

THE STATE OF SOUTH CAROLINA

In The Supreme Court

APPEAL FROM RICHLAND COUNTY

Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Case No. 2012-CP-400-7384

Ragib Abdul Alamin

Appellant,

v.

State of South Carolina

Respondent

APPENDIX

Assistant Attorney General
Megan E. Harrigan
Office of Attorney General
1000 Assembly St., Rm. 519
P.O. Box 11549
Columbia, S.C. 2924

Ragib Abdul Alamin #264465
pro-se
MCI / 4-B-151
386 Redemption Way
Columbia, S.C. 29899



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May 15, 2011

This is a sworn statement for Raqib A. Al-Amin,
that on _____, I saw him (Raqib A. Al-Amin)
at the C.J. Mart on the corner of North Main,
and Clarendon St. on the day of the murder of
Elizabeth Marie Pryor Norris, I am a witness
that he (Raqib A. Al-Amin) was at the telephone
booth while I was waiting on a phone call.
If you need further information regarding
this statement please feel free to
contact his wife Audrey Elaine Al-Amin
901 Colleton Street ⁽²⁰¹⁾ SA, Columbia, SC 29203
803-691-2180 or 542-0967 - 203-542-491

* Danny B...

witnessed by:

x

Do you still have a copy of
the letter from Ms. Pryor's Depo...?
It ~~is~~ not I have
ORIGINAL

May 16, 2011

2:58 am

Monday Morning
"Can't Sleep, Thinking
About You :":)

My Dear Sweet Love,

Today was a good day :
and I thank G-d for his divine revelation, as
your daughter and I was on the way to the Richland
County Public Library downtown by way of Blue Ribbon
Cab, I saw a dude by the name of "Froggy" :
well I know him as just "Frog", and we were
only get wasted partner's, as a matter of fact
I beat his ass one time, because he's a fucking
Wussy, he called me a [REDACTED], at
what use to be called the "Pink House on Colonial Drive",
the same place I met Jason, Stewart, Trell (different from
Fat Ass) Trell off Jerome Drive, but anyway baby, when
"I WAS" out there, hanging-out with unbeliever's
I was told by some [REDACTED] that you were innocent of MURDER
"Remember" when I told you that? Baby I got
the statement from him, so now you gotta get it
ratified, because I think it would be best if
[REDACTED] I sign as witness to it?

June 19, 2012

The State of South Carolina
County of Richland

In The Court of Common Pleas

Ragib A. Al-Amin #264465 - Petitioner

v.
The State of South Carolina - Respondent

Case no. 2011-CP-400-3663

Affidavit
of
Audrey E. Al-Amin

I, Audrey E. Al-Amin, being of
a sound mind, do hereby solemnly
swear that the truth and facts
herein are true and correct, and
will testify to those truths and
facts.

On May 15, 2011, possibly before
the 15th of May 2011, I, and
my daughter, Adasha Al-Amin

were passenger's in a Blue Ribbon cab going west on North Main St. when I spotted a one, Daniel (Danny) aka. frog Brown, he and his ~~ride~~ driver were pulling into Auto Zone, and I ask the cabdriver to follow him, once in the parking lot of Auto Zone, I went inside where I approached Mr. Brown and reminded him of that day in August 1997 when he saw Raqib A. Al-Amin at the CJ-mart on North Main Street at the phone booth. At that time, he said to me "yes, I remember", and I was able to get him to sign a statement to attest to the fact, I sent that statement to Raqib A. Al-Amin, which he submitted to the courts.

Sworn to and Subscribed before x Andrey E. Al-Amin

me this 19th day of June 2012 Andrey E. Al-Amin

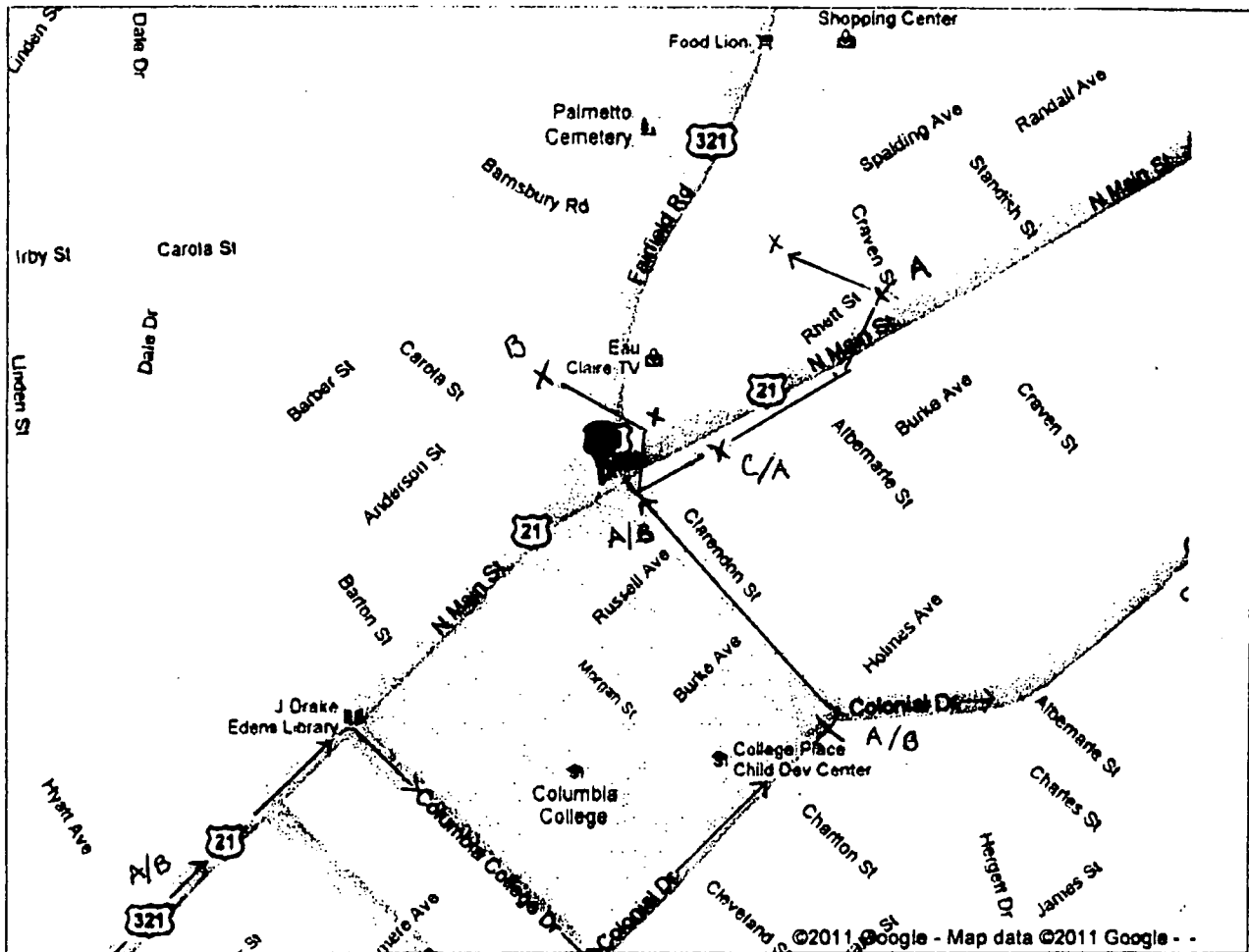
) [Signature]
My Commission expires

Witness x [Signature]
Sudasha M-L Al-Amin

11-10-2013

Google maps

To see all the details that are visible on the screen, use the "Print" link next to the map.



COLUMBIA S.C. POLICE DEPARTMENT
STATEMENT FORM

Date: 8-26-97

Time: 2050 HRS

Page 1 of 5

I am PAUL ABDEL AL-AMIN

Place: 1409 LINCOLN ST

My birthday is 9-25-68

My address and phone number are: 3433 CARVER ST / 4909 FARMERS RD Apt 4

I am giving this statement concerning MURDER

to J. PHILIP SMITH

who has identified himself as INVESTIGATOR

ME AND DAREY WAS AT MY APARTMENT. ELIZABETH
CAME TO MY APARTMENT AFTER I WENT AND GOT HER.
DAREY WANTED TO GET LOVED AND I WENT AND GOT
ELIZABETH.

ARMED / GUNNED PERSON

AFTER SHE AND DAREY GOT IN THE ROOM, I LEFT AND
WENT TO RM ¹²¹ ~~221~~ AND TO THE MAILBOX. I WAS GOING TO
THE OFFICE TO USE THE PHONE BUT WENT BACK TO THE
ROOM.

WHEN I GOT TO THE ROOM ELIZABETH AND DAREY WAS
STILL THERE. ELIZABETH WAS SAYING SOMETHING ABOUT
CALLING SOMEONE TO GET SOME MONEY.

AFTER THAT, THE DUDE THAT IS LIGHT THAT STAY AT
THE APARTMENT STARTED TO WALK TOWARD THREE OARS
APARTMENTS. WE WENT DOWN ONE OF THE BLOCKS AWAY
FROM THREE OARS. WE WENT AND GOT SOME ROPE (CRACK)
FOR ELIZABETH.

ME AND THE DUDE GET BACK TO THE APARTMENT AND
ELIZABETH AND DAREY WAS STILL THERE. I GAVE HER
(ELIZABETH) THE CRACK AND A CAN AND SHE WENT TO

Sworn and subscribed to me this

26 day of AUGUST, 19 97.

NOTARY PUBLIC OF SOUTH CAROLINA

MY COMMISSION EXPIRES: 10-16-2000

ISI X

SI

PAUL ABDEL AL-AMIN

received a copy of this statement consisting of 5 pages

J. Philip Smith

COLUMBIA S.C. POLICE DEPARTMENT
STATEMENT CONTINUATION

the bathroom and snuck her catch. She came out and still ask me for some more money or favors. I later gave her some shrimp and rice and she ate that.

Later me and Darryl and Elizabeth was still at my apartment. Me and Darryl got on the bus and he went to town.

We got to River Dr. and Main St and Darryl said that he left his work man in my apartment. Darryl had said that he was going to get off at Burger King to get some thing to eat.

Darryl said that he was going back to get his work man, I stayed at that bank to get some money. The bank was closed from [1:00pm until 3:00pm] and eventually a man took me through the door around two o'clock I could not work up there to the window. After that I got on the same bus with Darryl he had saw me and said to me we caught the same bus, and I said yes.

We and him got off at CJS and he went towards the apartment and I went to the phone booth.

I then went back towards three o'clock and I got some more drugs. I then came back to my apartment.

Sworn and subscribed to me this

26 day of April 19 87

NOTARY PUBLIC OF SOUTH CAROLINA

MY COMMISSION EXPIRES: 10-16-2009

Radio Abdul A. Amin

received a copy of this statement consisting of 5 pages

ISI [Signature]

ISI

ISI

COLUMBIA S.C. POLICE DEPARTMENT
STATEMENT CONTINUATION

BY WAY OF FAIRFAX RD.

I got back to my apartment and I open the door and it was a mess. It was big blood spots on the floor and in the bathroom. The body was half way in the bathroom and half way out. I sat down for about 5 or 6 mins.

Some thing was telling me to get this out my room. I started to clean up everything. I put the body in the blankets. I got the blankets out the closet. I started to drag the body out the door but stopped. I stopped because I had moved it and didn't call anyone. I still went on and move it.

After I got the body in the trash can I went back in the apartment and finish cleaned everything up.

After I cleaned everything up I sat there and prayed that everything would work out in my favor. I got my clothes that I came for from the street and went to my girlfriends house.

What happened to the clothes you had on during this?

Sworn and subscribed to me this
21st day of April 19 91.

ISI [Signature]
ISI _____

NOTARY PUBLIC OF SOUTH CAROLINA
MY COMMISSION EXPIRES: 10-16-2000

[Signature]

received a copy of this statement consisting of 5 pages

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STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND) IN THE COURT OF GENERAL SESSIONS
97-GS-40-25414
THE STATE,)
PLAINTIFF,)
-VS-) TRANSCRIPT OF RECORD
RAQUIB ABDUL AL-AMIN,)
DEFENDANT.) JANUARY 31 - FEBRUARY 4, 2000
COLUMBIA, SOUTH CAROLINA

B E F O R E:

THE HONORABLE JAMES C. WILLIAMS, JR., JUDGE; AND A JURY.

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

R. KNOX MCMAHON, ESQUIRE,
ASSISTANT SOLICITOR FOR THE FIFTH JUDICIAL CIRCUIT,
MATTHEW D. BODMAN, ESQUIRE,
ASSISTANT SOLICITOR FOR THE FIFTH JUDICIAL CIRCUIT,
ATTORNEYS FOR THE STATE,
DOUGLAS S. STRICKLER, ESQUIRE,
DEPUTY PUBLIC DEFENDER FOR RICHLAND COUNTY,
CYNTHIA BRUNSON DURHAM, ESQUIRE,
ASSISTANT PUBLIC DEFENDER FOR RICHLAND COUNTY,
ATTORNEYS FOR THE DEFENDANT.

ROBBIE KOON DEFREESE
CIRCUIT COURT REPORTER

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1 OBJECTION. I DON'T KNOW WHAT MR. STRICKLER'S QUESTION IS
2 GOING TO BE, BUT HE VERY WELL KNOWS THE RULE---

3 MR. STRICKLER: YES, SIR---

4 THE COURT: ---AND I'M SURE HE WOULD NOT
5 INTERJECT HEARSAY---

6 MR. STRICKLER: DO NOT INTEND TO.

7 THE COURT: ---IN THE FORM OF A QUESTION.

8 MR. STRICKLER: NO, SIR, NOT AT ALL.

9 THE COURT: ALL RIGHT, SIR.

10 YOUR OBJECTION IS SUSTAINED, BUT GO AHEAD AND ASK
11 THE QUESTION.

12 MR. STRICKLER: YES, SIR.

13 IT WOULD BE FAIR TO SAY THAT YOU DISCUSSED OR
14 SPOKE WITH MR. AL-AMIN FOR IN EXCESS OF TWO HOURS, 6:55 TO
15 7:55 TO 8:55; 8:50 WAS APPROXIMATELY WHEN THE SECOND
16 STATEMENT BEGAN. SO WE KNOW IT TOOK SOME PERIOD OF TIME
17 AFTER THAT, CORRECT?

18 THE WITNESS: SIR, I GUESS SO. IT'S JUST -- I
19 MEAN, I COULD TELL YOU WHAT TIME THAT SECOND STATEMENT
20 STARTED. IT TOOK SOME TIME TO DO THAT SECOND STATEMENT. I
21 JUST DON'T REMEMBER HOW LONG IT TOOK TO TAKE THAT
22 STATEMENT.

23 Q THAT'S FINE. THAT'S FINE. BUT YOU STARTED SEEING
24 HIM ABOUT 6:55, AND YOU KNOW THE SECOND STATEMENT WAS BEGUN
25 AT TEN TILL---

1 A APPROXIMATELY 8:45.

2 Q 8:45?

3 A YES, SIR.

4 Q DID YOU EVER HAVE OCCASION, AS A RESULT OF SPEAKING
5 WITH MR. AL-AMIN, TO INTERVIEW A GENTLEMAN NAME DARRYL
6 CUNNINGHAM?

7 MR. MCMAHON: OBJECTION.

8 THE COURT: LADIES AND GENTLEMEN, HOW ABOUT STEP
9 OUT TO YOUR JURY ROOM A FEW MINUTES. PLEASE DO NOT DISCUSS
10 THE CASE WHILE YOU ARE OUT THERE

11 (JURY OUT.)

12 THE COURT: ALL RIGHT.

13 ASK HIM THE QUESTION, MR. STRICKLER. I DON'T
14 KNOW WHERE YOU ARE GOING WITH THIS.

15 MR. STRICKLER: YES, SIR.

16 DID HE HAVE OCCASION, AS A RESULT OF HIS
17 CONVERSATIONS WITH MR. AL-AMIN, TO INTERVIEW A GENTLEMAN
18 NAME DARRYL CUNNINGHAM?

19 THE COURT: AND THEN YOU WANT HIM TO TELL WHAT
20 MR. CUNNINGHAM TOLD HIM?

21 MR. STRICKLER: ABSOLUTELY NOT. I'M ASKING HIM
22 DID HE HAVE OCCASION TO SPEAK WITH HIM AS A RESULT OF
23 SPEAKING WITH AL-AMIN.

24 THE COURT: AND THAT'S ALL?

25 MR. STRICKLER: THAT'S -- THAT'S IT. THAT'S A

1 QUESTION I HEAR FROM THE STATE ALL THE TIME.

2 THE COURT: ALL RIGHT, SIR.

3 MR. -- IS THERE ANY OBJECTION TO THAT?

4 MR. MCMAHON: NO, SIR, I HAVEN'T ASKED THAT --
5 YES, IT IS, OBJECTION TO THAT AND I HAVEN'T ASKED THAT
6 QUESTION. NO, SIR. THAT'S ABSOLUTELY INCORRECT FOR HIM TO
7 PUT IN THE RECORD THAT HE'S HEARD THAT QUESTION COME FROM
8 ME ALL THE TIME.

9 MR. STRICKLER: I'M SORRY.

10 THE COURT: WAIT A SECOND NOW. I'M NOT SURE I
11 UNDERSTAND BOTH OF YOU. I MIGHT UNDERSTAND ONE OF YOU, BUT
12 MR. STRICKLER SAID THAT HE WAS GOING TO ASK THE WITNESS
13 THAT AFTER TALKING WITH MR. AL-AMIN, DID THE WITNESS TALK
14 WITH MR. CUNNINGHAM.

15 DO YOU OBJECT TO THAT QUESTION?

16 MR. MCMAHON: YES, SIR.

17 THE COURT: OH WHAT GROUNDS?

18 MR. MCMAHON: THIRD-PARTY GUILT. I BELIEVE
19 YOU'VE RULED ON THAT. IF MR. CUNNINGHAM COMES IN UNDER THE
20 THIRD-PARTY GUILT RULE, THERE COULD BE NO OTHER BASIS --
21 WELL, FIRST OFF, IT'S HEARSAY. IT WOULD BE HEARSAY AND
22 SELF-SERVING HEARSAY ON TOP OF THAT IF THE OFFICER DID. I
23 DON'T KNOW WHAT THE ANSWER TO THE QUESTION IS BY THE WAY,
24 BUT EVEN IF THE OFFICER DID INTERVIEW MR. CUNNINGHAM,
25 THAT'S STILL TRYING TO BACK DOOR THIRD-PARTY GUILT BECAUSE

1 IT'S NOT RELEVANT TO THIS INVESTIGATION.

2 THE COURT: WHAT IS IT RELEVANT TO, MR.
3 STRICKLER?

4 I DON'T THINK IT'S HEARSAY, BUT WHAT IS IT --
5 UNLESS HE STARTS TO TALKING ABOUT WHAT MR. CUNNINGHAM TOLD
6 HIM, BUT WHAT IS IT RELEVANT TO?

7 MR. STRICKLER: IT'S RELEVANT TO MR. CUNNINGHAM
8 BEING A WITNESS WHO WAS OR -- YEAH, A WITNESS WHO WAS
9 PRESENT WITH MR. AL-AMIN FOR A SUBSTANTIAL PERIOD OF TIME
10 DURING THE COURSE OF THE DAY IN QUESTION, UP TO AND
11 INCLUDING, WITHIN AN HOUR PRIOR TO THE ALLEGED TIME HE'S
12 SEEN WITH THE BODY.

13 THE COURT: SO IS HE AN ALIBI?

14 MR. STRICKLER: I HAVE NOT LISTED HIM AS AN ALIBI
15 BECAUSE I CAN'T DETERMINE THE TIME OF DEATH.

16 THE COURT: WELL, WHY IS IT RELEVANT WHO MR.
17 AL-AMIN WAS WITH UNLESS IT WAS AN ALIBI?

18 MR. STRICKLER: WELL, YOUR HONOR, I THINK IT'S
19 RELEVANT TO QUERY THE STATE'S LEAD INVESTIGATOR AS TO THE
20 ACTIONS HE TOOK IN INVESTIGATING A HOMICIDE. I THINK
21 THAT'S RELEVANT BECAUSE THE JURY IS ENTITLED TO CONSIDER
22 BOTH THE EVIDENCE IN THIS CASE AND THE LACK OF EVIDENCE IN
23 THIS CASE AND THE JURY IS ENTITLED TO CONSIDER BOTH ACTIONS
24 TAKEN BY AGENTS OF THE STATE IN INVESTIGATING THIS CASE AND
25 ACTIONS THEY SHOULD HAVE TAKEN IN INVESTIGATING THIS CASE.

1 THE JURY HAS AN OBLIGATION TO DETERMINE WHAT CREDIBLE
2 EVIDENCE THE STATE HAS PRESENTED AND WHAT EVIDENCE THE
3 STATE COULD PRESENT REGARDING THE FACTS AND CIRCUMSTANCES
4 SURROUNDING THIS INCIDENT.

5 NOW, WHAT WE HAVE HEARD FROM THE STATE SO FAR
6 REGARDING THE FACTS AND CIRCUMSTANCES SURROUNDING THIS
7 INCIDENT AS FAR AS A PERSON WHO SAW ANYTHING AROUND
8 CHURCHILL APARTMENTS IS MR. WATKINS AND THAT'S IT. THE
9 PLAIN FACT IS THERE ARE A NUMBER OF OTHER PEOPLE WHO DID.

10 THE COURT: ALL RIGHT, SIR.

11 WELL, HOW ARE YOU GOING TO TIE THAT UP, THE NAME
12 OF DARRYL CUNNINGHAM SO THAT IT MEANS ANYTHING TO THE JURY
13 AND BECOMES RELEVANT IN THIS CASE WITHOUT -- I MEAN, I JUST
14 -- YOU'RE RIGHT, THE WORK THAT HE DID, THE NUMBER OF PEOPLE
15 HE INVESTIGATED, TALKED TO, AND I THINK THOSE ARE PROBABLY
16 RELEVANT QUESTIONS, BUT WHEN YOU BRING OUT A NAME, THEN
17 THAT JURY'S GOT A NAME FOR NO PARTICULAR REASON. WE ALL
18 KNOW THAT THE DEFENSE WOULD CONSIDER MR. CUNNINGHAM A
19 SUSPECT IN THIS CASE AND SO---

20 MR. STRICKLER: HE---

21 THE COURT: ---MY QUESTION IS WHERE ARE YOU GOING
22 WITH THAT---

23 MR. STRICKLER: YES, SIR.

24 THE COURT: ---AND WHAT RELEVANCE IS IT JUST TO
25 BRING OUT THAT NAME.

1 MR. STRICKLER: WELL, MR. CUNNINGHAM HAS BEEN
2 SUBPOENAED BY US IN THE PAST, NOT NECESSARILY AS A SUSPECT
3 IN THE CASE, BUT AS A WITNESS WHO CAN SPEAK AS TO MR.
4 AL-AMIN'S WHEREABOUTS DURING A SUBSTANTIAL PORTION OF THE
5 DAY. I DON'T REGARD HIM AS AN ALIBI BECAUSE I CAN'T SAY
6 THAT HE COVERS THE TIME OF DEATH, OKAY. THAT IS RELEVANT
7 -- SHOULD MR. AL-AMIN TAKE THE STAND AND TESTIFY, IT
8 BECOMES RELEVANT IN THAT IT CORROBORATES WHAT MR. AL-AMIN
9 HAS TO SAY; AND, INDEED, CORROBORATES WHAT MR. AL-AMIN TOLD
10 THIS INVESTIGATOR.

11 THE COURT: IT -- IT MAY VERY WELL BE RELEVANT AT
12 THAT TIME, BUT THAT DOESN'T MAKE IT RELEVANT NOW.

13 MR. STRICKLER: WELL, SIR, MY POINT IS THAT I
14 WOULD SUBMIT I AM ENTITLED TO QUESTION THE CHIEF
15 INVESTIGATOR REGARDING THE ACTIONS HE AND HIS UNIT TOOK IN
16 INVESTIGATING THIS CASE. AND IF MY UNDERSTANDING -- I
17 SUBMIT THAT WHO THEY QUESTIONED AND I CERTAINLY AM NOT
18 GOING TO GO INTO HEARSAY FROM THIS WITNESS ABOUT ANYTHING.
19 I THINK I UNDERSTAND THAT RULE. BUT AS TO QUERYING THE
20 CHIEF INVESTIGATING OFFICER REGARDING HIS ACTIONS IN THE
21 INVESTIGATION OF A HOMICIDE, I THINK I'M ENTITLED TO GO
22 INTO WHO HE'S SPOKEN WITH, WHEN HE SPOKE WITH THEM, WHAT
23 ACTION HE'S TAKEN AND OTHER PEOPLE UNDER HIS DIRECTION HAVE
24 TAKEN.

25 THE COURT: OF COURSE, THERE ARE WAYS TO GET IN

1 HEARSAY EVIDENCE WITHOUT A DIRECT QUOTE OF SOME PARTY WHO
2 IS NOT IN THE COURTROOM. I DON'T HAVE A BIG PROBLEM WITH
3 HIM ANSWERING THAT QUESTION AS TO WHETHER OR NOT HE TALKED
4 WITH MR. CUNNINGHAM, BUT I DON'T KNOW WHAT MIGHT COME UP
5 LATER ON THAT MIGHT -- THAT YOU MIGHT TRY TO USE THAT
6 STATEMENT OF HIS TO POINT TO THE GUILT OF MR. CUNNINGHAM
7 AND AT THAT TIME, I MAY BE FORCED TO GRANT A MISTRIAL TO
8 THE STATE FOR THE IMPROPER INTRODUCTION OF THIRD-PARTY
9 EVIDENCE. THAT'S THE REASON I THINK, YOU KNOW UNTIL YOU
10 CAN SHOW -- WHEN WE KNOW THAT THIS PERSON, WE KNOW WHO HE
11 IS -- I MEAN, WE ALL KNOW WHO HE IS AND WHY YOU WANT HIM
12 INTERJECTED INTO THIS CASE AND HE CAN'T COME IN FOR
13 THIRD-PARTY GUILT BASED ON WHAT I KNOW ABOUT THE FACTS NOW
14 WITHOUT SOME ADDITIONAL EVIDENCE AND THAT'S WHAT I DON'T
15 WANT TO CRACK THE DOOR AND LET THAT COME IN AT SOMETIME
16 LATER WHEN I CAN'T CURE IT.

17 MR. STRICKLER: YES, SIR.

18 WELL, I MEAN -- I MIGHT AS WELL TAKE THIS
19 OPPORTUNITY BECAUSE I SEE A RECURRING PROBLEM COMING UP
20 HERE. FOR EXAMPLE, IF I CAN, I DON'T WANT TO MOVE
21 COMPLETELY AWAY. FOR EXAMPLE, WE WILL HAVE, I ANTICIPATE,
22 THE -- DR. HARDING, WHO CONDUCTED THE AUTOPSY IN THIS CASE,
23 AND DURING THE COURSE OF THAT AUTOPSY, SHE TOOK, AMONG
24 OTHER THINGS, A SAMPLE -- SAMPLES PURSUANT TO A RAPE
25 PROTOCOL.

1 NOW, AM I OR AM I NOT PERMITTED TO ASK HER
2 WHETHER SHE TOOK SAMPLES PURSUANT TO THE RAPE PROTOCOL. I
3 UNDERSTAND YOUR RULING REGARDING THIRD-PARTY GUILT AND THE
4 TESTING DONE ON THOSE SAMPLES, OKAY. I UNDERSTAND THAT,
5 BUT I -- YOU KNOW, I'M AFRAID THAT WE ARE GOING TO HIT THIS
6 POINT AGAIN BECAUSE, WITH ALL DUE RESPECT, I THINK I'M
7 ENTITLED TO ASK HER WHAT SHE DID DURING THE COURSE OF HER
8 AUTOPSY JUST AS I'M ENTITLED TO ASK HIM WHAT HE DID, WHAT
9 HE DID DURING THE COURSE OF HIS INVESTIGATION.

10 NOW, I UNDERSTAND YOUR CONCERN ABOUT ARGUING --
11 I'M SORRY, I DON'T MEAN TO CUT YOU OFF, SIR---

12 THE COURT: NO.

13 MR. STRICKLER: ---I UNDERSTAND YOU ARE CONCERNED
14 ABOUT POTENTIALLY ARGUING SOMEONE ELSE DID THIS, CUNNINGHAM
15 DID THIS DOWN THE LINE. I ALSO UNDERSTAND YOUR RULING.
16 I'M PRETTY SURE I UNDERSTAND YOUR RULING AS FAR AS SAYING
17 THIS; HOWEVER, YOU KNOW, I THINK I'M ENTITLED TO ARGUE. I
18 DON'T KNOW WHAT ELSE IS GOING TO COME OUT FURTHER DOWN THE
19 LINE RELEVANT OR IN RELATION TO ANY OF THESE THINGS. I
20 HAVEN'T SEEN THE WITNESSES OR HEARD THEM YET. BUT I THINK
21 -- I THINK THAT I AM ENTITLED TO DEVELOP WHAT WAS DONE, AND
22 CONTINGENT UPON WHAT MAY COME OUT FURTHER DOWN THE LINE,
23 WHAT COULD OR SHOULD HAVE BEEN DONE, BECAUSE NOT DOING
24 SOMETHING, NOT DEVELOPING A PIECE OF EVIDENCE INFLUENTIALLY
25 IS AN ACTION WHICH GOES TO THE STATE CARRYING THEIR BURDEN

1 OF PROOF IN THIS MATTER. AND I -- WITH ALL DUE RESPECT, I
2 DON THINK I CAN BE RESTRICTED FROM---

3 THE COURT: MR. MCMAHON.

4 MR. MCMAHON: I THOUGHT I UNDERSTOOD YOUR RULING,
5 TOO, YOUR HONOR, AND THE ONLY BASIS OF THIS QUESTION IS A
6 HEARSAY STATEMENT BY THIS DEFENDANT THAT I HAVE NOT
7 OFFERED; THEREFORE, IT'S SELF-SERVING HEARSAY, THE
8 FOUNDATION OF THE QUESTION.

9 NOW, IF YOU GET BEYOND AND IF HIS HONOR SAID,
10 WELL, IT'S NOT HEARSAY, SOLICITOR. OKAY. IT STILL GOES TO
11 THE SPIRIT OF YOUR RULING ON THIRD-PARTY GUILT. MR.
12 STRICKLER GETS UP HERE AND SAYS, WELL, HE WAS WITH --
13 DARRYL CUNNINGHAM WAS WITH THE DEFENDANT THAT AFTERNOON AND
14 HE CAN ACCOUNT FOR HIS WHEREABOUTS SOME THAT MORNING, SOME
15 THAT AFTERNOON. IF THEY WANT TO CALL MR. CUNNINGHAM AS A
16 WITNESS, HE'S LESS THAN A BLOCK AND A HALF AWAY, THEY CAN
17 CALL HIM. I DON'T KNOW HOW I COULD OBJECT. I COULDN'T
18 OBJECT AND SAY NO, NO, YOU CAN'T CALL HIM THEN, YOU CAN'T
19 CALL HIM THEN. BUT RIGHT HERE, IF THIS JUST GOES IN RIGHT
20 HERE, AND IT'S NOT TIED UP LATER -- FOR EXAMPLE, YOUR
21 HONOR, I DIDN'T OBJECT TO JAMES CONYERS. I DIDN'T OBJECT
22 TO THAT. WAS JAMES CONYERS OUT THERE? I DID NOT OBJECT TO
23 THAT PART BECAUSE THAT COMES IN IN THE INDEPENDENT PART OF
24 HIS INVESTIGATION. THIS ONLY COMES ABOUT BY THE HEARSAY,
25 SELF-SERVING STATEMENT OF THE MURDERER.

1 THE COURT: SEE, THE DIFFERENCE, MR. STRICKLER,
2 THAT I SEE IS YOUR QUESTION WAS NOT TO THE OFFICER, NAME
3 ALL THE PEOPLE YOU'VE TALKED TO. I'M NOT SURE THAT
4 QUESTION COULD BE OBJECTIONABLE. YOUR QUESTION WAS AFTER
5 TALKING WITH MR. AL-AMIN, DID YOU TALK WITH MR. CUNNINGHAM.

6 MR. STRICKLER: YES, SIR.

7 THE COURT: AND SO, OBVIOUSLY, THE JURY IS GOING
8 TO CONCLUDE FROM THAT, THAT MR. AL-AMIN GAVE THIS OFFICER
9 MR. CUNNINGHAM'S NAME AND THEN THEY ARE GOING TO WONDER,
10 WHY -- WELL, WHY IS THAT SIGNIFICANT, SEE.

11 MR. STRICKLER: WELL, YOUR HONOR -- AND I JUST
12 NEED TO REFERENCE THE STATEMENT ON THE PART OF MR. MCMAHON.
13 HE SAID MY STATEMENT WAS I HEAR THE SAME THING FROM THE
14 STATE ALL THE TIME. I WASN'T REFERRING TO A THING MR.
15 MCMAHON SAID IN TRIAL TODAY. I HEAR IN TRIAL, AFTER TRIAL,
16 AFTER TRIAL, DON'T SAY WHAT WAS TOLD YOU, BUT BASED ON WHAT
17 WAS TOLD YOU, WHAT DID YOU DO. AND THAT'S THE NATURE OF MY
18 QUESTION

19 THE COURT: AND THAT'S GENERALLY THE MOTIVATION
20 FOR WHAT SOME OFFICER DOES AND WHY THEY'VE CONTACTED SOME
21 SUSPECT AND SOMETHING THAT'S COMING IN LATER TO TIE IT IN
22 AND MAKE IT RELEVANT.

23 MR. MCMAHON: WITH -- I DON'T MEAN TO INTERRUPT
24 HIS HONOR.

25 THE COURT: GO AHEAD.

1 MR. MCMAHON: WITH THE CAVEAT, WITH THE CAVEAT,
2 YOU'RE DEALING WITH SELF-SERVING HEARSAY IN THIS PARTICULAR
3 CASE.

4 NOW, I MEAN, HE -- AS HIS HONOR'S POINTED OUT,
5 HE'S FOCUSED IT TO DARRYL CUNNINGHAM AND THAT TAKES THE
6 CHAIN RIGHT BACK THAT THAT'S WHERE THE POLICE GOT THE NAME
7 DARRYL CUNNINGHAM ONLY FROM THE SELF-SERVING STATEMENT OF
8 THE DEFENDANT. IF HE SAYS AS A RESULT OF THAT
9 CONVERSATION, WHAT DID YOU DO? I MEAN, I HAVEN'T OFFERED
10 THAT CONVERSATION. I HAVEN'T OFFERED THAT STATEMENT. SO,
11 I DON'T THINK YOU -- WHEN HE FOCUSED IT ON DARRYL
12 CUNNINGHAM, THAT'S WHEN I OBJECTED TO IT BECAUSE OF HIS
13 HONOR'S MOTION IN LIMINE AND I UNDERSTAND THE MOTION IN
14 LIMINE, BUT BECAUSE I THOUGHT IT WENT BOTH TO HEARSAY,
15 SELF-SERVING HEARSAY, THIRD-PARTY GUILT, WHICH I THINK
16 THIRD-PARTY GUILT IS NO MORE THAN RELEVANCY. I MEAN, I
17 THINK IT'S KIND -- KIND OF A PIGGYBACK ON RELEVANCY IF YOU
18 WILL. THAT'S WHAT THIRD-PARTY GUILT IS.

19 THE COURT: WELL, IT IS. IT CAN -- IF IT'S NOT
20 RELEVANT FOR THIRD-PARTY GUILT, THEN IT'S GOT TO BE
21 RELEVANT TO SOMETHING ELSE IN ORDER TO BE ADMITTED.

22 I'M GOING TO ALLOW YOU TO ASK HIM WHO HE TALKED
23 TO. I'M GOING TO ALLOW YOU TO ASK HIM IF HE TALKED TO MR.
24 CUNNINGHAM AND MR. SMITH AND MR. JONES, BUT I'M NOT GOING
25 TO ALLOW YOU TO ASK HIM -- TO CONTINUE TO BRING MR. AL-AMIN

1 INTO THAT CONVERSATION.

2 MR. MCMAHON: CAN WE FIND OUT WHAT THE ANSWER IS
3 OR---

4 THE COURT: IN JUST---

5 MR. STRICKLER: FOR ALL I KNOW, IT'S NO.

6 THE COURT: ---IN JUST A SECOND.

7 DO YOU UNDERSTAND, MR. STRICKLER?

8 MR. STRICKLER: YES, SIR.

9 THE COURT: I MEAN, THAT MIGHT BE A DISTINCTION
10 WITHOUT A DIFFERENCE, BUT I DON'T BELIEVE SO. I BELIEVE
11 THAT'S A BIG DIFFERENCE.

12 MR. STRICKLER: NOW, TO MAKE SURE I UNDERSTAND.
13 AS IT RELATES TO ANY INFORMATION PROVIDED SOLELY ON THE
14 PART OF MR. AL-AMIN'S SELF-SERVING STATEMENTS, I MEAN, I --
15 IF HE'S SPOKEN---

16 MR. MCMAHON: IF HE'S SPOKEN TO CAROLYN
17 FRAZIER---

18 MR. STRICKLER: RIGHT.

19 MR. MCMAHON: ---I HAVE NO OBJECTION AS PART OF
20 THE INVESTIGATION, DID YOU INTERVIEW CAROLYN FRAZIER. I
21 DIDN'T OBJECT ON JAMES CONYERS. IT'S JUST THAT THIS
22 OFFICER SAID, I'M NOT THE ONE THAT INTERVIEWED MR. CONYERS.

23 MR. STRICKLER: YOUR HONOR, I UNDERSTAND YOUR
24 RULING. I TAKE EXCEPTION TO IT WITH ALL DUE RESPECT, BUT I
25 UNDERSTAND IT.

1 THE COURT: WELL, IF IT'S SOMETHING THAT CAN BE
2 TIED UP. SUPPOSED MR. AL-AMIN TOLD HIM WHERE THAT BOLT
3 WAS, THEN I DON'T THINK IT WOULD BE IMPROPER FOR YOU TO
4 SAY, AFTER SPEAKING WITH MR. AL-AMIN, DID YOU GO AND FIND
5 THIS BOLT. THAT BOLT HAS ALREADY BEEN ADMITTED. THAT'S
6 SOMETHING THAT'S RELEVANT IN THIS CASE. THAT'S AN ISSUE
7 THAT THE JURY ALREADY HAS OUT OR WE KNOW THEY'RE GOING TO
8 HAVE OUT. AND, AS I SAID, AT SOME POINT IN TIME, THE
9 QUESTION YOU ASKED AND THE FACT THAT HE GOT THE INFORMATION
10 FROM MR. AL-AMIN MAY BE RELEVANT, BUT I DON'T THINK IT'S
11 RELEVANT AT THIS POINT THAT IT CAME FROM MR. AL-AMIN.

12 YES, SIR.

13 MR. STRICKLER: YES, SIR.

14 MR. MCMAHON: I DON'T THINK I WANT TO OBJECT
15 RIGHT NOW. FOR A MINUTE, I THOUGHT I DID, BUT I DON'T
16 THINK I DO IF I UNDERSTAND YOUR RULING.

17 THE COURT: ALL RIGHT.

18 MR. MCMAHON: I MEAN, CAN WE SEE WHAT HE'S GOING
19 TO SAY AND WHERE WE ARE GOING AND THERE MAY BE AREAS I
20 WON'T OBJECT TO---

21 THE COURT: YES, SIR.

22 MR. MCMAHON: ---AND, I ASSUME, WE NOT RESOLVING
23 THE ISSUE NOW OF DR. HARDING'S TESTIMONY.

24 THE COURT: NO, WE'RE NOT.

25 MR. MCMAHON: ALL RIGHT, SIR.

1 THE COURT: WE ARE NOT OPENING -- WE ARE NOT
2 OPENING ANY DOORS. I MEAN, I'M PUTTING A LIMITATION ON TO
3 YOUR BRINGING MR. AL-AMIN---

4 MR. STRICKLER: YES, SIR.

5 THE COURT: ---INTO THIS INVESTIGATION---

6 MR. STRICKLER: I ONLY---

7 THE COURT: ---UNLESS YOU CAN SHOW SOME RELEVANCE
8 OTHER THAN WHAT YOU TELL ME RIGHT NOW YOU CAN SHOW ABOUT
9 CUNNINGHAM.

10 MR. STRICKLER: YES, SIR. I ONLY MENTIONED DR.
11 HARDING IN THAT I KNOW I'M GOING TO ASK HER THAT QUESTION.
12 I WANTED TO ALERT THE COURT TO THAT.

13 THE COURT: SEE THAT'S -- ALL RIGHT.

14 MR. STRICKLER: I THINK---

15 THE COURT: ASK HIM THE QUESTION AND THEN LET HIM
16 ANSWER IT SO IF WE'VE GOT SOME MORE OBJECTIONS, WE CAN TAKE
17 THEM UP NOW.

18 MR. STRICKLER: DID YOU HAVE OCCASION TO
19 INTERVIEW DARRYL CUNNINGHAM?

20 A NO, SIR.

21 Q DID ANYONE IN YOUR EMPLOY HAVE -- EMPLOY OR DID
22 ANYONE ASSOCIATED WITH THE COLUMBIA CITY POLICE DEPARTMENT
23 HAVE OCCASION TO INTERVIEW DARRYL CUNNINGHAM?

24 A NO, SIR.

25 Q TO YOUR KNOWLEDGE, THE SOLICITOR'S OFFICE HAS

1 INTERVIEWED DARRYL CUNNINGHAM, HAVEN'T THEY?

2 A THAT'S CORRECT.

3 THE COURT: DO YOU OBJECT TO THOSE QUESTIONS?

4 MR. MCMAHON: WELL, I OBJECT ON RELEVANCE.

5 THE COURT: WELL---

6 MR. MCMAHON: I CAN'T -- I MEAN, AS AN OFFICER OF
7 THE COURT, I CAN'T SIT HERE AND TELL YOU THAT---

8 THE COURT: I DON'T KNOW HOW IT'S RELEVANT UNLESS
9 HE'S GOING TO BRING DARRYL CUNNINGHAM BACK INTO THIS CASE
10 AT SOME FUTURE TIME, BUT I CAN'T SEE WHERE IT'S PREJUDICIAL
11 TO THE STATE'S CASE AT THIS POINT IN TIME.

12 AND I'M JUST TELLING YOUR, MR. STRICKLER, I DON'T
13 KNOW WHERE YOU'RE GOING, BUT YOU ARE ON THIN ICE. I'M
14 GOING TO ALLOW YOU TO ASK THOSE QUESTIONS, BUT WHAT -- AND
15 I HAVE A SIGNIFICANT QUESTION ABOUT THE RELEVANCY WHEN YOU
16 GO INTO THAT AMOUNT OF DETAIL, BUT YOU ARE RIGHT, YOU KNOW,
17 THE JURY CAN FIND REASONABLE DOUBT BASED ON SOMETHING THE
18 POLICE DIDN'T DO. BUT I DON'T KNOW HOW YOU'RE GOING TO
19 MAKE THAT RELEVANT THAT THEY DIDN'T DO SOMETHING WITH MR.
20 CUNNINGHAM. THAT'S MY HOLDUP, SEE.

21 MR. STRICKLER: YES, SIR.

22 THE COURT: ALL RIGHT.

23 BRING THE JURY IN.

24 MR. MCMAHON: ARE THERE ANY OTHERS WITH THIS
25 WITNESS?

1 THE COURT: SIR?

2 MR. MCMAHON: ARE THERE ANY OTHERS YOU THINK IN
3 THIS LINE, MR. STRICKLER, JUST FOR PURPOSES OF---

4 MR. STRICKLER: AS FAR AS PERSONS RAISED IN MR.
5 AL-AMIN'S STATEMENT AS OPPOSED TO PEOPLE HE ENCOUNTERS AS A
6 RESULT OF THEIR OWN INVESTIGATION. I DON'T THINK SO.

7 MR. MCMAHON: OKAY.

8 THE COURT: WELL, TELL ME SOMETHING NOW.
9 SUPPOSED NOTHING ELSE COMES INTO THIS TRIAL ABOUT MR.
10 DARRYL CUNNINGHAM, WOULD YOU PROPOSE THAT YOU WOULD GET UP
11 DURING CLOSING AND SAY, WHY DIDN'T THEY TALK TO DARRYL
12 CUNNINGHAM.

13 MR. STRICKLER: I DON'T THINK BEYOND THAT I COULD
14 SAY.

15 THE COURT: I DON'T THINK YOU COULD EITHER.
16 THAT'S WHAT I WANT TO BE SURE WHERE WE ARE HEADED---

17 MR. STRICKLER: YOU KNOW, I -- YOU KNOW, WITH ALL
18 DUE RESPECT, I THINK I UNDERSTAND THE PARAMETERS. I'M
19 ALLOWED TO ARGUE IN CLOSING EVIDENCE, LACK OF EVIDENCE,
20 LOGICAL INFERENCES, AND EVEN I'M NOT GOING TO MAKE THE JUMP
21 FROM THE MERE MENTION OF ONE NAME IF THERE'S A LOGICAL
22 INFERENCE THAT SOMETHING IS THERE. I NEED SOMETHING BEYOND
23 THAT.

24 THE COURT: ALL RIGHT, SIR.

25 I -- PARTLY BECAUSE OF MY RESPECT FOR YOUR

STATE OF SOUTH CAROLINA .

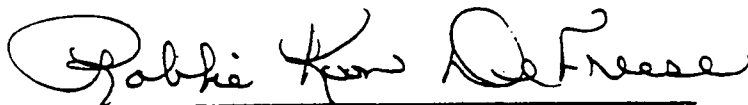
C E R T I F I C A T E

COUNTY OF RICHLAND)

I, THE UNDERSIGNED ROBBIE KOON DEFREESE, OFFICIAL
COURT REPORTER FOR THE FIFTH JUDICIAL CIRCUIT OF THE STATE
OF SOUTH CAROLINA, DO HEREBY CERTIFY THAT THE FOREGOING IS
A TRUE, ACCURATE, AND COMPLETE TRANSCRIPT OF RECORD OF ALL
THE PROCEEDINGS HAD AND EVIDENCE INTRODUCED IN THE TRIAL OF
THE CAPTIONED CASE, RELATIVE TO APPEAL, IN THE GENERAL
SESSIONS COURT FOR RICHLAND COUNTY, SOUTH CAROLINA, ON THE
31ST DAY OF JANUARY, THE 1ST, 2ND, 3RD, AND 4TH DAYS OF
FEBRUARY, 2000.

I DO FURTHER CERTIFY THAT I AM NEITHER OF KIN,
COUNSEL NOR INTEREST TO ANY PARTY HERETO.

FEBRUARY 21, 2001



ROBBIE KOON DEFREESE
CIRCUIT COURT REPORTER

1 STATE OF SOUTH CAROLINA)
2 COUNTY OF RICHLAND) IN THE COURT OF GENERAL SESSIONS
3) 97-GS-40-25414
4)
5 THE STATE,)
6 PLAINTIFF,)
7 -VS-) TRANSCRIPT OF RECORD
8 RAQIB ABDUL AL-AMIN,)
9 DEFENDANT.) FEBRUARY 15 - 18, 2000
COLUMBIA, SOUTH CAROLINA

10
11 B E F O R E:
12 THE HONORABLE JAMES C. WILLIAMS, JR., JUDGE; AND A
JURY.

13 A P P E A R A N C E S:
14 R. KNOX MCMAHON, ESQUIRE,
15 ASSISTANT SOLICITOR FOR THE FIFTH JUDICIAL CIRCUIT,
16 MATTHEW D. BODMAN, ESQUIRE,
17 ASSISTANT SOLICITOR FOR THE FIFTH JUDICIAL CIRCUIT,
ATTORNEYS FOR THE STATE,

18 DOUGLAS S. STRICKLER, ESQUIRE,
19 DEPUTY PUBLIC DEFENDER FOR RICHLAND COUNTY,
20 CYNTHIA BRUNSON DURHAM, ESQUIRE,
21 ASSISTANT PUBLIC DEFENDER FOR RICHLAND COUNTY,
ATTORNEYS FOR THE DEFENDANT.

22
23
24 ROBBIE KOON DEFREESE
CIRCUIT COURT REPORTER
25

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1 A YES, I DID.

2 Q WHERE DID YOU GO?

3 A I HEADED BACK DOWN TOWARD THE APARTMENT.

4 Q OKAY. AND WHAT DID YOU DO THEN?

5 A WELL, ON THE BUS, HEADING BACK DOWN NORTH MAIN
6 STREET, THE BUS DID STOP ON THE HILL GOING DOWN TOWARD
7 SUNSET AND PICKED UP ANOTHER PASSENGER WHICH ENDED UP TO BE
8 DARRYL.

9 Q OKAY.

10 A AND THEN WE HEADED ON, WE GOT OFF THE SAME STOP THAT
11 WE DID THE FIRST TIME THAT WE WENT BACK TO THE APARTMENT.

12 Q OKAY. WHEN Y'ALL GOT OFF -- AND THIS WOULD BE THE
13 STOP THAT'S NEAR THE APARTMENTS, CORRECT?

14 A THE STOP IS TWO BLOCKS FROM MAIN STREET, THEN YOU
15 HAVE TO CROSS MAIN STREET TO ANOTHER STORE THAT'S THERE AND
16 THEN MAYBE -- I WOULD SAY MAYBE THREE BLOCKS AND A HALF.

17 Q OKAY. WHEN YOU GOT OFF, WHAT DID YOU DO?

18 A WELL, WE HEADED BACK -- IT WAS ALMOST LIKE WE
19 REPEATED OURSELVES. WE HEADED BACK TOWARD MAIN STREET, BUT
20 AT THIS TIME, I -- WHEN WE GOT TO MAIN STREET AND THE
21 STREET -- I'M NOT FAMILIAR WITH THE ROAD -- I TOLD DARRYL I
22 NEEDED TO CALL CAROLYN AND LET HER KNOW THAT I'M ON MY WAY.
23 I SAID I'M GOING TO HAVE TO CHANGE MY PLANS. HE SAID,
24 WELL, I'M GOING ON BACK TO THE APARTMENT. SO THAT'S WHERE
25 WE DEPARTED AT AND AT THE PHONE, THAT'S WHERE I MET THE GUY

1 I LEARNED OUT TO BE FROGGY---

2 Q UH-HUH.

3 A ---AND WE TALKED. WELL, BASICALLY, I CALLED CAROLYN
4 AND THE ANSWERING MACHINE WAS ON, BUT I LEFT A MESSAGE
5 SAYING, WELL, I JUST CALLED TO SEE IF YOU NEED ANYTHING
6 BECAUSE I'M GOING TO BE GOING BY A STORE. YOU KNOW,
7 BASICALLY THE SAME LITTLE ROUTINES, THE HABIT, YOU KNOW,
8 BEFORE I LEAVE CERTAIN DESTINATIONS.

9 Q SO AT THAT POINT IN TIME, YOU -- Y'ALL -- YOU AND
10 DARRYL HAD PARTED COMPANY AT THAT POINT?

11 A CORRECT.

12 Q OKAY. AND ROUGHLY, HOW LONG WERE YOU AT THE PHONE
13 MAKING THE PHONE CALL?

14 A IT WASN'T LONG BECAUSE ONCE I HEARD THE ANSWERING
15 MACHINE, I KNEW I WOULD JUST LEAVE A MESSAGE.

16 Q AFTER YOU LEFT A MESSAGE FOR CAROLYN, WHERE DID YOU
17 GO?

18 A WELL, I DIDN'T GO TO THE APARTMENT. I HEADED DOWN
19 MAIN STREET. I ENDED UP HEADING DOWN TO WHERE I GOT THE
20 DRUGS FROM.

21 Q THE MARIJUANA YOU'VE TESTIFIED---

22 A RIGHT.

23 Q AND ON THAT WAY, IS WHEN I SMOKED -- I ROLLED AND
24 SMOKED A JOINT.

25 Q OKAY. HAD YOU SMOKED ANY MARIJUANA BACK AT THE

1 FRIDAY, FEBRUARY 18, 2000, AT 9:00 A.M.)

2 THE BAILIFF: ALL RISE.

3 THE COURT: THANK YOU. PLEASE BE SEATED.

4 ALL RIGHT, SIR.

5 YOU READY TO PROCEED?

6 MR. MCMAHON: YES, SIR.

7 I HAVE ONE MATTER I WOULD LIKE TO BRING UP---

8 THE COURT: YES, SIR.

9 MR. MCMAHON: ---PRIOR TO THE JURY.

10 NOT HAVING TRIED A CASE WITH HIS HONOR BEFORE
11 WHERE THERE WAS A -- WHERE I CALLED A REPLY WITNESS. I
12 GUESS I'M MAKING THIS MOTION IN THE NATURE OF A MOTION IN
13 LIMINE. I HAVE HAD DIFFERENT JUDGES RULE DIFFERENT WAYS ON
14 THE SCOPE OF CROSS-EXAMINATION ON A REPLY WITNESS. I
15 REALIZE A MOTION IN LIMINE IS SOMEWHAT -- WHATEVER YOUR
16 RULING MAY BE, MAY BE SOMEWHAT ANTICIPATORY TO A CERTAIN
17 EXTENT. HOWEVER -- AND I REALLY WASN'T SURE WHAT THE LAW
18 WAS ON THE LIMITING OF CROSS-EXAMINATION.

19 YOUR HONOR, I WOULD CITE---

20 THE COURT: ALL RIGHT.

21 NOW, YOU ARE TALKING ABOUT -- YOU ARE NOT TALKING
22 ABOUT DIRECT EXAMINATION. YOU ARE TALKING ABOUT
23 CROSS-EXAMINATION.

24 MR. MCMAHON: YES, SIR.

25 THE COURT: ALL RIGHT, SIR. GO AHEAD.

1 MR. MCMAHON: YES SIR. I'M TALKING ABOUT
2 CROSS-EXAMINATION AND I'D CITE STATE VERSUS DAVIS, WHICH
3 IS 227 SE 2D 662. I DIDN'T GET A COPY OF IT THIS MORNING.
4 I JUST FOUND IT THIS MORNING. IT WAS TALKING ABOUT
5 LIMITING THE SCOPE OF REPLY -- THE SCOPE OF
6 CROSS-EXAMINATION ON REPLY.

7 JUDGE, BASICALLY WHAT I INTEND -- WHO I INTEND TO
8 OFFER IS DARRYL CUNNINGHAM. MR. CUNNINGHAM -- THERE ARE
9 CERTAIN SPECIFIC QUESTIONS I WAS GOING TO INTEND TO ASK HIM
10 CONCERNING DRUGS THAT MAY HAVE BEEN PRESENT IN ROOM 4-A AND
11 CONCERNING WHETHER OR NOT HE TOUCHED THE VICTIM IN ANY
12 MANNER AND WHAT HER CONDITION WAS WHEN HE LEFT THAT DAY AND
13 MY QUESTION GOES TO THE ISSUES, I GUESS, OF ALL THE
14 COLLABORATIVE TESTIMONY THAT I WOULD NOT BRING OUT THAT'S
15 NOT NECESSARILY REPLY. IT'S NOT A REPLY TO ANYTHING. IT
16 IS CORROBORATIVE SOMEWHAT OF VARIOUS POINTS IN THE
17 DEFENDANT'S TESTIMONY AND THAT'S THE KIND OF MOTION I'M
18 BRINGING BEFORE THE COURT NOW.

19 THE COURT: AND WHAT IS IT YOU INTEND TO ASK HIM?

20 MR. MCMAHON: I WAS JUST GOING TO ASK HIM WHAT
21 THE DRUGS -- WHAT TYPE OF DRUGS WERE THERE. HE WILL SAY
22 CRACK COCAINE AND HE'LL SAY TWO PEOPLE SMOKED CRACK
23 COCAINE, THE DEFENDANT AND THE VICTIM. AND THEN I'LL ASK
24 HIM IF HE TOUCHED THE VICTIM IN ANY MANNER AND WHAT TIME HE
25 LEFT, WHAT TIME HE WAS LAST IN THE VICTIM'S PRESENCE.

1 THE COURT: YOU ARE GOING TO ASK HIM IF HE
2 TOUCHED THE BODY OR HE TOUCHED THE VICTIM BEFORE SHE WAS
3 KILLED?

4 MR. MCMAHON: RIGHT. HE'LL---

5 THE COURT: WHICH ONE?

6 MR. MCMAHON: HE ONLY SAW -- HE ONLY SAW HER WHEN
7 SHE WAS LIVING.

8 THE COURT: ALL RIGHT.

9 MR. MCMAHON: YES, SIR.

10 SO IT WOULD BE WHAT WAS HER CONDITION WHEN YOU
11 LEFT? SHE WAS ALIVE, WELL. SHE WAS FINE.

12 AT ANY TIME YOU WERE IN HER PRESENCE, DID YOU
13 TOUCH HER IN ANY MANNER? NO, NO, SIR, I DIDN'T.

14 AND MY QUESTION GOES TO THE---

15 THE COURT: AS TO WHETHER OR NOT MR. STRICKLER
16 WOULD BE LIMITED IN CROSS-EXAMINATION TO THE MATTERS THAT
17 YOU BRING OUT IN YOUR DIRECT EXAMINATION---

18 MR. MCMAHON: YES, SIR.

19 THE COURT: ---AS OPPOSED TO HAVING WIDE OPEN
20 CROSS-EXAMINATION WE NORMALLY HAVE.

21 MR. MCMAHON: YES, SIR.

22 AND I THINK -- I KIND OF RASLED WITH THE
23 QUESTION ALL NIGHT IN MY MIND AND DIDN'T HAVE ACCESS TO THE
24 RESEARCH THAT I WISH I HAD HAD BECAUSE I REALLY COULDN'T
25 RECALL THE -- I KNOW DIRECT IS VERY LIMITED ON REPLY

1 GENERALLY. AND I COULD NOT RECALL THE LIMITATIONS, IF ANY,
2 ON CROSS-EXAMINATION ON REPLY TESTIMONY.

3 THE COURT: ALL RIGHT, SIR.

4 LET ME LOOK AT THAT.

5 MR. STRICKLER, HAVE YOU GOT AN OPINION RIGHT
6 QUICK OR DO YOU WANT ME TO READ THIS CASE? IT'S JUST A
7 PAGE---

8 MR. STRICKLER: WELL, I HAVEN'T SEEN THE CASE
9 MYSELF.

10 THE COURT: YOU NEED TO READ IT, TOO, DON'T
11 YOU---

12 MR. STRICKLER: IF YOU ARE SEEKING AN OPINION
13 REGARDING THE CASE, I CAN'T GIVE YOU ONE AT THIS POINT.

14 THE COURT: YOU MIGHT KNOW THE LAW. YOU MIGHT BE
15 MUCH MORE FAMILIAR WITH IT THAN MR. MCMAHON CLAIMS HE IS
16 AND THAT I KNOW I AM.

17 MR. STRICKLER: THAT WOULD BE A LEAP OF FAITH ON
18 YOUR PART TO ASSUME THAT I WAS FAMILIAR WITH THAT, YOUR
19 HONOR.

20 THE COURT: WELL, HERE'S A CASE AND THE COURT
21 SAID WAS NOT ERROR TO RESTRICT THE CROSS-EXAMINATION TO THE
22 SUBJECT OF THE DIRECT EXAMINATION IN A REPLY WITNESS WHICH
23 SEEMS TO ME TO BE REASONABLE IN THAT YOU KNOW CERTAINLY MR.
24 MCMAHON IS LIMITED IN WHAT HE CAN BRING OUT ON THIS
25 WITNESS. IT CAN ONLY BE SOMETHING THAT'S IN RESPONSE TO

1 THE TESTIMONY THAT'S BEEN GIVEN BY THE DEFENSE AND THE
2 REASON IS THAT WE JUST DON'T OPEN THIS THING UP AND KEEP
3 GOING FOREVER AND EVER. AND I SEE WHY IT WOULD APPEAR TO
4 ME THAT THAT WOULD APPLY TO THE DEFENSE AS WELL AS THE
5 PROSECUTION.

6 (WHEREUPON, THE CASE IS HANDED TO
7 MR. STRICKLER AT THIS TIME.)

8 MR. STRICKLER: YOUR HONOR, OF COURSE -- THANK
9 YOU. I HAD AN OPPORTUNITY TO GO AHEAD AND REVIEW THE CASE.

10 IN MY READING OF THE CASE, OF COURSE, DOES NOT
11 SAY---

12 THE COURT: IT DOESN'T SAY I CAN'T.

13 MR. STRICKLER: IT DOESN'T SAY YOU CAN'T EITHER.
14 IT SAYS IT IS NOT ERROR. IT DOES NOT SAY IT WOULD BE ERROR
15 TO PERMIT IT.

16 THE COURT: YOU'RE EXACTLY RIGHT.

17 MR. STRICKLER: IT ALSO SAYS WHAT WE ALL KNOW
18 WHICH IS THAT YOUR HONOR IS VESTED WITH CONSIDERABLE
19 LATITUDE IN CONDUCTING THE TRIAL OF THE CASE.

20 SO THE FACT OF THE MATTER IS THAT WHAT MR.
21 MCMAHON WANTS TO GET INTO IS A COUPLE OF MATTERS AND WHAT
22 HE WANTS TO PROHIBIT US FROM BEING ABLE TO GET INTO IS, AS
23 HE SAID, THE CORROBORATIVE TESTIMONY FROM MR. CUNNINGHAM
24 WHICH WOULD BE GRAVATIVE (PHONETICALLY) AS TO SUBSTANTIAL
25 PORTIONS OF MR. AL-AMIN'S DESCRIPTION OF HIS ACTIVITIES.

1 THAT DAY. SPECIFICALLY, IF YOU THINK BACK TO HIS
2 TESTIMONY, FROM THE TIME HE MET MR. CUNNINGHAM, THAT'S WHEN
3 THEY HEADED TO THE APARTMENTS AND I WOULD ANTICIPATE FROM
4 OUR INTERVIEWS WITH MR. CUNNINGHAM THAT MR. AL-AMIN'S
5 RENDITION OF THE SEQUENCE OF EVENTS WOULD BE SUBSTANTIALLY
6 CORROBORATED BY MR. CUNNINGHAM.

7 OF COURSE, SECONDLY, NOW THAT WE HAVE MR.
8 CUNNINGHAM BEFORE THE COURT, OF COURSE, I WOULD HAVE TO
9 THEN MOVE TO IMPEACH MR. CUNNINGHAM AS HIS DESCRIPTIONS OF
10 CRACK COCAINE USE ARE DIRECT -- ARE IN DIRECT VARIOUS WITH
11 TWO PRIOR INTERVIEWS OF HIM BY INVESTIGATORS FROM OUR
12 OFFICE. THE FIRST TIME THEY CAME UP -- WELL, I DON'T KNOW
13 WHEN THEY CAME UP. I HAVEN'T SEEN ANYTHING REGARDING ANY
14 INTERVIEW OF HIM BY THE STATE. ALL I KNOW IS THAT IN
15 SEPTEMBER OF 1997, WHEN HE WAS INTERVIEWED, HE DENIED
16 SEEING ANY DRUG USE IN THE APARTMENT. SO THAT WOULD BE MR.
17 CALDWELL WITH OUR OFFICE INTERVIEWED HIM AT THAT TIME AND,
18 OF COURSE, I WOULD SUBMIT THAT I'M ENTITLED TO GO AHEAD AND
19 IMPEACH HIM ON THAT AND I WOULD ASK FOR THE OPPORTUNITY TO
20 GO AHEAD AND CALL MR. CALDWELL TO GO AHEAD AND SUBSTANTIATE
21 THAT IMPEACHMENT.

22 THE COURT: WELL, I CERTAINLY THINK YOU HAVE THE
23 RIGHT TO IMPEACH A WITNESS AND IF IT'S NECESSARY FOR YOU TO
24 CALL MR. CALDWELL TO DO THAT, I WOULD ALLOW YOU TO DO THAT.
25 BUT THERE'S ONE LITTLE DIFFICULTY HERE OR ONE QUESTION. IF

1 MR. CALDWELL TESTIFIES THAT HE WAS A PART -- WELL, I'M
2 TRYING TO THINK WHAT THE DEFENDANT'S TESTIMONY WAS. THE
3 DEFENDANT'S TESTIMONY WAS THAT THE DEFENDANT USED
4 MARIJUANA.

5 MR. STRICKLER: NOT AT THE APARTMENT.

6 THE COURT: NOT AT THE APARTMENT. THE ONLY DRUG
7 USE AT THE APARTMENT WAS MS. PRYOR.

8 MR. STRICKLER: THAT'S IN HIS STATEMENT, NOT IN
9 HIS TESTIMONY ON THE STAND.

10 THE COURT: WELL, DID HE TESTIFY TO ANYTHING ON
11 THE STAND ABOUT DRUG USE IN THE APARTMENT?

12 MR. STRICKLER: NO, SIR.

13 THE COURT: ALL RIGHT.

14 BUT IF MR. CUNNINGHAM TAKES THE STAND AND SAYS
15 THAT MR. CUNNINGHAM USED DRUGS IN THE APARTMENT---

16 MR. STRICKLER; MR. AL-AMIN AND MS. PRYOR, AS I
17 UNDERSTAND, WOULD BE HIS TESTIMONY.

18 MR. MCMAHON: THAT'S RIGHT.

19 MR. STRICKLER: THERE WAS CONVERSATION WITH ME IN
20 MY OFFICE YESTERDAY INDICATING THREE PEOPLE USED IT. I
21 MEAN, I DON'T HAVE ANYONE AROUND TO IMPEACH THAT.

22 THE COURT: YOU EXPECT HIM -- MR. MCMAHON, YOU
23 EXPECT HIM TO TESTIFY THAT MR. AL-AMIN AND MS. PRYOR USED
24 DRUGS?

25 MR. MCMAHON: YES.

1 THE COURT: AND YOU'RE TELLING ME, MR. STRICKLER,
2 THAT HE PREVIOUSLY TOLD YOUR INVESTIGATOR THAT THEY DID NOT
3 USE DRUGS.

4 MR. STRICKLER: HE PREVIOUSLY TOLD MY
5 INVESTIGATOR THAT HE DIDN'T SEE ANY DRUGS IN THE APARTMENT
6 AT ALL. YESTERDAY MORNING, HE TOLD ME THAT HE SAW MR.
7 AL-AMIN, SOME UNNAMED THIRD PARTY, WHOM I'D HAVE TO ASSUME
8 WAS THIS JAMES -- NO, NO -- JERRY WATKINS OR JAMES WATKINS
9 AND MS. PRYOR GO INTO THE BATHROOM AND USE -- WELL, HE
10 DIDN'T KNOW. THEY WENT IN THE BATHROOM. HE ASSUMED THEY
11 WERE USING DRUGS. BUT TO MY INVESTIGATOR, IN SEPTEMBER OF
12 1997, HE INDICATED HE DIDN'T SEE ANY DRUGS IN THE
13 APARTMENT.

14 THE COURT: MR. MCMAHON?

15 MR. MCMAHON: YES, SIR.

16 THE COURT: WELL, I MEAN, IT APPEARS TO ME HE
17 WOULD HAVE A RIGHT TO IMPEACH YOUR---

18 MR. MCMAHON: OH, YES, SIR. I'M NOT QUESTIONING
19 HIS RIGHT TO IMPEACH.

20 THE COURT: ALL RIGHT. OKAY.

21 MR. MCMAHON: I'M QUESTIONING AND MR. STRICKLER,
22 OBVIOUSLY, CHARACTERIZED IT CORRECTLY. I'M QUESTIONING THE
23 CROSS-EXAMINATION---

24 THE COURT: ALL RIGHT. ALL RIGHT.

25 MY RULING IS THIS. YOU ARE ALLOWED TO GO INTO

1 ONLY MATTERS THAT WERE BROUGHT OUT IN THE DEFENSE'S CASE IN
2 YOUR EXAMINATION OF THIS WITNESS, RIGHT.

3 YOU LOOK LIKE YOU'RE PUZZLED. IT'S REPLY
4 TESTIMONY.

5 MR. MCMAHON: I LOOK LIKE THAT OFTEN, JUDGE.

6 THE COURT: SIR?

7 MR. MCMAHON: YES, SIR. I LOOK LIKE THAT A GOOD
8 BIT. I'M JUST THINKING. YES, SIR. I AGREE WITH YOU.

9 THE COURT: ALL RIGHT. OKAY.

10 MR. MCMAHON: YES, SIR.

11 THE COURT: I WILL RESTRICT THIS
12 CROSS-EXAMINATION TO MATTERS THAT YOU GO INTO IN YOUR
13 DIRECT EXAMINATION OF THIS WITNESS WITH THE EXCEPTION OF
14 IMPEACHMENT TESTIMONY. I CERTAINLY THINK HE'S ENTITLED TO
15 GET IN IMPEACHMENT TESTIMONY. BUT THE WHOLE REASON FOR
16 THIS RULE THE WAY I SEE IT IS, YOU KNOW, MR. MCMAHON, YOU
17 COULD HAVE CALLED THIS WITNESS IN YOUR CASE IN CHIEF AND SO
18 YOU DON'T HAVE THE LIBERTY WITH HIM THAT YOU HAD PREVIOUS
19 IF YOU CALL HIM AS YOUR WITNESS. MR. STRICKLER COULD HAVE
20 CALLED HIM AS HIS WITNESS, STILL CAN CALL HIM BECAUSE HE
21 HASN'T RESTED. SO HE DOESN'T HAVE THE FREEDOM TO EXAMINE
22 HIM THAT HE WOULD HAVE HAD HAD HE CALLED HIM IN HIS OWN
23 CASE. AND SO I THINK MY RULING IS CORRECT, OF COURSE, AND
24 CONSISTENT BETWEEN BOTH OF YOU. BUT I WILL ALLOW HIM TO
25 ASK HIM IMPEACHMENT TESTIMONY AND THEN I WILL ALLOW HIM TO

1 CALL HIS WITNESS VERY BRIEFLY.

2 MR. MCMAHON: AND, OF COURSE, THE IMPEACHMENT
3 TESTIMONY WOULD ONLY GO AS TO THEIR EMPLOYEE MR. CALDWELL.
4 NOT THE CONVERSATIONS THAT THE WITNESS HAD WITH MR.
5 STRICKLER.

6 MR. STRICKLER: OF COURSE. I'M NOT GOING TO
7 PRESENT MYSELF AS A WITNESS.

8 THE COURT: ALL RIGHT, SIR.

9 MR. STRICKLER: OF COURSE, NOT.

10 MR. MCMAHON: I UNDERSTAND.

11 THE COURT: ALL RIGHT, SIR.

12 MR. MCMAHON: I JUST WANT TO MAKE SURE I HAD THAT
13 CLEAR. MR. CALDWELL WASN'T PRESENT THAT SECOND TIME,
14 RIGHT?

15 MR. STRICKLER: NO, HE WAS NOT.

16 THE COURT: ALL RIGHT, SIR.

17 MR. MCMAHON: THANK YOU.

18 THE COURT: ALL RIGHT, SIR.

19 ARE WE READY TO GET STARTED THEN?

20 MR. MCMAHON: YES, SIR, AND I HAVE TWO WITNESSES
21 IN REPLY: MR. CUNNINGHAM AND DETECTIVE SMITH.

22 THE COURT: ALL RIGHT. HAVE YOU GOT THEM READY?

23 MR. MCMAHON: YES, SIR.

24 THE COURT: ALL RIGHT.

25 NOW, YOU HAVE NOT RESTED.

1 STATE OF SOUTH CAROLINA)

2 C E R T I F I C A T E

3 COUNTY OF RICHLAND)

4
5
6 I, THE UNDERSIGNED ROBBIE KOON DEFREESE, OFFICIAL
7 COURT REPORTER FOR THE FIFTH JUDICIAL CIRCUIT OF THE STATE
8 OF SOUTH CAROLINA, DO HEREBY CERTIFY THAT THE FOREGOING IS
9 A TRUE, ACCURATE, AND COMPLETE TRANSCRIPT OF RECORD OF ALL
10 THE PROCEEDINGS HAD AND EVIDENCE INTRODUCED IN THE TRIAL OF
11 THE CAPTIONED CASE, RELATIVE TO APPEAL, IN THE GENERAL
12 SESSIONS COURT FOR RICHLAND COUNTY, SOUTH CAROLINA, ON THE
13 15TH, 16TH, 17TH, AND 18TH DAYS OF FEBRUARY, 2000.

14 I DO FURTHER CERTIFY THAT I AM NEITHER OF KIN,
15 COUNSEL NOR INTEREST TO ANY PARTY HERETO.

16
17 AUGUST 4, 2000

18 

19
20 ROBBIE KOON DEFREESE
21 CIRCUIT COURT REPORTER
22
23
24
25

1514 SOUTH CAROLINA LAW ENFORCEMENT DIVISION
FORENSIC SERVICES LABORATORY REPORT

JAMES H. HODGES
GOVERNOR



ROBERT M. STEWART
CHIEF

INV J. PHILLIP SMITH
COLUMBIA POLICE DEPT
1409 LINCOLN ST
COLUMBIA, SC 29201

Department of Forensic
DNA Analysis
January 26, 2000
SLED Lab No.: L97-10745
Your Case No.: 97-30439
Incident Date: 8/25/97
(V) M... ..
(S) Raqib Abdul Al-Amin
(S) Huie Darryl Cunningham

This is an official report of the South Carolina Law Enforcement Division Forensic Services Laboratory and is to be used in connection with an official criminal investigation. These examinations were conducted under your assurance that no previous examinations of person(s) or evidence submitted in this case have been or will be conducted by any other laboratory or agency.

Robert M. Stewart, Chief
South Carolina Law Enforcement Division

DNA ANALYSIS

ITEM(S) ANALYZED:

13 Blood standard from Huie Darryl Cunningham

EXAMINATION(S)

Deoxyribonucleic acid (DNA) was isolated from item 13. DNA comparisons were made using Short Tandem Repeat (STR) PCR DNA analysis. The results of the analysis are shown in Table 1 and Table 2.

Cellmark Diagnostics had previously reported a STR profile from item 11.6 in a report dated 12-22-99. The STR DNA profile developed for item 13 does not match the profile from the sperm fraction of item 11.6.



1416 Broad River Road, P. O. Box 21398, Columbia, South Carolina 29221-1398 Phone (803) 896-7300



Page 2 of 2
 SLED LAB NO.: L97-10745
 January 28, 2000

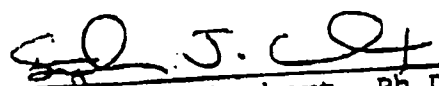
Table 1

Items	D191358	VWA	PCA	D8S1179	D21S11	D18S51	D5S818	D13S317	D7S820	Amelo- genin
13	16	16,17	19,24	10,12	28,29	16,20	8,11	11,12	9,11	XY

Table 2

Items	D3S1338	D16S839	TH01	TPOX	CSF1PO	D7S820	Amelo- Genin
13	16	11	9.3	8,11	9,10	8,11	XY

These examinations were conducted by S/A Stephen J. Lambert, Ph.D.,
 Forensic Analyst, South Carolina Law Enforcement Division.


 Stephen J. Lambert, Ph.D.
 Senior Special Agent

1-28-00
 Date

sjl

cc: Richland County Solicitor's Office

Note: Any remaining evidence and/or packaging will be returned to the
 requesting agency.



4416 Broad River Road, P. O. Box 21398, Columbia, South Carolina 29221-1398 Phone (803) 896-7300

TOTAL P. 03

REPORT OF LABORATORY EXAMINATION

December 22, 1999

Solicitor W. Barney Giese
Richland County Solicitor's Office
P.O. Box 1987
Columbia, SC 29202

Re: Cellmark Case No. F991414
Your Case No. L97-10745

EXHIBITS:

Items of evidence were received for analysis on August 26, 1999. Polymerase chain reaction (PCR) testing was performed on the items listed below:

ITEM #

DESCRIPTION

11.6 Slide with smear labeled "...Vaginal...Jane Doe...A-97-162..."

RESULTS:

DNA was isolated from the item listed above. DNA from this item was amplified using the PCR and typed for thirteen short tandem repeat (STR) loci and Amelogenin. The appendices attached to this report list the STR loci tested and the types obtained from the vaginal slide and the types previously reported for the fabric stain labeled Elizabeth Pryor and the fabric stain labeled Raquid (sic) Al Amin in the Report of Laboratory Examination dated November 1, 1999. DNA from the vaginal slide was amplified using the AmpF/STR Profiler Plus™ and COfiler™ PCR Amplification Kits.

In addition to the profiles obtained from the item referenced in this report, additional weak results were observed. The results may be due to the presence of DNA from more than one individual or to technical artifacts and therefore were not interpreted.

CONCLUSIONS:

The DNA obtained from the non-sperm fraction of the vaginal slide is from a female. Raquid Abdul Al Amin is excluded as the source of the DNA obtained from the non-sperm fraction of the vaginal slide. The DNA profile obtained from the non-sperm fraction of the vaginal slide matches the DNA profile obtained from the fabric stain labeled Elizabeth Pryor.

Report for Cellmark Case No. F991414

December 22, 1999

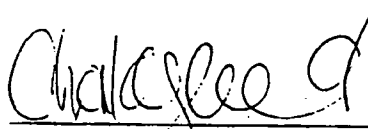
Page Two

The data indicate that DNA from more than two individuals was obtained from the sperm fraction of the vaginal slide. Raquib Abdul Al Amin is excluded as a source of the DNA obtained from the sperm fraction of the vaginal slide. Elizabeth Pryor cannot be definitively included or excluded as a source of the DNA obtained from the sperm fraction of the vaginal slide due to insufficient data.

EVIDENCE DISPOSITION:

In the absence of specific instructions, evidence will be returned to the submitting agency by Federal Express or other appropriate carrier.


Juliet A. Morris
Staff DNA Analyst


Charlotte J. Word, Ph.D.
Deputy Laboratory Director

cc: S/A Lilly Gallman
SLED Forensics Services Laboratory
4416 Broad River Road
Columbia, SC 29210

If expert witnesses are needed for depositions or court testimony, please notify us by telephone at (803) 515-6155 at least four weeks in advance.

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE COURT OF GENERAL SESSIONS

The State)

MOTION TO USE PRIOR CONVICTION
OVER TEN YEARS

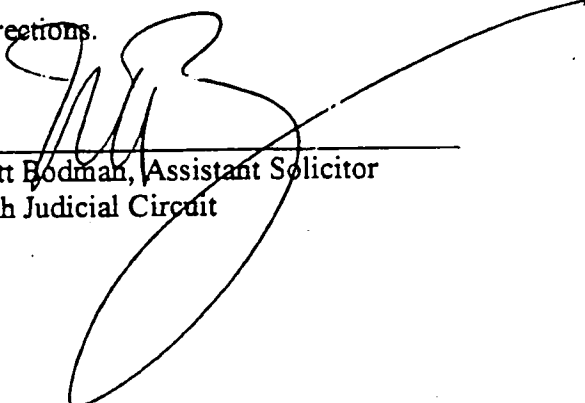
-vs-)

Raquib Abdul Al-Amin)
A/k/a)
Reuben Davis III)
Defendant.)

Warrant Number: F599674
Indictment: 97-GS-40-25414

00 JAN 10 AM 11:21
JAN 10 11:21
C.C.C. & G.S.

At the appropriate time, the State pursuant to Rule 609 of the South Carolina Rules of Evidence, will move to introduce a 1988 conviction of the defendant for Armed Robbery. Enclosed is a certified copy of the conviction. Also enclosed are the defendant's records from the Department of Corrections.


Matt Bodman, Assistant Solicitor
Fifth Judicial Circuit

This 10th day of January, 2000
Columbia, South Carolina

1601 4010

WITNESSES

DOCKET NO. 81-10-10-1157

THE STATE OF SOUTH CAROLINA

COUNTY OF _____

COURT OF GENERAL SESSIONS

#06

TERMINED TERM 1968

THE STATE

VS.

HERMAN DEWIS III

ARREST WARRANT NO. C 126434

ACTION OF GRAND JURY

FOREMAN OF GRAND JURY

VERDICT

FOREMAN OF PETIT JURY

DATE:

INDICTMENT FOR
ARRESTED FORBIDDEN AND
RECEIVED

S. C. C. 86-11-230
A T F
TRUE COPY
1134

Richard A. Pratt

G. G. C. P. A. G. B.

STATE OF SOUTH CAROLINA)

INDICTMENT FOR ARMED ROBBERY
AND ROBBERY

COUNTY OF RICHLAND)

At a Court of General Sessions, convened on _____,
the Grand Jurors of _____ County present upon their oath:

COUNT ONE - ARMED ROBBERY

That RICHARD DAVIS III did in Richland
County on or about July 26, 1968, while armed with a deadly weapon,
to wit: a .22 caliber automatic Colt pistol
_____, feloniously take from the person or
presence of Prudence Jeffcoat by means of force or intimidation
goods or monies of Prudence Jeffcoat, such goods or monies being
described as follows: one (1) purse and contents

COUNT TWO - ROBBERY

That _____ did in _____
County on or about _____, feloniously take from the
person or presence of _____ by means of
force or intimidation goods or monies of _____,
such goods or monies being described as follows: _____

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

ATTEST
TRUE COPY

Richard B. Jefferson
SOLICITOR

SENTENCE

STATE OF SOUTH CAROLINA
 RICHLAND COUNTY

CASE NO.

Waiver
 89-46-31

The defendant Rucker Davis III is committed to the State Department of Corrections/County for a term of 6 months/years and/or to pay a fine of \$; provided upon the service of months/years and/or payment of \$, plus pay/waive costs and assessments as applicable*, the balance suspended with probation for months/years.

Restitution

For physical injury \$

Yes/No

property damage \$

to be paid

to clerk for

Other conditions

Date

Nov 1 1988

Jeff Kinard
 Presiding Judge

*Costs and Assessments

Non-waivable

\$

Not waived

\$

Total

\$

Barbara G. Scott
 Clerk of Court

**Pay to Victim's Compensation Fund if subrogated.

G. C. C. P. & G. S.