bumped into Emanuel -- who we view
19 as Emanuel Blackwell but it might be Emanuel --
20 A. Rooker.
21 Q. -- Rooker. Is his middle name Blackwell or is that just
22 a non --
23 A. I'm not really sure. I don't think that's his real name.
24 Q. You bumped into him. Was it at one of the psych
25 hospitals?
0166

1 A. Yes. Patrick B. Harris.
2 Q. That's the one in Spartanburg?
3 A. Yes.
4 Q. Do you know what he was in for?
5 A. I didn't ask him.
6 Q. So you were in on that time for a threat of violence; is
7 that right?
8 A. Well, talking about the horror movie.
9 Q. Talking about the horror movie with Ashley's name mixed
10 in?
11 A. Yes.
12 Q. And the one admission from last -- was it last fall that
13 you had to go into the St. James Mercy Hospital?
14 A. I'm not really sure.
15 Q. Summer or fall?
16 A. I'm not really sure.
17 Q. Okay. Does your mom still live with Mr. [REDACTED]?
18 A. Yes.
19 Q. Are they married?
20 A. No.
21 Q. But they're the ones that have got the brother; right?
22 A. Yes.
23 Q. Is that a baby brother?
24 A. No. My little brother.
25 Q. How old is he now?

0167

1 A. He'll be 16 pretty soon, I think in February.
2 Q. And they're about an hour away from you in Elmira?
3 A. No, no, no. They're about like 11 minutes away.
4 Q. So, for instance, would you go -- did you go spend some
5 Christmastime with your mother at your mother's house?
6 A. Yes.
7 Q. And got to be with your little brother?
8 A. Yes.
9 Q. Okay. Got it. Do you know who we could best look to,
10 John Doe, to find out who the doctors that are treating
11 you now are?
12 A. Nancy Griffin.
13 Q. Do you have her phone number?
14 A. If you give me your business card, I can call you up and
15 give it to you.
16 Q. Well, I don't know if that's a good idea for me to be
17 talking to you outside of this setting. But it would be
18 great if you could give that to Mr. Jeffcoat, though.
19 A. Okay.
20 Q. Tell me what the address, the mailing address is at the
21 Griffin house?
22 A. West Second Street, House 712, Elmira.
23 Q. 712 West --
24 A. West Second Street, Elmira.
25 Q. Okay. Elmira, New York?

0168

1 A. Yes.
2 Q. And is there a name to the house besides just Nancy

- 3 Griffin?
- 4 A. Not that I know of.
- 5 Q. Does she keep a file on the folks that are staying with
- 6 the house through the group home that might have stuff
- 7 like who your doctors are and how much money comes in
- 8 from --
- 9 A. Yes, yes.
- 10 Q. Okay.
- 11 A. Everyone there has a file.
- 12 Q. And it would be her and not her husband that takes care
- 13 of all this stuff?
- 14 A. Yes.
- 15 Q. Now, I think you already told us that your mom was
- 16 diagnosed with paranoid schizophrenia?
- 17 A. Yes.
- 18 Q. What does that cause her to -- how does that affect her
- 19 behavior?
- 20 A. Like she tells me she never hears voices but she kind of
- 21 gets delusional when she doesn't take her medicine and
- 22 stuff like that.
- 23 Q. Do you know what kind of medicine she's on?
- 24 A. Prolixin.
- 25 Q. Does she get a shot?
- 0169
- 1 A. Yes.
- 2 Q. So you get that maybe -- was it once a week or once a
- 3 month?
- 4 A. Once a week -- every two weeks.
- 5 Q. Once every couple of weeks?
- 6 A. Yeah?
- 7 Q. When is the last time that you had kind of manic racing
- 8 thoughts, the anxiousness and the really bad part of the
- 9 mania?
- 10 A. It's been a while. Since I've been in the psych center.
- 11 It's been a while.
- 12 Q. Has it not happened since you've been in the psych
- 13 center?
- 14 A. No, it's not happened.
- 15 Q. That's great. We have got some records -- I tell you
- 16 what: I'll read them to you in just a minute.
- 17 Did the police come and pick you up and take you
- 18 away when you had that fight with your mom in New York
- 19 that put you in the, ultimately put you in St. James Mercy
- 20 Hospital?
- 21 A. Yes.
- 22 Q. Did they get called because you all were loud or did she
- 23 call the police?
- 24 A. No, no. A neighbor -- she went and ran out to the
- 25 neighbor and they called.
- 0170
- 1 Q. Tell me what kind of pushing and shoving and slapping and
- 2 punching was going on?
- 3 A. I slapped her one time and said, "don't call me names."
- 4 And I just -- I wasn't on my meds then.

- 5 Q. And you told me she's called you some pretty bad stuff?
6 A. Yeah.
7 Q. Like a retarded SOB or something like that?
8 A. Yes.
9 Q. So you just slapped her on the face?
10 A. Yeah. I punched her one time but I shouldn't. But she's
11 recovered now.
12 Q. Was Mr. [REDACTED], your step-father, in town or at the house
13 at the time?
14 A. No.
15 Q. When all this was going on?
16 A. No. This was at our landlord's house.
17 Q. The house that your mother's renting?
18 A. Yes.
19 Q. Does Mr. [REDACTED] live there too?
20 A. No. He lives on Big Flats.
21 Q. Is that a different town?
22 A. Yes.
23 Q. What town is she in?
24 A. She lives in Coopers Plains.
25 Q. But I thought you said they were not separated, they were
0171 still married.
1 A. They're not married. They're boyfriend and girlfriend.
2 They see each other.
3 Q. I see. And your half-brother lives with your mom?
4 A. Yes.
5 Q. Was he there when your mother and you had that argument
6 and then fight?
7 A. Yes.
8 Q. Anyway, she called the police, the police picked you up.
9 And how long after that did you wind up in St. James Mercy
10 Hospital?
11 A. Like a day or two days.
12 Q. Did they keep you in jail for a day?
13 A. No, I didn't go to jail.
14 Q. They just came and they took you later to the hospital?
15 A. Yes. Why? Does it say something like that?
16 Q. No, it does not. I'm just trying to put it together,
17 piece it together myself.
18 A. Okay.
19 Q. So they went to work with you on anger management issues
20 and stuff like that?
21 A. Yes.
22 Q. One other thing: You mentioned you remembered that had a
23 problem with a sergeant in the ROTC.
24 A. Yes.
25
0172 Q. And was it you that sent him a text message that called
1 him a bitch or did he send you a text message --
2 A. Did I tell you that?
3 Q. I've got a note of that from last week's deposition.
4 A. Okay.
5 Q. But I don't remember who called what.
6

7 A. I called him that.
8 Q. You called him a bitch?
9 A. Yeah. I shouldn't do that.
10 Q. Well, I'm sure you regretted it too. And so he found out
11 that you had texted him that?
12 A. Yes.
13 Q. Did you get in any trouble or kicked out --
14 A. Yeah. I got kicked out.
15 Q. So that was it for the ROTC?
16 A. Yes. But, you know, he was a real -- he was a real mean
17 person. But, you know, that's no excuse for me to like
18 call him a name or anything.
19 Q. I understand. Now, let me understand the high schools
20 you've been to. Was it just Landrum High School besides
21 the place up in New York for a while?
22 A. Yes.
23 Q. And middle school, was it just Boiling Springs Middle
24 School?
25 A. Boiling Springs Middle School, Boiling Springs Junior
0173 High School, and ninth-grade campus.
1 Q. The last one I missed. Ninth --
2 A. Ninth-grade campus.
3 Q. Is that Boiling Springs' ninth grade campus?
4 A. Yeah. It's not really like a high school, it's like a
5 ninth grade campus.
6 Q. Is that the junior high part or is that the middle?
7 A. In the middle, freshman.
8 Q. And those are the only two schools after sixth grade then
9 that you went to?
10 A. No. I went to seventh grade in Landrum and then I went
11 to eighth grade in -- let me see.
12 Q. Boiling Springs, I believe.
13 A. Yes.
14 Q. Okay. Seventh grade was in Landrum?
15 A. Yes.
16 Q. Was that not a Boiling Springs school?
17 A. No.
18 Q. Landrum Middle School?
19 A. Yes.
20 Q. All right. Now, also you mentioned, I think at Landrum
21 High School somebody named Dillon Code got your computer
22 access pass and got into the child pornography?
23 A. Yes.
24 Q. But you got accused of that because somebody used your
25
0174 access pass with your password?
1 A. Yes.
2 Q. Do you know how he got your access pass with your
3 password?
4 A. He took it from -- I gave it to him. We used to be
5 friends. Because he wanted to play a video game.
6 Q. Wonder why he couldn't use his own pass or his own name
7 access?
8

- 9 A. He just -- I don't know what it was. He just wanted to
10 get me in trouble for some reason.
11 Q. Did you get in trouble for the child porn being
12 downloaded?
13 A. I got written up for it.
14 Q. I think you had a one-day in-school suspension?
15 A. Yes.
16 Q. Anything else?
17 A. Not that I know of.
18 Q. And your girlfriend now, I believe, is Annie Genevieve;
19 is that right?
20 A. Genevieve.
21 Q. Is that her middle name or that's her --
22 A. She thinks -- her real name is Ariel Fieri.
23 Q. Ariel what?
24 A. Ariel Fieri.
25 Q. Can you spell Fieri?
0175
1 A. Like Guy Fieri off the Food Network. I think it's
2 F-E-D -- I'm not sure.
3 Q. All right. So her last name is Fieri?
4 A. Yes.
5 Q. And I think you said she's a social worker too?
6 A. Well, she works at Social Connections.
7 Q. What is that?
8 A. It's like a place where people go to socialize.
9 Q. Oh. So you met her -- that's like a club or like a fun
10 place to go to?
11 A. Yeah.
12 Q. Do you all get free time where you can do whatever you
13 want?
14 A. Yes.
15 Q. And do you have a certain time of day that you can kind
16 of do what you want?
17 A. Yes. You get to play pool and stuff like that.
18 Q. Do they have all that stuff at the Griffin's house?
19 A. No. I met her at the program.
20 Q. Oh, I see. Was she a patient too or a program
21 participant also?
22 A. Yes. She has a job at Social Connection.
23 Q. I see. And you all have been dating, you said, for a few
24 weeks and --
25 A. About a month.
0176
1 Q. -- and have instantly fallen in love?
2 A. Yeah.
3 Q. Does she live in a group home also?
4 A. No. She has her own apartment.
5 Q. Does she go by Ariel or by Annie?
6 A. She goes by Annie. But she likes me to call her Ariel
7 because that's what her real parents named her. She
8 can't -- she doesn't really know who her real parents are.
9 Q. And Genevieve, is that her middle name?
10 A. No. She only has one name: Ariel Fieri.

11 Q. I wrote down Annie Genevieve.
12 A. That's what she likes to be called.
13 Q. I see. Is that like out of a movie or something?
14 A. No, no. That's what her real name -- it may be. But
15 that's what the Genevieves named her when they found her.
16 Q. So you don't have any plans right now to leave the
17 Griffins' house as long as you can stay? You're going to
18 stay there for a while until you get back on your feet?
19 A. Yes. But it would be nice to live in a house on a farm
20 and good hunting land around it.
21 Q. Have you ever done any hunting?
22 A. Yeah. I love hunting.
23 Q. Where did you learn how to do that?
24 A. Well, I took the hunters safety course in. . .
25 Q. When you were in high school?

0177

1 A. When I was in high school.
2 Q. Was your father a hunter?
3 A. No. My grandfather is, though.
4 Q. You're talking about Mr. [REDACTED]?
5 A. Yes.
6 Q. Did he ever take you hunting?
7 A. Yes.
8 Q. What kind of hunting did you do?
9 A. Like squirrel hunting. We went to the DNR hunting place.
10 Q. Were you hunting doves, duck, quail?
11 A. Deer. White-tailed deer.
12 Q. Have you ever gotten a deer?
13 A. Yes. I was the only one in the group that got one.
14 Q. How about that. Was that with a rifle or a shotgun?
15 A. A rifle.
16 Q. Had you ever gotten any other deer before?
17 A. No.
18 Q. Have you done any other hunting beside some deer hunting?
19 A. No.
20 Q. And a little bit of squirrel hunting, I guess?
21 A. Yeah.
22 Q. I think you told us. But when you were 12 or 13, you had
23 some problem at some time of hitting your grandmother
24 because you just couldn't sometimes control your temper.
25 Is that right?

0178

1 A. Yes. But now I'm much better with that now.
2 Q. Have you ever testified under oath before like we've done
3 today and the other day?
4 A. No, sir.
5 Q. Haven't had to go to court and raise your right hand
6 and --
7 A. I've been to court but not for anything like this.
8 Q. What have you been to court for?
9 A. Just to sit down and wait for Brian, about the case with
10 Brian Rhinehart.
11 Q. Right. Plus all this custody stuff?
12 A. Yes.

- 13 Q. And getting your grandmother installed as your guardian
14 and whatnot?
15 A. Yes.
16 Q. But you're basically living on your own, though; are you
17 not?
18 A. I'm living at Family Care but I want to live on my own.
19 Q. When you get out, will you maybe move back with your mom
20 for a while?
21 A. No. I want to live in my own house.
22 Q. Can you study for your G.E.D. while you're at Family Care
23 and having to go to all this program and everything?
24 A. Yes.
25 Q. So you're just trying to get your -- you're planning to
0179 do that but you haven't done it yet?
1 A. Yes.
2 Q. This might draw fire. But to the extent that we get this
3 case resolved by way of settlement or trial or whatever,
4 do you plan on sharing the settlement monies or have you
5 promised any to like your dad or anybody else?
6 BY MR. JEFFCOAT:
7 Object to the form.
8 EXAMINATION RESUMED BY MR. PHILLIPS:
9 Q. You can answer.
10 A. I would rather not answer that.
11 Q. Well, I really wish you would unless your lawyer tells
12 you not to. But have you told anybody else, like "I'll
13 give you part of this money" or "I'll give you this or
14 that?"
15 A. No. No, sir. Although people think there'll be your
16 friends if you ask them for money.
17 Q. You don't know how many friends you've got until --
18 A. But I have a lot of friends that just like me for who I
19 am.
20 Q. That's right. Good. To the extent that you had a sexual
21 relationship at one time when you were younger with
22 Emanuel Rooker, do you know how long that lasted? Was it
23 like a period of months?
24 A. Period of months.
25 0180 Q. Okay. And were you all in middle school at the time? I
1 couldn't get a good handle on --
2 A. I was in -- I was in sixth grade and seventh grade --
3 sixth grade at the time.
4 Q. And he was a year ahead of you. So during your thing
5 with Rooker, he was a seventh grader and you were a sixth
6 grader?
7 A. Yes.
8 Q. And were you all living in Landrum or in Boiling Springs
9 or where?
10 A. Boiling Springs -- no. We were in, living in --
11 somewhere like in Springfield.
12 Q. What was the school at that time?
13 A. Boiling Springs Middle School.
14

- 15 Q. You said to the extent you all had kind of a
16 relationship, it went on for several weeks?
17 A. Yes.
18 Q. And was it mostly oral sex? You know what that is?
19 A. Yes.
20 Q. Or mostly hand sex?
21 A. Just -- I'm a straight guy. I don't want to talk about
22 this anymore.
23 Q. I tell you what: This was be the last -- I'll quit with
24 this, with Emanuel, because we already talked about Brian
25 to death and we talked about the other boys. So it was
0181
1 both hand and oral?
2 A. Well, with Emanuel it was a few other things. But I'm
3 not really -- I don't want to talk about it.
4 Q. I think I know -- that first psych admission was at MUSC,
5 Medical University of South Carolina Hospital.
6 A. Yes.
7 Q. I think you said 2001. So that would make you about ten
8 years old. And at that time, did you have to go because
9 you were fighting a lot?
10 A. Well, at that time I borrowed my step-mom's car.
11 Q. I know the second time was for joy riding.
12 A. Yes.
13 Q. Was it both times for joy riding?
14 A. No. Just once.
15 Q. Was one of the times -- because I think I got a note and
16 I just wanted to make sure I understood this. It says you
17 were fighting on the playground with African-American
18 kids. Do you remember that?
19 A. No. That wasn't when I went in the Psych Center. That
20 was like a long time ago. That was a long time ago.
21 Q. I know that -- I doubt you -- unless you tell me I'm
22 wrong, but I doubt you were able to take that car away
23 when you were 10 years old.
24 A. Yeah. I didn't do that.
25 Q. Do you know why you went to the Psych Center when you
0182
1 were 10 years old the first time?
2 A. Just to have testing done about -- mental illness
3 testing.
4 Q. And you were there for a couple of weeks?
5 A. Yes.
6 Q. Were you having any acting out with -- either acting out
7 sexually, acting out violently?
8 A. No.
9 Q. What would cause you to have to go?
10 A. Well, this incident with my step-mom. But it was pretty
11 calmed down after that.
12 Q. Oh. Was this when your step-mom and you were punching
13 each other sometimes?
14 A. Yes.
15 Q. So is she the one that put you in there?
16 A. Yes.

- 17 Q. The second time was your grandparents because you took
18 the car up to Asheville; right?
19 A. Yes.
20 Q. So that was causing sort of violence for your step-mom
21 the first time?
22 A. Yes.
23 Q. All right. And I think you said the first time that you
24 got taken into some kind of custody with a counselor to
25 evaluate you, you were a young fellow, maybe three or four
0183 years old. Had you run away or what was it?
2 A. I was like hiking in the woods behind our house.
3 Q. Behind whose house?
4 A. My dad's -- my uncle's, my dad's, and my grandma's house.
5 It wasn't -- it was a house in like Cheraw that had a
6 wooded area behind it.
7 Q. And they thought you had run away?
8 A. Yeah.
9 Q. And you were just a little boy around four years old?
10 A. Yes.
11 Q. So is one of your big goals to try to get your own house
12 or get your own place to live in one day?
13 A. Yes.
14 Q. And then to have a good job?
15 A. Yes.
16 Q. And your ideal, you feel like, would be to become a
17 corrections officer?
18 A. Yes.
19 Q. Is there a prison close to where you all live in --
20 A. There's one in Elmira.
21 Q. Okay. You mentioned to me earlier today -- I've got a
22 copy of these two checks that your grandparents brought in
23 that total \$42 in October 7th of 2005. This is about
24 when -- it looks like about the day that you were
25 interviewing with the police officers and your dad.
0184
1 Do you know what they were bringing that money in
2 for or whether it was to square up this popcorn question?
3 A. I'm not really sure -- well, wait a minute. I think it
4 was -- I don't know if they lied about the popcorn thing
5 or what. The popcorn they accused me of taking was only
6 \$8 popcorn.
7 Q. And you think that it could be that when they went to pay
8 up -- your grandparents, that is -- that somebody said:
9 No, you've got to pay some amount more? And they just did
10 it?
11 A. Yes.
12 Q. So somebody either misled them or misunderstood that you
13 owed more money for the lost popcorn?
14 A. Yes. I have a question.
15 Q. Sure.
16 A. Is there going to be another deposition?
17 Q. You're done after today. You're going to meet with an
18 expert but you're done with depositions today unless your

19 lawyers want to have another one, but I doubt it.

20 A. I'm willing if you want to.

21 Q. Well, thank you. You've been very polite.

22 (OFF THE RECORD)

23 EXAMINATION RESUMED BY MR. PHILLIPS:

24 Q. I'm going to go through some of the records just to clear
25 up some thing. Most of this stuff we've discussed, not

0185

1 all of it. I want to make sure that I understand it as
2 best I can.

3 There was an affidavit or a statement your dad gave,
4 it looks like on October 12th, which would have been a few
5 days after the initial interviews and the initial reports
6 of Brian Rhinehart and abuse. And he was talking about at
7 the time when you could get mad or vindictive, is the word
8 he used.

9 And he said that one time you tore the phone wires
10 out of the outdoor installation.

11 A. No.

12 Q. You never tore the --

13 A. I remember cutting the power off one time but not tearing
14 the phones out of the installation.

15 Q. Well, he also mentioned about cutting the master power
16 off.

17 A. I did that but I didn't tear the phones out.

18 Q. How did you turn the power off?

19 A. There's a circuit breaker, main circuit breaker you can
20 cut off.

21 Q. Oh, I see. So you cut it off and they didn't know what
22 happened?

23 A. No. He was studying because -- well, I was kind of
24 afraid of the dark or something. But now I've been
25 sleeping by myself for six years.

0186

1 Q. And then there was a -- he said that you had confiscated
2 your grandparents' car and drove to Asheville. That was
3 the joy riding incident; is that right?

4 A. Yes.

5 Q. Oh. That's where you had claimed also that your
6 stepmother -- that's Beverly [REDACTED] -- I mean,
7 Beverly [REDACTED]; is that right?

8 A. Yes.

9 Q. That she had abused you. And basically you were talking
10 about getting slapped by her and punched by her sometimes?

11 A. Yes. Mostly I just slapped.

12 Q. Do you know whether you had, at least at some time, been
13 diagnosed with a little bit of mild mental retardation?

14 A. Well, it all started back when I was like in third or
15 fourth grade.

16 Q. Is that when you got switched to special-needs classes?

17 A. Yes.

18 Q. And that's what -- was that what you were made to
19 understand? That you were just a slower learner than some
20 of the others?

- 21 A. Yes.
- 22 Q. And that was sort of the trouble you had coming through,
- 23 all the way through; is that right?
- 24 A. Yes.
- 25 Q. And it said -- your dad had said at least sometimes there
- 0187 would be sort of drama, some dramatic or some wildness.
- 2 Did you all sometimes have shouting matches?
- 3 A. Occasionally, not -- I didn't really do much shouting. I
- 4 would -- I used to lose my temper a lot when I was a kid,
- 5 though.
- 6 Q. You had a bad temper as a child?
- 7 A. Yeah. But I wasn't really -- I just slammed doors and
- 8 stuff.
- 9 Q. Now, also looking at a record from looks like when you
- 10 were about six years old that your grandma brought you to
- 11 some sort of a counselor because of some problems you were
- 12 having, I guess, at school -- might have been even in
- 13 kindergarten -- with anger.
- 14 A. Yes.
- 15 Q. Did you have trouble with your temper when you were
- 16 little?
- 17 A. Yes.
- 18 Q. That's probably what you just told me, that you just had
- 19 some trouble with your temper. Is that right?
- 20 A. Yes.
- 21 Q. And sometime you would hit people forcefully and
- 22 aggressively?
- 23 A. Yes.
- 24 Q. I had some records from a place in Florence. There
- 25 was -- looks like a doctor named Frank Brown. Do you
- 0188 remember going for evaluations there? Looks like you were
- 1 about nine years old, October 17th of 2000. And you had
- 2 been referred by Dr. San Pablo.
- 3 A. I don't remember that.
- 4 Q. You don't remember going to --
- 5 A. It's been so long ago.
- 6 Q. You were a young man anyway.
- 7 A. Yeah.
- 8 Q. Beverly [REDACTED] was with you. Wonder if she would have
- 9 taken you in maybe for an evaluation sometimes?
- 10 A. Well, my dad took me in -- well, they both were in the
- 11 car at the time, the present time when we were going to
- 12 Charleston. It was the medical university where I went
- 13 to.
- 14 Q. They said that there was a history of sexual acting out
- 15 and that you had gone to the Durant Center. Do you
- 16 remember that?
- 17 A. No, I don't remember that.
- 18 Q. Do you think that was based on your reports from Dustin
- 19 regarding -- what's Dustin's last name?
- 20 A. [REDACTED]
- 21 Q. Do you know if that's what they would have been talking
- 22

- 23 about with sexual acting out?
- 24 A. Well, was that like a place where you see a counselor or
- 25 something.
- 0189
- 1 Q. Where you see what?
- 2 A. Counselors.
- 3 Q. Probably so.
- 4 A. Yeah, I remember that.
- 5 Q. You do remember that? Do you know why you had to go see
- 6 them?
- 7 A. Because -- I don't remember. Probably because of Brian.
- 8 What year was that?
- 9 Q. This was 2000. So you would have been -- October of
- 10 2000. You would have been nine years old. And it looks
- 11 like maybe you were in Florence. Were you all living out
- 12 near Florence somewhere?
- 13 A. We were living in -- the only places we've lived is
- 14 Cheraw, Spartanburg, and that's about it.
- 15 Q. Cheraw is close to Florence. Were you living in Cheraw
- 16 when you were about nine years old?
- 17 A. Yes.
- 18 Q. Do you know why they took you in for counseling when you
- 19 were nine years old?
- 20 A. Because I got in a fight on the playground.
- 21 Q. You don't know what the fight was over?
- 22 A. I can't remember.
- 23 Q. At one time, were you scared to ride in cars?
- 24 A. Yes.
- 25 Q. And had a little bit of paranoia?
- 0190
- 1 A. Because I was in a car accident. Yes.
- 2 Q. How old were you when you were in a car accident?
- 3 A. Nine.
- 4 Q. You jumped out of the car one time?
- 5 A. Yes. Because we were in a traffic jam or whatever. And
- 6 Cheraw is a small town. I jumped out of the car.
- 7 Q. And it looks like one time you kicked a window out of a
- 8 car too?
- 9 A. No, I don't remember that.
- 10 Q. You don't remember that?
- 11 A. My mom did that a long time ago.
- 12 Q. By the way, looking at some records from a place called
- 13 Spartanburg Area Mental Health Center -- and this is
- 14 February of 2003 so you were not quite 12 years old; okay?
- 15 A. Yes.
- 16 Q. Do you remember going to see somebody from there?
- 17 A. Not that I know of.
- 18 Q. I've got another set of records that were generated --
- 19 I'm just going to give you a date -- October of 2003. So
- 20 by then, you were 12 years old?
- 21 A. Yeah.
- 22 Q. Also the Spartanburg Area Mental Health Center. Looks
- 23 like that -- did you have some trouble with violence or
- 24 fighting at school or somewhere?

25 A. When?
0191
1 Q. In October of 2003, you would have been 12 years old; my
2 guess is about a seventh grader, maybe a sixth grader.
3 A. You know, I don't really recall having any violence then.
4 Q. At this time, you were having trouble sleeping by
5 yourself?
6 A. Yes.
7 Q. There was a question about some, setting some fires. Do
8 you remember that? Or getting in trouble for setting
9 fires outside maybe?
10 A. Yes.
11 Q. What was going on? What was that about?
12 A. Well, I set -- I used to -- I remember an instant when I
13 set one -- I was burning hay underneath the -- what do you
14 call it? I think it was underneath the deck or whatever.
15 They got it put out, though.
16 Q. Did you have to call the fire department?
17 A. Yes.
18 Q. There's an indication on this record, John Doe, that
19 there had been past physical abuse by your father.
20 A. Yes.
21 Q. And what kind of -- did you suffer any physical abuse
22 besides, you said, getting whipped with a belt on at least
23 50 occasions? Was there stuff that your dad did?
24 A. No.
25 Q. And that he also was physically abusive towards your
0192
1 mother and your stepmother?
2 A. Yes.
3 Q. What would he do? Did he slap them or push them or shove
4 them?
5 A. He pushed my step-mom one time.
6 Q. What would he do to your mother?
7 A. I don't really remember.
8 Q. And there's a note that I've got and it's dated
9 October 31st, 2003 talking about you, that John Doe had
10 told them that his father touched your penis and taught
11 you how to masturbate. Did he --
12 A. He didn't do that.
13 Q. -- touch you that way?
14 A. He didn't do that.
15 Q. Do you remember if you ever reported that?
16 A. I was upset at the time. I may have reported it, but he
17 didn't do that.
18 Q. So you might have told that. But if you did, you didn't
19 really mean it?
20 A. Yeah.
21 Q. Because you were mad at your father?
22 A. I was mad at -- yeah.
23 Q. And you didn't want to be at whatever this counseling
24 session was?
25 A. Yes.
0193

1 Q. Did you have trouble with getting distracted and being
2 disruptive in class back then?
3 A. Well, mainly getting distracted at that point.
4 Q. Were you accused of being disrespectful of other
5 students?
6 A. Not very often. Earlier, but not in -- not that much in
7 seventh and eighth grade.
8 Q. This might have been about fifth grade, is my guess -- I
9 mean, sixth grade. Excuse me. Because you were 12, it
10 seems like -- in the fall of '05 when you finally reported
11 Brian Rhinehart, you would have been 13?
12 A. Yes.
13 Q. So this was when you were 11, I suppose. All right. And
14 did you ever feel like your father and your stepmother
15 were emotionally abusive? Do you know what I'm talking
16 about when --
17 A. Not really emotionally abusive.
18 Q. Do you now what that means?
19 A. Yeah. Like emotional like say hurtful things.
20 Q. That's the way I'm thinking of it too. And so did you
21 sort of know then that even back then that your father was
22 on drugs?
23 A. I never seen him do any.
24 Q. But how did you know? How did you hear it?
25 A. Well, I heard it -- I think my grandma may have mentioned

0194

1 it before. My grandma has mentioned it.
2 Q. So she probably knows?
3 A. Yes.
4 Q. Now, I'm sorry if you went around this with Mr. Walsh.
5 On November of 2003, also, I guess, while you were 12, you
6 saw a lady named, looks like, Angela Bellemy. Do you
7 remember her?
8 A. Yes.
9 Q. And there was an indication that a friend who was 12
10 years old had touched your penis and that you didn't --
11 let's see. More than once, not consensual.
12 Would that have been Emanuel Rooker or could that
13 have been somebody else?
14 A. When was this?
15 Q. When you were about 12. November.
16 A. Emanuel Rooker.
17 Q. So if it was November 4th of that year, this would have
18 been before --
19 A. Yeah. We were like -- we were making a snowman or
20 something. He asked me for help and I said, "yeah, you
21 can help me."
22 Q. So he had sort of been touching your private parts even
23 before you all had sort of developed a relationship?
24 A. No. It was after that. After.
25 Q. Okay. So do you remember reporting that somebody had

0195

1 touched you in your private parts?
2 A. Yeah.

3 Q. I've got another note from Dr. Barwick with sort of the
4 same thing.
5 A. I think I mentioned it to Dr. Barwick; yes.
6 Q. And you think that would have been Emanuel?
7 A. I know it was Emanuel.
8 Q. The violence you witnessed, the domestic violence you
9 witnessed, that was between your father and your
10 stepmother then?
11 A. Yes. Two officer or three officers came over to the
12 house and he -- well. . .
13 Q. What was he doing?
14 A. The first time, he pushed my mom. I was asleep when it
15 happened. When I woke up, I heard them like arguing and
16 her children were like yelling at him. And he just -- he
17 left the house.
18 Q. Her children? You're talking about Janet or --
19 A. She has a daughter that served in the Army; that's still
20 in the Army actually.
21 Q. And the police came that night?
22 A. Yeah, I think so.
23 Q. And that's that is because your dad was hitting your
24 step-mom?
25 A. No. He didn't hit her, he pushed her.

0196

1 Q. I've got another note. Did you set a fire to some pine
2 straw underneath the house one time?
3 A. Yeah. I was trying to like -- I was trying to get out of
4 the house because my grandpa was trying to get rid of
5 it -- but I lit the match too soon.
6 Q. You were trying to --
7 A. I was trying to take it out in the field and burn it.
8 That way, it wouldn't hurt anything.
9 Q. So your grandpa was in the house?
10 A. Yes. I ran and told him what was happening and he had to
11 help me put it out.
12 Q. Oh. So you --
13 A. I was trying to put it out but I couldn't get it put out.
14 So I ran and got him and he took a hose to it.
15 Q. Did he call the fire department?
16 A. Yes.
17 Q. Somebody got the fire out?
18 A. Yes.
19 Q. So what happened? You set a fire underneath the house?
20 A. Yes.
21 Q. And why did you light it underneath the house?
22 A. Well. . .
23 Q. You just weren't thinking or. . .
24 A. Well, I was thinking -- I wasn't really thinking. I was
25 trying to burn it in a field; though. I couldn't get it

0197

1 out. I lit the match too soon. I was trying to put it
2 out.
3 Q. Were you mad at your grandparents?
4 A. No, no, no. I don't really use anger in that way

- 5 anymore. Of course, that was in -- when was that?
- 6 Q. That was back in 2003, December of 2003, I believe. I'll
- 7 be precise. It was January of 2004 so you were still --
- 8 yeah.
- 9 Then another report, one time your grandmother was
- 10 having some trouble, it looks like. At one time, were you
- 11 hitting your grandma?
- 12 A. Yeah. I was like maybe 11 or 12.
- 13 Q. Looks like she said, she complained about bruises on her
- 14 shin after she refused to cook breakfast one day.
- 15 Did you kick her then?
- 16 A. I didn't kick her.
- 17 Q. I was wondering how you get the bruise on your shin right
- 18 below your knee?
- 19 A. I was punching her when she was asleep, I think.
- 20 Q. Oh, I see. Trying to get her up or something?
- 21 A. Yeah. She was asleep. And I was just like, "wake up --"
- 22 well, it's her right, it's her decision to sleep. So it's
- 23 up to her, not to me.
- 24 Q. Do you remember -- this is also kind of going in order in
- 25 of '04. So that would have been -- you were getting close
- 0198 to being 13, you're still 12. It's March of '04. Did you
- 1 get in trouble for stabbing a child at school with a
- 2 pencil?
- 3
- 4 A. It was self defense because he was punching me.
- 5 Q. Okay. So what happened? A fellow was --
- 6 A. He was punching me and -- his name was Tim, I think. And
- 7 I took a pencil and I stabbed him in the arm because he
- 8 was punching me.
- 9 Q. Did you get him pretty good.
- 10 A. Well, not -- he was bleeding a little bit but I punched
- 11 him -- well, he was -- I really couldn't fight very good
- 12 so -- I should have stood up to him. He was punching me
- 13 so I. . .
- 14 Q. Did you have to go to counseling for that too?
- 15 A. Yes.
- 16 Q. Sometimes you would see Laurie Barwick. Do you know
- 17 where she worked? Was she a -- you tell me. Do you know
- 18 where Dr. Laurie Barwick worked?
- 19 A. Was it a female doctor?
- 20 Q. I believe so.
- 21 A. I think she worked at the Spartanburg County Mental
- 22 Health.
- 23 Q. All right. So that's where they would sometimes send you
- 24 for counseling or whatnot?
- 25 A. Yes.
- 0199
- 1 Q. I've got another note, John Doe, that is May of 2004. So
- 2 you would have had your 13th birthday; May 7th. Your
- 3 birthday is on the 3rd; right?
- 4 A. Yes.
- 5 Q. At one point, you moved from your grandparents' back to
- 6 your father's because she was having trouble controlling

- 7 your behavior. Does that sound right?
- 8 A. Yes.
- 9 Q. And one time -- oh. You hit her in the stomach and she
- 10 almost caused a wreck when she was driving.
- 11 A. I didn't hit her in the stomach.
- 12 Q. I wonder if that's the time -- didn't you hit her one
- 13 time while she was driving because she wouldn't play your
- 14 radio station?
- 15 A. I don't remember hitting her in the stomach, that I can
- 16 remember.
- 17 Q. Do you remember where you hit her?
- 18 A. No.
- 19 Q. Do you remember hitting her when she wouldn't do your
- 20 radio station?
- 21 A. Not that I know of. I don't really care what radio
- 22 station she listens to.
- 23 Q. But at one time, I think you told us about there's a
- 24 station you like -- I think it was 94.3 or something. Do
- 25 you remember that?
- 0200
- 1 A. Yes. But I haven't like got in any fights with my
- 2 parents in over like seven years.
- 3 Q. This was when you were. -- this is years ago. I'm
- 4 referring to something that happened at least eight years
- 5 ago.
- 6 So do you remember punching your grandmother and
- 7 having to go to counselling for that while she was
- 8 driving?
- 9 A. I'm not sure. I try not to think about stuff like that.
- 10 Q. I know it's not pleasant. Did you ever threaten your
- 11 grandmother with a knife?
- 12 A. No, no.
- 13 Q. You're sure about that?
- 14 A. I wouldn't -- no. I would never threaten my grandmother
- 15 with a knife.
- 16 Q. And I'm looking at a record of December 29, 2004. But
- 17 you don't believe that's --
- 18 A. That's not true.
- 19 Q. And there's a note, I guess by you grandparents to the
- 20 counselor, that your father had been known to brutalize
- 21 you. Did he hit you pretty hard physically?
- 22 A. Like hard?
- 23 Q. Yes, like to brutalize you.
- 24 A. Is that like to beat me up?
- 25 Q. Yeah.
- 0201
- 1 A. Well, he never really struck me with his fist. It was
- 2 mostly just with belts.
- 3 Q. Sometimes hit you pretty hard?
- 4 A. Yes. Not really to a degree where it was going to hurt
- 5 me. After I got a whipping, he used to come in there:
- 6 "You know why I whipped you?"
- 7 Q. Then you would talk about it some?
- 8 A. Yeah.

- 9 Q. When you took the car up to Asheville, did you go as fast
10 as 80 miles an hour? Do you know?
- 11 A. I went -- well, when I was on the interstate, I was going
12 about almost 80.
- 13 Q. Are you sure you never threatened your grandmother with a
14 weapon? Because I've got two report of them, one of
15 them -- the second one dated January 11, 2005.
- 16 A. I wouldn't threaten my grandparents with a weapon,
17 period.
- 18 Q. Let's see --
- 19 A. When did this --
- 20 Q. I'll give you the date. January 11th, 2005. I just
21 wonder if this might have been the time right before you
22 went to the medical university for joy riding and for
23 having trouble getting along.
- 24 A. I'm not sure. Yes, I went to the medical university in
25 2005, though.
- 0202
- 1 Q. And we did talk about that.
- 2 A. Yeah.
- 3 Q. I have even another record. This is from Dr. Barwick
4 dated June 10th, 2005 -- so by then, you were 14 years
5 old -- that you had threatened your grandmother with a
6 knife.
- 7 A. No. I would never threaten my grandmother. Maybe she
8 was confused or something when she said that.
- 9 Q. Maybe she was.
- 10 A. Yeah.
- 11 Q. And there was some friend of yours that came over one
12 time that had had some drinking, has done some drinking?
- 13 A. What was his name?
- 14 Q. I don't know.
- 15 A. When was this?
- 16 Q. This was June of 2005 when you were 14. And maybe you
17 tried to wake him up and he was disoriented, but you
18 called the police officers.
- 19 A. When did this happen?
- 20 Q. June 10th, 2005, sometime right before that. Do you
21 remember calling the police one time to come to your
22 house?
- 23 A. Oh, yeah. Joe-Joe.
- 24 Q. And a SWAT team came over?
- 25 A. A squad team.
- 0203
- 1 Q. Yes.
- 2 A. I don't remember a squad team but --
- 3 Q. SWAT.
- 4 A. I don't remember a SWAT team.
- 5 Q. Special Weapons and Tactical Forces, I think.
- 6 A. I don't remember a SWAT team. I remember an officer and
7 a female officer coming over there and telling them
8 that --
- 9 Q. Who was Joe-Joe and what had happened there?
- 10 A. He was just like -- he had alcohol problems and he was --

11 he was throwing stuff in the living room or whatever.
12 Q. Was he your friend or your father's friend?
13 A. It was both of our friend.
14 Q. I see. Were you the one who called the police?
15 A. Yes.
16 Q. And the reason was because he was throwing things?
17 A. Yes.
18 Q. I have a report March of 2005, John Doe -- that's when
19 you were almost 14 -- that you were throwing rocks at your
20 mother and father.
21 Do you remember -- and throwing rocks at the car.
22 Do you remember getting accused of that?
23 A. Well, I remember throwing little rocks, little stones at
24 my mom's car because she was kicking me out of the house
25 or something for some reason. I don't know.

0204

1 Q. Was that your mother or your step-mother?
2 A. Step-mother.
3 Q. I see. Tell me about then. Were you throwing rocks at
4 her too?
5 A. No. Just the car.
6 Q. I think I've got it covered. All right, John Doe. We
7 have taken two days of your time and I thank you for it.
8 That's all the questions I've got. These guys may have
9 follow-up stuff but we're about done.

10 RE-EXAMINATION BY MR. WALSH:

11 Q. I have just a couple of things. I had promised you, John
12 Doe, that I was going to show you these photos.
13 A. Okay.
14 Q. So these came from your attorney.
15 A. Could I have a look at them?
16 Q. Yes. I'm going to show you sort of one at a time. This
17 guy with the beard --
18 A. That's Brian Rhinehart. That's his wife -- that's Doni
19 and that's Brian. That's Brian --
20 Q. Now, who's this guy? Who's that?
21 A. That's Paul Hoyle.
22 Q. Well, that looks like Brian Rhinehart from --
23 A. Brian is that guy right there.
24 Q. The bearded guy?
25 A. Yeah. That's Paul Hoyle, our ex-scoutmaster.

0205

1 Q. Okay. Who's the boy?
2 A. That's [REDACTED].
3 Q. What's his number on his shoulder?
4 A. 292. That's the troop number.
5 Q. All right. Who are in here?
6 A. That's Jackie, the lesbian. I shouldn't have said that.
7 Q. She's got the short hair?
8 A. Yes. That's Jackie.
9 Q. That's the one that was rough on you?
10 A. Yeah.
11 Q. And who's --
12 A. That's Shelby.

13 Q. Shelby there in the middle?
14 A. Yeah. And that's [REDACTED]. He looks kind of depressed in
15 that picture.
16 Q. Where was that picture taken? What room were you in?
17 A. I'm not really sure. I think it was --
18 Q. Were you in the church?
19 A. The activity room of St. Margaret's Church.
20 Q. Are all these pictures in the activity room of the
21 church?
22 A. Yes. That's in the activity room, that's in the activity
23 room, and that's in the activity room.
24 Q. Now, in that first picture, Doni is sitting by the door.
25 Did she have to sit there? Like would people leave if she

0206

1 wasn't there? I mean, was she like guarding the door or
2 is that just where she sat?
3 A. That's just where she sat.
4 Q. So then what about this picture in an airplane hanger?
5 A. Oh, yeah. I should have had my shirttail tucked in.
6 That's me, that's [REDACTED], that's Alex, that's the airplane
7 guy, that's Brian, that's Danielle, that's -- I don't know
8 who that is.
9 Q. Was that a field trip you all took?
10 A. Yes.
11 Q. Let me show you this one. That's somebody --
12 A. That's me.
13 Q. That's you?
14 A. Yes.
15 Q. And who is that man?
16 A. That's Paul Hoyle.
17 Q. Are you sure that's not Brian Rhinehart?
18 A. That's not Brian Rhinehart. That's Paul Hoyle. That's
19 Brian Rhinehart.
20 Q. I mean, he looks different now in jail. That's why I'm
21 saying. He looks more like the guy shaking your hand.
22 A. Are you sure that -- was Paul Hoyle in jail? I don't
23 think -- I'm not trying to --
24 Q. No. I don't know. Who's that woman sitting there in
25 the -- standing there in the corner?

0207

1 A. That's Shelby standing next to Brian.
2 Q. So I see that you've got the three adults in that
3 picture. Are they all wearing Boy Scout uniforms?
4 A. Yes.
5 Q. So is that what they normally would wear?
6 A. Yes.
7 Q. Now, I see that this lady in the side there -- what was
8 her name?
9 A. Which one?
10 Q. The one you described with the L word.
11 A. I'm sorry. I shouldn't haven't -- that's prejudice or
12 biased.
13 Q. What was her name?
14 A. Jackie. I shouldn't have used that.

15 Q. That's okay. She doesn't have like a uniform shirt on.
16 Do you know why?
17 A. I don't know. Maybe -- she's supposed to be.
18 Q. Did she ever wear one?
19 A. Yes, from what I know. Or maybe that was before she
20 started or whatever.
21 Q. Now, I'll tell you that looking at this first picture
22 where Doni is sitting in that chair, the guy with the
23 beard, that's Brian Rhinehart. I can see his face there.
24 A. Yes. That was before he was the scoutmaster.
25 Q. He just doesn't have the beard now and he looks much
0208 older than in that picture.
1 A. No. He's younger.
2 Q. He looks older now than in that picture.
3 A. Yes.
4 Q. Because this is eight years ago.
5 A. Yes.
6 Q. So is this [REDACTED] there shaking hands?
7 A. Yeah, that's [REDACTED].
8 Q. And what kind of award -- were you all getting some kind
9 of awards that night?
10 A. We were getting our merit badge.
11 Q. Was everybody sort of on the same page? Everybody was
12 getting the citizenship badge, you think?
13 A. Yes. From what I understand, what I know.
14 Q. These pictures are stamped as taken in February of '04.
15 A. Yes.
16 Q. So Mr. Hoyle would have been still been there by then,
17 you figure?
18 A. Yes.
19 Q. Because obviously he's in the picture with his uniform
20 still on.
21 A. Yes.
22 Q. Now, who is -- this picture here with the three of you on
23 the ground, [REDACTED] is asleep. Okay?
24 A. He's not asleep. He's --
0209
1 Q. He's resting.
2 A. Yes.
3 Q. Who's this little girl?
4 A. That's Danielle.
5 Q. That's [REDACTED]'s sister?
6 A. Yeah.
7 Q. Who is that?
8 A. Me.
9 Q. That's you behind Danielle?
10 A. Yeah.
11 Q. Who is this guy?
12 A. That's Alex. That's Paul Hoyle's son.
13 Q. So when Paul left, Alex left with him?
14 A. Yes. I like this picture of me.
15 Q. Well, your attorney has probably got the color copy so
16 you can get one from him. Okay. This looks like Mr.

17 Hoyle. Is that you?
18 A. Yes, that's me.
19 Q. Then here's a picture of the plane. Is that you with
20 your shirttail out?
21 A. Yes. I should have tucked that in.
22 Q. Here's another picture. It must have been taken on a
23 different day because Brian doesn't have his uniform on.
24 Do you know when that might have been taken?
25 A. I'm not sure.
0210
1 Q. Who's that with him?
2 A. Jackie.
3 Q. Then what about this one here? Do you know what you all
4 are doing?
5 A. Those are the Cathcarts.
6 Q. The boys in that picture?
7 A. Yes.
8 Q. Okay. You're all doing the scout oath?
9 A. Yes, that's the scout oath.
10 Q. Do you still remember it?
11 A. On my honor, I will do -- something. I forget.
12 Q. Do my duty to God and my country?
13 A. Yeah. To help other people at all times, to keep myself
14 physically strong, mentally awake, and morally straight.
15 Q. Where was the plane trip to?
16 A. It was somewhere in North Carolina. I'm not really sure
17 where it was. I'm not really sure.
18 Q. Here's a picture, it looks like -- is that you admiring
19 your merit badge?
20 A. Yes.
21 Q. So what was going on? This was after the ceremony, you
22 think?
23 A. Yes. That was after I got the merit badge.
24 Q. Okay. I think that's all I have of those pictures.
25 BY MR. WALSH:
0211
1 Does anybody want to ask anything about any of them?
2 BY MR. JEFFCOAT:
3 I might. I don't have to right at this second if you
4 want to finish up.
5 BY MR. WALSH:
6 No, I'm done. That's all I had. And if you want me to
7 mark them, I will, but I wasn't going to.
8 BY MR. JEFFCOAT:
9 Maybe we should.
10 BY MR. WALSH:
11 Let's mark them as 1. And then I'll just letter them
12 like 1A through whatever: A, B, C, D, E, F, G, H, I, J,
13 K, L, M.
14 (DEFENDANT'S EXHIBIT NO. 1 MARKED)
15 (OFF THE RECORD)
16 EXAMINATION BY MR. JEFFCOAT:
17 Q. All right. So let's go back on the record. John Doe,
18 it's been a long two days; hasn't it?

- 19 A. Miserable. But, you know, this doesn't -- you know, I
20 don't even think I should go to the psychiatrist because I
21 don't -- this isn't bothering me. I'll do what I came
22 here to do.
- 23 Q. Well, I've got some questions so let's see if we can get
24 through these.
- 25 A. Okay.
- 0212
- 1 Q. Now, most recently you've been staying up in the group
2 home in Elmira, New York; correct?
- 3 A. Yes.
- 4 Q. And you originally went to New York to be closer to your
5 mother?
- 6 A. Yes, and my brother.
- 7 Q. And you thought you could have a better life in New York
8 after your life here in South Carolina?
- 9 A. Yes.
- 10 Q. You're currently required to take mood stabilizer
11 medicine every single day; right?
- 12 A. Yes. And I've been doing that and I'll continue to do
13 that.
- 14 Q. You were in special-needs classes in high school?
- 15 A. Yes.
- 16 Q. And you started going to special-needs classes in third
17 grade?
- 18 A. Yes.
- 19 Q. And you said on the first day of your deposition that --
20 you used the phrase, you said you had a low IQ, or at
21 least they said you did. Is that right?
- 22 A. No. You can overcome that.
- 23 Q. Sure. You have been getting mental help and treatment
24 for most of your life?
- 25 A. Well, ever since I was 8 years old.
- 0213
- 1 Q. And you're 20 years old now?
- 2 A. Yes.
- 3 Q. Already in your life so far, you have been admitted to
4 mental health facilities on at least five occasions.
- 5 A. Yes.
- 6 Q. In the last year or so, you've had to spend time in the
7 Psych Center up in New York State.
- 8 A. Yes.
- 9 Q. In about 2009 to 2010, you were a resident at the Patrick
10 B. Harris Mental Hospital in Anderson.
- 11 A. Yes -- not Anderson -- yes. Anderson.
- 12 Q. Anderson County anyway.
- 13 A. Yes.
- 14 Q. In 2006, you had a violent incident with your stepmother.
- 15 A. Yes.
- 16 Q. In 2005, you acted out by taking your stepmother's car
17 without permission and wrecking it; is that right.
- 18 A. Well, I kind of drove it into a ditch once by accident
19 when I was trying to back up, but there wasn't that,
20 particularly that much damage to it.

- 21 Q. Also in 2005, your scoutmaster molested you.
22 A. I'm not sure if it was -- it feels like it was 2006 --
23 I'm not sure.
24 Q. Okay.
25 A. I can't remember.
- 0214
1 Q. But you know your scoutmaster sexually abused you.
2 A. Yes.
3 Q. And all the members of your troop, all the boys, were
4 they all special-needs kids?
5 A. Yes.
6 Q. Kids with disabilities of some kind?
7 A. Yes. Some not as bad as others, though.
8 Q. We just spent some time going over a bunch of incidents
9 where you had some bad behavior.
10 A. Yes.
11 Q. And you admit to misbehaving at times?
12 A. Yes.
13 Q. But you told the truth about what the scoutmaster did to
14 you?
15 A. Yes.
16 Q. The scoutmaster molested you on the St. Margaret's Church
17 property; right?
18 A. Yes.
19 Q. And that's where you met for scout meetings?
20 A. Yes.
21 Q. And when he molested you, no other scout leaders or
22 parents were present at the church; is that right?
23 A. Not that I know of. No, they weren't.
24 Q. Your scoutmaster molested you downstairs at the Rhinehart
25 house in [REDACTED]'s bedroom.
- 0215
1 A. Yes.
2 Q. And he stopped that molestation to go upstairs to go back
3 to his wife Doni Rhinehart.
4 BY MR. WALSH:
5 Objection.
6 EXAMINATION RESUMED BY MR. JEFFCOAT:
7 Q. That's what you said on the first day of your deposition.
8 A. I don't remember -- well, his wife had her own bed. I
9 may have been confused really about something if I said
10 that then.
11 But they usually -- they stayed downstairs in the
12 bedroom. I probably was confused if I said that.
13 Q. When he stopped molesting you that time, where did he go?
14 A. He went -- after -- he slept with us all night. But then
15 the morning he got up, he went -- I don't know -- when
16 we're in scouts, we don't have scouts all the time. We go
17 like to movies -- we don't go to movies, but like we go
18 out, social stuff. We go --
19 Q. Okay. So he slept with you in bed all night long?
20 A. Well. . .
21 Q. Is that right?
22 A. Yes. But he. . .

23 Q. In fact, Brian Rhinehart slept in the bed with you and
24 [REDACTED] at his house on at least two occasions?
25 A. Yes.

0216
1 Q. And he also molested you upstairs at the Rhinehart house,
2 and this was in your scoutmaster's bedroom?
3 A. No. Their bedroom is upstairs. The master bedroom is
4 upstairs and you can watch TV and play video games.
5 Q. In your scoutmaster's house, he molested you in the
6 master bedroom upstairs?
7 A. Yes.
8 Q. Was it that time that Ms. Rhinehart left the house that
9 day and then it was just you and your scoutmaster there
10 with no other adult? Is that right?
11 A. Say that again?
12 Q. That day when he molested you upstairs in the master
13 bedroom, was that the day when Doni Rhinehart left the
14 house?
15 A. Doni Rhinehart?
16 Q. Doni Rhinehart left the house?
17 A. You know, I'm not sure if she was there or not. I can't
18 really remember. She's not usually there all the time.
19 She usually goes out places.
20 BY MR. JEFFCOAT:
21 All right. Let's go off the record.
22 (OFF THE RECORD)
23 EXAMINATION RESUMED BY JEFFCOAT:
24 Q. I'm going to hand you here Defendant's Exhibit No. 1.
25 And you're going to see on here that you've got -- each
0217
1 one of these is marked with a letter. So the first one
2 is A, the second one is B and so on. Do you see that?
3 A. Yes.
4 Q. Now, in these pictures here, these pictures of the
5 meetings where you've got more than one adult in the room,
6 those pictures are taken at what's called an awards
7 ceremony; right? Is that what that was?
8 A. Yes.
9 Q. And an awards ceremony is not the same thing as a regular
10 patrol meeting; right?
11 A. Yes.
12 Q. It's not the same thing as your --
13 A. A patrol meeting is just to talk about events you're
14 going to have and stuff like that.
15 Q. And that's your weekly meeting?
16 A. Yes. But the awards ceremony is something like if you're
17 going to get a merit badge or something or get promoted to
18 a higher rank or whatever. That's what an award ceremony
19 is.
20 Q. Right. An awards ceremony is a chance to recognize the
21 achievements of the individual scouts?
22 A. Yes.
23 Q. And so lots of parents are there; correct?
24 A. Yes.

25 Q. And in some of these pictures, more than one scout leader
0218 is present?
1 A. Yes.
2 Q. And each individual scout, if he's earned something, is
3 given some kind of recognition or a merit badge and
4 there's applause and it's a happy time?
5 A. Yes.
6 Q. Now, you mentioned before that there were times when
7 there was just one adult supervising you; correct?
8 A. When was this?
9 Q. Well, for instance, when you went with your scoutmaster
10 to Wal-Mart to buy soap for the Boy Scouts --
11 A. Yes. That was Brian Rhinehart. Nothing happened then.
12 We just bought soap.
13 Q. But there were times when it was just you and your
14 scoutmaster; correct?
15 A. Yes.
16 Q. And you were buying soap on that occasion?
17 A. Yes.
18 Q. For a Boy Scout car wash; correct?
19 A. Yes.
20 Q. Now, at the patrol meetings, were there some meetings
21 when Brian Rhinehart was the only adult present?
22 A. Not -- well, I don't -- no. There was always more than
23 one adult there.
24 Q. At the patrol meetings?
0219 A. Yes.
1 Q. Now, you've told us in the course of the two days of
2 deposition here that your scoutmaster molested you at
3 least three times. Right?
4 A. Yes.
5 Q. In fact, we think it was four times --
6 A. It was. I should have said four. Because there was one
7 in the car, in his truck when we were leaving St.
8 Margaret's Church and we got ice for the Boy Scouts for
9 the car wash, the car wash fundraiser or whatever.
10 Q. Fundraiser for the troop?
11 A. Yes.
12 Q. Now, you told the truth about what your scoutmaster did
13 to you at the superintendent's office; didn't you.
14 A. Yes.
15 Q. And you told the truth to Detective Cantrell too; didn't
16 you?
17 A. Yes.
18 Q. And you've have told the truth to these lawyers you've
19 been talking to for these two days; correct?
20 A. Yes.
21 Q. Now, on the first day of deposition when we talked, and I
22 think perhaps even this morning also, you made clear that
23 you were kicked out of the Boy Scouts troop for reporting
24 what your scoutmaster did to you.
25
0220

1 A. Yes.
2 BY MR. PHILLIPS:
3 Object the form.
4 EXAMINATION RESUMED BY MR. JEFFCOAT:
5 Q. Is that right?
6 A. Can you repeat that?
7 Q. Okay. On the first day of deposition and I believe this
8 morning, you made it clear that you were kicked out of
9 your troop for telling the truth about what your
10 scoutmaster did to you. Is that right?

11 BY MR. PHILLIPS:
12 Object to the form.
13 WITNESS ANSWERS:
14 A. Yes.
15 Q. And you mentioned during the deposition that at school,
16 [REDACTED] Rhinehart said that you had been kicked out of
17 Troop 292 for telling a lie on his dad.

18 A. Did he say that or --
19 BY MR. PHILLIPS:
20 Object to the form.
21 EXAMINATION RESUMED BY MR. JEFFCOAT:
22 Q. I don't know. That's what you told us.
23 A. Let me think about that. Can you repeat that?
24 Q. Did [REDACTED] tell you that you had been kicked out of Troop
25 292 for saying something about his dad?

0221

1 A. Oh, yes. I remember him --
2 BY MR. PHILLIPS:
3 Same objection.
4 WITNESS CONTINUES:
5 A. -- walking in the classroom and me saying, "hey, [REDACTED],
6 what's up?" "No. I'm not talking to you, John Doe. You
7 managed to get yourself kicked out of scouts." I remember
8 that very well.
9 Q. Did he say anything else? Because at one point, you said
10 something about telling a lie on his dad. Do you remember
11 if he said that?

12 BY MR. PHILLIPS:
13 Object to the form.
14 WITNESS ANSWERS:
15 A. I don't remember.
16 Q. Did he say how you had managed to get yourself kicked out
17 of the troop?
18 A. No. His parents probably told -- I have a feeling they
19 told him that but he didn't mention that.
20 Q. Until this legal suit came about, had anybody ever said
21 anything about you being kicked out of the troop for
22 popcorn money discrepancy? And I mean before this suit
23 came about.
24 A. Well, let me think. Yes. The one -- they were accusing
25 me of that; yes.

0222

1 Q. And when was that?
2 A. I'm not really sure. Was it 2005 I believe -- well, it

3 was 2006.
4 Q. Well, [REDACTED] told you that at school that you had been
5 kicked out of troop; right?
6 A. Yes.
7 Q. That was the first you heard about it?
8 A. Yes.
9 Q. And you found out for sure that you were kicked out of
10 Boy Scout Troop 292 when you came home one day from school
11 and your folks told you that a letter had been
12 hand-delivered to your house?
13 A. Yes.
14 Q. And they kicked you out of the troop because you told the
15 police about the scoutmaster molesting you?
16 A. Yes.
17 BY MR. PHILLIPS:
18 Object to the form.
19 EXAMINATION RESUMED BY MR. JEFFCOAT:
20 Q. And you remember that --
21 A. I have a feeling they did that. I'm almost positive they
22 did that.
23 Q. Because there wasn't any other reason to do it?
24 A. There's no other reason for them to do that.
25 Q. And you remember that the letter came to your house after

0223

1 you told the truth about what the scoutmaster did?
2 A. Yes.
3 BY MR. PHILLIPS:
4 Object to the form.
5 EXAMINATION RESUMED BY MR. JEFFCOAT:cro
6 Q. You said you were really upset when you found out you had
7 been kicked out of the troop.
8 BY MR. PHILLIPS:
9 Object to the form.
10 WITNESS ANSWERS:
11 A. Would you repeat that?
12 Q. You said earlier that you were really upset when you
13 found out you had been kicked out of Boy Scouts.
14 BY MR. PHILLIPS:
15 Objection.
16 WITNESS ANSWERS:
17 A. I was upset before that.
18 Q. With everything that your scoutmaster did to you, you
19 also mentioned that there were nights when you would stay
20 awake and you would worry about Brian Rhinehart coming
21 after you.
22 BY MR. PHILLIPS:
23 Object to the form.
24 WITNESS ANSWERS:
25 A. Yeah.

0224

1 Q. You mentioned how hard you worked selling popcorn to
2 raise money for Troop 292.
3 A. Yes.
4 Q. And you said you sold a lot of popcorn.

5 BY MR. PHILLIPS:

6 Object to the form.

7 WITNESS ANSWERS:

8 A. Yes. It would be like -- he would tell us an individual
9 house to go to. We were in a truck selling popcorn.

10 Q. Your scoutmaster?

11 A. Yes.

12 Q. "We" meaning -- when you said "we," you meant --

13 A. Like: John Doe go to that house, go to that
14 house. And we were in a neighborhood.

15 Q. Right. So it would be your scoutmaster and you and

16 [REDACTED] --

17 A. Yes.

18 Q. -- in the vehicle?

19 A. Yes, sir.

20 Q. Nobody else?

21 A. Yes, sir.

22 Q. You said one day at [REDACTED]'s house, there was an open box
23 of popcorn with lots of smaller individual popcorn boxes
24 inside and one of the smaller boxes was missing. Is that
25 right?

0225

1 A. I don't remember saying that.

2 Q. Okay.

3 A. I don't remember.

4 Q. But there was some kind of \$8 discrepancy over a missing
5 box of popcorn; correct?

6 BY MR. PHILLIPS:

7 Object to the form.

8 WITNESS ANSWERS:

9 A. Yes, there was.

10 Q. And as far as you know, your family covered that because
11 there may have been a question about who took the popcorn
12 or how it went missing. Correct?

13 A. Yes.

14 Q. Correct?

15 A. Correct. But they -- still, they overpaid, from my
16 understanding, like \$40 just for that reason.

17 Q. Now, you just heard about the \$40 thing today. Is that
18 right?

19 A. Yes.

20 Q. You didn't know anything about any overpaying or anything
21 at the time; right?

22 A. No.

23 Q. It wasn't any big deal to you at the time? Or was it?

24 A. I think it was a big deal that my grandparents had to
25 pay -- how much was it?

0226

1 Q. I think he said \$42.

2 A. So that's like \$34 too much.

3 Q. Okay. You mentioned your patrol. Do you remember the
4 name of your patrol?

5 A. Troop 292.

6 Q. That was the troop. Did you have an individual patrol

7 name?
8 A. Oh, the Bear.
9 Q. The Bear Patrol?
10 A. Yeah.
11 Q. There were some scout activities at the Rhinehart house?
12 A. Yes.
13 Q. And were there ever camping trips with your Boy Scout
14 troop?
15 A. Yes. Two actually. I only went on one of them, though.
16 Q. And was that when Brian Rhinehart was the scoutmaster or
17 before when the other gentleman was your scoutmaster?
18 A. When was this?
19 Q. When you went camping.
20 A. Yes. Mr. Hoyle wasn't even there. He left the troop.
21 Q. So Mr. Hoyle had already left the troop and so the
22 scoutmaster when you went camping was Brian Rhinehart;
23 right?
24 A. Yeah.
25 Q. Were there any other adults there that time?

0227

1 A. At the --
2 Q. When you went camping?
3 A. Yes.
4 Q. John Doe, you were the quartermaster for your patrol?
5 A. Yes.
6 Q. That means you were the number three individual in
7 leadership for your patrol; correct?
8 A. I'm not really sure what rank or whatever it means.
9 Q. But you had a patrol leader; correct?
10 A. Yes.
11 Q. You had an assistant patrol leader; correct?
12 A. Yes.
13 Q. And then you were the quartermaster; correct?
14 A. Yes.
15 Q. And it was part of your scouting duty as quartermaster to
16 help count the money for the popcorn sales.
17 A. Yes.
18 Q. And you were required to do that at the Rhinehart house
19 on at least one occasion; correct?
20 A. Yes.

21 BY MR. PHILLIPS:

22 Object to the form.

23 A. Yes.

24 EXAMINATION RESUMED BY MR. JEFFCOAT:

25 Q. In fact, Boy Scout Troop 292 stored their cases of

0228

1 popcorn at the Rhinehart residence; didn't they?
2 A. Yes.
3 Q. The troop didn't store the popcorn at St. Margaret's
4 Church; did they?
5 A. No.
6 Q. And Brian Rhinehart would sometimes give you rides home
7 from Troop 292 activities; wouldn't he?
8 A. Yes.

- 9 Q. He'd give you rides home from the church; right?
10 A. Yes.
11 Q. And sometimes --
12 A. No, not from the church. From his house.
13 Q. From his house. Okay. And sometime [REDACTED] was with you
14 and sometimes he wasn't; is that right?
15 A. No, he was never with me that I know of. Some of the
16 time, he was. Once or twice, he was.
17 Q. And when you were counting money for the troop at the
18 Rhinehart house, there were occasions when Brian Rhinehart
19 was the only adult present; correct?
20 A. Yes.
21 Q. And you already mentioned, you already testified that
22 Brian Rhinehart molested you one time in the truck at
23 night in the church parking lot. Correct?
24 A. Yes.
25 Q. And that was the day that you had been shopping with your
0229 scoutmaster for soap at Wal-Mart. Is that the same day?
1 A. I'm not really sure. Yes, it was, because we were
2 getting ice.
3 Q. On that day when you went to Wal-Mart, you left the
4 Rhinehart house; correct?
5 A. Yes.
6 Q. And Doni Rhinehart was there when you left?
7 A. [REDACTED] or Dena -- or Doni?
8 Q. Doni. You mentioned before that [REDACTED] was playing video
9 games and that Doni was doing something else so --
10 A. Yeah. And he asked me to help him pick out some soap.
11 It was kind of heavy and he needed help carrying them.
12 Q. So Doni knew that the two of you were leaving; correct?
13 BY MR. WALSH:
14 Objection.
15 WITNESS ANSWERS:
16 A. Yes.
17 Q. Now, you mentioned before that all the other boys in your
18 troop had special needs of one kind or another; correct?
19 A. Yes.
20 Q. And there were times when you liked going to Boy Scouts
21 and there were times when you didn't?
22 A. Yes.
23 Q. Did you ever do like little league sports or anything
24 like that when you were a kid?
25 0230 A. I played soccer.
1 Q. How old were you when you played soccer?
2 A. Six.
3 Q. Did you play after you were six years old?
4 A. No.
5 Q. Did you play one season?
6 A. One season; yeah.
7 Q. Do you remember why you stopped playing sports?
8 A. I wasn't cut out for soccer.
9 Q. What do you mean by that?
10

- 11 A. Well, it's not my thing.
12 Q. Were you -- you weren't involved in any other sports?
13 What about church youth groups? Did you ever --
14 A. Yes.
15 Q. -- do that? Which churches, church youth groups were you
16 involved with?
17 A. Restoration Church in Spartanburg County,
18 Landrum Fairview Church in Landrum, which is also in
19 Spartanburg County. Then that's all I know about.
20 Q. But those weren't special-needs groups, those were just
21 the regular youth groups?
22 A. Regular people; yeah.
23 Q. And later, you were in ROTC which we know didn't work
24 out; correct?
25 A. At first -- when it first started, it kind of worked out.
0231
1 But, you know, afterwards it kind of went downhill.
2 Q. Now, some of the boys in your Boy Scout troop, some of
3 those guys were your best pals at the time; weren't they?
4 A. Yeah.
5 Q. [REDACTED] in particular was a very close friend of yours;
6 correct?
7 A. He still is but I haven't heard from him.
8 Q. You guys went through a lot together.
9 A. Yes.
10 Q. After they kicked you out of Troop 292, did any of the
11 parents or anybody come to you and explain to you why they
12 had done what they did?
13 A. No. Well, I did call [REDACTED] because he had a video game
14 of mine that he forgot to give back to me.
15 Q. But nobody came to you at the time and sat down with
16 you and talked to you--
17 A. Other than the person, the individual that brought the
18 church letter.
19 Q. But you weren't home at the time; were you?
20 A. No. I was at school.
21 Q. Nobody sat down with you?
22 A. No.
23 Q. Nobody called you?
24 A. No.
25 Q. Nobody wrote you any letters or cards other than the one
0232
1 kicking you out?
2 A. No.
3 Q. Now --
4 A. If it was, there would have been some evidence.
5 Q. After they kicked you out -- were there any other Boy
6 Scout troops nearby for special-needs boys in your area,
7 that you knew about?
8 A. Not that I know of.
9 Q. And after you had been kicked out of the troop and after
10 what your scoutmaster had done to you a number of times
11 and after everything happened, you weren't terribly
12 interested in scouting at that point; were you?

13 A. No.
14 BY MR. PHILLIPS:
15 Object to the form.
16 EXAMINATION RESUMED BY MR. JEFFCOAT:
17 Q. What was your answer?
18 A. No -- well, wait a minute. What was that question?
19 Q. I said -- and counsel may make an objection here after I
20 say my question.
21 A. Okay. I won't ask you again. I remember --
22 BY MR. PHILLIPS:
23 It's a leading question that suggests an answer.
24 WITNESS CONTINUES:
25 A. I remember what you were asking me. You were asking was
0233 I upset after they kicked me out of scouts. Is that
1 correct?
2
3 Q. That's right.
4 BY MR. PHILLIPS:
5 I object to the form.
6 WITNESS ANSWERS:
7 A. Yes, I was.
8 Q. But you weren't interested in scouting after they kicked
9 you out; were you?
10 BY MR. PHILLIPS:
11 Same objection.
12 WITNESS ANSWERS:
13 A. No. I wanted to go in ROTC.
14 Q. All right.
15 RE-EXAMINATION BY MR. PHILLIPS:
16 Q. I'm not going to re-plow everything, I promise. Nobody
17 told you -- nobody from the scouting folks, none of the
18 adults told you that you were kicked out of the Boy Scouts
19 or dismissed from the Troop 292 because of reporting Brian
20 Rhinehart?
21 A. No.
22 Q. Okay. And really nobody told you that. It's just
23 something that you sort of inferred. Is that right?
24 A. Well, I was almost positive. I was assuming that that
25 happened because why else would they do that; I mean. . .
0234 Q. And what you do know is that the day that [REDACTED] told you
1 you got yourself dismissed from the Boy Scout troop is the
2 day that when you got home and you found out that your
3 parents had heard from somebody who hand-delivered this
4 letter.
5
6 That is, the morning that you heard about you
7 getting dismissed from the troop was the same day that you
8 got home and your parents told you that you had gotten
9 dismissed by a letter that was hand-delivered to the
10 house?
11 A. I'm not -- let me think about this for a minute. I'm not
12 really sure. To be honest, I'm not really sure.
13 Q. Not sure of what?
14 A. Of [REDACTED] being upset with me before or after the letter

15 was sent -- I have short-term memory.
16 Q. Oh. You have problems with short-term memory or you're
17 only good on short-term memory?
18 A. I have problems with short-term memory.
19 Q. I see. Well, this was a long time ago.
20 A. Okay.
21 Q. All right. But [REDACTED] had learned that you were being
22 dismissed through his dad, you presume?
23 A. Yes.
24 Q. And you learned that you were being dismissed through
25 your friend [REDACTED] before you found out through your
0235 parents who got the hand-delivered letter?
1 A. Yes. Because he mentioned at school that I managed to
2 get myself kicked out of scouts. Yes.
3 Q. And if I understand correctly, after you learned this
4 from [REDACTED], at some point you went to your superintendent
5 and told him about Brian Rhinehart abusing you?
6 A. Yes.
7 Q. Were you happy, at least as first, enough with the ROTC
8 that that sort of replaced what you had been doing with
9 the scouts?
10 A. At first; yes.
11 Q. You had the comradery and wore uniforms and you got to be
12 a soldier and stuff like that?
13 A. Yeah.
14 Q. All right. And I wonder if that's why you would like to
15 be a corrections officer? Because you get to wear a
16 uniform and --
17 A. Well, it's just, you know, doing that. It's like you're
18 helping people with your community, you know.
19 Q. And you try to rehabilitate folks who are having
20 troubles?
21 A. Yes.
22 Q. That's all.
23 (THERE BEING NO FURTHER QUESTIONS, THE DEPOSITION WAS
24 CONCLUDED AT APPROXIMATELY 5:40 P.M.)
25

0236

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

COPY

State of South Carolina)

In The Court of Common Pleas

County of Spartanburg)

Case Number 10-CP-42- 2349

Jane Doe, as guardian for John Doe,)

Plaintiff,)

v.)

Boy Scout Troop 292, Spartanburg, SC,)
Palmetto Council of the Boy Scouts of)
America, St. Margaret's Episcopal Church,)
Shelby Culbreth, Jackie LaFontaine,)
Brandon Smith, Rob Green, Roy Cole,)
Bob Faulks, and Scott O'Neill,)

Defendant.)

Summons

TO: Boy Scout Troop 292, Spartanburg, SC
Palmetto Council of the Boy Scouts of America
St. Margaret's Episcopal Church
Shelby Culbreth
Jackie LaFontaine
Brandon Smith
Rob Green
Roy Cole
Bob Faulks
Scott O'Neill

YOU ARE HEREBY SUMMONED and required to answer the complaint in this action.

A copy of the complaint is served upon you with this summons.

Your answer to the complaint is to be served upon the attorney for the plaintiff at Post
Office Box 1297, Charleston SC 29402.

According to the South Carolina Rules of Civil Procedure, which govern litigation, you
are required to appear and defend yourself in this action by making and serving an answer to this

FILED
CLERK OF COURT
2010 APR 29 PM 10:26
JAMES H. HARRIS, CLERK

complaint within thirty (30) days after the complaint is served upon you. The thirty days begin to run from the date after this summons and complaint are served upon you; the date the service is made is excluded.

If within that time you fail to appear and defend as you are required to do by the Rules of Civil Procedure, the plaintiff in this action shall apply to the Court for the relief demanded in this Complaint and judgment by default will be rendered against you for the relief demanded in the complaint.

Respectfully submitted,



Gregg Meyers
PO Box 1297
Charleston SC 29402
843-720-8714, 720-8704 facsimile
attygm@gmail.com



Michael Jeffcoat
PO Box 1860
Lexington SC 20971-1860.
803-808-9600. 808-2240 facsimile.
mrj@thejeffcoatfirm.com

Attorney for the Plaintiff

FILED
CLERK OF COURT
JAMES H. HARRIS, CLERK
2010 APR 29 PM 10:26

COPY

State of South Carolina

) In The Court of Common Pleas

County of Spartanburg

) Case Number 10-CP-42- 2349

Jane Doe, as guardian for John Doe,

)
)
) Plaintiff,

)
)
) v.

)
) Boy Scout Troop 292, Spartanburg, SC,
) Palmetto Council of the Boy Scouts of
) America, St. Margaret's Episcopal Church,
) Shelby Culbreth, Jackie LaFontaine,
) Brandon Smith, Rob Green, Roy Cole,
) Bob Faulks, and Scott O'Neill,

)
) Defendants.
)
)

COMPLAINT

For her complaint, the plaintiff alleges:

PARTIES AND JURISDICTION

1. Jane Doe has custody of, and is guardian for, John Doe, a developmentally disadvantaged individual born in May, 1991. At the time of the events which gave rise to this complaint, the Plaintiff was a minor resident of South Carolina. They are each referred to by pseudonym in this action due to the intensely personal nature of the conduct alleged in this complaint. References in this complaint to the Plaintiff refer to John Doe, even though the action is brought by his guardian, Jane Doe.

2. Boy Scout Troop 292, Spartanburg, SC, at all times pertinent to this complaint was a Boy Scout Troop operating within Spartanburg County. It is referred to in this complaint as Troop 292. Until he was expelled from it for reporting sexual abuse, the plaintiff was a member of Troop 292, and was in the troop because he had known developmental disabilities.

3. After September, 2005, each defendant knew, or should have known, that plaintiff

FILED
CLERK OF COURT
SPARTANBURG COUNTY
2010 APR 29 PM 9:26

not only had pre-existing conditions of developmental disability, but also had pre-existing conditions of having been a sexual abuse victim. Plaintiff was known to have been molested by James Rhinehart. James Rhinehart's access to the plaintiff was through the plaintiff's participation in Troop 292.

4. Palmetto Council of the Boy Scouts of America is a local council of the Boy Scouts of America, under whose authority Boy Scout Troop 292 operates, and to which it reports. It is referred to in this complaint as the Council.

5. St. Margaret's Episcopal Church is the sponsor of Boy Scout Troop 292, operating within Spartanburg County. It is referred to in this complaint as the Church. Troop 292 held events at the Church.

6. Shelby Culbreth, Jackie LaFontaine, Brandon Smith, Rob Green, Roy Cole, Bob Faulks, and Scott O'Neill are each officials with, or supervising, Troop 292. In their respective role they were each involved in the events described in this complaint, and each was grossly negligent in their respective involvement. Their respective actions or inactions all took place in Spartanburg County.

7. This is an action for intentional inflictions of emotional distress as to Troop 292, and for negligence as to the Church and Council. Defendants knew, or should have known, that the plaintiff had developmental disabilities, and was peculiarly susceptible to the actions taken against him after September, 2005. Troop 292 intentionally harmed the plaintiff by actions which constitute intentional infliction of emotional distress. Its officials were grossly negligent in those actions.

8. The Council and the Church were each negligent in failing to prevent the injury to the plaintiff. Their officials were grossly negligent in those actions.

FILED
CLERK OF COURT
2010 APR 29 PM 10:26

9. The court has jurisdiction of this action in that the tortious actions and acts of negligence took place in Spartanburg County, and involves persons and entities who at the time of the events resided in Spartanburg County.

NATURE OF WRONGDOING

10. At all times pertinent to this complaint, plaintiff had, and was known to have, the pre-existing conditions of both developmental disability and having been sexually abused by James Rhinehart, with access to the plaintiff by James Rhinehart known to the defendants to have come from the plaintiff's participation in Troop 292.

11. James Rhinehart has admitted criminal allegations of sexually molesting various individuals, including the plaintiff. The plaintiff was the first victim of James Rhinehart's to report James Rhinehart's sexual abuse. James Rhinehart was sentenced to prison, having admitted to various acts of sexually abusing minors. One of James Rhinehart's admitted victims was the plaintiff.

12. After plaintiff's report of abuse by James Rhinehardt became known, Troop 292 excluded plaintiff from all participation in Troop 292. By the letter to his father, Oliver Hageman, attached to this complaint as an Exhibit, and incorporated into this complaint pursuant to SCRCF 10(c), Shelby Culbreth, Committee Chairman of Troop 292, informed the plaintiff that he "will no longer be able to participate in any functions that Troop 292 may hold now in the future. That is to include meetings and other outside functions."

13. Pursuant to that letter, plaintiff was in fact excluded from all activities of Troop 292.

14. Plaintiff's exclusion injured the plaintiff and aggravated his known pre-existing

FILED
CLERK OF COURT
SPARTANBURG COUNTY
28 APR 29 PM 10:26

conditions so as to worsen those conditions.

15. A copy of the Culbreth letter was sent to each defendant, who had supervisory authority over the intentional action by Troop 292 and Shelby Culbreth.

**FOR A CAUSE OF ACTION:
INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS**

16. Allegations above are incorporated into this complaint as if fully stated.

17. Plaintiff was the first child to report James Rhinehart's sexual misconduct with plaintiff and other children. Because of plaintiff's report, James Rhinehart was investigated, and criminally prosecuted.

18. Behavior by officials of Troop 292 to punish, by his immediate and permanent exclusion from all Troop 292 activities, a child known to have pre-existing conditions of developmental delays and mental impairments, and in addition to those known pre-existing conditions who was also known to have been sexually abused by James Rhinehart while participating in activities for Troop 292, is atrocious, utterly intolerable in a civilized community, and so extreme and outrageous as to exceed all possible bounds of decency;

19. Troop 292 officials acted with intent to inflict emotional distress or acted recklessly when it was certain or substantially certain such distress would result from their conduct. Plaintiff was known by defendants to benefit from his participation in Troop 292 (apart from the sexually abusive portions of his participation). Plaintiff was known to be otherwise socially isolated except for his participation in Troop 292.

20. Actions by Troop 292 and its officials to report the child who first complained about James Rhinehart's sexual abuse caused the plaintiff to suffer emotional distress.

21. The emotional distress suffered by the plaintiff was so severe that no reasonable

FILED
CLERK OF COURT
SOUTHERN DISTRICT OF CALIFORNIA
2010 APR 29 PM 10:26

person, particularly with the known pre-existing conditions the plaintiff had, could be expected to endure it.

22. Troop 292 intended its harm to the plaintiff, and attempted by acting aggressively towards the plaintiff to cover up James Rhinehart's abusive conduct towards children, and to discourage others from reporting James Rhinehart. South Carolina law requires abusive conduct to be reported, and penalizing the child who reports was extreme and outrageous conduct by Troop 292.

23. Stacey Culbreth acted with gross negligence in effectuating the tortious intention of Troop 292 through the letter sent to Oliver Hageman, and as a proximate result the plaintiff was injured, and is entitled to actual and punitive damages in amounts to be assessed by the finder of fact.

**FOR A CAUSE OF ACTION:
NEGLIGENT SUPERVISION**

24. Allegations above are incorporated into this complaint as if fully stated, excepting only allegations of intentional conduct.

25. Defendants other than Troop 292 were negligent, and individual defendants other than Stacey Culbreth were grossly negligent, in failing to counteract the extreme and outrageous conduct of Troop 292.

26. By their inaction, defendants other than Troop 292 and Culbreth permitted the harm to the plaintiff to persist. Each had the authority to counteract the tortious conduct of Troop 292, and was grossly negligent in failing to do so.

27. Each defendant other than Troop 292 and Culbreth knew or should have known that punishing plaintiff for reporting abuse would be injurious to plaintiff. The penalty by Troop

FILED
CLERK OF COURT
CHARLESTON COUNTY
2010 APR 29 PM 10:26

292 was designed to be injurious.

28. By their inaction, defendants other than Troop 292 allowed the Plaintiff to be excluded. Each was grossly negligent in failing to take action to stop the Plaintiff from being harmed by defendants Troop 292 and Culbreth.

29. Each defendant other than Troop 292 and Culbreth at all times had the capacity to prevent the exclusion of the Plaintiff from Troop 292. Each was grossly negligent in failing to do so.

30. Defendants each had a duty to the plaintiff to prevent him from being penalized for reporting sexual abuse. That duty is imposed by law, as well as existing from the assumed position of each defendant to the plaintiff, and the special circumstances of the plaintiff being known to have the pre-existing conditions alleged.

31. Troop 292 acted intentionally as to plaintiff. Other defendants were grossly negligent as to plaintiff, and those actions and inactions of gross negligence proximately caused harm to the Plaintiff, who was socially isolated and ostracized by the conduct of these defendants.

32. The Plaintiff has developmental and other disadvantages known to defendants, or about which defendants should have known, and was and is ill-equipped to cope with the exclusion created for him by the defendants.

33. Conduct by defendants created harm for the plaintiff, and entitles him to actual and punitive damages to be assessed by the finder of fact.

RIGHT TO JURY TRIAL

34. Plaintiff requests a jury trial of this action.

WHEREFORE, the plaintiff requests relief as follows:

1. Actual and punitive damages as may be determined by the finder of fact, and
2. Such other and further relief as the Court may deem just and proper.

Respectfully submitted,



Gregg Meyers
PO Box 1297
Charleston SC 29402
843-720-8714, 720-8704 facsimile
attygm@gmail.com



Michael Jeffcoat
PO Box 1860
Lexington SC 29071-1860.
803-808-9600. 808-2240 facsimile.
mrj@thejeffcoatfirm.com

Attorneys for the Plaintiff

FILED
CLERK OF COURT
CHARLESTON COUNTY
2010 APR 29 PM 10:26

The State of South Carolina
In The Court of Appeals

RECEIVED
MAR 10 2014

Appeal from Spartanburg County
Hon. J. Derham Cole, Circuit Court Judge
Case No. 10-CP-42-2350

SC Court of Appeals

Appellate Case No. 2013-000807

Jane Doe, as guardian for John Doe, ... Appellant

v.

Doni Rhinehart, ... Respondent

Proof of Service

I hereby affirm that pursuant to SCACR 210 I have served upon counsel for the Respondents a copy of the

Record on Appeal Volumes 1 and 2

by delivering a copy of the Record to counsel for the Respondents both electronically and by United States mail, first-class postage prepaid, addressed to:

James P. Walsh
Clarkson, Walsh, Terrell & Coulter, P.A.
PO Box 6728
Greenville SC 29606

Done March 6, 2014, from St. Paul, MN



Gregg Meyers
Jeff Anderson & Associates, P.A.
366 Jackson Street Suite 100
St. Paul MN 55101
651-227-9990
Attorney for Appellant

Certificate of Counsel

I hereby certify that the enclosed Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

A handwritten signature in black ink, appearing to read "Gregg Meyers", with a stylized flourish at the end.

Gregg Meyers
Jeff Anderson & Associates, P.A.
366 Jackson Street Suite 100
St. Paul MN 55101
651-227-9990

Attorney for Appellant