

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas
Maite D. Murphy, Circuit Court Judge

Appellate Case No.: 2014-001492

Meredith Huffman.....Appellant,

v.

Sunshine Recycling, LLC and
Aiken Electric Cooperative, Inc.....Respondents,

**RECORD ON APPEAL
VOLUME I**

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STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)

IN THE COURT OF COMMON PLEAS

Meredith Huffman,)
Plaintiff,)

Civil Action No. 2012-CP-38-672

vs.)

**ORDER GRANTING SUMMARY
JUDGMENT**

Sunshine Recycling, LLC and)
Aiken Electric Cooperative, Inc.,)
Defendants.)

ATTEST: TRUE COPY

Wynne B. Clark

CLERK OF COURT
ORANGEBURG COUNTY, SC

This is an action by the plaintiff to recover damages against Aiken Electric Cooperative, Inc. ("Aiken Electric") and Sunshine Recycling, LLC ("Sunshine Recycling") for alleged negligence, false imprisonment and malicious prosecution arising out of her arrest for selling stolen goods. The action came before the Court on March 10, 2014 on Aiken Electric's motion to dismiss and Sunshine Recycling's motion for summary judgment. Aiken Electric's motion to dismiss was converted into a motion for summary judgment as permitted by Rule 12(b), SCRPC. I find that the defendants' motions for summary judgment should be granted for the reasons set forth below.

BACKGROUND

On May 16, 2010, a thief went onto Aiken Electric's property and stole some copper and other wire having a value of \$463.19. Aiken Electric had a video surveillance camera which showed the thief to be a black male. An Aiken Electric employee reported seeing a white pickup truck leaving Aiken Electric's property on the night of the theft. On the following day, Mark Goss, Aiken Electric's Loss Control and Safety Coordinator, began to check with metal recyclers to see whether the thief had tried to sell the copper

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and aluminum wire. When Mr. Goss went to Sunshine Recycling on May 17, 2010, he identified the copper and aluminum wire that had been stolen. Sunshine Recycling's owner, Joseph Rich, talked with his Hispanic employees who had unloaded the copper and aluminum wire. An employee told him, speaking in Spanish, that the plaintiff had brought the copper and aluminum wire in. Sunshine Recycling had a video camera system that recorded what happened when the copper and aluminum wire was dropped off but there was a problem with the camera and the video could not be viewed at the time.

This information was provided to the Orangeburg County Sheriff's Department. The Orangeburg County Sheriff's Department investigator, James Etheridge, did not interview the Hispanic employee or call for an interpreter to interview him. Investigator Etheridge did not wait to review the Sunshine Recycling video but instead contacted the plaintiff to come in. The plaintiff met with Investigator Etheridge and denied that she had sold stolen copper wire and aluminum. Notwithstanding, Investigator Etheridge proceeded to arrest her. The plaintiff spent the better part of the day at the Orangeburg County Jail being booked and bonded out. When the Sunshine Recycling video was available to review, Investigator Etheridge admitted that it showed that the plaintiff did not bring in the copper wire and aluminum that was stolen from Aiken Electric. Investigator Etheridge dropped the charges against the plaintiff. The plaintiff thereafter brought this action. The plaintiff settled her claim against the Orangeburg County Sheriff's Department. It is undisputed that the plaintiff was not involved in selling stolen goods.

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The plaintiff asserted that Aiken Electric is liable to her in damages because Aiken Electric told the investigator that the plaintiff was the person who had brought in and sold the stolen goods and because Mr. Goss pressured the investigator to arrest her. The plaintiff asserted that Sunshine Recycling was liable to her because Mr. Rich told the sheriff's investigator what the Hispanic employee reported to him and offered to testify as to what he had been told. Although this evidence was disputed, the Court has treated the plaintiff's claims as being true for purposes of the motions. I find that even if the plaintiff's claims were taken as true, the defendants are entitled to summary judgment for the reasons set forth below.

STANDARD FOR SUMMARY JUDGMENT

Summary judgment is appropriate where "the pleadings, depositions, answers to interrogatories and admission on file, together with the affidavits, if any, show that there is no genuine issue of any material fact and that the moving party is entitled to judgment as a matter of law." Rule 56(c), SCRCP. "In determining whether any triable issues of fact exist, the evidence and all inferences which can be reasonably drawn from the evidence must be viewed in the light most favorable to the non-moving party." *Koester v. Carolina Rental Ctr., Inc.*, 313 S.C. 490, 493, 443 S.E.2d 392, 394 (1994). However, "[i]t is not sufficient [to defeat a motion for summary judgment] that one create an inference which is not reasonable or an issue of fact that is not genuine." *Shuler v. Tuomey Reg'l Med. Ctr.*, 313 S.C. 225, 437 S.E.2d 128, 129 (Ct. App. 1993). "In order to resist a motion for summary judgment, the non-moving party must come forward with specific facts showing genuine issues necessitating trial." *NationsBank v. Scott Farm*, 320 S.C. 299, 303, 565 S.E.2d 98, 100 (Ct. App. 1995).

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I.

**DEFENDANTS ARE ENTITLED TO SUMMARY JUDGMENT
AS TO PLAINTIFF'S NEGLIGENCE CAUSE OF ACTION**

To recover in a negligence action, the plaintiff must show that (1) the defendant owes a duty of care to the plaintiff, (2) the defendant breached the duty by a negligent act or omission, (3) the defendant's breach was the actual and proximate cause of the plaintiff's injury, and (4) the plaintiff suffered an injury or damages. *Moore v. Weinberg*, 681 S.E.2d 875, 383 S.C. 583 (2007). The determination of the existence of a duty is solely the responsibility of the Court. Whether the law recognizes a particular duty is an issue of law to be decided by the Court. *Hendricks v. Clemson Univ.*, 353 S.C. 449, 456, 578 S.E.2d 711, 714 (2003).

Although the plaintiff argued that a crime victim or a witness to a crime owes a legal duty to use due care in investigating the crime and in communicating information with law enforcement, the plaintiff presented no South Carolina appellate court opinion that imposed such a duty. Although South Carolina has not specifically addressed this issue, other jurisdictions have done so. Their opinions with the underlying reasoning are instructive. In *Lundberg v. Scoggins*, 335 N.W.2d 235 (1983), the defendant, who was the victim of a sexual assault, identified plaintiff as her attacker during a lineup. The plaintiff was arrested and placed in custody until it was determined that he could not have been the person who sexually assaulted the defendant. The plaintiff then brought an action against the defendant, alleging that she negligently accused and misidentified him as her attacker. The Supreme Court of Minnesota affirmed the trial court's dismissal of the complaint:

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"[O]ur decision is controlled by a well-established body of law relating to an analogous claim of malicious prosecution. This action has always been carefully circumscribed, and not favored in law, the reason being that 'public policy favors prosecutions and affords such protection of another in good faith and on reasonable grounds as is essential to public justice.' . . .

The public policy limiting malicious prosecution actions applies with especial force to actions which would make witnesses or victims liable for their negligence in assisting criminal investigations or prosecutions. Persons having knowledge of crimes, as a fundamental duty of citizenship, are encouraged, if not obligated, to report and assist in investigation and prosecution of these crimes. . . . A threat of an action, which does not include an element of maliciousness, would serve to further discourage citizen participation in criminal investigations and prosecutions."

Id. at 235-26. Thus, the court held that a complaint of negligent accusation and misidentification of a criminal suspect does not state a claim upon which relief can be granted for longstanding public policy reasons. *Id.*

In *Pokorny v. First Federal Savings & Loan Association of Largo*, 382 So.2d 678

(Fla. 1980), the Florida Supreme Court stated:

"Florida courts have never recognized a separate tort for 'negligently' swearing out a warrant for arrest. Such cases may be brought only in the form of civil suits for malicious prosecution. . . . A plaintiff contending that he had been improperly arrested as a result of negligence in swearing out a warrant must bear the burden of establishing malice and want or probable cause. Mere negligence alone is insufficient."

See also, e.g., *Reaves v. Westinghouse Electric Corp.*, 683 F.Supp. 521, 523 (D.Md.1988)

("The tort of false arrest is predicated upon *knowing* misconduct Negligence or other mistake in providing incorrect information to lawful authorities does not give rise to liability.") See *Ramsden v. Western Union*, 138 Cal.Rptr. 426, 431 (Ct. App. 1977) (no cause of action for negligently reporting a crime to the police); *Campbell v. City of San Antonio*, 43 F.3d 973, 981 (5th Cir. 1995), *overruled in part on other grounds by*

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Swierkiewicz v. Sorema, 534 U.S. 506, 122 S.Ct. 992, 152 L.Ed.2d 1 (1989) ("To hold ... that [defendant's] negligent misidentification of [plaintiff] is actionable would in substance convert the Texas tort of *malicious* prosecution into one of *negligent* prosecution. This we decline to do." (emphasis in original).

In *Davis v. Equibank*, 603 A.2d 637 (Pa. 1992), a Pennsylvania court reached a similar conclusion:

"It is safe to say that Pennsylvania . . . certainly has an interest in effective law enforcement. We further recognize that the potential of civil liability for the provision of mistaken information to law enforcement agents would have a chilling effect on citizen cooperation and the provision of valuable information by citizens to police. Further, we are in agreement that the public interest in investigation of crime outweighs the recognition of a negligence action for negligent identification of a suspect. . . . Relying upon the weight of authority and weighing of policy considerations, we decline to recognize a cause of action for negligent identification of another as a perpetrator of a crime."

In addition, imposition of such a duty of care would be inconsistent to the rights and duties of a crime victim and a witness to a crime under S.C. Code Ann. Section 16-3-1505 *et seq.* Section 16-3-1505 states that the crime victims and witnesses to a crime have a civic and moral duty to cooperate fully and voluntarily with law enforcement. Nothing in the Act suggests that a victim cannot press law enforcement to proceed with an arrest. Law enforcement, not the crime victim and witnesses to a crime, has the duty to investigate a crime and to decide whether and when to seek a warrant.

If a crime victim or a witness to a crime can be sued in negligence for reporting to law enforcement whatever information the victim or a witness to a crime had, such would discourage them from discharging their civil and moral duty which is to cooperate with law enforcement. Accordingly, I find that the defendants are entitled to summary judgment on the negligence cause of action.

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II.

SUMMARY JUDGMENT MUST BE GRANTED AS TO THE CAUSE OF ACTION FOR FALSE IMPRISONMENT

Summary judgment should be granted on the claim for false imprisonment since the defendants did not imprison the plaintiff.

False imprisonment is the deprivation of one's liberty without justification. *Argoe v. Three Rivers Behavioral Health, LLC*, 392 S.C. 462, 710 S.E.2d 67 (2011). In order to establish a cause of action for false imprisonment, the evidence must prove: (1) that the defendant restrained the plaintiff; (2) that the restraint was intentional; and (3) that the restraint was unlawful. *Id.* False imprisonment is an intentional tort; negligence is not an element. *Gist v. Berkeley County Sheriff's Dep't.*, 336 S.C. 611, 619, 521 S.E.2d 163, 166 (Ct. App. 1999). Although the tort of false imprisonment is not limited to physical interference with a plaintiff's liberty, a plaintiff must demonstrate that she submitted to apprehension of force reasonably to be understood from the defendant's conduct, although no force is used and there is no threat of imminent use of force. *See Zimbelman v. Savage*, 745 F.Supp.2d 664 (D.S.C. 2010); *see also* 8 S.C. Jur.False Imprisonment A§7.

Quite simply, plaintiff has failed to produce any evidence that defendants deprived her of her liberty in any way. There has been no evidence produced that defendants physically restrained plaintiff or by their words or conduct, constructively restrained plaintiff. Since the plaintiff has failed to prove even a scintilla of evidence that would support her claim of false imprisonment, the defendants are entitled to summary judgment as a matter of law on the claim for false imprisonment.

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III.

SUMMARY JUDGMENT MUST BE GRANTED AS TO THE PLAINTIFF'S CLAIM FOR MALICIOUS PROSECUTION

In order to recover in an action for malicious prosecution, the plaintiff must prove: (1) the institution or continuation of original judicial proceedings, either civil or criminal; (2) by or at the incidence of the defendant; (3) termination of such proceedings in plaintiff's failure; (4) defendant's malice in instituting the proceeding; (5) lack of probable cause for the proceeding; and (6) resulting injury or damage. An action for malicious prosecution fails if the plaintiff cannot prove each of the required elements by a preponderance of evidence. *Law v. S.C. Dep't of Corrections*, 368 S.C. 424, 435, 629 S.E.2d 642, 648 (2006). Malice is defined as "the deliberate intentional doing of an act without just cause of excuse." *Id.* at 437, 629 S.E.2d at 649. Malice can also be inferred from lack of probable cause. *Id.* Probable cause

is meant the extent of such facts and circumstances as would excite the belief in a reasonable mind acting on the facts within the knowledge of the prosecutor that the person charged with guilty of a crime for which he has been charged, and only those facts and circumstances which were or should have been known to the prosecutor at the time he instituted the prosecution should be considered.

Parrott v. Plowden Motor Co., 246 S.C. 318, 322, 143 S.E.2d 607, 609 (1965). Thus, in an action for malicious prosecution, a defendant must be absolved from liability if plaintiff fails to show the prosecution was instituted maliciously and without probable cause.

Plaintiff's cause of action against defendants for malicious prosecution fails because there is no evidence that the proceedings against her were initiated by the defendants maliciously and without probable cause. Here, the defendants assisted and

cooperated with an investigation. They did not institute the investigation or prosecution, nor did they assist with malice. Citizens are encouraged, if not obligated, to assist in investigations of potential crimes. Once the Hispanic employee reported that the plaintiff was the person who brought the stolen goods in for sale, that information would cause a reasonable person to believe that the plaintiff was guilty of the crime charged. In an action for malicious prosecution, a defendant must be absolved from liability unless the plaintiff shows that the prosecution was instituted maliciously. Here, the defendants cooperated with law enforcement and discharged their civic and moral duty to cooperate fully and voluntarily with law enforcement. The Orangeburg County Sheriff's Department, not the defendants, made the decision to take out a warrant and have the plaintiff arrested. There is no evidence that the defendants acted maliciously in connection with the plaintiff's arrest or acted without probable cause. Furthermore, the plaintiff has failed to identify genuine issues of material facts related to the elements of malicious prosecution. I find that there are no genuine issues of material fact and the judgment should be entered in favor of the defendants. Therefore, the defendants are entitled to summary judgment on the plaintiff's cause of action for malicious prosecution. Accordingly,

IT IS ORDERED that judgment is hereby granted in favor of Sunshine Recycling, LLC and Aiken Electric Cooperative, Inc.

AND IT IS SO ORDERED.

St. John

South Carolina
April 3, 2014
mm

Maite Murphy

Maite D. Murphy
Presiding Judge

STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)
Meredith Huffman,)
Plaintiff,)
vs.)
Sunshine Recycling, LLC and Aiken)
Electric Cooperative, Inc.)
Defendants)

IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL CIRCUIT
CASE NO: 2012-CP-38-672

ORDER

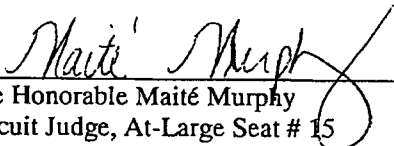
This matter came before this Court by way of Plaintiff's Motion to Alter or Amend the Order Granting Summary Judgment in the above referenced case. The Court reviewed the record, as well as supporting memoranda. Oral argument would not assist the Court in ruling on this motion.

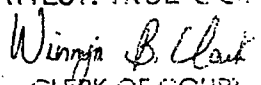
Because the Plaintiff's Motion does not raise any novel issues for the Court's consideration, the Plaintiff's Motion for Relief from Judgment is **DENIED**.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

That Plaintiff's Motion To Alter or Amend this Court's Order granting Defendants Motion for Summary Judgment be, and the same hereby is, **DENIED**.

AND IT IS SO ORDERED this 16 day of June, 2014, at St. George, South Carolina.


The Honorable Maité Murphy
Circuit Judge, At-Large Seat # 15

ATTEST: TRUE COPY

CLERK OF COURT
ORANGEBURG COUNTY

STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)
Meredith Huffman,)
Plaintiff,)
v.)
Orangeburg County Sheriff's)
Department,)
Sunshine Recycling,)
Defendants.)

IN THE COURT OF COMMON PLEAS
FOR THE FIRST JUDICIAL CIRCUIT

2012 MAY -9 PM 1:56
C/A No.: 26(2-CP-38-00672

FILED FOR RECORD
WYNNE CLARK
CLERK OF COURT
ORANGEBURG, SC
VERIFIED COMPLAINT
(Negligence, False Arrest,
Malicious Prosecution)

Jury Trial Demanded

COMES NOW the Plaintiff, Meredith Huffman, (hereinafter referred to as "Plaintiff"), complaining of the Defendants, the Orangeburg County Sheriff's Department, and Sunshine Recycling (hereinafter referred to as "Defendants") herein who would respectfully allege and show unto this Honorable Court:

1. Plaintiff, at the time of the occurrence herein mentioned, was a citizen and resident of Calhoun County, State of South Carolina.

2. Upon information and belief, Defendant Orangeburg County Sheriff's Department is a duly constituted law enforcement agency providing law enforcement services in Orangeburg County South Carolina, created and existing pursuant to the laws of the State of South Carolina with its principal place of business located at 1520 Ellis Avenue, Orangeburg, South Carolina, and is within the jurisdiction of this Court.

3. Upon information and belief, Defendant Sunshine Recycling is a duly constituted business providing recycling services in Orangeburg County, South Carolina, created and existing pursuant to the laws of the State of South Carolina with

its principal place of business located at 1105 Southland Road in Orangeburg, South Carolina, and is within the jurisdiction of this Court.

4. On or about May 16, 2010, the following items were stolen from Aiken Electric Cooperative, Inc. and were the focus of the subsequent investigation and Plaintiff's subsequent arrest: sixty feet of copper, #6 copper, and a roll of Alumini.

5. On or about June 2, 2010, at approximately 9:15 a.m., the Plaintiff was arrested by Defendant Orangeburg County Sheriff's Department and charged with Receiving Stolen Goods valued at less than \$1,000.00. Plaintiff remained in Defendant Orangeburg County Sheriff's Department's custody until approximately 3:30 p.m. when a bond hearing was held and Plaintiff was subsequently released on bond. During this time, the Plaintiff was denied food, water, and use of a telephone to call and inquire about the wellbeing of her children. She was also forced to remove her undergarments and dress in an issued jumpsuit.

6. Defendant Orangeburg County Sheriff's Department did restrain the Plaintiff, the restraint was intentional, and the restraint was unlawful. *Law vs. South Carolina Dep't of Corrections*, 368 S.C. 424, 629 S.E.2d 642 (S.C. 2006). The restraint was unlawful as Defendant Orangeburg County Sheriff's Department lacked probable cause to arrest and detain the Plaintiff.

7. Prior to Plaintiff's arrest, on or about May 17, 2010, Officer M. Huggins, an employee of Defendant Orangeburg County Sheriff's Department, went to Aiken Electric Cooperative, Inc., the incident location, and documented in his

Supplemental Incident Report that a white Ford F-150 was seen on the security camera at the incident location.

8. Prior to Plaintiff's arrest, on or about May 17, 2010, Officer M. Huggins filled out another Supplemental Incident Report while at Aiken Electric Cooperative, Inc. and documented that the subject of the incident was driving a black Dodge pick-up truck with SC Tag AFB 106 and was recorded on video at the incident location.

9. Plaintiff drives a red 2005 Dodge Ram Hemi pick-up truck which in no way resembles the descriptions of the vehicles included in either of Officer M. Huggins' Supplemental Incident Reports.

10. There is no information contained in any of Officer Huggins' Incident Reports to link the Plaintiff to the incident. Nor has any information been provided by the Defendant Orangeburg County that provides probable cause for Plaintiff's arrest. Therefore, Plaintiff alleges she was arrested without probable cause.

11. As a result of this arrest, Plaintiff suffered injuries and damages in one or more of the following particulars:

- a. Plaintiff was forced to cancel two family trips: to Greenville, Tennessee and Reedsville, Georgia, because she was told she could not leave the state.
- b. Plaintiff was denied food, water, and the use of a telephone to call and inquire about the wellbeing of her children.
- c. Plaintiff suffered humiliation during her arrest when she was forced to remove her undergarments and change into an issued jumpsuit.

- d. Plaintiff suffered continued humiliation after the dismissal of her criminal charges when the charges and arrest appeared on her SLED report even after the court-ordered expungement.

**For a First Cause of Action
(NEGLIGENCE)**

12. Plaintiff re-alleges Paragraphs one through eleven of this Complaint as if fully restated herein.

13. Defendants had knowledge prior to Plaintiff's arrest that Plaintiff's car did not match the description(s) of the suspect vehicles in this incident. Even with that information, Defendant Sunshine Recycling continued to pursue a case against Plaintiff by repeatedly telling law enforcement that she was responsible for the incident, and Defendant Orangeburg County Sheriff's Department did arrest Plaintiff and hold her against her will for at least seven and a half hours.

14. The conduct of the Defendants was negligent, careless, reckless, grossly negligent, willful and wanton to wit, in one or more of the following particulars:

- a. Ignoring information suggesting Plaintiff was not the suspect in this case, in particular, the description of the suspect vehicle(s) contained in Incident Reports and video surveillance footage in the possession of the Defendants.

15. As a result of the Defendants' negligence, Plaintiff suffered injuries and damages in one or more of the following particulars:

- a. Plaintiff was forced to cancel two family trips, to Greenville, Tennessee and Reedsville, Georgia, because she was told she could not leave the state.
- b. Plaintiff was denied food, water, and the use of a telephone to call and inquire about the wellbeing of her children.
- c. Plaintiff suffered humiliation during her arrest when she was forced to remove her undergarments and change into an issued jumpsuit.
- d. Plaintiff suffered continued humiliation after the dismissal of her criminal charges when the charges and arrest appeared on her SLED report even after the court-ordered expungement.

15. Any and all of which were the direct and proximate cause of injuries and damages suffered by Plaintiff for which she is entitled to relief in the form of judgment against the Defendants including but not limited to financial loss incurred by the Plaintiff as a result of her cancelled trips and pain and suffering.

**For a Second Cause of Action
(FALSE IMPRISONMENT)**

16. Plaintiff re-alleges Paragraphs one through fifteen of this Complaint as if fully restated herein.

17. On or about June 2, 2010, at approximately 9:15 a.m., the Plaintiff was arrested and charged by Defendant Orangeburg County Sheriff's Department with Receiving Stolen Goods valued at less than \$1,000.00. Plaintiff remained in Defendant Orangeburg County Sheriff's Department's custody until approximately 3:30 p.m. when a bond hearing was held and Plaintiff was subsequently released on

bond. During this time, the Plaintiff was denied food, water and use of a telephone to call and inquire about the wellbeing of her children.

18. Defendant Orangeburg County Sheriff's Department did restrain the Plaintiff, the restraint was intentional, and the restraint was unlawful. *Law vs. South Carolina Dep't of Corrections*, 368 S.C. 424, 629 S.E.2d 642 (S.C. 2006). The restraint was unlawful because Defendant Orangeburg County Sheriff's Department lacked probable cause to arrest and detain the Plaintiff. The Defendant Orangeburg County Sheriff's Department had no evidence linking the Plaintiff to the incident and had been given descriptions of two vehicles seen at the incident location that did not match Plaintiff's car.

19. The conduct of the Defendants was the direct and proximate cause of injuries and damages suffered by the Plaintiff for which she is entitled to relief in the form of judgment against the Defendants including but not limited to financial loss incurred by the Plaintiff as a result of her cancelled trips and pain and suffering.

**For a Third Cause of Action
(MALICIOUS PROSECUTION)**

20. Plaintiff re-alleges Paragraphs 1-19 of this Complaint as if fully restated herein.

21. On or about June 2, 2010, at approximately 9:15 a.m., the Plaintiff was arrested and charged by Defendant Orangeburg County Sheriff's Department with Receiving Stolen Goods valued at less than \$1,000.00. Plaintiff was subsequently released on bond.

22. Plaintiff was arrested and charged based on information provided by Defendant Sunshine Recycling implicating her in the crime.

23. Plaintiff's Receiving Stolen Goods charge (Warrant #: M213746) was later dismissed *nolle prosequi* by the Orangeburg County Solicitor's Office.

24. Defendant Sunshine Recycling's conduct was malicious, willful and wanton to wit, in one or more of the following particulars:

- a. Ignoring readily available information suggesting Plaintiff was not the suspect in this case, in particular, the description of the suspect vehicle(s) contained in Incident Reports;
- b. Repeatedly suggesting to law enforcement that Plaintiff was the suspect in this case, despite video surveillance evidence and other evidence to the contrary.

25. Defendant Sunshine Recycling lacked probable cause to institute prosecutorial proceedings against Plaintiff who clearly did not match the description of the suspect responsible for the crime.

26. As a result of the Defendant's Malicious Prosecution, Plaintiff suffered injuries and damages in one or more of the following particulars:

- a. Plaintiff was forced to cancel two family trips, to Greenville, Tennessee and Reedsville, Georgia, because she was forbidden to leave the State of South Carolina while on bond;
- b. Plaintiff suffered humiliation as a result of her arrest for a crime that she did not commit;
- c. Plaintiff was forced to post bond in the amount of \$1,000;

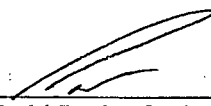
- d. Plaintiff suffered humiliation while attending mandatory court dates at the Orangeburg County Courthouse for her charge.
- e. Plaintiff suffered continued humiliation after the dismissal of her criminal charges when the charges and arrest appeared on her SLED report even after the court-ordered expungement.

27. The conduct of the Defendant Sunshine Recycling was the direct and proximate cause of injuries and damages suffered by the Plaintiff for which she is entitled to relief in the form of judgment against the Defendants including but not limited to financial loss incurred by the Plaintiff as a result of her cancelled trips, humiliation, pain and suffering.

WHEREFORE, Plaintiff is informed and believes that she is entitled to judgment against the Defendants for actual and punitive damages, for the costs of this action, and for such other and further relief as the Court may deem just and proper.

THE RUTHERFORD LAW FIRM, LLC

By: _____


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2113 Park Street
Columbia, South Carolina 29202
(803) 256-3003 Telephone
(803) 256-9698 Fax
Toddrutherford@hotmail.com

Attorney for the Plaintiff Meredith Huffman

This 26th day of April, 2012

Columbia, South Carolina.

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

Meredith Huffman,
Plaintiff,

v.

Orangeburg County Sheriff's
Department,
Sunshine Recycling,
Defendants.

IN THE COURT OF COMMON PLEAS
FOR THE FIRST JUDICIAL CIRCUIT

C/A No.: 2012-CP-38-00672

VERIFICATION OF COMPLAINT

(Negligence, False Arrest,
Malicious Prosecution)

Jury Trial Demanded

Under penalty of perjury, I, Meredith Huffman, the Plaintiff in this action, do declare that I have read the foregoing and the facts alleged therein are true and correct to the best of my knowledge and belief.

Meredith Huffman
Meredith Huffman, Plaintiff

STATE OF SOUTH CAROLINA

COUNTY OF Richland

The foregoing instrument was sworn to or affirmed and subscribed before me on the 20th day of March, 2012.

April

Stephanie A. Jones
Name: Stephanie A. Jones
Notary Public for South Carolina

My Commission Expires: August 29, 2015

FILED FOR RECORD
WINNIE B. CLARK
CLERK OF COURT
ORANGEBURG, SC
2012 MAY -9 PM 1:57

ATTEST: TRUE COPY

Winnie B. Clark
CLERK OF COURT

ORANGEBURG COUNTY, SC

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF ORANGEBURG	)	FIRST JUDICIAL CIRCUIT
	)	
Meredith Huffman,	)	CIVIL ACTION No.: 2012-CP-38-672
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
Orangeburg County Sheriff's Department,	)	AMENDED COMPLAINT
Sunshine Recycling, LLC and Aiken	)	(Negligence, False Arrest, & Malicious
Electric Cooperative, Inc.,	)	Prosecution)
	)	
Defendants.	)	Jury Trial Demanded
	)	

COMES NOW the Plaintiff, Meredith Huffman, (hereinafter referred to as "Plaintiff"), complaining of the Defendants Orangeburg County Sheriff's Department, Sunshine Recycling, LLC, and Aiken Electric Cooperative, Inc. (hereinafter referred to as "Defendants") herein who would respectfully allege and show unto this Honorable Court:

1. Plaintiff, at the time of the occurrence herein mentioned, was a citizen and resident of Calhoun County, State of South Carolina.

2. Upon information and belief, Defendant Orangeburg County and/or Orangeburg County Sheriff's Department is a duly constituted law enforcement agency providing law enforcement services in Orangeburg County South Carolina, created and existing pursuant to the laws of the State of South Carolina with its principal place of business located at 1520 Ellis Avenue, Orangeburg, South Carolina, and is within the jurisdiction of this Court.

3. Upon information and belief, Defendant Sunshine Recycling, LLC is a duly constituted business providing recycling services in Orangeburg County, South Carolina, created and existing pursuant to the laws of the State of South Carolina with its principal place of

business located at 1105 Southland Road in Orangeburg, South Carolina, and is within the jurisdiction of this Court.

4. Upon information and belief, Defendant Aiken Electric Cooperative, Inc., is a company organized and existing through the laws of the State of South Carolina and conducts business in Orangeburg, South Carolina.

5. On or about May 16, 2010, the following items were stolen from Aiken Electric Cooperative, Inc. and were the focus of the subsequent investigation and Plaintiff's subsequent arrest: sixty feet of copper, #6 copper, and a roll of Aluminum.

6. On or about June 2, 2010, at approximately 9:15 a.m., the Plaintiff was arrested by Defendant Orangeburg County Sheriff's Department and charged with Receiving Stolen Goods valued at less than \$1,000.00. Plaintiff remained in Defendant Orangeburg County Sheriff's Department's custody until approximately 3:30 p.m. when a bond hearing was held and Plaintiff was subsequently released on bond. During this time, Plaintiff was denied food, water, and use of a telephone to call and inquire about the wellbeing of her children. She was also forced to remove her undergarments and dress in an issued jumpsuit.

7. Defendant Orangeburg County Sheriff's Department, at the direction and request of Defendants Sunshine Recycling, LLC and Aiken Electric Cooperative, Inc., did intentionally and unlawfully restrain the Plaintiff. Defendant Orangeburg County Sheriff's Department disregard readily available exculpatory evidence and failed to undertake an objectively reasonable investigation with respect to the information known, or should have known, at the time of the arrest. The actions of the Defendants lead to the hasty and unsubstantiated arrest of the Plaintiff.

8. Prior to Plaintiff's arrest, on or about May 17, 2010, Officer M. Huggins, an employee of Defendant Orangeburg County Sheriff's Department, went to Defendant Aiken Electric Cooperative, Inc., the incident location, and documented in his Supplemental Incident Report that a white Ford F-150 was seen on the security camera at the incident location.

9. Prior to Plaintiff's arrest, on or about May 17, 2010, Officer M. Huggins filled out another Supplemental Incident Report while at Aiken Electric Cooperative, Inc. and documented that the subject of the incident was driving a black Dodge pick-up truck with SC Tag AFB 106 and was recorded on video at the incident location.

10. Plaintiff drives a red 2005 Dodge Ram Hemi pick-up truck that in no way resembles the descriptions of the vehicles included in either of Officer M. Huggins' Supplemental Incident Reports.

11. Defendants lacked the good faith belief that Plaintiff had committed and was guilty of the alleged crime. There is no information to link the Plaintiff to the incident.

12. Defendant Orangeburg County Sheriff's Department falsely testified in an arrest affidavit that Plaintiff committed the crime, and misrepresented that a proper investigation was conducted prior to issuing an arrest warrant.

13. As a result of this arrest, Plaintiff was deprived of her liberties and suffered injuries and damages in one or more of the following particulars:

- a. Plaintiff was forced to cancel two family trips: to Greenville, Tennessee and Reidsville, Georgia, because she was told she could not leave the state.
- b. Plaintiff was denied food, water, and the use of a telephone to call and inquire about the wellbeing of her children.

- c. Plaintiff suffered humiliation during her arrest when she was forced to remove her undergarments and change into an issued jumpsuit.
- d. Plaintiff suffered continued humiliation after the dismissal of her criminal charges when the charges and arrest appeared on her SLED report even after the court-ordered expungement; and
- e. Plaintiff suffered stigmatism of reputation and character, loss of enjoyment of life, wrongful imprisonment and confinement, deprivation of liberties, mental and emotional distress, depression, worry and anxiety.

FOR A FIRST CAUSE OF ACTION
(Negligence)

14. Plaintiff incorporates by reference all allegations set forth in the preceding paragraphs as if fully stated herein.

15. Defendants knew, or should have known through the exercise of reasonable diligence, prior to Plaintiff's arrest that Plaintiff's car did not match the description(s) of the suspect vehicles in this incident. Even with that information, Defendants Sunshine Recycling, LLC and Aiken Electric Cooperative, Inc. continued to pursue a case against Plaintiff by repeatedly telling law enforcement that she was responsible for the incident, and Defendant Orangeburg County Sheriff's Department did arrest Plaintiff and hold her against her will for at least seven and a half hours.

16. The conduct of the Defendants was negligent, careless, reckless, grossly negligent, willful and wanton to wit, in one or more of the following particulars:

- a. Ignoring information that Plaintiff was not the suspect in this case, in particular, the description of the suspect vehicle(s) contained in Incident Reports and video surveillance footage in the possession of the Defendants;

- b. In failing to conduct a proper investigation; and
- c. For other acts or omission as may be revealed in discovery.

17. As a result of the Defendants' negligence, Plaintiff was deprived of her freedom liberties and suffered injuries and damages.

18. Plaintiff is entitled to a judgment against Defendants Sunshine Recycling, LLC and Aiken Electric Cooperative, Inc., jointly and severally, to compensate her for the damages and injuries sustained, including recovery of punitive damages, in an amount to be determined by a jury.

19. Plaintiff is entitled to a judgment against Defendant Orangeburg County Sheriff's Department to compensate her for the damages and injuries sustained in an amount to be determined by a jury.

FOR A SECOND CAUSE OF ACTION
(False Imprisonment)

20. Plaintiff incorporates by reference all allegations set forth in the preceding paragraphs as if fully stated herein.

21. Defendants deprived Plaintiff of her personal liberties and freedoms without lawful justification through an unjustified arrest and subsequent imprisonment.

22. Probable cause did not exist to arrest Plaintiff and Defendants lacked a good faith belief that Plaintiff was guilty of a crime as would induce an ordinarily prudent and cautious police officer, under the circumstances, to believe likewise.

23. Defendants had no evidence linking the Plaintiff to the incident and had been given descriptions of two vehicles seen at the incident location that did not match Plaintiff's car.

24. Defendants willfully, intentionally and recklessly restrained and imprisoned Plaintiff through an unlawful arrest in violation of her established legal rights.

25. Plaintiff is entitled to a judgment against Defendants Sunshine Recycling, LLC and Aiken Electric Cooperative, Inc., jointly and severally, to compensate her for the damages and injuries sustained, including recovery of punitive damages, in an amount to be determined by a jury.

26. Plaintiff is entitled to a judgment against Defendant Orangeburg County Sheriff's Department to compensate her for the damages and injuries sustained in an amount to be determined by a jury.

FOR A THIRD CAUSE OF ACTION
(Malicious Prosecution)

27. Plaintiff incorporates by reference all allegations set forth in the preceding paragraphs as if fully stated herein.

28. Defendants maliciously instituted and continued criminal proceedings against Plaintiff.

29. The criminal proceedings were instituted and continued at the request of the Defendants.

30. The criminal proceedings were terminated in Plaintiff's favor and under circumstances for a reasonable person to believe that are consistent or implicit with her innocence.

31. Defendants were malicious, and disregarded the consequences of their injurious act in instituting and continuing such criminal proceedings against Plaintiff.

32. Defendants lacked probable cause for her arrest.

33. Plaintiff is entitled to a judgment against Defendants Sunshine Recycling, LLC and Aiken Electric Cooperative, Inc., jointly and severally, to compensate her for the damages

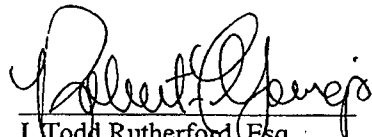
and injuries sustained, including recovery of punitive damages, in an amount to be determined by a jury.

34. Plaintiff is entitled to a judgment against Defendant Orangeburg County Sheriff's Department to compensate her for the damages and injuries sustained in an amount to be determined by a jury.

WHEREFORE, Plaintiff is informed and believes that she is entitled to judgment against the Defendants for actual and punitive damages as sought herein, for the costs of this action, and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

By:


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(803) 256-9698 (facsimile)

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(877) 789-6340 (facsimile)

Attorneys for Plaintiff

Columbia, South Carolina

May 24 2013

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

Meredith Huffman,

Plaintiff,

v.

Orangeburg County Sheriff's Department,
Sunshine Recycling, LLC and Aiken Electric
Cooperative, Inc.,

Defendants.

IN THE COURT OF COMMON PLEAS

CIVIL ACTION NO.: 2012-CP-38-00672

**DEFENDANT SUNSHINE RECYCLING'S
ANSWER TO PLAINTIFF'S AMENDED
COMPLAINT
(Jury Trial Demanded)**

Defendant Sunshine Recycling ("Sunshine Recycling") hereby answers the allegations of Plaintiff Meredith Huffman's ("Plaintiff") Amended Complaint, in accordance with the numbered paragraphs thereof, as follows:

FOR A FIRST DEFENSE
(12(b)(6))

Sunshine Recycling would show that Plaintiff has failed to allege facts sufficient to constitute a cause of action against Sunshine Recycling; therefore, Plaintiff's Amended Complaint should be dismissed pursuant to Rule 12(b)(6) of the South Carolina Rules of Civil Procedure.

FOR A SECOND DEFENSE
(General Denial)

Sunshine Recycling denies each and every allegation of the Plaintiff's Amended Complaint not hereinabove specifically admitted, explained or modified.

1. Sunshine Recycling is currently without knowledge or information sufficient to form a belief as to the allegations of Paragraph 1, and therefore denies the same and demands strict proof thereof.

2. As to Paragraph 2, the allegations are not directed at Sunshine Recycling and, therefore, do not require a response.

3. As to Paragraph 3, Sunshine Recycling admits that it is in the business of providing recycling services in Orangeburg, South Carolina, and that its principal place of business is located at 1105 Southland Road in Orangeburg, South Carolina. The remaining allegations of Paragraph 3 state a legal conclusion and, therefore, do not require a response.

4. As to Paragraph 4, the allegations are not directed at Sunshine Recycling and, therefore, do not require a response.

5. Sunshine Recycling is currently without knowledge or information sufficient to form a belief as to the allegations contained in Paragraphs 5 and 6 and, therefore, denies the same and demands strict proof thereof.

6. As to the first sentence of Paragraph 7, Sunshine Recycling denies that Plaintiff was restrained at the direction and request of Sunshine Recycling. Sunshine Recycling is currently without knowledge or information sufficient to form a belief as to the remaining allegations of the first sentence of Paragraph 7. Sunshine Recycling is currently without knowledge or information sufficient to form a belief as to the allegations contained in the second sentence of Paragraph 7. Sunshine Recycling denies the third sentence of Paragraph 7 as it relates to this Defendant.

7. Sunshine Recycling is currently without knowledge or information sufficient to form a belief as to the allegations contained in Paragraphs 8 through 10 and, therefore, denies the same and demands strict proof thereof.

8. Sunshine Recycling denies the allegations contained in Paragraph 11 as it relates to this Defendant, and demands strict proof thereof.

9. Sunshine Recycling is currently without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 12 and, therefore, denies the same and demands strict proof thereof.

10. Sunshine Recycling denies the allegations contained in Paragraph 13 (including all subparts), and demands strict proof thereof.

11. Paragraph 14 is a paragraph of incorporation that requires no response from Sunshine Recycling. However, to the extent a response is required, Sunshine Recycling incorporates its responses to Paragraphs 1 through 14 above.

12. Paragraphs 15 through 18 are denied as it relates to this Defendant.

13. The allegations contained in Paragraph 19 are not directed at Sunshine Recycling, and, therefore, do not require a response. To the extent a response is required, Sunshine Recycling denies the allegations contained in Paragraph 19 to the extent they allege wrongdoing on the part of Sunshine Recycling.

14. Paragraph 20 is a paragraph of incorporation that requires no response from Sunshine Recycling. However, to the extent a response is required, Sunshine Recycling incorporates its responses to Paragraphs 1 through 19 above.

15. Paragraphs 21 through 25 are denied as it relates to this Defendant.

16. The allegations contained in Paragraph 26 are not directed at Sunshine Recycling and, therefore, do not require a response.

17. Paragraph 27 is a paragraph of incorporation that requires no response from Sunshine Recycling. However, to the extent a response is required, Sunshine Recycling incorporates its responses to Paragraphs 1 through 26 above.

18. Paragraphs 28 through 33 are denied as it relates to this Defendant.

19. The allegations contained in Paragraph 34 are not directed at Sunshine Recycling and, therefore, do not require a response.

20. Sunshine Recycling denies any and all allegations contained in the Paragraph of the Amended Complaint beginning "WHEREFORE" including but not limited to any allegations stating the Plaintiff is entitled to any form of recovery from Sunshine Recycling.

FOR A THIRD DEFENSE
(Comparative Negligence)

21. Any injuries or damages sustained by the Plaintiff were due to and caused by his negligence, carelessness, and/or recklessness ("negligence"), combining, concurring, and contributing with the negligence of Sunshine Recycling, if any, without which contributory negligence, the Plaintiff's alleged injuries and damages would not have been incurred or sustained. Should the negligence of the Plaintiff be shown to be greater than that of Sunshine Recycling, the Plaintiff is not entitled to any recovery. Should the negligence of the Plaintiff be shown to be less than that of Sunshine Recycling, the Plaintiff's recovery should be reduced by his percentage of fault.

FOR A FOURTH DEFENSE
(Plaintiff's Sole Negligence)

22. Sunshine Recycling would show that the injuries and damages sustained by Plaintiff, if any, were directly and proximately caused by Plaintiff's sole negligence/gross negligence/recklessness, for which reason Plaintiff's claims are barred.

FOR A FIFTH DEFENSE
(Sole Negligence of Others)

23. Sunshine Recycling alleges upon information and belief that any injury and damage sustained by the Plaintiff were due to and caused by the sole negligence and acts or omissions of some person or persons over whom Sunshine Recycling exercised no authority or

control, for which reason Sunshine Recycling is not liable to the Plaintiff in any sum whatsoever.

FOR A SIXTH DEFENSE
(Constitutionality of Punitive Damages)

24. Sunshine Recycling alleges that Plaintiff's claim for punitive damages violates both the Fourteenth Amendment of the United States Constitution and Article I, Section 3 of the South Carolina constitution in one or more of the following particulars:

- a. That the jury's unfettered power to award punitive damages in any amount it chooses is wholly devoid of a meaningful standard and is inconsistent with due process guarantees.
- b. That, even if a standard governing the award of punitive damages does exist, this standard is void for vagueness.
- c. That the amount of punitive damages awarded is based upon the wealth of Sunshine Recycling in violation of their right to equal protection of the laws.

FOR A SEVENTH DEFENSE
(Good Faith)

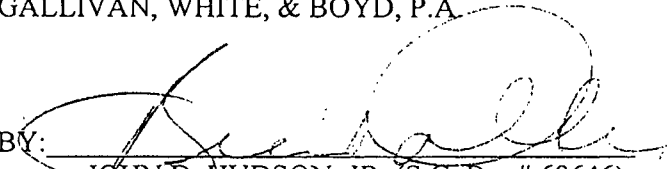
25. Sunshine Recycling would show that it acted in good faith at all times relevant hereto.

WHEREFORE, having fully answered the Amended Complaint of the Plaintiff, Sunshine Recycling prays that the Amended Complaint be dismissed with prejudice, for the costs of this action, and for such other and further relief as the Court deems just and proper.

[signature page attached]

Respectfully submitted,

GALLIVAN, WHITE, & BOYD, P.A.

BY: 

JOHN D. HUDSON, JR. (S.C. Bar # 68646)
BREON C. M. WALKER (S.C. Bar # 72030)
Post Office Box 7368
Columbia, South Carolina 29202
TEL: (803) 779-1833

**ATTORNEYS FOR DEFENDANT SUNSHINE
RECYCLING**

Columbia, South Carolina
June 7, 2013

STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF ORANGEBURG	)	
Meredith Huffman,	)	Civil Action No. 2012-CP-38-672
	)	
Plaintiff,	)	
	)	
vs.	)	NOTICE OF MOTION AND MOTION
	)	TO DISMISS BY DEFENDANT AIKEN
Orangeburg County Sheriff's	)	ELECTRIC COOPERATIVE, INC.
Department, Sunshine Recycling,	)	
LLC, and Aiken Electric	)	
Cooperative, Inc.,	)	
	)	
Defendants.	)	
_____	)	

TO: THE PLAINTIFF and her attorney, ROBERT F. GOINGS

YOU WILL PLEASE TAKE NOTICE that Defendant Aiken Electric Cooperative, Inc. will move before the Court at such time and place as the Court may determine for an order dismissing the action against it. The motion is made upon the following grounds:

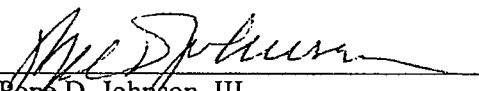
1. The first cause of action for negligence should be dismissed for failure to state facts sufficient to constitute a cause of action against this defendant because this defendant did not engage in any of the acts of negligence as alleged in the Amended Complaint and the defendant owed no duty to the plaintiff regarding its investigation.

2. That the second cause of action for false imprisonment should be dismissed against this defendant because this defendant did not falsely imprison the plaintiff and a claim for false imprisonment will not lie when a party is imprisoned by a law enforcement officer pursuant to a facially valid warrant.

#1

3. The third cause of action for malicious prosecution fails to state facts sufficient to constitute a cause of action against this defendant since this defendant did not institute process against the plaintiff, with malice. As a result, the third cause of action for malicious prosecution fails to state facts sufficient to constitute a cause of action against this defendant.

The Affidavit of Mark Goss is submitted in support of the motion to dismiss. The Court is asked to take judicial notice of the file in the Magistrate's Court.


Pope D. Johnson, III
Johnson & Barnette, LLP
P.O. Drawer 11209
Columbia, SC 29211-1209
803-799-9791
803-253-6084 (fax)
pdjohnson@johnsonbarnette.com
**Attorney for Defendant Aiken Electric
Cooperative, Inc.**

Columbia, South Carolina
June 27, 2013

2

STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS.
COUNTY OF ORANGEBURG	)	
Meredith Huffman,	)	Civil Action No. 2012-CP-38-672
	)	
Plaintiff,	)	
	)	
vs.	)	AFFIDAVIT OF MARK GOSS
	)	
Orangeburg County Sheriff's	)	
Department, Sunshine Recycling,	)	
LLC, and Aiken Electric	)	
Cooperative, Inc.,	)	
	)	
Defendants.	)	
	)	

PERSONALLY APPEARED BEFORE ME, Mark Goss, who being duly sworn, deposes and says:

1. I am Mark Goss. I am employed by Aiken Electric Cooperative, Inc. ("Aiken Electric") as the Loss Control and Safety Coordinator. I have worked for Aiken Electric for 29 years. I make this affidavit based upon personal knowledge.

2. Aiken Electric suffered a theft loss that occurred on May 16, 2010. The thief stole the items listed on Exhibit A. Attached hereto marked Exhibit B is the Incident Report regarding the theft. Also attached as Exhibit C is a CD showing a black male in the Aiken Electric building.

3. An Aiken Electric employee saw a white truck driving out of the Aiken Electric parking lot. Attached as Exhibit D is the employee's statement.

4. I became involved in the matter on May 17, 2010. When Aiken Electric suffers a theft loss of this nature, I normally check with the metal recyclers in the area to see whether the thief has tried to sell the copper and aluminum. When I went to Sunshine Recycling, LLC on May 17, 2010, I saw the goods which had been stolen from Aiken Electric and sold to Sunshine Recycling, LLC. I had reviewed the surveillance camera footage from AEC and saw it had filmed a black male on the Aiken Electric grounds, but I did not have a copy.

5. When I saw the Aiken Electric goods, I spoke to the owner who spoke to his employee in Spanish. According to the owner, his Hispanic employee told him that a white woman had sold the copper wire and aluminum wire, not a black male.

6. Deputies from the Orangeburg County Sheriff's Department arrived at Sunshine Recycling, LLC. I told them what our video showed and our employee reported and Joe and I told them what the Hispanic employee of Sunshine Recycling, LLC had said. Attached as Exhibit E are Supplemental Incident Reports. I also told him that Sunshine Recycling, LLC had a video showing the transaction. A copy of the video is attached as Exhibit F. I told him that Aiken Electric wanted the person who sold the copper and aluminum to be charged and prosecuted. I asked that the deputies review the video to determine who had sold the Aiken Electric copper and aluminum, and I was assured that they would view the video to identify the thief.

7. I did not review the video tape because I had to get back to the office to work on another matter. Later, I went to Sunshine Recycling, LLC to get a copy of the video for my file. When I reviewed the video, I was able to determine that the Aiken Electric goods had been sold by a black male driving a white truck. See Exhibit F.

8. The Orangeburg County Sheriff's Department contacted me to let me know they had arrested Meredith Huffman, a white female. Investigator Etheridge told me Mrs. Huffman maintained she did not do it. I again told them we believed the thief to be a black male, and again asked them to review the video from Sunshine Recycling. I secured a copy of the video and contacted the Orangeburg County Sheriff's Department to determine what action, if any, the Sheriff's Department had taken. I reiterated to the investigator, Mr. Ethridge, that the Sheriff's Department had arrested the wrong person. I asked that the investigator confirm this by reviewing the video, which the investigator did. He subsequently told me that the charges would be dropped against Meredith Huffman but the charges could not be dropped until the day of the hearing. I got the impression that Mr. Ethridge already knew that they had arrested the wrong person.

9. I did not direct or request that the Sheriff's Department arrest and restrain Meredith Huffman. The decision to arrest her was made by the Orangeburg County Sheriff's Department. The video clearly showed the black male who sold the copper and aluminum.

10. Aiken Electric had nothing to do with the pursuit of the case against the plaintiff and never told or repeatedly told law enforcement that she was responsible for the theft, as alleged in the Complaint. I understood that the Sheriff's Department investigator would review the video. If he had, he could have readily and easily determined that the copper and aluminum was sold by a black male driving a white truck.

11. Aiken Electric did not institute or continue any criminal proceedings against the plaintiff. As soon as I realized that the person who sold the copper and aluminum to Sunshine Recycling, LLC was a black male but that the plaintiff, a white female, had been arrested, I called those matters to the attention of the Orangeburg County Sheriff's Department and advised them that the Sheriff's Department had arrested the wrong person.

12. The Amended Complaint contains the following allegation:

"16. The conduct of the Defendants was negligent, careless, reckless, gross negligent, willful and wanton to wit, in one or more of the following particulars:

- a. Ignoring information that Plaintiff was not the suspect in this case, in particular, the description of the suspect vehicle(s) contained in Incident Reports and video surveillance footage in the possession of the Defendants;
- b. In failing to conduct a proper investigation; and
- c. For other acts or omission as may be revealed in discovery."

Aiken Electric did not ignore any information or fail to conduct a proper investigation. Aiken Electric was a victim of the crime of theft. Under Section 16-3-1505, et.seq., the South Carolina Victim's Rights Act, crime victims have a civil and moral right to cooperate with law enforcement and prosecuting agencies, which is what Aiken Electric did. Aiken Electric relies upon law enforcement and prosecuting agencies to properly investigate crimes and prosecute only where probable cause exists.

SWORN TO AND SUBSCRIBED BEFORE ME

this 21 day of June, 2013

Robyn R McCay
Notary Public for South Carolina

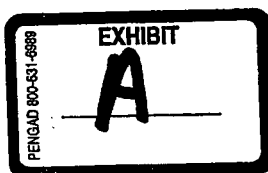
Mark Goss

Mark Goss

My Commission Expires: _____

~~MY COMMISSION EXPIRES~~ JULY 6, 2015

	Pounds	Price/pound	Total
1/0 CU Bare Stranded	8	\$ 4.68	\$ 37.44
# 2 Solid Copper	12.5	\$ 5.42	\$ 67.75
# 6 Solid Copper	50	\$ 4.82	\$ 241.00
Aluminum Tie Wire	50	\$ 2.34	\$ 117.00
Total			\$ 463.19



Agency I.D.
SC0 380000

INCIDENT REPORT

INFORMATION
ONLY

CASE NUMBER

NCIC
INQ. ENTG.

201010058013

INCIDENT TYPE		COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. Trespassing		☒ YES ☐ NO	☐ YES ☐ NO	Parking		☐ Individual ☐ Business ☐ Financial Inst. ☐ Government ☐ Relig. Orgn. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.
2.		☐ YES ☐ NO	☐ YES ☐ NO			
3.		☐ YES ☐ NO	☐ YES ☐ NO			
INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)						
8381 North Rd North SC ZIP CODE 29112 WEAPON TYPE						
INCIDENT DATE	24 HRL. CLOCK	TO	DATE	24 HRL. CLOCK	DISPATCH DATE/TIME 24 HRL. CLOCK	LOCATION NO.
5-16-10	2130		5-16-10	2247	5-16-10 2201	04
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX
Rushon, Charles		#1 #2 #3		☒ SOU	W	M
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.
8381 North Rd		North		SC	29112	04
VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX
Aiken Electric		#1 #2 #3		☒ SOU	W	M
HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.		
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.
8381 North Rd		North		SC	29112	04
VISIBLE INJURY (VICT. 1) ☐ YES ☐ NO ☐ EXPLAIN						
VISIBLE (NO. 1) USING: ALCOHOL ☐ YES ☐ NO ☐ UNK. ☐ DRUGS: ☐ YES ☐ NO ☐ UNK. ☐ TYPE:						
COMPLAINT OF ANY NON-VISIBLE INJURIES: ☐ YES ☐ NO						
TWO-MAN VEH. ☐ ONE-MAN VEH. ☐ DETECTIVE/SPL. ASMT. ☐ OTHER ☐ ALONE ☐ ASSIGNED ☐ J-This jurisdiction. S-State. O-Out of State. U-Unknown.						
SUSPECT		NAME (LAST, FIRST, MIDDLE)		RACE	SEX	AGE
Unknown		Unknown		U	U	U
WANTED		FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.		DATE OF BIRTH	HEIGHT	WEIGHT
				UNK	UNK	UNK
WARRANT		ADDRESS		CITY	STATE	ZIP CODE
		Unknown		Unknown	U	Unknown
ARREST		SUBJECT (NO. 1) USING: ALCOHOL ☐ YES ☐ NO ☐ UNK. ☐ DRUGS: ☐ YES ☐ NO ☐ UNK. ☐ TYPE:		ARRESTED NEAR OFFENSE SCENE ☐ YES ☐ NO ☐ DATE/TIME OF OFFENSE		DATE/TIME OF ARREST
				TOTAL # ARRESTED		

On 5-16-10. This deputy responded to the above incident type. Upon arrival I spoke to the complainant (Charles Rushon) and he stated that the security camera showed a unknown subject on the premise. At the incident location, this unit conducted a security check of the incident location and did not locate the subject. Complainant stated that it is unknown if any items were taken.

I HAVE RECEIVED A COPY OF THE 1997 VICTIMS AND WITNESS SERVICES STATUTE.

Signature		Jurisdiction Of Theft Law Enforcement Agency		Jurisdiction Of Recovery Law Enforcement Agency	
TYPE (GROUP)					TOTAL VALUE
STOLEN					
DAMAGED					
BURNED					
RECOVERED					
SEIZED					
SUBJECT IDENTIFIED ☐ YES ☒ NO		SUBJECT LOCATED ☐ YES ☒ NO		ACTIVE ☒ UNFOUNDED ☐ ADM. CLOSED ☐	
SON FOR EXCEPTIONAL CLEARANCE		1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION		3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION	
Huggins, M		5-16-10 123		Sgt Hunter 5-16-10 C109	

RENGAD 800-631-6388

EXHIBIT

B

Exhibit C
[on CD]

On May 16, 2010 I was returning to my home in North from Orangeburg around 9 to 10 o'clock. Upon approaching the truck entrance to Aiken Electric I noticed a white F150 pickup truck turn out of the drive and head towards Orangeburg. The truck was an older model long bed pickup.

Charles J. Spivey Jr.

June 3 2010

Mark Cross

June 3 2010



SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER _____

NGIC

INQ.	ENTI

20.10.00.58.03

PAGE 1 of 1 PAGES

☐ ORIGINAL
REPORT

☐ MODIFIES
ORIGINAL

☒ SUPPLEMENTAL
REPORT

☐ CASE STATUS
CHANGE

☐ ADDITIONAL VICTIMS

☐ ADDITIONAL OFFENDERS

☐ ADDITIONAL
STOLEN PROPERTY

☐ ADDITIONAL
RECOVERED PROPERTY

VICT./SUBJ. I.D. OVERFLOW

☒ COMPLAINT ☐ VICTIM # _____ ☐ SUBJECT # _____ ☐ RUNAWAY ☐ WANTED ☐ WARRANT ☐ ARREST ☐ JAIL ☐ SUMMONS ☐ _____		NAME (LAST, FIRST, MIDDLE) Goss, Mark		VICTIM RELATIONSHIP TO SUBJECT: #1 RU #2 _____ #3 _____		RESIDENT DOU		RACE W	SEX M	AGE 47	D.O.B. 5-5-68	ET _____	
HEIGHT 511		WEIGHT 200	HAIR BRO	EYES BRO	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.								
ADDRESS 8381 North Rd					CITY North		STATE SC	ZIP CODE _____	LOCATION NO. _____		DAY PHONE 803 221-3590		EVENING PHONE 803 221-3590
☐ VICTIM NO. _____ VISIBLE INJURY ☐ NO ☐ YES					COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLASMT. ☐ ALONE				
EXPLAIN: _____					DRUGS: ☐ NO ☐ YES TYPE: _____		☐ ONE-MAN VEHICLE ☐ OTHER		☐ ASSISTANT				
☐ SUBJECT NO. _____ USING ALCOHOL ☐ NO ☐ YES													

VICT./SUBJ. I.P. OVERFLOW

☐ COMPLAINT	NAME (LAST, FIRST, MIDDLE)		USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK		VICTIM RELATIONSHIP TO SUBJECT:		RESIDENT	RACE	SEX	AGE	D.O.B.	ETH.
☐ VICTIM #	Unknown		#1		#2		#3	JSOU	W	W	4	W
☒ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.							
☐ RUNAWAY	W	W	W	W								
☐ WANTED	ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.	DAY PHONE		EVENING PHONE		
☐ WARRANT	Unknown		Unknown		W	W	W	Unknown ^H		Unknown ^H		
☐ ARREST	☐ VICTIM NO. _____		☐ VISIBLE INJURY ☐ NO ☐ YES		COMPLAINT OF NON-VISIBLE INJURIES:		VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK		☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPASMT. ☐ ALONE			
☐ JAIL	EXPLAIN:		☐ NO ☐ YES		☐ NO ☐ YES		DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK		☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED			
☐ SUMMONS	☐ SUBJECT NO. _____		USING ALCOHOL ☐ NO ☐ YES		USING DRUGS: ☐ NO ☐ YES → TYPE: ☐ UNK							

NARRATIVE

On 05-17-10 This deputy spoke to the above complainant (Mark Goss), in reference to case #200005803. Complainant stated that an unknown subject stole the following items from the incident location. (1) boat cooper, (2) #6 cooper, (1) roll of aluminum. Estimated value of items taken are \$330.00. Complainant stated that a white Ford F-150 was seen on the security camera at the incident location. This incident type has been charge to Burglary.

VEH. / GUN / ETC. 1

STATUS	TYPE	VIN AND/OR LICENSE NO.		BOAT HULL NO. AND/OR REG. NO.	
☐ STOLEN	☐ VEHICLE	SERIAL AND/OR OWNER APPLIED NO.			
☐ RECOVERED	☐ GUN	YEAR OF REGISTRATION			STATE
☐ FOUND	☐ BOAT	YEAR OF EXPIRATION		YEAR	MAKE
☐ TOWED	☐ LICENSE PLATE	MODEL	STYLE	COLOR	TYPE
☐ SUSPECT	☐ SECURITIES/BONDS, STOCKS	NIC NO.		DENOMINATION	BRAND NAME
☐ VICTIM	☐ ARTICLE	MISCELLANEOUS		ISSUER	CALIBER
					SECURITIES DATE

PROPERTY EST.	TYPE (GROUP)							TOTAL VALUE
	STOLEN	Copper	Alumini					
DAMAGED	300	20						
BURNED								
RECOVERED								
SEIZED								
							330	

SUBJECT IDENTIFIED ☐ YES ☒ NO		SUBJECT LOCATED ☐ YES ☒ NO		☒ ACTIVE ☒ ADM. CLOSED ☐ UNFOUNDED		☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER		☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER	
REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED									
REPORTING OFFICER(S)									

REPORTING OFFICER(S)

DATE _____

UNIT

NUMBER

CONCLUSION

4. ☐ VIC

NG OFFICER

☐ - I MEAN

GOVERNMENT

OVER

STUDY

WHITE - RECORDS.

YELLOW - S.L.E.D.

ROA 42

AGENCY I.D.
SC0 380000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

2010005803

NCIC

INQ. ENTI

☐ ORIGINAL REPORT	☒ SUPPLEMENTAL REPORT	☐ ADDITIONAL VICTIMS	☐ ADDITIONAL STOLEN PROPERTY	PAGE <u>1</u> of <u>1</u> PAGES.
☐ MODIFIES ORIGINAL	☐ CASE STATUS CHANGE	☒ ADDITIONAL OFFENDERS	☐ ADDITIONAL RECOVERED PROPERTY	

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)	VICTIM RELATIONSHIP TO SUBJECT:		RESIDENT	RACE	SEX	AGE	D.O.B.	ET	
	☒ VICTIM # 1	AIKEN, ELECTRIC	#1	#2	#3	DOU					
	☐ SUBJECT #	HEIGHT WEIGHT HAIR EYES FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.									
	☐ RUNAWAY										
VICT./SUBJ. I.D. OVERFLOW	☐ WANTED	ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE	EVENING PHONE			
	☐ WARRANT	8381 NORTH RD	ORANGEHURST	SC	29115	0					
	☐ ARREST	☐ VICTIM NO. ☐ VISIBLE INJURY ☐ NO ☐ YES	COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		TWO-MAN VEHICLE ☐ DETECTIVE/PLASMT. ☐ ALONE				
	☐ JAIL	EXPLAIN:	☐ NO ☐ YES		DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.		ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTE				
VICT./SUBJ. I.D. OVERFLOW	☐ SUMMONS	☐ SUBJECT NO. ☐ USING ALCOHOL ☐ NO ☐ YES	☐ USING DRUGS: ☐ NO ☐ YES ☐ TYPE: ☐ UNK.								
	☐										
	☐										
	☐										
VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)	VICTIM RELATIONSHIP TO SUBJECT:		RESIDENT	RACE	SEX	AGE	D.O.B.	ET	
	☒ VICTIM # 1	HOFFMAN, MEREDITH	#1	#2	#3	U	W	F	40	10-8-71	N
	☐ SUBJECT #	HEIGHT WEIGHT HAIR EYES FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.									
	☐ RUNAWAY										
VICT./SUBJ. I.D. OVERFLOW	☐ WANTED	ADDRESS	CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE	EVENING PHONE			
	☐ WARRANT		ST MATTHEWS	SC	29135	6					
	☐ ARREST	☐ VICTIM NO. ☐ VISIBLE INJURY ☐ NO ☐ YES	COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		TWO-MAN VEHICLE ☐ DETECTIVE/PLASMT. ☐ ALONE				
	☐ JAIL	EXPLAIN:	☐ NO ☐ YES		DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.		ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTE				
VICT./SUBJ. I.D. OVERFLOW	☐ SUMMONS	☒ SUBJECT NO. ☐ USING ALCOHOL ☐ NO ☐ YES	☐ USING DRUGS: ☐ NO ☐ YES ☐ TYPE: ☐ UNK.								
	☐										
	☐										
	☐										

THIS UNIT MET WITH JOSEPH RECH, OWNER OF SHERBORN RECORDING, IN REFERENCE TO THE SUBJECT BRIDGEMAN IN METAL THAT HAD BEEN IDENTIFIED AS STOLEN FROM THE VICTIM. THIS UNIT MET WITH MARK CROSS OF AIKEN ELECTRIC, VERIFY THAT THE METALS AT SHERBORN MATCHED SAMPLES THAT HE HAD BROUGHT. THIS UNIT OBSERVED THE SUBJECT ON VIDEO AT THE PAYMENT TERMINAL, AND THIS UNIT WAS ALSO PROVIDED WITH A COPY OF THE RECEIPT. MR RECH ADVISED THAT HE WOULD PROVIDE CROSS WITH A COPY OF THE VIDEO. THE SUBJECT WAS DRIVING A BLACK DODGE PICK-UP TRUCK SC TAG: AFB 106. THIS UNIT WILL FORWARD THIS TO

Red

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY

JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1	STATUS	TYPE	VIN AND/OR LICENSE NO.	BOAT HULL NO. AND/OR REG. NO.
	☐ STOLEN	☐ VEHICLE		
	☐ RECOVERED	☐ GUN		
	☐ FOUND	☐ BOAT		
VEH. / GUN / ETC. 1	☐ TOWED	☐ LICENSE PLATE	YEAR OF REGISTRATION	YEAR OF EXPIRATION
	☐ SUSPECT	☐ SECURITIES/BONDS, STOCKS	MODEL	STYLE
	☐ VICTIM	☐ ARTICLE	NIC NO.	DENOMINATION
			MISCELLANEOUS	
VEH. / GUN / ETC. 1			STATE	YEAR
			MAKE	TYPE
			COLOR	BRAND NAME
			ISSUER	SECURITIES DATE

PROPERTY EST.	TYPE (GROUP)									TOTAL VALUE
	STOLEN									
	DAMAGED									
	BURNED									
PROPERTY EST.	RECOVERED									
	SEIZED									

ADMINISTRATIVE	SUBJECT IDENTIFIED	SUBJECT LOCATED	☐ ACTIVE	☐ ADM. CLOSED	☐ ARRESTED UNDER 18	☐ EX-CLEAR UNDER 18
	☒ YES	☐ YES	☐ UNFOUNDED	☐ ARRESTED 18 AND OVER	☐ EX-CLEAR 18 AND OVER	
	REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY					
	REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
ADMINISTRATIVE	A. ALDRIDGE	5-17-10	C120	Sgt. J. [Signature]	5/17/10	C106
	FOLLOW-UP INVESTIGATION ☐ YES ☐ NO ☐					

WHITE - RECORDS

YELLOW - S.I.E.D.

EXHIBIT F
[on CD]

STATE OF SOUTH CAROLINA)

COUNTY OF ORANGEBURG)

IN THE COURT OF COMMON PLEAS

Meredith Huffman,)

Plaintiff,)

v.)

Orangeburg County Sheriff's Department,)
Sunshine Recycling, LLC, and Aiken Electric)
Cooperative, Inc.,)

Defendants.)

STIPULATION OF DISMISSAL
(only as to Orangeburg County Sheriff's Department)

Case Number 2012-CP-38-672

It appearing that the above entitled action has been resolved by and between the ^{plaintiff and} ~~parties,~~
Orangeburg County Sheriff's Department (27)
now, by stipulation of the undersigned counsel, it is hereby

AGREED that this action shall be and is dismissed with prejudice *as to Orangeburg County*
Sheriff's Department (52)

WE SO STIPULATE:

Robert F. Goings
Robert F. Goings
Attorney for Plaintiff

Date: *Dec 3, 2013*

Norma A. T. Jett
Norma A. T. Jett
Attorney for Defendant

Date: *12/16/13*

STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG

Meredith Huffman,

Plaintiff,

v.

Orangeburg County Sheriff's Department,
Sunshine Recycling, LLC and Aiken Electric
Cooperative, Inc.,

Defendants.

IN THE COURT OF COMMON PLEAS

CIVIL ACTION NO.: 2012-CP-38-00672

**DEFENDANT SUNSHINE RECYCLING,
LLC'S NOTICE OF MOTION AND
MOTION FOR SUMMARY JUDGMENT**

**TO: ROBERT F. GOINGS, ESQUIRE, AND J. TODD RUTHERFORD, ESQUIRE,
ATTORNEYS FOR THE PLAINTIFF**

YOU WILL PLEASE TAKE NOTICE that Defendant Sunshine Recycling, LLC, ("Defendant Sunshine") by and through its undersigned counsel, will move at a date and time to be set by the Court, but no sooner than ten (10) days after service hereof, for an order pursuant to Rule 56 of the South Carolina Rules of Civil Procedure granting summary judgment in Defendant Sunshine's favor as to all causes of action listed in Plaintiff's Complaint. The motion is based on the following:

1. Plaintiff has failed to produce any evidence that tends to prove that Defendant Sunshine was negligent, careless, reckless, grossly negligent, willful and wanton by:

- a) Ignoring that Plaintiff was not the suspect in this case;
- b) Failing to conduct a proper investigation; and
- c) For any other acts or omissions revealed during discovery.

2. Plaintiff has failed to produce any evidence that tends to prove that Defendant Sunshine deprived Plaintiff of her personal liberties and freedoms without lawful justification through an unjustified arrest and subsequent imprisonment.

3. Plaintiff has failed to produce any evidence that tends to prove that Defendant Sunshine:

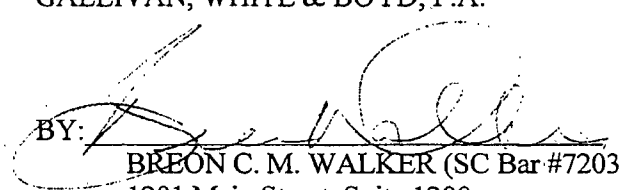
- a) Maliciously instituted and continued criminal proceedings against Plaintiff; and
- b) That the criminal proceedings were instituted and continued at the request of Defendant Sunshine.

For the foregoing reasons, Defendant Sunshine hereby moves the Court for an Order Granting its Motion for Summary Judgment as to all of Plaintiff's claims.

This motion is made pursuant to Rule 56 of the South Carolina Rules of Civil Procedure and is based upon the pleadings that have been filed in this action, supporting memoranda of law filed or to be filed prior to hearing, and the applicable common and statutory law of the State of South Carolina. Defendant further reserves the right to supplement this Motion prior to hearing.

Respectfully Submitted,

GALLIVAN, WHITE & BOYD, P.A.

BY: 

BREON C. M. WALKER (SC Bar #72030)
1201 Main Street, Suite 1200
Post Office Box 7368
Columbia, South Carolina 29202
TEL: (803) 779-1833

**ATTORNEY FOR DEFENDANT SUNSHINE
RECYCLING, LLC**

Columbia, South Carolina
January 20, 2014

STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG

Meredith Huffman,

Plaintiff,

v.

Orangeburg County Sheriff's Department,
Sunshine Recycling, LLC and Aiken Electric
Cooperative, Inc.,

Defendants.

IN THE COURT OF COMMON PLEAS

CIVIL ACTION NO.: 2012-CP-38-00672

**DEFENDANT SUNSHINE RECYCLING,
LLC'S MEMORANDUM IN SUPPORT OF
ITS MOTION FOR SUMMARY
JUDGMENT**

**TO: ROBERT F. GOINGS, ESQUIRE, AND J. TODD RUTHERFORD, ESQUIRE,
ATTORNEYS FOR THE PLAINTIFF**

Defendant Sunshine Recycling, LLC (hereinafter "Defendant" or "Sunshine"), by and through its undersigned attorneys, has moved for an entry of an Order granting its Motion for Summary Judgment on the grounds that Plaintiff has not presented any genuine issues of material fact, and Sunshine is entitled to summary judgment as a matter of law against Plaintiff. Sunshine submits this Memorandum in Support of its Motion.

I. INTRODUCTION AND BACKGROUND

This case arises out of an incident involving trespass and stolen property at Defendant Aiken Electric's facility in North, South Carolina on May 16, 2010. Mark Goss, Aiken

Electric's Loss Control and Safety Coordinator, testified that this facility has more thefts than any other of Aiken Electric's locations because of its proximity to two recycling centers in the area, Orangeburg Recycling and Defendant Sunshine Recycling. (See Goss Deposition, pp. 29-30, attached as Exhibit A). On or about May 16, 2010, Goss received a call from Aiken Electric's dispatch informing him that someone was under a shed stealing copper on the premises. (See Goss Deposition, p. 31). When someone enters the yard after hours, an alarm goes off and the surveillance camera automatically starts recording. Charles Rushton, the manager of the North facility, also received the call from dispatch and both men headed to the facility from their respective houses. Rushton reported the trespass to the Orangeburg County Sheriff's Department and Officer Huggins of the Sheriff's Department responded to the report. Goss testified that by the time he arrived at the facility, the thief was already gone and Officer Huggins was on the scene. (See Goss Deposition pp. 32-33). Goss and Rushton were unable to determine what, if anything, had been taken from the facility and had to wait until the following morning for the linemen to arrive to make the determination. On May 17, Goss supplemented the incident report to Huggins, informing him that Aiken Electric was able to determine that approximately \$330.00 of copper and wire aluminum was stolen from its facility and that a white Ford F-150 was seen on the security camera. (See Goss Deposition pp. 34-36, 41).

According to Goss, he went to Sunshine the same morning with the list of stolen items to inquire if anyone tried to sell the items matching those on the list. Goss met with Joseph Rich, the owner of Sunshine, and Rich took him back to the metal drop-off area, and also where the surveillance video was located. Goss testified that he observed copper and aluminum matching what was stolen from Aiken Electric in a pile on the floor. (See Goss Deposition pp. 36, 44). According to Goss, Rich spoke to a Hispanic Sunshine employee in Spanish and translated that

the employee said "a lady dropped off the metal." (*See Goss Deposition p. 48*). Goss testified that he informed Rich that the person in Aiken Electric's surveillance video was a black male in a white Ford pick-up truck. (*See Goss Deposition p. 46*).

Officer Aldridge of the Sheriff's Department responded to a call at Sunshine, where Rich and Goss were waiting for him. Upon Aldridge's arrival, Goss showed him samples of the metal from Aiken Electric that matched the metal at Sunshine. Aldridge then observed Plaintiff at the payment window on Sunshine's surveillance video and was provided a supporting receipt from Sunshine. (*See Goss Deposition, pp. 53-54*). Aldridge testified Rich advised him he would provide the Sheriff's Department with a copy of the surveillance video.

On May 18, Officer Etheridge of the Sheriff's Department was contacted by Goss, who informed Etheridge that he was at Sunshine at the time Plaintiff brought the metal in, actually spoke with Plaintiff and identified the stolen metal after Plaintiff left Sunshine. Officer Etheridge went to Sunshine and met with Goss and Rich. He was given the invoice and receipt of Plaintiff's transaction. (*See Etheridge Deposition pp. 25-27, attached as Exhibit B*). He testified he photographed the metal and returned it to Goss. Officer Etheridge admitted that he did not observe the surveillance video of the back area of Sunshine. Etheridge testified he wanted to view the video before making a determination in the case, but the video player was malfunctioning. (*See Etheridge Deposition pp. 33-34, 37*). Additionally, Etheridge testified Goss called him several times inquiring what he was doing to further the case along. (*See Etheridge Deposition, pp. 36-37*). Etheridge testified that Goss's employer, Aiken Electric, was the victim in this case.

Thereafter, on May 21, Officer Etheridge obtained a warrant for Plaintiff's arrest in connection with the stolen metal. Plaintiff was unaware of the warrant for several days, but

turned herself in on June 2, 2010. Plaintiff informed Officer Etheridge that she did sell metal to Sunshine, but that the metal she sold was not stolen. Plaintiff provided Etheridge with samples of the metal and pictures of a trailer owned by her family where she obtained the metal. Plaintiff was released on bond. (See Etheridge Deposition, pp. 40-45).

After Plaintiff's arrest, Officer Etheridge met with a representative of Sunshine's outside vendor, Palmetto Security Cameras, to review the video of the day in question. According to Etheridge's report, he observed Plaintiff on the video selling copper similar to the copper that was taken from Aiken Electric, but that Plaintiff's aluminum was sheeting while the aluminum stolen from Aiken Electric was aluminum wire. (See Etheridge Deposition p. 45). Officer Etheridge later dismissed the charges against Plaintiff. (See Etheridge Deposition p. 48). Etheridge has admitted that he did not observe this video until after Plaintiff was arrested and that had he viewed the video prior to the arrest, he would never have arrested Plaintiff.

Etheridge was later contacted by Goss and Sunshine, who informed Officer Etheridge that they reviewed the surveillance video again and observed an unidentified black male in a white pick-up truck at Sunshine's property at the same time as Plaintiff. The male was later identified by Officer Etheridge as Eugene James with SC Tag Number 6087CM. Officer Aldridge met with Goss on June 11 at Sunshine, at which time Goss provided him with photographs of Eugene James. Officer Aldridge obtained the surveillance video from Sunshine at that time, but testified he did not view the video.

Goss testified that, in his opinion, Sunshine did not do anything wrong in this case. He confirmed that he was the one who identified the stolen metal in the back at Sunshine, and that Rich only relayed the Hispanic employee's identification of "a lady" as dropping off the metal. (See Goss Deposition, p. 86). He also testified that it was normal practice for Sunshine to permit

Aiken Electric or investigating officers to view or copy its surveillance videos. (*See* Goss Deposition p. 91). Goss testified that the false arrest would not have occurred if the investigating officers would have reviewed the surveillance tape prior to arresting Plaintiff. (*See* Goss Deposition, pp. 62-63). Officer Etheridge testified that Sunshine was not the victim in this case and never pushed for Plaintiff's arrest or prosecution. Rather, he believed Sunshine cooperated fully in the investigation and was pleasant to deal with. In fact, Officer Etheridge testified that he did not recall speaking to Rich after his initial visit of May 18.

Plaintiff brought suit against the Sheriff's Department, Aiken Electric, and Sunshine, alleging causes of action for negligence, false imprisonment, and malicious prosecution.

II. LAW AND ANALYSIS

Summary judgment is appropriate where "the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law." Rule 56(c), SCRPC. "In determining whether any triable issues of fact exist, the evidence and all inferences which can be reasonably drawn from the evidence must be viewed in the light most favorable to the non-moving party." Koester v. Carolina Rental Ctr., Inc., 313 S.C. 490, 493, 443 S.E.2d 392, 394 (1994). However, "[i]t is not sufficient [to defeat a motion for summary judgment] that one create an inference which is not reasonable or an issue of fact that is not genuine." Shuler v Tuomey Reg'l Med. Ctr., 313 S C 225, 437 S E 2d 128, 129 (Ct. App. 1993). "In order to resist a motion for summary judgment, the non-moving party must come forward with specific facts showing genuine issues necessitating trial." NationsBank v. Scott Farm, 320 S.C. 299, 303, 565 S.E.2d 98, 100 (Ct. App. 1995).

A. Sunshine is entitled to summary judgment as to Plaintiff's negligence cause of action.

Plaintiff has failed to produce any evidence to support a cognizable claim of negligence and therefore Defendant is entitled to summary judgment.

To recover for negligence, plaintiff must show (1) a duty of care owed by Sunshine to Plaintiff; (2) breach of that duty by a negligent act or omission; and (3) damage proximately resulting from the breach. Andrews v. Piedmont Air Lines, 297 S.C. 367, 369, 377 S.E.2d 127, 128 (Ct. App. 1989). The absence of any one of these elements renders the cause of action insufficient. Id.

Plaintiff contends Sunshine was negligent in ignoring that Plaintiff was not the correct suspect, failing to conduct a proper investigation, and for any other acts or omissions that proximately harmed her.

Although South Carolina has not specifically addressed this issue, other jurisdictions have done so. In Lundberg v. Scoggins, 335 N.W.2d 235 (1983), the defendant, who was the victim of a sexual assault, identified plaintiff as her attacker during a lineup. The plaintiff was arrested and placed in custody until it was determined that he could not have been the person who sexually assaulted the defendant. The plaintiff then brought an action against the defendant, alleging that she negligently accused and misidentified him as her attacker. The Supreme Court of Minnesota affirmed the trial court's dismissal of the complaint:

[O]ur decision is controlled by a well-established body of law relating to an analogous claim of malicious prosecution. This action has always been carefully circumscribed, and not favored in law, the reason being that 'public policy favors prosecutions and affords such protection of another in good faith and on reasonable grounds as is essential to public justice.'

The public policy limiting malicious prosecution actions applies with especial force to actions which would make witnesses or victims liable for their negligence in assisting criminal investigations or prosecutions. Persons having knowledge of crimes, as a fundamental duty of citizenship, are encouraged, if not obligated, to report and assist in investigation and prosecution of these crimes. . . . A threat of

an action-which does not include an element of maliciousness-would serve to further discourage citizen participation in criminal investigations and prosecutions.

Id. at 235-26. Thus, the court held that a complaint of negligent accusation and misidentification of a criminal suspect does not state a claim upon which relief can be granted for longstanding public policy reasons. Id.

In Pokorny v. First Federal Savings & Loan Association of Largo, 382 So.2d 678 (Fla.1980), the Florida Supreme Court stated:

Florida courts have never recognized a separate tort for 'negligently' swearing out a warrant for arrest. Such cases may be brought only in the form of civil suits for malicious prosecution A plaintiff contending that he had been improperly arrested as the result of negligence in swearing out a warrant must bear the burden of establishing malice and want of probable cause. Mere negligence alone is insufficient.

See also, e.g., Reaves v. Westinghouse Electric Corp., 683 F. Supp. 521, 523 (D.Md.1988) ("The tort of false arrest is predicated upon *knowing* misconduct Negligence or other mistake in providing incorrect information to lawful authorities does not give rise to liability."). See Ramsden v. Western Union, 138 Cal.Rptr. 426, 431 (Ct. App. 1977) (no cause of action for negligently reporting a crime to the police); Campbell v. City of San Antonio, 43 F.3d 973, 981 (5th Cir.1995), *overruled in part on other grounds by Swierkiewicz v. Sorema*, 534 U.S. 506, 122 S.Ct. 992, 152 L.Ed.2d 1 (1989) ("To hold ... that [defendant's] negligent misidentification of [plaintiff] is actionable would in substance convert the Texas tort of *malicious* prosecution into one of *negligent* prosecution. This we decline to do.") (emphasis in original).

In Davis v. Equibank, 603 A.2d 637 (Pa. 1992), a Pennsylvania court reached a similar conclusion:

It is safe to say that Pennsylvania . . . certainly has an interest in effective law enforcement. We further recognize that the potential of civil liability for the provision of mistaken information to law enforcement agents would have a

chilling effect on citizen cooperation and the provision of valuable information by citizens to police. Further, we are in agreement that the public interest in investigation of crime outweighs the recognition of a negligence action for negligent identification of a suspect. . . . Relying upon the weight of authority and a weighing of policy considerations, we decline to recognize a cause of action for negligent identification of another as a perpetrator of a crime.

Id. at 641.

Given these and other jurisdictions rationale, it is clear that a negligent misidentification of a suspect should not and cannot lead to liability on the part of the witness. Therefore, even viewing facts in a light most favorable to Plaintiff, Sunshine is entitled to summary judgment as a matter of law.

B. Sunshine is entitled to summary judgment as a matter of law with regard to Plaintiff's false imprisonment claim.

False imprisonment is the deprivation of one's liberty without justification. Argoe v. Three Rivers Behavioral Health, LLC, 392 S.C. 462, 710 S.E.2d 67 (2011). In order to establish a cause of action for false imprisonment, the evidence must prove: (1) that the defendant restrained the plaintiff; (2) that the restraint was intentional; and (3) that the restraint was unlawful. Id. False imprisonment is an intentional tort; negligence is not an element. Gist v. Berkeley Cnty. Sheriff's Dep't, 336 S.C. 611, 619, 521 S.E.2d 163, 166 (Ct. App. 1999). Although the tort of false imprisonment is not limited to physical interference with a plaintiff's liberty, a plaintiff must demonstrate that she submitted to apprehension of force reasonably to be understood from the defendant's conduct, although no force is used and there is no threat of imminent use of force. See Zimbelman v. Savage, 745 F. Supp. 2d 664 (D.S.C. 2010); see also 8 S.C. Jur. False Imprisonment Â§ 7.

Quite simply, Plaintiff has failed to produce any evidence that Sunshine deprived her liberty in any way without justification. There has been no evidence produced that Defendant

physical restrained Plaintiff or by its words or conduct, constructively restrained Plaintiff. Furthermore, as discussed above, any misidentification on the part of Sunshine, which may have ultimately led to a later restraint by other parties, was not intentional. Simply stated, Plaintiff has failed to provide even a scintilla of evidence that would support her claim of false imprisonment against Sunshine. Thus, Sunshine is entitled to summary judgment as a matter of law.

C. Sunshine is entitled to summary judgment on Plaintiff's malicious prosecution claim.

The elements of malicious prosecution are (1) the institution or continuation of original judicial proceedings; (2) by or at the instance of the defendant; (3) termination of such proceedings in plaintiff's favor; (4) malice in instituting such proceedings; (5) lack of probable cause; and (6) resulting injury or damage. McBride v. Sch. Dist. Of Greenville Cnty., 389 S.C. 546, 565, 698 S.E.2d 845, 855 (Ct. App. 2002). An action for malicious prosecution fails if the plaintiff cannot prove each of the required elements by a preponderance of the evidence. Law v. S.C. Dep't of Corrections, 368 S.C. 424, 435, 629 S.E.2d 642, 648 (2006). Malice is defined as "the deliberate intentional doing of an act without just cause or excuse." Id. at 437, 629 S.E.2d at 649. Malice can also be inferred from lack of probable cause. Id. Probable cause

is meant the extent of such facts and circumstances as would excite the belief in a reasonable mind acting on the facts within the knowledge of the prosecutor that the person charged was guilty of a crime for which he has been charged, and only those facts and circumstances which were or should have been known to the prosecutor at the time he instituted the prosecution should be considered.

Parrott v. Plowden Motor Co., 246 S.C. 318, 322, 143 S.E.2d 607, 609 (1965). Thus, in an action for malicious prosecution, a defendant must be absolved from liability if plaintiff fails to show the prosecution was instituted maliciously and without probable cause.

Plaintiff's cause of action against Sunshine fails because there is no evidence that the proceedings against her were initiated by or at the instance of Sunshine. First, the undersigned directs the court to the negligence discussion, *supra*, regarding negligent misidentification and the reluctance to let such form the basis of a malicious prosecution case.

Furthermore, even assuming such cause of action could lie against Sunshine, Plaintiff has failed to produce evidence that would satisfy the necessary elements of malicious prosecution. First, it is undisputed that Sunshine did not institute or have instituted the proceedings against Plaintiff—Sunshine was merely a cooperating witness. Secondly, there is absolutely no evidence of malice on the part of Sunshine in this matter. Sunshine merely permitted Goss to examine the metal, view the surveillance tape, and cooperated with the Sheriff's Department investigation. In fact the evidence demonstrates Sunshine had minimal involvement beyond May 18. Finally, assuming the malicious prosecution could lie against a witness, not a victim, there is no evidence Sunshine did not have "probable cause" in doing what it did. Indeed, all evidence indicates Rich spoke with his Hispanic employee and merely translated what the employee told him, which identified Plaintiff. The only facts that Sunshine knew or could have known was what the employee said and Sunshine's observation of Plaintiff at the center.

Simply put, Sunshine assisted and cooperated with an investigation. It did not institute the investigation or prosecution, nor did it assist with malice. Citizens are encouraged, if not obligated, to assist in investigations of potential crimes. Public policy mandates that Sunshine cannot be held liable for malicious prosecution. Furthermore, Plaintiff has failed to present genuine issues of material facts related to the elements of malicious prosecution. Therefore, Sunshine is entitled to summary judgment against Plaintiff on the cause of action of malicious prosecution.

III. CONCLUSION

Based upon the foregoing authorities and argument, Defendant respectfully submits that there are no genuine issues of material fact and Sunshine is therefore in entitled to summary judgment in its favor on all three causes of action

Exhibit A

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIRST JUDICIAL CIRCUIT
COUNTY OF ORANGEBURG	)	CIVIL ACTION NO.: 2012-CP-38-672
MEREDITH HUFFMAN,	)	
	)	
PLAINTIFF,	)	
	)	DEPOSITION
VS.	)	
	)	OF
ORANGEBURG COUNTY SHERIFF'S	)	
DEPARTMENT, SUNSHINE	)	MARK GOSS
RECYCLING, LLC AND AIKEN	)	
ELECTRIC COOPERATIVE, INC.,	)	
	)	
DEFENDANTS.	)	

DEPOSITION OF MARK GOSS, TAKEN BEFORE LORI BOGGS REILLY,
PROFESSIONAL VERBATIM REPORTER, AND NOTARY PUBLIC IN
AND FOR THE STATE OF SOUTH CAROLINA, COMMENCING AT THE HOUR
OF 12:00 P.M., THURSDAY, THE 5TH DAY OF DECEMBER, 2013, AT THE
LAW OFFICES OF WILLIAM & WILLIAM, 1281 RUSSELL STREET,
ORANGEBURG, SOUTH CAROLINA.

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1 started dying off and it's slowly done dribbled to a
2 stop, so.

3 Q In 2010 -- let's go back to 2010, when this theft
4 occurred, was thefts in this North location prevalent?

5 A I want to say, and I'd have to look at my notes, but I
6 believe we were actually broken into three times that
7 year in the North office, starting January 2nd, but I
8 would have to look to make sure of the dates because we
9 have had several break-ins there.

10 Q Would three break-ins a year be considered a high rate
11 of break-ins?

12 A Yes, sir.

13 Q And the year prior, let's go back to 2009, would you
14 agree that the break-ins were prevalent in that period
15 of time, as well?

16 A There were break-ins, yes, sir.

17 Q Okay. Looking at three or four maybe a year?

18 A No, I would have -- really and truly, I would have to
19 go back and look because I do it for all three offices
20 and all and I don't want to get confused.

21 Q I understand. How many offices do you have, the North
22 offices?

23 A We have three offices, Edgefield, Aiken and North, and
24 we have a pay station in New Ellington.

25 Q I understand. But far and away, the North office had

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- 1 more break-ins than the others?
- 2 A Yes. Oh, yes, sir, by far.
- 3 Q Okay. Let's go to this particular incident. What do
4 you recall?
- 5 A I recall that night getting the call that there was
6 someone underneath the truck shed stealing copper.
- 7 Q Who did you get that call from?
- 8 A Our dispatch. They monitor the cameras in there.
- 9 Q Okay.
- 10 A I told her that I would be on the way there, that she
11 needed to contact the Orangeburg County Sheriff's
12 Office, even though she was already on the other line
13 calling them.
- 14 Q When did you get this call, roughly?
- 15 A It was sometime at night. I don't remember what time.
- 16 Q And were you at 74 Citadel Drive in Aiken at this time
17 you got the call?
- 18 A Yes, sir, I was.
- 19 Q How far is that located, your house, your residence, to
20 the North branch?
- 21 A About 45 minutes.
- 22 Q Did you get in the car immediately to come to the North
23 branch?
- 24 A Yes, sir.
- 25 Q Is it appropriate to call it branch or office? What do



1 you --
2 A We refer to it as office.
3 Q Okay. Throughout the deposition if I refer to it as a
4 branch, you know we are talking about the same
5 location, right?
6 A We say branch sometimes, too, but mostly we say office.
7 Q Well, interchangeably, I may use branch or office and
8 you may, as well, but we're on the same -- I just want
9 to make sure we are on the same page. So you got a
10 phone call at night at your house, there had been a
11 break-in. You got this from dispatch, correct?
12 A Uh-huh.
13 Q And tell me what you did.
14 A I got dressed, got in the car and started heading that
15 way. I contacted the manager of that office, Charles
16 Rushton. He was getting dressed, heading that way,
17 because he can get there before I do. The dispatch
18 actually got on the phone with the sheriff's office and
19 by the time that I got there, the person had already
20 left, had already gotten away, and the sheriff's office
21 was there, but the person was already gone.
22 Q Did you look at the video surveillance at that time?
23 A Looked at it that morning when we were getting the list
24 of stuff together that was stolen. We looked at it on
25 Charles' -- if I'm not mistaken, we look at it on



1 Charles' computer in his office there.

2 Q When did the sheriff's department first come to the
3 scene?

4 A That night when they were called.

5 Q And the night in which they were called, do you know
6 who came?

7 A This guy on the first report for trespassing because he
8 wrote it up as a trespassing. And I think that's a
9 Higgins.

10 Q Just for clarity, you are looking at Exhibit B of your
11 Affidavit?

12 A Yes, sir, Exhibit B.

13 Q Did you see Officer -- it looks like Higgins.

14 A It might be Higgins. I can't tell too good.

15 Q Did you talk to Officer Higgins that night?

16 A I don't remember if he was wrapping everything up by
17 the time I got there with Charles or not, to be honest
18 with you.

19 Q That night of the 16th of May, did you notice any items
20 stolen?

21 A You could see in the truck where items had been taken,
22 but we didn't know how much and of what.

23 Q What truck are you referring to?

24 A There were several trucks under the truck shed. We
25 have --

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- 1 Q Describe to me what the truck looks like.
- 2 A We have -- on the back of a truck, we will have rolls
3 of copper, aluminum, things like that, and you could
4 see where some of those had been pulled off, the wire
5 had been snatched off.
- 6 Q What do you recall doing next? It was written up as a
7 trespass. What happened next?
- 8 A We waited for that morning. We secured -- made sure
9 that the fence was secure, and secured the place and
10 waited for the linemen to get in that morning so that
11 we could get an accurate count of what was missing.
- 12 Q How did you go about determining what was missing?
- 13 A We had each lineman go to their trucks and review what
14 was on their trucks and what had been taken, what had
15 been taken off of it.
- 16 Q What was determined was stolen that night?
- 17 A We had a list. I don't remember what all was on the
18 list, but it was mostly copper and aluminum.
- 19 Q Let's go to Exhibit A of your Affidavit. This in your
20 Affidavit purports to be a listing of items stolen; is
21 that correct?
- 22 A I've got a list, I mean -- or had a list. Here it is.
- 23 Q Exhibit A?
- 24 A Yes.
- 25 Q Who made this document, generated this document?

1 A Our accounting department. I turned in what we had
2 missing and they gave me the prices for it.
3 Q Describe to me what each of these four items are.
4 A The one bare stranded, that's a piece probably about as
5 big as my thumb. It's got seven strands to it. It's
6 unique to our industry. We are probably one of the few
7 people in the world to actually use it. That's the
8 easiest piece of wire there is out there for me to
9 find. If I find seven-stranded, bare copper, one-ought
10 copper, I can pretty much say it came from an
11 electrical utility.
12 Q So let me get this straight. The notation that says 1,
13 dash, OCU bare stranded?
14 A Oh-huh.
15 Q -- is?
16 A One ought copper and it has no coating on it.
17 Q Okay. And it's seven --
18 A Seven little small strands that wrap together.
19 Q And you would say it's about an inch in diameter?
20 A About the size of my thumb.
21 Q Okay.
22 A The number 2 solid copper is what we use for pole
23 grounds and transformers and things like that, and
24 number 6, we also use that, too. The aluminum tie wire
25 is the aluminum that we run all the way up the pole.



1 We don't run copper to the top anymore for cost and
2 theft, but we run aluminum all the way up and the
3 aluminum wire is also used to tie phases in.
4 Q What is larger, a number 2 solid copper or a number 6
5 solid copper?
6 A Number 2.
7 Q Is it fair to say that the metal that were stolen, all
8 the metal that was stolen from Aiken consisted of wire,
9 correct?
10 A Yes, sir.
11 Q And there was no sheet metal --
12 A No, sir.
13 Q --- stolen from your location, correct?
14 A No, sir.
15 Q All right. So when is the next time you spoke to an
16 Orangeburg County sheriff's deputy after May 16, 2010?
17 A That morning when I had my list together, I left out to
18 go to the metal recycling centers in Orangeburg, and I
19 stopped at the first one down there and they hadn't had
20 anything come in. My next stop was at Sunshine
21 Recycling and I met with Joe there. Me and Joe went
22 back to the back. The wire was back there on the
23 ground and Joe and them called the law enforcement out
24 then. The law enforcement came out then, a deputy.
25 Q Do you know who came out?

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1 Ford leaving the office that night.

2 Q Okay.

3 A Okay. Because our cameras doesn't -- they don't go

4 over that far and they are in black and white, so.

5 Q But he got that information from you?

6 A Yes, sir.

7 Q You provided that information?

8 A Yes, sir.

9 Q Okay.

10 A When I got in that morning and Chuck, the guy I named

11 earlier, had told me that he saw a white Ford long-bed,

12 two gas tanks on it, leaving that night.

13 Q Who told you that?

14 A Chuck Spires.

15 Q Does he still work for -

16 A No, sir.

17 Q What is his -- do you know his reason for departure or

18 termination?

19 A It was not of his doing, that's all I know.

20 Q Were you involved in his termination?

21 A No, sir.

22 Q Who at Aiken Electric would know or have the most

23 knowledge of Charles Spires' employment status and

24 eventual termination?

25 A The HR department.

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1 A And we went to the back back there, and the copper and
2 aluminum, the type that I was looking for, was there on
3 the floor. And if I remember correctly, it was on top
4 of some like tin, sheet metal, right there by that. I
5 don't remember if it was actually on top of it, but it
6 was right there by it. It was pulled off to the side.
7 Now, when we were driving back there to the back --
8 Q You saw copper and aluminum back here?
9 A Yes, sir.
10 Q And is the copper and aluminum that you saw have any
11 distinguishing characteristics that would allow you to
12 know that that copper and aluminum actually came from
13 Aiken Electric?
14 A As far as anything that specifically said Aiken
15 Electric on it, no, sir, there's nothing like that, but
16 for the amount of copper that I was looking for, the
17 amount of new copper that I was looking for and the
18 type of aluminum wire that was there, I knew that it
19 had come from an electrical utility.
20 Q Okay. In this you said you saw some copper wire. Did
21 the copper wire that you saw, was it the solid copper
22 wire, number 2 or number 6 copper wire, or was it that
23 copper wire, bare-stranded?
24 A It was number 6 and number 2 and aluminum, that I can
25 remember, that was the largest amounts of it that were

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- 1 Q You went over there and you saw Joe Rich the morning of
2 the 17th?
- 3 A Uh-huh.
- 4 Q What did you tell Joe when you saw him?
- 5 A I told Joe that we had a theft that night, that to the
6 best of my knowledge we had a white Ford pickup leaving
7 there with a black male in it and that's what we were
8 looking for, to see if we had anyone come through there
9 like that.
- 10 Q You told him the best of your knowledge a white Ford
11 pickup truck, --
- 12 A And we had --
- 13 Q -- possibly a black male?
- 14 A We had a black male on video -- because we reviewed the
15 video that morning, so we were looking for a black
16 male.
- 17 Q And at the time that you saw Officer Huggins on 5-17-
18 2010, did you tell him that you saw the video and the
19 video showed a black male?
- 20 A Yes, sir. If my memory serves me correct, we were
21 looking for a black male and I told him about the
22 video, too, because the white Ford pickup in E, in the
23 Incident Report for E --
- 24 Q Yes, sir.
- 25 A -- that's what I told him about the white Ford pickup,



- 1 A No, sir.
- 2 Q Okay. You saw Joe Rich. He took you to the back.
- 3 Keep going now.
- 4 A When we got to the back, the aluminum and the copper
- 5 were there. Joe spoke to some of the employees back
- 6 there in the back in Spanish. He speaks outstanding
- 7 Spanish. And when we came back and was leaving out, he
- 8 said that one of his employees there had stated that a
- 9 lady had dropped off all the copper and all that.
- 10 Q So he's telling you what he was told in Spanish by a
- 11 Spanish-speaking employee?
- 12 A Yes, sir.
- 13 Q Okay. Did you ask him any follow-up questions to ask
- 14 the Spanish speaking person?
- 15 A No, sir.
- 16 Q Do you know the name of the person he was speaking
- 17 with?
- 18 A No, sir.
- 19 Q Did you see Mr. Rich speak directly with the Spanish-
- 20 speaking person?
- 21 A Yes, sir. I was standing there by him.
- 22 Q What did he look like or she look like?
- 23 A I don't remember.
- 24 Q Was it a male or female?
- 25 A It was a male.

1 Q Do you know his name?

2 A I don't remember his name. The one on this report back
3 here at the back sounds -- it sounds like it's
4 familiar, but I don't remember his name.

5 Q Do you recall what he looked like?

6 A If I'm not mistaken, he was a black male.

7 Q You talked with him along with Joe Rich, correct?

8 A Oh-huh.

9 Q Have you had the opportunity to read this Supplemental
10 Incident Report, which is the second page to Exhibit E,
11 completed by Officer Eddie Aldridge?

12 A I read it sometime ago, yes, sir.

13 Q Does this appear to be the incident report that was
14 taken related to the information that you provided
15 Orangeburg County Sheriff's Department at Sunshine
16 Recycling on May 17th?

17 MR. JOHNSON: Object to the form.

18 Q You can answer.

19 A I need to re-read it again and, to be honest with you,
20 I've left my glasses in another vehicle, so --

21 Q I'll read it out loud to you, sentence by sentence, and
22 just ask you, you know, did that happen or is that
23 correct, okay? First it says, "This unit met with
24 Joseph Rich, owner of Sunshine Recycling, in reference
25 to subject being -- bringing in metal that had been

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1 identified as stolen from the victim, period.

2 A Yes, sir, that's a true statement.

3 Q Okay. It says, "This unit met with Mark Goss from
4 Aiken Electric verify that the metal at Sunshine
5 matched samples that he had brought. This unit
6 observed the subject on video at the payment window and
7 this unit was also provided with a copy of the receipt,
8 period. Mr. Rich advised that he would provide OCSO,
9 that's Orangeburg County Sheriff's Office, with a copy
10 of the video. The subject was driving a black, and
11 then it has a line red underneath the word black, Dodge
12 pickup truck, SC tag AFB 106. This unit will follow
13 this to -- will forward this to R, slash O, which means
14 responding officer. Deputy Huggins. Did I read it
15 correctly to the best of your --

16 A I don't remember carrying samples, but I have always
17 kept samples in the vehicle that I drive of all the
18 type of wires that we have, so I may have had a piece
19 or two of samples with me. I just don't remember right
20 offhand for that. But yes, sir, it --

21 Q I mean, does this narrative appear to be truthful and
22 accurate as to describing what happened at Aiken
23 Electric -- excuse me, at Sunshine on the 17th with an
24 Orangeburg County sheriff's officer?

25 MR. JOHNSON: Object as to form.

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1 had come up there beforehand, that's when that started.

2 Q Okay. So take me from the 17th forward. What happened
3 next?

4 A The sheriff's office conducted an investigation.

5 (OFF THE RECORD)

6 BY MR. GOINGS:

7 Q All right. What happened next?

8 A Later on, Joe had -- I had called Joe or Joe called me
9 and told me that he could get a copy of it. Then I got
10 a copy. I rode down and got a copy of it. I had
11 called the sheriff's office on several occasions to see
12 how the investigation was going and talked to Billy
13 Ethridge. Then --

14 Q Did you know Billy Ethridge?

15 A I had just met him on that case. I didn't know him.

16 Q You had never met previously, had any interaction with
17 him?

18 A No.

19 Q What do you know about Billy Ethridge?

20 A Nothing but except that he was an investigator for the
21 Orangeburg County Sheriff's office at the time.

22 Q Do you believe he did a good job investigating this
23 incident?

24 MR. JOHNSON: Object to the form.

25 MS. WALKER: Same objection.

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1 A To answer that question, no, sir, I do not.

2 Q Why not?

3 A Because if you look at the video that Sunshine
4 Recycling provided, you can clearly see the white Ford
5 pickup and the black male come in after Ms. Huffman and
6 drop off all the copper and aluminum that I'm looking
7 for. If the deputy had taken the time to view the
8 video at Sunshine that morning, he would have the right
9 person to start with.

10 Q Do you know if anyone from Sunshine Recycling or Aiken
11 Electric took the time that morning, the morning of the
12 17th of May, to review the video before a Supplemental
13 Incident Report was generated by Officer Aldridge?

14 MR. JOHNSON: Object to the form.

15 A I don't. I don't know.

16 Q Okay. So on the 17th at Sunshine, you never reviewed
17 the video with any sheriff's deputy, did you?

18 A I don't remember viewing the video. I can't say that I
19 had because it's so clear in the video that Joe has.
20 You can see the lady unload the little small pile of
21 copper that she has and just a minute -- I mean she's
22 probably not even out the building when this other guy
23 pulls in and the helper, Joe's helper's out there,
24 helped him take all this massive of quantities of
25 copper and aluminum out of his truck, putting it there,

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- 1 Q Okay.
- 2 A That is correct.
- 3 Q Do you believe Sunshine Recycling did anything wrong in
4 this case?
- 5 A I don't think Sunshine Recycling did anything wrong
6 because I was standing there with Joe when Joe asked
7 the employee that took the metal in who dropped it off
8 and that employee -- well, they were speaking Spanish,
9 but that employee told Joe and then Joe looked right at
10 me and said, the lady that had just come in here is the
11 one that's responsible for this, and we went right
12 straight out there to try to get everything stopped on
13 her.
- 14 Q And when you say "responsible for this," you mean
15 responsible for the --
- 16 A For dropping the copper that I was looking for off,
17 because it was all right there in like a big pile kind
18 of, and I don't remember if it was on top of each other
19 or what. It was all right there in one section.
- 20 Q Okay. And the employee was telling you all that based
21 on -- I mean, this had just happened? The person had
22 just dropped this metal off?
- 23 A It was all within minutes.
- 24 Q All right. Sunshine Recycling, in this case, did what
25 Sunshine was supposed to do anytime there is a report



1 don't know what happened after that.
2 Q In your experience in dealing with Sunshine Recycling
3 -- because I assume this is not the first time that you
4 have had a theft and you had to go out and contact Joe
5 Rich or somebody at Sunshine Recycling; is that
6 correct?
7 A Right.
8 Q All right. In your experience in dealing with
9 Sunshine, is it not a normal practice for Sunshine to
10 say, look, here's our surveillance video, come in, take
11 a look at it and we will also give you a copy of it and
12 you can do it right here and see if that's the fellow
13 you are looking for or if this person matches the
14 description?
15 A Yes.
16 Q That's something that they normally do?
17 A Yes.
18 Q Do you recall whether the copper or the aluminum that
19 Ms. Huffman in this case did actually drop off at
20 Sunshine, whether it matched the description at all of
21 the copper and aluminum you were missing from Aiken?
22 A If I remember correctly, it was --- she was stripping a
23 mobile home that had been given to her. That's what
24 the siding stuff was. And the copper that she dropped
25 off was the coated copper, the small copper, that would

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Exhibit B

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIRST JUDICIAL CIRCUIT
COUNTY OF ORANGEBURG	)	CIVIL ACTION NO.: 2012-CP-38-672
MEREDITH HUFFMAN,	)	
	)	
PLAINTIFF,	)	
	)	DEPOSITION
VS.	)	
	)	OF
ORANGEBURG COUNTY SHERIFF'S	)	
DEPARTMENT, SUNSHINE	)	JAMES ETHRIDGE
RECYCLING, LLC AND Aiken	)	
ELECTRIC COOPERATIVE, INC.,	)	
	)	
DEFENDANTS.	)	

DEPOSITION OF **JAMES ETHRIDGE**, TAKEN BEFORE LORI BOGGS REILLY,
PROFESSIONAL VERBATIM REPORTER, AND NOTARY PUBLIC IN
AND FOR THE STATE OF SOUTH CAROLINA, COMMENCING AT THE HOUR
OF 4:43 P.M., THURSDAY, THE 5TH DAY OF DECEMBER, 2013, AT THE
LAW OFFICES OF WILLIAMS & WILLIAMS, 1281 RUSSELL STREET,
ORANGEBURG, SOUTH CAROLINA.

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1 was co- -- everything was looking the same.

2 And they had the ticket. They had the
3 employee in the back saying she brought that metal in.
4 Had a ticket with her information on there. It was
5 verified, her driver's license number. They obtained
6 the property back. We -- I photographed the property
7 that was there, which was just some copper wire, and
8 gave the wire back to Mr. Goss.

9 Q Okay. Let me stop you right there. I'll get you to
10 continue - ask you some questions about that.

11 A Oh, I know.

12 Q So when you went to Aiken -- when you went to Sunshine
13 Recycling for the first time regarding this incident,
14 they had documentation ready for you to look at,
15 correct?

16 A Correct.

17 Q And one of those documents was Meredith Huffman's
18 invoice and receipt, correct?

19 A Correct.

20 MR. JOHNSON: Object to the form.

21 MS. WALKER: Same objection.

22 BY MR. GOINGS:

23 Q Did they show you anything else other than Meredith
24 Huffman's invoice and receipt?

25 MR. JOHNSON: Object to the form.

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1 THE WITNESS: Besides that, they -- they get
2 copies of her driver's license. So they had copies of
3 her driver's license and then the property.

4 BY MR. GOINGS:

5 Q Okay. So they had the documents related to Meredith
6 Huffman already pulled out for you, right?

7 A Correct.

8 MR. JOHNSON: Object to the form.

9 BY MR. GOINGS:

10 Q You didn't plunder through their documents to find
11 Meredith Huffman's name?

12 A No.

13 MR. JOHNSON: Object to the form.

14 MS. WALKER: Same objection.

15 BY MR. GOINGS:

16 Q Who told you that Meredith Huffman was the individual
17 that came in with the stolen property of Aiken
18 Electric?

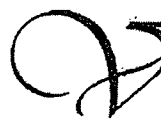
19 A I'm pretty sure it was Mark Goss actually had told me
20 to go down and meet him down at Sunshine.

21 Q Did he tell you they had -- they had identified the
22 stolen --

23 A Correct, correct.

24 MR. JOHNSON: Object to the form.

25 THE WITNESS: He had said Mark had actually

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1 talked with her. He was actually there because he made
2 the comment, I see here in my notes that he -- he had
3 actually spoke with her in line and she was obtaining
4 payment for the property. So he -- he had saw her and
5 spoke to her on the property of Sunshine.

6 BY MR. GOINGS:

7 Q And did he tell you that he saw her with the stolen
8 property?

9 MR. JOHNSON: Object to the form.

10 THE WITNESS: Let's look at -- it's got here
11 Goss says that he viewed the items after she left and
12 identified them as being theirs.

13 BY MR. GOINGS:

14 Q Okay. And then in the paragraph before that, the last
15 sentence --

16 A It said Goss --

17 Q -- and why --

18 A It says Goss advised me that he went to this location
19 on the date and informed the company their theft and
20 give them some samples of the wire so that they will
21 know what was taken. While he was there, he actually
22 spoke and carried on a conversation with Huffman while
23 she was waiting to get paid for the items that she had
24 just brought in. And it's got Goss said that he viewed
25 the items after she left and identified them as being



1 I also met with Goss --

2 MR. JOHNSON: And who's doing that?

3 THE WITNESS: I did that. It goes through
4 our dispatch.

5 BY MR. GOINGS:

6 Q All right. Keep going, sir.

7 A I also met with Goss at Sunshine. He obtained the
8 property. I did photograph those items, were released
9 to Goss. Goss also showed me samples of the -- samples
10 from the incident location. I also photographed them.
11 Goss also informed me that he viewed the report done by
12 Aldridge and the vehicle that Huffman was in was a red
13 Dodge truck, not black. Obviously, at some point in
14 time, I think Aldridge, maybe in his supplemental, put
15 it was a black vehicle. So I was correcting that in my
16 report because it was actually a red Dodge truck that
17 she was in.

18 He advised that the tag number is APV-106 was
19 correct. I ran the tag. The vehicle is a 2005 Dodge
20 truck registered to Jeffrey Miller and Meredith
21 Huffman. While I was there, I also spoke with the
22 owner of Sunshine and he advised that he has not yet
23 obtained me a copy of the video but he will call the
24 company to do so. He also advised me that his employee
25 -- his employees that work in the copper area advised



1 That Huffman was the individual who brought the
2 merchandise in and that she was driving a red in color
3 truck. And that's where I tell you I -- I never made
4 contact with Huffman but I will -- I had spoke with
5 Sunshine several times trying to obtain a copy of the
6 video and Mr. Goss was calling me, wanting to know what
7 I was doing with the case.

8 Q Okay. And let me -- let me go back to the question I
9 asked you. You never saw the video at Sunshine, did
10 you?

11 A No.

12 Q Do you recall Sunshine telling you what it was on the
13 video that --

14 A They was saying that it was caught on the video, but I
15 -- something wrong with the player. They couldn't give
16 me a copy of it and I couldn't view -- view the video
17 back there. He has some -- at that point in time, I
18 can't remember. He had two systems. He had one system
19 up at the front where the girls did the money and that
20 would capture a lot of stuff at the front of Sunshine.
21 And then when you would go back and drop your stuff off
22 in the aluminum area and stuff, he had another system
23 and monitors and stuff set up back there.

24 So I was not able to watch any video at that
25 point in time. Mr. Alan Price, which I had dealt with



- 1 Q And that's protocol, isn't it?
- 2 A Correct.
- 3 MR. JOHNSON: Object to the form.
- 4 BY MR. GOINGS:
- 5 Q Why didn't you make contact with Meredith Huffman?
- 6 A Well, now, I have in here I never made contact with
- 7 Meredith Huffman due to she lived in Calhoun County. I
- 8 don't -- I mean, I -- I'm not going to sit here and say
- 9 why I didn't. I'm not going to say I didn't even make
- 10 a phone call to Calhoun County. I don't recall what
- 11 took place, why I did not --
- 12 Q Okay.
- 13 A -- go any further than trying to talk to her. Because
- 14 it doesn't say that I didn't attempt. It just said
- 15 that I -- I never made contact with her.
- 16 Q Right. I understand. It doesn't say you didn't
- 17 contact --
- 18 A I didn't -- I didn't try and contact. It says you
- 19 never made -- it's pretty odd for me to sit here and
- 20 tell you that I did not attempt in some way and
- 21 fashion.
- 22 Q And it says here that Mark Goss called me several times
- 23 about moving further with the case. Do you see that?
- 24 A Oh, yeah.
- 25 Q Explain that to me.

1 A Well, he was just calling me, because if you look, I
2 know we was dealing with the dates and, you know, how I
3 wrote this report but -- you know, if you look, I met
4 him -- if you go back to page two, say third paragraph
5 from the bottom, I was meeting with them on May the
6 18th. This incident took -- this incident took place,
7 I think the incident date was the 16th, which actually
8 was a night time I believe. So the 17th. Then the 18th
9 I met with them out there. He -- it was a couple of
10 days there. I was trying to wait on a video so he --
11 he was calling me, wanting to know what I was doing.

12 Because, I mean, it actually was. I mean, it
13 was in my hands. I mean, I -- I -- you know, I was --
14 I obtained information from him, obtained information
15 from Sunshine. I would -- I was waiting on a video. I
16 didn't have the video at that point in time so he
17 wanted to know what I was going to do. Was I going to
18 try and arrest her, lock her up, you know, speak with a
19 magistrate, what to do. On the 21st, that's what I did
20 is I went and spoke with a magistrate.

21 Q Did you feel that Mark Goss was urging you to prosecute
22 Meredith Huffman?

23 MR. JOHNSON: Object to the form.

24 THE WITNESS: He was calling me. He was
25 calling me just like any other victim would. You know,

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1 advised me that he was meeting me at Sunshine to view
2 the video and to obtain a copy. That's -- that's where
3 I got my copy of the video from was from Mr. Price.

4 BY MR. GOINGS:

5 Q Right, that's your copy, but did Mark Goss ever tell
6 you that he had a copy?

7 MR. JOHNSON: Object to the form.

8 THE WITNESS: I would think I would have had
9 it. If he had a copy, I would have asked him for it.
10 I wouldn't have been going through Alan Price to get a
11 copy if he had a copy riding around in his truck.

12 BY MR. GOINGS:

13 Q Or just with him.

14 A Or with him.

15 MR. JOHNSON: Object to the form.

16 BY MR. GOINGS:

17 Q And did you swear out a warrant for the arrest of
18 Meredith Huffman for her receiving stolen goods?

19 A I did. Yes, sir.

20 Q And -- and the information that you based your decision
21 to swear that warrant out was based on information that
22 you'd received from Aiken Electric and Sunshine
23 Recycling. Isn't that correct?

24 MR. JOHNSON: Object to the form.

25 THE WITNESS: Correct. The information --

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1 when I went to the Judge on May the 21st was -- that's
2 the only information I had was what I gathered at that
3 point in time was more or less the documentation that I
4 obtained from Sunshine and the basis -- I was going off
5 of what I was told at Sunshine by Sunshine Recycling
6 and what Mark Goss was giving me the information.

7 BY MR. GOINGS:

8 Q Okay. And you believe the information they gave you at
9 the time was true?

10 A Yes.

11 MR. JOHNSON: Object to the form.

12 MS. WALKER: Object to the form.

13 BY MR. GOINGS:

14 Q Okay. How did you process the warrant for purposes of
15 arresting Ms. Huffman if she lived in Calhoun County?

16 A She actually came in. So that's what I'm saying. When
17 I obtained that warrant, it was put in NCIC. I don't
18 have it here, but if she came in on her own, I know a
19 lot of guys that work in Calhoun County. I'm going to
20 say more than likely they went by and told her, and
21 said hey, you need to go up and see Etheridge, you
22 know, and talk with him, and she came in.

23 Because she came in. I didn't go pick her up
24 or anything like that. She came in to me, to my office
25 on Chestnut Street where I was there that one time.

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1 Q Okay. You think she came in to talk --
2 A Oh, I know she did, because --
3 Q Yeah, that's right.
4 A Yeah, because she -- it's put in here on June 2nd;
5 2010, Huffman did come in and talk with me. She came
6 in. I didn't pick her up.
7 Q And you remember talking to her, right?
8 A Oh, yeah. I remember interviewing her. Yeah.
9 Q And did you advise her of her rights?
10 A Yes.
11 MR. JOHNSON: Object to the form.
12 BY MR. GOINGS:
13 Q She gave you a written statement, correct?
14 MR. JOHNSON: Object to the form.
15 THE WITNESS: Yes, she did.
16 BY MR. GOINGS:
17 Q Was she nice to you --
18 MR. JOHNSON: Object to the form.
19 BY MR. GOINGS:
20 Q -- that you recall?
21 A That I can recall, yeah. I didn't have any problems
22 with her.
23 Q I mean, she didn't act rude or --
24 A No, no.
25 Q -- belligerent, did she?

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1 MR. JOHNSON: Object to the form.

2 BY MR. GOINGS:

3 Q And did you serve her with the warrant there?

4 A I did.

5 Q Personally?

6 A Yes, sir.

7 Q And then what happened next; do you recollect?

8 A She was put in the detention center.

9 Q Okay.

10 A But I do remember bonding her. We -- I'm pretty sure

11 y'all bonded her that same day. I mean, she wasn't

12 there, like, overnight or anything.

13 Q Did she tell you that she didn't steal the -- did she

14 tell you that she had nothing to do with receiving

15 stolen goods?

16 MR. JOHNSON: Object to the form.

17 A Correct.

18 Q What did she tell you --

19 A She gave me a statement saying that she did go to

20 Sunshine but none of the items that she took was

21 stolen. She brought in -- she also brought in some

22 metal similar to what she took to Sunshine. Obviously,

23 in the file it'll be pictures where I -- I took of

24 those items.

25 Q Do you recall her --

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1 A I remember it being tin because I remember her saying -
2 - and it should be in her statement, to my recall, it's
3 going to be where a mobile home or something. She was
4 -- I mean, they were tearing down a motor home. It's
5 going to be like some tin that was off of a mobile
6 home.
7 Q Right.
8 A I mean, I don't want to say a lie because I'm not
9 looking at the pictures, but that's -- that's what I'm
10 remembering. I don't --
11 Q And your memory makes sense because then a couple
12 paragraphs later you said that her aluminum was
13 sheeting and not wire. You see that?
14 A That's what we saw -- that's where when I went to
15 Sunshine.
16 Q Let's -- let's -- let's get these -- let's get this
17 time line straight then, sir.
18 A If you look down -- if you look. See, I had already
19 spoken -- Huffman, she was served with a warrant. So
20 then she was put in the -- the detention center. I
21 then later was contacted by Alan Price. Okay. So
22 she's in -- I've already interviewed her and talked
23 with her. She's in jail. Then spoke with Alan Price
24 about meeting him down to watch the video, get a copy
25 of the video.

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1 I went down, met with him. Observed Huffman
2 on the property in a red truck just like they had told
3 me. We then went to the back area, like I told you.
4 You've got two video systems. Remember I told you
5 front video, back. So we went to that back area to
6 watch the video of where she took the items off the
7 truck and did have some copper that resembled what was
8 taken in the back of her truck, but the aluminum was
9 sheeting, not wire. So I'm assuming it was -- I'm
10 saying the sheet -- sheeting, it was; like, the size of
11 a mobile home. I mean, that's what I -- I'm pretty
12 sure I remember her telling me.

13 Q Okay. And then what you --

14 A Well -- go ahead.

15 Q -- what you observed on the video that you watched was
16 consistent with what Ms. Huffman had told you --

17 MR. JOHNSON: Object --

18 THE WITNESS: Correct.

19 BY MR. GOINGS:

20 Q -- about the --

21 A Correct.

22 Q -- that she brought in, right?

23 A Right. What she had told me.

24 Q Okay. And then it says, I then questioned the owner,
25 Joe Rich, and he advised that his employees observed

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1 sure I had enough evidence to take it to court. AL
2 this point in time, I felt like the information that I
3 had gathered, I had enough probable cause to obtain a
4 warrant, but after -- when this video came, I felt like
5 I did not have enough evidence to prosecute her.

6 BY MR. GOINGS:

7 Q Okay. And you made the decision to dismiss the
8 charges?

9 A I made the decision to dismiss the charges.

10 Q Okay. And you made the decision to -- to get an arrest
11 warrant based on the information you were --
12 obtained --

13 A Correct. I went to the judge --

14 MR. JOHNSON: Object to the form.

15 BY MR. GOINGS:

16 Q Hold on. Let me finish. Let me finish.

17 A I'm sorry.

18 Q -- based on the information you obtained from Sunshine
19 Recycling and Aiken Electric?

20 A Correct.

21 MR. JOHNSON: Object to the form.

22 MS. WALKER: Same objection.

23 BY MR. GOINGS:

24 Q Turn to the next page at the very top. It says, at
25 this time, I'm not comfortable with this case due to

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STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF ORANGEBURG	)	
Meredith Huffman,	)	Civil Action No. 2012-CP-38-672
	)	
Plaintiff,	)	
	)	
vs.	)	MEMORANDUM IN SUPPORT OF
	)	DEFENDANT AIKEN ELECTRIC
Sunshine Recycling, LLC and	)	COOPERATIVE, INC.'S MOTION
Aiken Electric Cooperative, Inc.,	)	TO DISMISS
	)	
Defendants.	)	
	)	

Defendant Aiken Electric Cooperative, Inc. ("Aiken Electric") submits this Memorandum in support of its motion to dismiss.

This is an action by the plaintiff to recover damages against Aiken Electric and Sunshine Recycling, LLC ("Sunshine Recycling") for alleged negligence, false imprisonment and malicious prosecution arising out of her arrest for selling stolen goods. The action is before the Court on Aiken Electric's motion to dismiss for failure to state facts sufficient to constitute a cause of action. Aiken Electric requests that its motion to dismiss be converted into a motion for summary judgment as permitted by Rule 12(b), SCRPC.

BACKGROUND

On May 16, 2010, a thief went onto Aiken Electric's property and stole some copper and other wire having a value of \$463.19. Aiken Electric had a video surveillance camera which showed the thief to be a black male. An Aiken Electric employee reported seeing a white pickup truck leaving Aiken Electric's property on the night of the theft. On the following day, Mark Goss, Aiken Electric's Loss Control and Safety Coordinator,

began to check with metal recyclers to see whether the thief had tried to sell the copper and aluminum wire. When Mr. Goss went to Sunshine Recycling on May 17, 2010, he identified the copper and aluminum wire that had been stolen. Sunshine Recycling's owner, Joseph Rich, talked with his Hispanic employees who had unloaded the copper and aluminum wire. An employee told him, speaking in Spanish, that the plaintiff had brought the copper and aluminum wire in. Sunshine Recycling had a video camera system that recorded what happened when the copper and aluminum wire was dropped off but there was a problem with the camera and the video could not be viewed at the time.

This information was provided to the Orangeburg County Sheriff's Department. The Orangeburg County Sheriff's Department investigator, James Etheridge, did not interview the Hispanic employee or call for an interpreter to interview him. Investigator Etheridge did not wait to review the video but instead contacted the plaintiff to come in. Instead, he called the plaintiff and asked her to come in to talk with him. The plaintiff met with Investigator Etheridge and denied that she had sold stolen copper wire and aluminum. Nevertheless, Investigator Etheridge proceeded to arrest her, without first viewing the video. The plaintiff spent the better part of the day at the Orangeburg County Jail being booked and bonded out. When the video was available to review, it showed that the plaintiff did not bring in the copper wire and aluminum that was stolen from Aiken Electric. The charges against the plaintiff were dropped and a black male arrested. The plaintiff thereafter brought this action. The plaintiff settled her claim against the Orangeburg County Sheriff's Department.

The plaintiff has asserted that Aiken Electric is liable to her in damages because Aiken Electric told the investigator that the plaintiff was the person who had brought in and sold the stolen goods and because Mr. Goss pressured the investigator to arrest her. Although this is disputed, Aiken Electric asks that the Court treat the plaintiff's claims as being true for purposes of this motion only. If these claims are taken as true and undisputed, the action against Aiken Electric should nevertheless be dismissed or judgment should be granted in favor of Aiken Electric. These claims fail to state facts sufficient to constitute a cause of action against Aiken Electric.

I.

**THE NEGLIGENCE CLAIM SHOULD BE DISMISSED
AS AIKEN ELECTRIC OWED THE PLAINTIFF NO
DUTY WHICH WAS BREACHED**

To prevail in a negligence action, the plaintiff must show that (1) the defendant owes a duty of care to the plaintiff, (2) the defendant breached the duty by a negligent act or omission, (3) the defendant's breach was the actual and proximate cause of the plaintiff's injury, and (4) the plaintiff suffered an injury or damages. *Moore v. Weinberg*, 681 S.E.2d 875, 383 S.C. 583 (2007). The determination of the existence of a duty is solely the responsibility of the Court. Whether the law recognizes a particular duty is an issue of law to be decided by the Court. *Hendricks v. Clemson Univ.*, 353 S.C. 449, 456, 578 S.E.2d 711, 714 (2003). No South Carolina decision has been found that holds that a victim of a crime owes a duty not to report information the victim has about the crime to law enforcement. No South Carolina decision has been found that a crime victim owes a duty not to pressure law enforcement to proceed with an arrest. In the absence of a statute or appellate court decision that recognizes or imposes such a duty, a circuit court

judge cannot create and impose such a duty on Aiken Electric. Furthermore, imposition of such a duty of care would be inconsistent with a crime victim's rights under S.C. Code Ann. Section 16-3-1505 *et seq.* Section 16-3-1505 states that the crime victims have a civic and moral duty to cooperate fully and voluntarily with law enforcement. The South Carolina Victim and Witness Service Act outlines the victim's rights to information, participation and involvement with criminal process. Nothing in the Act suggests that a victim cannot pressure law enforcement to proceed with an arrest. Law enforcement has the duty to investigate a crime and to decide whether and when to seek a warrant.

If a victim can be sued civilly for reporting to law enforcement whatever information the victim had, that would discourage victims from discharging their civil and moral duty to cooperate with law enforcement. A victim is entitled to know the status of his case. Pressuring law enforcement about the status and about moving forward with the case cannot be a basis for a cause of action sounding in negligence.

II.

THE FALSE IMPRISONMENT AGAINST AIKEN ELECTRIC SHOULD BE DISMISSED SINCE AIKEN ELECTRIC DID NOT IMPRISON THE PLAINTIFF

The plaintiff has alleged a cause of action for false imprisonment against Aiken Electric. However, it is undisputed that the plaintiff's arrest was based upon a warrant that the investigator took out. There is no evidence that Aiken Electric arrested her. The cause of action for false imprisonment must be dismissed.

In order for a plaintiff to proceed and recover under a theory of false imprisonment, the plaintiff must prove: (1) the defendant restrained the plaintiff; (2) the restraint was intentional; and (3) the restraint was unlawful. *Lynch v. Toys "R" Us* -

Delaware, 375 S.C. 604, 654 S.E.2d 541 (Ct. App. 2007). Furthermore, an action for false imprisonment cannot be maintained where the plaintiff was arrested by lawful authority. *Jones v. City of Columbia*, 301 S.C. 62, 389 S.E.2d 662 (1990). Here, the arrest was made by lawful authority based upon a warrant taken out by the investigator. Therefore, the cause of action for false imprisonment against Aiken Electric should be dismissed.

III.

THE CLAIM FOR MALICIOUS PROSECUTION SHOULD BE DISMISSED

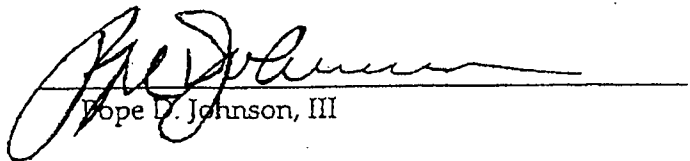
In order to recover in an action for malicious prosecution, the plaintiff must prove: (1) the institution or continuation of original judicial proceedings, either civil or criminal; (2) by or at the incidence of the defendant; (3) termination of such proceedings in plaintiff's failure; (4) defendant's malice in instituting the proceeding; (5) lack of probable cause for the proceeding; and (6) resulting injury or damage. Here, there is no evidence that Aiken Electric instituted or continued the original judicial proceeding, which was a criminal proceeding.

The criminal proceeding was not instituted by or at the incidence of Aiken Electric. The investigator has testified that the decision to take out a warrant was his responsibility and his decision. There was probable cause for the plaintiff's arrest. Here, the basis for the probable cause is a statement by the Hispanic employee that the plaintiff had brought the stolen goods in for sale. An essential element of malicious prosecution is the institution of judicial proceedings without probable cause against the plaintiff; probable cause in this context does not turn upon the plaintiff's guilt or innocence, but rather upon whether the facts within the prosecutor's knowledge would lead a reasonable

person to believe the plaintiff was guilty of the crimes charged. *Guider v. Churpeyes, Inc.*, 635 S.E.2d 562, 370 S.C. 424 (2005). Once the Hispanic employee reported that the plaintiff was the person who brought the stolen goods in for sale, that information would cause a reasonable person to believe that the plaintiff was guilty of the crime charged. Finally, there is no evidence of malice on the part of Aiken Electric. In an action for malicious prosecution, a defendant must be absolved from liability unless the plaintiff shows that the prosecution was instituted maliciously. There is no evidence that Aiken Electric acted maliciously in connection with the plaintiff's arrest.

CONCLUSION

Aiken Electric cooperated with law enforcement and discharged its civic and moral duty to cooperate fully and voluntarily with law enforcement. The Orangeburg County Sheriff's Department, not Aiken Electric, made the decision to take out a warrant and have the plaintiff arrested. Judgment should be granted in favor of Aiken Electric.



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Columbia, South Carolina
March 7, 2014

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF ORANGEBURG 2014 MAR 12 3:17 PM 50 FIRST JUDICIAL CIRCUIT

Meredith Huffman,

Plaintiff,

vs.

Orangeburg County Sheriff's Department,
Sunshine Recycling, LLC and Aiken
Electric Cooperative, Inc.,

Defendants.

CIVIL ACTION No.: 2012-CP-38-672

**PLAINTIFF'S MEMORANDUM IN
OPPOSITION TO DEFENDANTS'
MOTIONS TO DISMISS AND FOR
SUMMARY JUDGMENT**

Plaintiff Meredith Huffman ("Ms. Huffman") submits this memorandum in opposition to Defendant Sunshine Recycling, LLC's ("Sunshine Recycling") Motion for Summary Judgment and Aiken Electric Cooperative, Inc.'s ("Aiken Electric") Motion to Dismiss.

On May 17, 2010, Ms. Huffman lawfully brought metal for recycling to Sunshine Recycling. Almost fifteen (15) days later, Ms. Huffman was arrested based on false accusations made by Sunshine Recycling and Aiken Electric that she sold stolen metal from Aiken Electric. After she was arrested and imprisoned, the court dismissed the charges against her since Sunshine Recycling and Aiken Electric had accused the wrong person. For the reasons below and as shown in the attached exhibits, a genuine issue of material fact exists to support her claims for negligence, false arrest, and malicious prosecution against Defendants' Sunshine Recycling and Aiken Electric. Summary judgment must be denied.

FACTS

On May 17, 2010, Ms. Huffman lawfully brought metal for recycling at Sunshine Recycling. (Huffman Depo p. 12-13). The metal was taken from an abandoned mobile home that Ms. Huffman owned. (Huffman Depo 12). The metal consisted of old aluminum sheeting

and old electrical wiring that was used throughout the mobile home. (Huffman Depo p. 13). Sunshine Recycling paid Ms. Huffman \$53.00 for her metal. (Huffman Depo p. 14).

Unrelated to Ms. Huffman, Aiken Electric had experienced a theft of *new* cooper and *new* aluminum wiring stored at the North location of Aiken Electric the night before. (Goss Depo p. 31). Mr. Mark Goss of Aiken Electric reported the theft to the Orangeburg County Sheriff's Department ("Sheriff's Department"). (Goss Depo p. 31-32). The amount of the metal stolen from Aiken Electric was estimated around \$330.00, described as "(1) 60ft cooper [wire], (2) #6 cooper [wire], (1) roll of alumini [wire]." (Goss Depo p. 35-36).

On the morning of May 17, 2010, Mr. Goss of Aiken Electric and Joseph Rich, owner of Sunshine Recycling, met with the Sheriff's Department because the alleged stolen metal was identified as being sold to Sunshine Recycling. (Aldridge Depo p. 18; Goss Depo p. 38) Mr. Goss identified the metal that Ms. Huffman brought in as stolen from Aiken Electric. (Aldridge Depo p. 21, Ethridge Depo p. 21-23; Goss Depo p. 44, 50) Mr. Goss and Mr. Rich showed the Officer Aldridge the video of Ms. Huffman at Sunshine Recycling and a copy of Ms. Huffman's receipt. (Incident Report 5/17/10; Aldridge Depo p. 21; Ethridge Depo 20-21, 24-25; Rich Depo p. 31). Mr. Goss and Mr. Rich identified Ms. Huffman as the person that sold the stolen metal from Aiken Electric to Sunshine Recycling. (Incident Report 5/17/10; Aldridge Depo p. 18, 21-22; Ethridge Depo p. 24-25; Huffman (1.9.14) Depo p. 14). Additionally, Mr. Goss also told the officers that he "actually spoke and carried on a conversation with Huffman while she as waiting to get paid for that items that she had just brought in...[and] viewed the items after she left and identified them as being [from Aiken Electric.]" (OCSD Offense Report, p. 2; Ethridge p. 19). The next day, Mr. Rich told Officer Ethridge that "his employees that work in the copper area advised that Huffman was the individual who brought the merchandised in [to Sunshine

Recycling].” (OCSD Offense Report, p. 2; Ethridge Depo p. 25; Goss Depo p. 55-56; Rich Depo p. 28-29). An employee of Aiken Electric, Charles Rushton, also told another officer of the Sheriff’s Department that “Mark Goss ha[d] the identity of the woman who sold the wire,” referring again to Ms. Huffman.

After Sunshine Recycling and Aiken Electric had accused Ms. Huffman, Aiken Electric continued to strongly urge the Sheriff’s Department to arrest Ms. Huffman. (Aldridge Depo p. 24, 50; Ethridge Depo p. 26-27). Officer Aldridge testified that the defendants expressed “sense of urgency” for the Sheriff’s Department to arrest Ms. Huffman.

Based on the claims of Sunshine Recycling and Aiken Electric, on May 21, 2010, the Sheriff’s Department obtained an arrest warrant of Ms. Huffman for receiving stolen goods in violation of S.C. Code Ann 16-13-180. (Ethridge Depo p. 27-28). On June 2, 2010, Ms. Huffman was arrested and booked as an inmate at the Orangeburg-Calhoun Regional Detention Center. (Huffman Depo 16-20; Huffman (1.9.14) Depo p. 15-16; Ethridge Depo p. 30-32). Ms. Huffman told the arresting officer that he had arrested the wrong person because the metal that she took to Sunshine Recycling was old aluminum sheeting and old electrical wiring for the mobile home. (Ethridge Depo p. 30; Goss Depo p. 65; Huffman (1.9.14) Depo p. 14). After being incarcerated, she was released on bond. (Huffman Depo p. 20; Huffman (1.9.14) Depo p. 16; Ethridge Depo p. 32). The Sheriff’s Department then obtained a copy of the surveillance video from Sunshine Recycling that plainly showed the stolen goods brought in after Ms. Huffman by a black male named Eugene James. (Aldridge Depo p. 25-27; Ethridge Depo p. 32-33). The video does not show Ms. Huffman with the type of metal that was stolen (new wiring vs. old aluminum sheeting), and the invoice associated with the black male totaled \$350.00,

which very closely resembled Aiken Electric's description of the metal and estimated price of \$330.00, not Ms. Huffman's invoice of \$53.00. (Ethridge Depo p. 32-34)

Despite the clear evidence that Ms. Huffman was wrongfully arrested, the Defendant continued to accuse her as the person who committed the crime. (OCSD Offense Report, p. 3; Ethridge Depo p. 33). Officer Ethridge confronted Mr. Rich with the video evidence that did not show Ms. Huffman as the person who brought in the stolen goods, and Mr. Rich responded that "his employees observed Huffman with the items and he added that he would come and testify [against Ms. Huffman] in court." (Offense Report p. 3; Ethridge Depo p. 33). Officer Ethridge's report stated, "At this time I am not comfortable with this case due to the witnesses gave [sic] me false information the first time." (Offense Report p. 3; Ethridge Depo p. 38-39).

Ms. Huffman appeared in court for her scheduled court date. (Ethridge Depo p. 37). The charges against Ms. Huffman were dismissed on grounds consistent with her innocence. (Ethridge Depo p. 36-37). Afterwards, on June 21, 2010, the Sheriff's Department arrested Eugene James for this incident. (Aldridge Depo p. 25-27; Ethridge Depo p. 35).

STANDARD OF REVIEW

Rule 56(c), SCRPC, provides that summary judgment shall be granted when "the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law." "At the summary judgment stage of litigation, the court does not weigh conflicting evidence with respect to a disputed material fact." *S.C. Prop. & Cas. Guar. Ass'n v. Yensen*, 345 S.C. 512, 518, 548 S.E.2d 880, 883 (Ct. App. 2001). "In cases applying the preponderance of the evidence burden of proof, the non-moving party is only required to submit a mere scintilla of evidence in order to withstand a motion for summary

judgment.” *Hancock v. Mid-South Mgmt. Co.*, 381 S.C. 326, 330, 673 S.E.2d 801, 803 (2009). “In determining whether any triable issues of fact exist, the evidence and all inferences which can be reasonably drawn from the evidence must be viewed in the light most favorable to the nonmoving party.” *Id.* at 329-30, 673 S.E.2d at 802.

LAW/ANALYSIS

I. A Genuine Issue of Material Fact Exists to Support a Claim for Negligence.

The issue of negligence is a mixed question of law and fact. *Miller v. City of Camden*, 317 S.C. 28, 31, 451 S.E.2d 401, 403 (Ct. App. 1994).

“The duty of care is that standard of conduct the law requires of an actor in order to protect others against the risk of harm from his actions. It embodies the principle that the plaintiff should not be called to suffer a harm to his person or property which is foreseeable and which can be avoided by the defendant’s exercise of reasonable care.” *Snow v. City of Columbia*, 305 S.C. 544, 554, 409 S.E.2d 797, 803 (Ct. App. 1991). “An affirmative legal duty to act exists only if created by statute, contract, relationship, status, property interest, or some other special circumstance.” *Miller v. City of Camden*, 317 S.C. 28, 33, 451 S.E.2d 401, 404 (Ct. App. 1994). However, “one who assumes to act, even though under no obligation to do so, thereby becomes obligated to act with due care.” *Id.* at 33-34, 409 S.E.2d at 404.

Here, the Defendants had a duty to use reasonable care related to Ms. Huffman. Ms. Huffman was a customer of Sunshine Recycling. *Bass v. Gopal, Inc.*, 395 S.C. 129, 139, 716 S.E.2d 910, 915 (2011) (reasoning that “our courts have consistently imposed a duty on business owners to employ reasonable measures to protect invitees from foreseeable harm.”). Sunshine Recycling and Aiken Electric owe a duty to members of the public to take reasonable action before accusing a person of committing a crime. Further, Sunshine Recycling and Aiken Electric

assumed a duty to act with due care when they decided to investigate the incident and accuse Ms. Huffman of committing a criminal act. A genuine issue of fact exists that Sunshine Recycling and Aiken Electric did not conduct a reasonable investigation and relied upon wholly specious and unreliable information in accusing Ms. Huffman. All these defendants had to do was review the video surveillance, which clearly proves that Ms. Huffman was not the person that brought in the alleged stolen goods to Sunshine Recycling. (Aldridge Depo p. 25-27; Ethridge Depo p. 32-33). Instead, on May 17, 2010, Sunshine Recycling and Aiken Electric only reviewed a portion of the video from the surveillance cameras with the Sheriff's Department and identified Ms. Huffman as the person who brought in the stolen goods. (Incident Report 5/17/10; Aldridge Depo p. 18, 21-22; Ethridge Depo p. 24-25). Thus, the evidence is overwhelming for a finder of fact to conclude that Sunshine Recycling and Aiken Electric breached these duties by failing to act reasonably and failing to use due care related Ms. Huffman's arrested.

II. A Genuine Issue of Material Fact Exists to Support a Claim for False Arrest.

False arrest is "deprivation of a person's liberty without justification." *Caldwell v. K-Mart Corp.*, 306 S.C. 27, 30, 410 S.E.2d 21, 23 (Ct. App. 1991). "In order to recover under a theory of false imprisonment, the complainant must establish (1) the defendant restrained him; (2) the restraint was intentional; and (3) the restraint was unlawful." *Jones v. Winn-Dixie Greenville*, 318 S.C. 171, 175, 456 S.E.2d 429, 432 (S.C. Ct. App. 1995). "The tort of false imprisonment does not require an actual injurious touching. False imprisonment may be committed by words alone, or by acts alone or by both, and by merely operating on the will of the individual, or by personal violence, or by both." *Id.*

"An action for false imprisonment may not be maintained where the plaintiff was arrested by lawful authority." *Gist v. Berkeley County Sheriff's Dep't*, 336 S.C. 611, 615 (Ct. App.

1999). The fundamental issue in determining the lawfulness of an arrest for a false arrest claim is whether there was “probable cause” to make the arrest. *Wortman v. Spartanburg*, 310 S.C. 1, 4, 425 S.E.2d 18, 20 (S.C. 1992); *Jones v. City of Columbia*, 301 S.C. 62, 389 S.E.2d 662 (S.C. 1990). Thus, the linchpin of a false arrest claim is causing a person to be arrested without probable cause.

“Probable cause is defined as a good faith belief that a person is guilty of a crime when this belief rests upon such grounds as would induce an ordinarily prudent and cautious person, under the circumstances, to believe likewise.” *Id.* (citations omitted) “In determining the presence of probable cause for arrest, the probability cannot be technical, but must be factual and practical considerations of everyday life on which reasonable, prudent and cautious men, not legal technicians, act.” *Id.* (citations omitted). **“The issue of probable cause is a question of fact and ordinarily one for the jury.”** *Id.* (emphasis added).

Here, Sunshine Recycling and Aiken Electric deprived Ms. Huffman of her personal liberty without probable cause. The defendants do not dispute a want of probable cause in this case. On May 17, 2010, Mr. Rich of Sunshine Recycling and Mr. Goss of Aiken Electric met with Officer Aldridge at Sunshine Recycling’s place of business. (Incident Report dated 5/17/10; Aldridge Depo p. 18; Goss Depo p. 38). During this meeting, Mr. Goss identified the materials that Ms. Huffman brought to Sunshine Recycling as the stolen metal. (Aldridge Depo p. 21, Ethridge Depo p. 21-23; Goss Depo p. 44, 50).

Officer Aldridge was told by Mr. Rich and Mr. Goss that Ms. Huffman brought the stolen metal to Sunshine Recycling. (Incident Report 5/17/10; Aldridge Depo p. 18, 21-22; Ethridge Depo p. 24-25) Sunshine Recycling showed Officer Aldridge a copy of a receipt bearing Ms. Huffman’s name and showed him the surveillance video with Ms. Huffman at the payment

window of Sunshine Recycling. (Incident Report 5/17/10; Aldridge Depo p. 21; Ethridge Depo 20-21, 24-25). Sunshine Recycling and Aiken Electric told Officer Aldridge that Ms. Huffman committed the crime and Ms. Huffman became "Subject #1." (Incident Report dated 5/17/10). Afterwards, Aiken Electric insisted that the Sheriff's Department arrest Ms. Huffman. In the words of Office Aldridge, he remembers "a sense of urgency being pressed" by Aiken Electric to arrest Ms. Huffman. (Aldridge Depo. p. 65). Even though the Sheriff's Department arrested Ms. Huffman, it was the words and conduct of Sunshine Recycling and Aiken Electric that resulted in her wrongful arrest. The Sheriff's Department was simply relying of the eyewitness identification of Sunshine Recycling and Aiken Electric.

In South Carolina, a defendant can be liable for the tort of false arrest even if the police effectuated the arrest. *See Jones v. Winn-Dixie Greenville*, 318 S.C. 171, 175, 456 S.E.2d 429, 432 (S.C. Ct. App. 1995) ("False imprisonment may be committed by words alone, or by acts alone or by both, and by merely operating on the will of the individual, or by personal violence, or by both."). Without any doubt, it was the actions of Sunshine Recycling and Aiken Electric that caused Ms. Huffman to be restrained.

Sunshine Recycling and Aiken Electric lacked probable cause to accuse Ms. Huffman of committing any crime. The charge against Ms. Huffman was dismissed because she was not involved in this thief. (Ethridge Depo p. 36-37). Sunshine Recycling and Aiken Electric accused the wrong person. Even a cursory review of the surveillance video clearly shows that a black male brought in the stolen metal. (Aldridge Depo p. 25-27; Ethridge Depo p. 32-33). As indicated on the video and Ms. Huffman's receipt, the type of metal that she brought in (i.e. old aluminum sheeting, old electrical wiring) was not the type of metal that was stolen from Aiken Electric. (Ethridge Depo p. 32-34). Any reasonable review of the evidence by Sunshine

Recycling and Aiken Electric would have plainly revealed that Ms. Huffman was not a suspect or responsible in any manner for the stolen metal. Based on the probable cause standard, there was no good faith belief that Ms. Huffman was guilty of a crime that would induce an ordinarily prudent and cautious person, under the circumstances, to believe likewise. Even so, Sunshine Recycling and Aiken Electric now concede that no evidence existed to believe that Ms. Huffman committed any crime. (Goss Depo p. 67, 78-79; Rich Depo p. 35). Thus, a mere scintilla of disputed fact remains that probable cause did not exist for Sunshine Recycling and Aiken Electric to accuse Ms. Huffman of this crime. Summary judgment must be denied as to the claim for false arrest.

III. A Genuine Issue of Material Fact Exists to Support a Claim for Malicious Prosecution.

In order to recover in an action for malicious prosecution, the plaintiff must show (1) the institution or continuation of the original judicial proceedings, either civil or criminal; (2) by, or at the instance of, the defendant; (3) termination of such proceeding in the plaintiff's favor; (4) malice in instituting such proceedings; (5) lack of probable cause; and (6) resulting injury or damage. *Ruff v. Eckerds Drugs, Inc.*, 265 S.C. 563, 566, 220 S.E.2d 649, 651 (1975). In the context of a malicious prosecution claim, malice may be inferred at law based on the lack of probable cause. In *Law v. S.C. Dept. of Corrections*, 368 S.C. 424, 437, 629 S.E.2d 642, 649 (2006), the Supreme Court explained:

Malice is defined as the deliberate intentional doing of an act without just cause or excuse. Malice does not necessarily mean a defendant acted out of spite, revenge, or with a malignant disposition, although such an attitude certainly may indicate malice. Malice also may proceed from an ill-regulated mind which is not sufficiently cautious before causing injury to another person. Moreover, malice may be implied where the evidence reveals a disregard of the consequences of an injurious act, without reference to any special injury that may be inflicted on another

person. Malice also may be implied in the doing of an illegal act for one's own gratification or purpose without regard to the rights of others or the injury which may be inflicted on another person. In an action for malicious prosecution, malice may be inferred from a lack of probable cause to institute the prosecution.

Here, a genuine issue of fact exists to support all elements of the tort of malicious prosecution. Sunshine Recycling and Aiken Electric caused a criminal proceeding to be instituted against Ms. Huffman at their instance by accusing her of committing a crime. No one other than these defendants identified Ms. Huffman as the "suspect" and that person that had the stolen metal. (Incident Report 5/17/10; Aldridge Depo p. 18, 21-22; Ethridge Depo p. 24-25). At the time these accusations were made, Sunshine Recycling and Aiken Electric had clear evidence that Ms. Huffman was completely innocent. (Goss Depo p. 71; Rich Depo p. 35). The criminal charge was terminated in favor of Ms. Huffman on grounds consistent with her innocence. (Ethridge Depo p. 36-37). As for the element of malice, this element is inferred at law due to material issues of fact that Sunshine Recycling and Aiken Electric lacked probable cause to accuse Ms. Huffman as set forth above. Nevertheless, the facts in this case demonstrate that Sunshine Recycling and Aiken Electric just wanted to hold someone criminally responsible, while completely disregarding the evidence. Despite clear evidence that Ms. Huffman was innocent, Sunshine Recycling and Aiken Electric continued to press the Sheriff's Department for her arrest. (Ethridge Depo p. 33). After the Sheriff's Department reviewed the video the second time with Sunshine Recycling for the purpose of pointing out that Ms. Huffman was not responsible, the owner of Sunshine Recycling, Mr. Rich, still pressed for her conviction and he demanded to "come and testify [against Ms. Huffman] in court." (Offense Report p. 3; Ethridge Depo p. 33). The malicious treatment of Ms. Huffman is appalling. This led to Officer Ethridge's conclusion that he was "not comfortable with this case due to the witnesses gave [sic]

me false information the first time.” (Offense Report p. 3; Ethridge Depo p. 38-39). The evidence infers malice because Sunshine Recycling and Aiken Electric disregarded the consequences of their actions, without regard for any injury that may be inflicted on another person, such as accusing an innocent person of a crime. Finally, Ms. Huffman was injured because she was arrested and accused of a crime that she did not commit.

Thus, a genuine issue of material fact exists to support a claim for malicious prosecution.

IV. The Arrest Warrant Does Not Create Probable Cause as a Matter of Law

South Carolina law does not hold that an arrest warrant conclusively proves that probable cause exists in a subsequent civil action for malicious prosecution and false arrest. For example, in *Eaves v. Broad River Electric Coop., Inc.*, 277 S.C. 475, 289 S.E.2d 414 (1982), the electric cooperative contacted the sheriff’s department to procure an arrest warrant against the plaintiff for tampering with a meter. In that case, the court did not find that the existence of an arrest warrant was conclusive proof of probable cause, but the fact finder could view the evidence to determine if probable cause actually existed to procure a warrant. Practically speaking, if the existence of an arrest warrant was an absolute defense, then causes of action for false arrest and malicious prosecution would be rendered functionally meaningless because these claims are often brought following the issuance of an arrest warrant. Furthermore, in this case, the arrest warrant issued against Ms. Huffman was based on false and fabricated information provided by Sunshine Recycling and Aiken Electric. While the arrest warrant may have been validly obtained by a magistrate, the factual claims underlying the arrest warrant were patently false. “Probable cause was lacking on the face of the affidavit” if the materially false statements given by these defendants were removed. See *Franks v. Delaware*, 438 U.S. 154, 98 S. Ct. 2674, 57 L. Ed. 2d 667 (1978).

Respectfully submitted,

By:



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Attorneys for Plaintiff

Columbia, South Carolina

March 10, 2014

2014 MAR 10 14 12 51

FILED
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FBI

EXHIBIT 1

Documentation from
Orangeburg County Sheriff's
Department

Date: 6/03/10
Time: 12:41:17

ORANGEBURG CO SO
Offense Report

Page:
Program: CMS30:

Case Number : 1-10-005803
Occur To Date : 5/16/10 21:59
Dept Class : Receiving Stolen Goods
Case Status Dt : 6/03/10
Common Name : AIKEN ELECTRIC, 8381 NORTH RD
City : NORTH,
Map Reference : 30306706A
Report Date : 5/16/10 21:59
Occur From Date: 5/16/10 21:59
Day Of Week : Sunday
Case Status : Administratively Clos
Report Officer : HUGGINS, MAURICE
Entry Date : JORDAN, SANDRA 5/16/

***** V E H I C L E I N F O R M A T I O N # 1 *****
Case number : 1-10-005803
Color - Top : BLUE
Make : DODGE

***** S U S P E C T / A R R E S T E E I N F O R M A T I O N - # 1

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time. : ETHRIDGE, JAMES

6/01/10 10:13

Case Number : 1-10-005803
Street Number :
City : ST MATTHEWS, SC 29135
Home Phone No. : 803/000-0000
Birth Date : 10/08/1971 38
Social Security:
Minimum Weight : 150
Race : White
Ethnic Origin : Non-hispanic
Prompt valid in: HUFFMAN, MEREDITH
Business Phone : 803/000-0000
Maximum Age : 38
Minimum Height : 508
Juvenile : ADULT
Sex : Female

***** N A R R A T I V E # 1 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time. : ETHRIDGE, JAMES

5/18/10 16:31

SUPPLEMENTAL

Reported By: ETHRIDGE, JAMES

5/18/

I, SGT. ETHRIDGE, WAS ASSIGNED CASE NUMBER 2010005803 IN REFERENCE TO SOME COPPER WIRE BEING TAKEN FROM AIKEN ELECTRIC COOPERATIVE.

THE FIRST OFFICER NOTED THAT HE RESPONDED TO THE LOCATION AND COULD NOT DETERMINE IF ANYTHING WAS MISSING.

A SUPPLEMENTAL WAS THEN DONE BY DEPUTY HUGGINS, THE RESPONDING OFFICER, SAYING THAT ITEMS WERE TAKEN FROM THE LOCATION. THE AMOUNT OF ITEMS TAKEN WAS AROUND \$330. THE OFFICER ALSO NOTED THAT THE BUSINESS DOES HAVE SURVEILLANCE CAMERAS AND A WHITE TRUCK WAS SEEN ON THE VIDEO. ALSO THE OFFICER STATED THAT THE INCIDENT TYPE IS BEING CHANGED TO BURGLARY.

THESE ELEMENTS DO NOT CONSTITUTE A BURGLARY; IT IS STILL A PETIT LARCENY.

BECAUSE I AM FAMILIAR WITH MARK GOSS AND HE CONTACTED ME ABOUT THIS CASE I AM GOING TO FOLLOW UP ON THE CASE.

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ORANGEBURG CO SO
Offense Report

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1-10-005803 (Continued)

ALSO I OBTAINED A COPY OF THE VIDEO AND I DID NOT OBSERVE ANY SUSPECT VEHICLES. I DO OBSERVE A BLACK MALE FROM A DISTANCE WALKING ON THE PROPERTY AND OBTAINING PROPERTY FROM WORK TRUCKS. YOU CAN NOT IDENTIFY THE INDIVIDUAL FROM THE VIDEO.

I ALSO QUESTIONED MARK GOSS ABOUT THE WHITE TRUCK AND HE ADVISED ME THAT HE INFORMED THE OFFICER THAT ONE OF THEIR EMPLOYERS, CHUCK SPELLS, RODE BY THE INCIDENT LOCATION AROUND THE TIME OF THIS INCIDENT AND OBSERVED A WHITE FORD F-150 COMING FROM BEHIND THE FENCE AREA ON A PRIVATE ROAD BELONGING TO THE BUSINESS.

DEPUTY ALDRIDGE ALSO RESPONDED TO SUNSHINE RECYCLING IN REFERENCE TO THIS SAME CASE. HE MET WITH THE OWNER, JOE RICH, AND MARK GOSS, AIKEN ELECTRIC EMPLOYEE, IN REFERENCE TO A FEMALE SELLING THE METAL. THE OFFICER ADVISED THAT THE FEMALE IS A MEREDITH HUFFMAN AND SHE WAS DRIVING A BLACK IN COLOR DODGE TRUCK. THE OFFICER OBSERVED THE BUSINESSES VIDEO SURVEILLANCE AND OBSERVED HUFFMAN BRINGING THE MERCHANDISE IN AND SELLING IT TO SUNSHINE STEEL.

GOSS ADVISED ME THAT HE WENT TO THIS LOCATION ON THIS DAY TO INFORM THE COMPANY OF THEIR THEFT AND GIVE THEM SOME SAMPLES OF THE WIRE SO THAT THEY WILL KNOW WHAT WAS TAKEN. WHILE HE WAS THERE HE ACTUALLY SPOKE AND CARRIED ON A CONVERSATION WITH HUFFMAN WHILE SHE WAS WAITING TO GET PAID FOR THE ITEMS THAT SHE HAD JUST BROUGHT IN.

GOSS SAID THAT HE VIEWED THE ITEMS AFTER SHE LEFT AND IDENTIFIED THEM AS BEING THEIRS.

HUFFMAN WAS ALSO IDENTIFIED DUE TO HAVING TO PRESENT HER DRIVERS LICENSE TO MAKE THE TRANSACTION.

I HAVE OBTAINED A COPY OF THE TICKET THAT SHOWS THAT MEREDITH HUFFMAN SOLD ALUMINUM AND COPPER TO SUNSHINE IN THE AMOUNT OF \$53. ON THE RECEIPT IS THE ID NUMBER OF 007248484. I RAN THIS NUMBER AND IT COMES BACK TO MEREDITH HUFFMAN.

I ALSO MET WITH GOSS AT SUNSHINE ON MAY 18, 2010 SO THAT HE COULD OBTAIN THE PROPERTY. I DID PHOTOGRAPH THESE ITEMS AND THEY WERE RELEASED TO GOSS. GOSS ALSO SHOWED ME SAMPLES FROM THE INCIDENT LOCATION AND I ALSO PHOTOGRAPHED THEM. GOSS ALSO INFORMED ME THAT HE VIEWED THE REPORT DONE BY ALDRIDGE AND THE VEHICLE THAT HUFFMAN WAS IN WAS A RED DODGE TRUCK NOT BLACK. HE ADVISED THAT THE TAG NUMBER OF AFB106 WAS CORRECT.

I DID RUN THIS TAG AND THE VEHICLE IS A 2005 DODGE TRUCK REGISTERED TO JEFFREY MILLER AND MEREDITH HUFFMAN.

WHILE I WAS THERE I ALSO SPOKE WITH THE OWNER OF SUNSHINE AND HE ADVISED THAT HE HAS NOT YET OBTAINED ME A COPY OF THE VIDEO BUT HE WILL CALL THE COMPANY TO DO SO. HE ALSO ADVISED ME THAT HIS EMPLOYEES THAT WORK IN THE COPPER AREA ADVISED THAT HUFFMAN WAS THE INDIVIDUAL WHO BROUGHT THE MERCHANDISE IN AND THAT SHE WAS DRIVING A RED IN COLOR

Date: 6/03/10
Time: 12:41:17

ORANGEBURG CO SO
Offense Report

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1-10-005803 (Continued)
AT THIS TIME I AM NOT COMFORTABLE WITH THIS CASE DUE TO THE WITNESSES
GAVE ME FALSE INFORMATION THE FIRST TIME. GOSS SAYS HE CAN IDENTIFY
THE PROPERTY BUT IT IS METAL AND IT IS NOT MARKED IN ANY WAY.

I DID GO AND SPEAK WITH JUDGE DASH ABOUT EUGENE JAMES. HE ADVISED THAT
METAL IS METAL, UNLESS IT IS MARKED IN A SPECIFIC WAY THAT HE WOULD
NOT ISSUE A WARRANT.

I HAVE SPOKEN TO GOSS IN REFERENCE TO THIS CASE AGAIN. I ADVISED HIM
OF WHAT THE JUDGE STATED AND HE ADVISED THAT HE WOULD INFORM HIS
PEOPLE. HE ADVISED THAT HE COULD IDENTIFY THE METAL. I ASKED HIM IF IT
WAS A SPECIAL WIRE AND HE ADVISED THAT HE COULD NOT TELL YOU THAT THEY
ARE THE ONLY COMPANY IN SOUTH CAROLINA THAT USES IT.

GOSS ALSO ADVISED ME THAT HE DID GO BY THE ADDRESS ON EUGENE JAMES S
DRIVERS LICENSE BUT IT IS AN ABANDONED RESIDENCE.

I DID CHECK OUR SYSTEM AND I DID FIND AN ADDRESS ANOTHER ADDRESS IN
HOLLY HILL.

I WILL ATTEMPT TO LOCATE JAMES ABOUT THIS INCIDENT ON A LATER DATE AND
SEE IF HE WILL ADMIT TO IT.

THIS CASE IS CLOSED.

DUE TO THE CHARGES ARE GOING TO BE DROPPED ON THE ORIGINAL ARREST I AM
ADMINISTRATIVELY CLOSING THIS CASE AT THIS TIME.

***** N A R R A T I V E # 2 *****

*** SUPPLEMENT DETAILS ***

Report#Emp/Dte/Time. : CONNOR, EUGENE

5/19/10 10:22

ADDITIONAL NOTES

Reported By: CONNOR, EUGENE

5/19/10

I talked to Mr. Rushton on 5/18/10. Mr. Rushton stated that Mark Goss
spotted their wire at sunshine. They have the identity of the woman
who sold the wire. Quality Assurance check list was followed and
everything was great. Mr. Rushton stated that you need three officers
to cover that station.

***** END OF REPORT *****

Date: 6/03/10
Time: 12:41:17

ORANGEBURG CO SO
Offense Report

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TRUCK.

1-10-005803 (Continued)

I NEVER MADE CONTACT WITH HUFFMAN, DUE TO SHE LIVED IN CALHOUN COUNTY.

I ALSO SPOKE WITH SUNSHINE SEVERAL TIMES ABOUT THE VIDEO BUT THEY STILL DID NOT HAVE A COPY OF THE INCIDENT.

MARK GOSS ALSO CALLED ME SEVERAL TIMES ABOUT MOVING FURTHER WITH THE CASE.

ON MAY 21, 2010, I WAS ABLE TO SPEAK WITH JUDGE MURRAY IN REFERENCE TO THIS CASE AND I WAS ABLE TO OBTAIN A WARRANT ON MEREDITH HUFFMAN FOR RECEIVING STOLEN GOODS.

THE WARRANT IS IN NCIC AND CALHOUN COUNTY IS AWARE OF THE WARRANT.

ON JUNE 2, 2010 HUFFMAN DID COME IN AND TALK WITH ME. SHE WAS ADVISED OF HER RIGHTS AND AGREED TO TALK WITH ME. SHE DID GIVE ME A STATEMENT SAYING THAT SHE DID GO TO SUNSHINE BUT NONE OF THE ITEMS THAT SHE TOOK WITH STOLEN. HUFFMAN ALSO BROUGHT IN METAL SIMILAR TO WHAT SHE TOOK TO SUNSHINE AND PICTURES OF WHERE SHE GOT IT FROM.

HUFFMAN WAS SERVED WITH HER WARRANT.

I THEN LATER WAS CONTACTED BY ALLEN PRICE WITH THE SECURITY SERVICE ADVISING ME THAT HE WOULD MEET ME AT SUNSHINE TO VIEW THE VIDEO AND TO OBTAIN A COPY IF IT.

I DID GO AND MEET HIM. I DID OBSERVE HUFFMAN ON THE PROPERTY IN THE RED TRUCK. WE THEN WENT TO THE BACK AREA AND WATCHED THE VIDEO OF WHERE SHE TOOK THE ITEMS OFF OF HER TRUCK AND SHE DID HAVE SOME COPPER THAT RESEMBLES WHAT WAS TAKEN IN THE BACK OF HER TRUCK, BUT THE ALUMINUM WAS SHEETING NOT WIRE.

I THEN QUESTIONED THE OWNER, JOE RICH, AND HE ADVISED THAT HIS EMPLOYEES OBSERVED HUFFMAN WITH THE ITEMS AND HE ADDED THAT HE WOULD COME AND TESTIFY IN COURT.

I ADVISED HIM THAT AFTER VIEWING THE VIDEO, IT DOES NOT SHOW HER WITH THE SAME ITEMS THAT WAS TAKEN. DUE TO THESE FACTS THERE IS NOT ENOUGH EVIDENCE TO SUPPORT THIS CASE.

I WILL BE DISMISSING THESE CHARGES ON HUFFMAN.

I THEN LATER WAS CONTACTED BY MARK GOSS AND SUNSHINE SAYING THAT THEY DID GO BACK AND VIEW THE VIDEO AND THE SAME TIME HUFFMAN WAS AT THE LOCATION A BLACK MALE DRIVING A WHITE TRUCK CAME TO THE BUSINESS. HIS NAME IS EUGENE JAMES AND HIS SC TAG NUMBER WAS 6087CM.

I DID OBTAIN A COPY OF THIS TICKET AND ALL HIS INFORMATION FROM SUNSHINE.

Date: 6/01/10
Time: 10:15:00

ORANGEBURG CO SO
Offense Report

Page:
Program: CMS30:

1-10-005803 (Continued)
PROPERTY AND OBTAINING PROPERTY FROM WORK TRUCKS. YOU CAN NOT IDENTIFY THE INDIVIDUAL FROM THE VIDEO.

I ALSO QUESTIONED MARK GOSS ABOUT THE WHITE TRUCK AND HE ADVISED ME THAT HE INFORMED THE OFFICER THAT ONE OF THEIR EMPLOYERS, CHUCK SPELLS, RODE BY THE INCIDENT LOCATION AROUND THE TIME OF THIS INCIDENT AND OBSERVED A WHITE FORD F-150 COMING FROM BEHIND THE FENCE AREA ON A PRIVATE ROAD BELONGING TO THE BUSINESS.

DEPUTY ALDRIDGE ALSO RESPONDED TO SUNSHINE RECYCLING IN REFERENCE TO THIS SAME CASE. HE MET WITH THE OWNER, JOE RICH, AND MARK GOSS, AIKEN ELECTRIC EMPLOYEE IN REFERENCE TO A FEMALE SELLING THE METAL. THE OFFICER ADVISED THAT THE FEMALE IS A MEREDITH HUFFMAN AND SHE WAS DRIVING A BLACK IN COLOR DODGE TRUCK. THE OFFICER OBSERVED THE BUSINESSES VIDEO SURVEILLANCE AND OBSERVED HUFFMAN BRINGING THE MERCHANDISE IN AND SELLING IT TO SUNSHINE STEEL.

GOSS ADVISED ME THAT HE WENT TO THIS LOCATION ON THIS DAY TO INFORM THE COMPANY OF THEIR THEFT AND GIVE THEM SOME SAMPLES OF THE WIRE SO THAT THEY WILL KNOW WHAT WAS TAKEN. WHILE HE WAS THERE HE ACTUALLY SPOKE AND CARRIED ON A CONVERSATION WITH HUFFMAN WHILE SHE WAS WAITING TO GET PAID FOR THE ITEMS THAT SHE HAD JUST BROUGHT IN.

GOSS SAID THAT HE VIEWED THE ITEMS AFTER SHE LEFT AND IDENTIFIED THEM AS BEING THEIRS.

HUFFMAN WAS ALSO IDENTIFIED DUE TO HAVING TO PRESENT HER DRIVERS LICENSE TO MAKE THE TRANSACTION.

I HAVE OBTAINED A COPY OF THE TICKET THAT SHOWS THAT MEREDITH HUFFMAN SOLD ALUMINUM AND COPPER TO SUNSHINE IN THE AMOUNT OF \$53. ON THE RECEIPT IS THE ID NUMBER OF 007248484. I RAN THIS NUMBER AND IT COMES BACK TO MEREDITH HUFFMAN.

I ALSO MET WITH GOSS AT SUNSHINE ON MAY 18, 2010 SO THAT HE COULD OBTAIN THE PROPERTY. I DID PHOTOGRAPH THESE ITEMS AND THEY WERE RELEASED TO GOSS. GOSS ALSO SHOWED ME SAMPLES FROM THE INCIDENT LOCATION AND I ALSO PHOTOGRAPHED THEM. GOSS ALSO INFORMED ME THAT HE VIEWED THE REPORT DONE BY ALDRIDGE AND THE VEHICLE THAT HUFFMAN WAS IN WAS AN RD DODGE TRUCK NOT BLACK. HE ADVISED THAT THE TAG NUMBER OF AFB106 WAS CORRECT.

I DID RUN THIS TAG AND THE VEHICLE IS A 2005 DODGE TRUCK REGISTERED TO JEFFREY MILLER AND MEREDITH HUFFMAN.

ON May 21, 2010, I WAS ABLE TO SPEAK WITH JUDGE MURRAY IN REFERENCE TO THIS CASE AND I WAS ABLE TO OBTAIN A WARRANT ON MEREDITH HUFFMAN FOR RECEIVING STOLEN GOODS.

The warrant is in ncic and Calhoun County is aware of the warrant.

This case is closed pending an arrest.

Date: 6/01/10
Time: 10:15:00

ORANGEBURG CO SO
Offense Report

Page:
Program: CMS30

Case Number : 1-10-005803
Occur To Date : 5/16/10 21:59
Dept Class : Receiving Stolen Goods
Case Status : Pending Arrest (Warrant Issued)
Case Status Dt : 6/01/10
Common Name : AIKEN ELECTRIC, 8381 NORTH RD
City : NORTH,
Map Reference : 30306706A
Report Date : 5/16/10 21:59
Occur From Date: 5/16/10 21:59
Day Of Week : Sunday
Report Officer : HUGGINS, MAURICE
Entry Date : JORDAN, SANDRA 5/16,

***** VEHICLE INFORMATION # 1 *****
Case number : 1-10-005803
Color - Top : BLUE
Make : DODGE

***** SUSPECT / ARRESTEE INFORMATION - # 1

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time. : ETHRIDGE, JAMES

6/01/10 10:13

Case Number : 1-10-005803
Street Number :
City : ST MATTHEWS, SC 29135
Home Phone No. : 803/000-0000
Birth Date : 10/08/1971 38
Social Security:
Minimum Weight : 150
Race : White
Ethnic Origin : Non-hispanic
Prompt valid in: HUFFMAN, MEREDITH
Business Phone : 803/000-0000
Maximum Age : 38
Minimum Height : 508
Juvenile : ADULT
Sex : Female

***** NARRATIVE # 1 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time. : ETHRIDGE, JAMES

5/18/10 16:31

SUPPLEMENTAL

Reported By: ETHRIDGE, JAMES

5/18/

I, SGT. ETHRIDGE, WAS ASSIGNED CASE NUMBER 2010005803 IN REFERENCE TO SOME COPPER WIRE BEING TAKEN FROM AIKEN ELECTRIC COOPERATIVE.

THE FIRST OFFICER NOTED THAT HE RESPONDED TO THE LOCATION AND COULD NOT DETERMINE IF ANYTHING WAS MISSING.

A SUPPLEMENTAL WAS THEN DONE BY DEPUTY HUGGINS, THE RESPONDING OFFICER, SAYING THAT ITEMS WERE TAKEN FROM THE LOCATION. THE AMOUNT OF ITEMS TAKEN WAS AROUND \$330. THE OFFICER ALSO NOTED THAT THE BUSINESS DOES HAVE SURVEILLANCE CAMERAS AND A WHITE TRUCK WAS SEEN ON THE VIDEO. ALSO THE OFFICER STATED THAT THE INCIDENT TYPE IS BEING CHANGED TO BURGLARY.

THESE ELEMENTS TO NOT CONSTITUTE A BURGLARY, IT IS STILL A PETIT LARCENY.

ALSO I OBTAINED A COPY OF THE VIDEO AND I DID NOT OBSERVE ANY SUSPECT VEHICLES. I DO OBSERVE A BLACK MALE FROM A DISTANCE WALKING ON THE

Date: 6/01/10
Time: 10:15:00

ORANGEBURG CO SO
Offense Report

Page:
Program: CMS30

1-10-005803 (Continued)

***** N A R R A T I V E # 2 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time. : CONNOR, EUGENE

5/19/10 10:22

ADDITIONAL NOTES

Reported By: CONNOR, EUGENE

5/19,

I talked to Mr. Rushton on 5/18/10. Mr. Rushton stated that Mark Goss spotted their wire at sunshine. They have the identity of the woman who sold the wire. Quality Assurance check list was followed and everything was great. Mr. Rushton stated that you need three officers to cover that station.

***** END OF REPORT *****

Date: 6/03/10
Time: 10:38:59

ORANGEBURG CO SO
Arrest Report

Page:
Program: CMS30

Case Number : 1-10-005803-001
Address :
City/State/Zip : ST MATTHEWS, SC 29135
Home Phone No. : 803/000-0000
Other Phone No.: 803/000-0000
Birth City/State: O
Soc Sec Number :
Status : Suspect
Sex : Female
Height : 508

Name : HUFFMAN, MEREDITH
Business Phone : 803/000-0000
Birth Date/Age : 10/08/1971 38
Residency Type : State
Adult/Juvenile : ADULT
Race : White
Ethnic Origin : Non-hispanic
Weight : 150

***** A R R E S T I N F O R M A T I O N *****
Case Number : 1-10-005803
Day of Week : Wednesday
Weapon Seized : None - Offense Only
Arrest Date/Time: 6/02/10 12:00
Arrest Type : Taken Into Custody
Arresting Ofcr : ETHRIDGE, JAMES

LOCATION INFORMATION

Case number : 1-10-005803

***** C H A R G E

Case Number : 1-10-005803

Statute/Ordnce : 16-13-180 1

I N F O R M A T I O N # 1 *****
State Classif : All Other Larcenies

* * * * * E N D O F R E P O R T * * * * *

Agency I.D.
SCO 380000

INCIDENT REPORT

INFORMATION
ONLY

CASE NUMBER

NCIC
INQ EN

2011010158031

1. <u>Trespassing</u>		COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
2.		☒ YES ☐ NO	☐ YES ☐ NO	<u>Parking</u>		☐ Individual ☐ Business ☐ Financial Ins ☐ Government ☐ Relig. Orgn. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.
3.		☐ YES ☐ NO	☐ YES ☐ NO			
INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)						
<u>8381 North Rd North SC</u>						
INCIDENT DATE	34 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME	24 HR. CLOCK
<u>5-16-10</u>	<u>2130</u>		<u>5-16-10</u>	<u>2247</u>	<u>5-16-10</u>	<u>2201</u>
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX
<u>Rushon, Charles</u>				☒ YES ☐ NO	<u>W</u>	<u>M</u>
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.
<u>8381 North Rd</u>		<u>North</u>		<u>SC</u>	<u>29112</u>	<u>04</u>
VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX
<u>Aiken Electric</u>				☒ YES ☐ NO	<u>W</u>	<u>M</u>
HEIGHT		WEIGHT		HAIR		EYES
FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.
<u>8381 North Rd</u>		<u>North</u>		<u>SC</u>	<u>29112</u>	<u>04</u>

VISIBLE INJURY (VICT. 1)		☐ YES ☐ NO ☐ EXPLAIN	COMPLAINANT OF ANY NON-VISIBLE INJURIES		☐ YES ☐ NO
TWO-MAN VEH.		ONE-MAN VEH.	DETECTIVE/SPL. ASMT.	OTHER	ALONE
NAME (LAST, FIRST, MIDDLE)		ASSISTED			
<u>Unknown</u>		☒ YES ☐ NO			
RACE		SEX	AGE	ETH.	DATE OF BIRTH
<u>U</u>		<u>U</u>	<u>U</u>	<u>U</u>	<u>UNK</u>
FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.					
ADDRESS		CITY		STATE	ZIP CODE
<u>Unknown</u>		<u>Unknown</u>		<u>U</u>	<u>Unknown</u>
SUBJECT (NO. 1) USING ALCOHOL		☐ YES ☐ NO ☐ UNK	ARRESTED NEAR OFFENSE SCENE		
☐ YES ☐ NO ☐ UNK		☐ YES ☐ NO			
TOTAL # ARRESTED		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST	

On 5-16-10. This deputy responded to the above incident type. Upon arrival I spoke to the complainant (Charles Rushon) and he stated that the security camera showed a unknown subject on the premise. At the incident location, this unit conducted a security check of the incident location and did not locate the subject. Complainant stated that it is unknown if any items were taken.

I HAVE RECEIVED A COPY OF THE 1997 VICTIMS AND WITNESS SERVICES STATUTE.

TYPE (GROUP)	STOLEN	DAMAGED	BURNED	RECOVERED	SEIZED	TOTAL VALUE

SUBJECT IDENTIFIED		SUBJECT LOCATED		REASON FOR EXCEPTIONAL CLEARANCE		1. OFFENDER DEATH		2. NO PROSECUTION		3. EXTRADITION DENIED		4. VICTIM DECLINES COOPERATION		5. JUVENILE-NO CUSTODY	
☒ YES ☐ NO		☒ YES ☐ NO		☐ ACTIVE ☒ AOM. CLOSED		☐ ARRESTED UNDER 18		☐ ARRESTED 18 AND OVER		☐ EX-CLEAR UNDER 18		☐ EX-CLEAR 18 AND OVER			
<u>Higgins, M</u>		<u>5-16-10</u>		<u>123</u>		<u>Sgt Hunter</u>		<u>5-16-10</u>		<u>C109</u>		<u>5-17-10</u>			
FOLLOW UP OFFICER		INVESTIGATION		YES ☐ NO ☒		Ethiopia									

Agency I.D. SCO 380000		INCIDENT REPORT		INFORMATION ONLY		CASE NUMBER 20110100058013		NCIC ING ENT																	
INCIDENT TYPE				COMPLETED		FORCED ENTRY		PREMISE TYPE																	
1. <u>Trespassing</u>				☒ YES ☐ NO		☐ YES ☐ NO		<u>Parking</u>																	
2.				☐ YES ☐ NO		☐ YES ☐ NO																			
3.				☐ YES ☐ NO		☐ YES ☐ NO																			
INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)																									
<u>8381 North Rd</u>				<u>North SC</u>				ZIP CODE <u>29112</u>																	
INCIDENT DATE		24 HR. CLOCK		DATE		24 HR. CLOCK		DISPATCH DATE/TIME																	
<u>5-16-10</u>		<u>2130</u>		<u>5-16-10</u>		<u>2247</u>		<u>2201</u>																	
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP TO SUBJECT		RESIDENT		RACE																	
<u>Rushon, Charles</u>						☒ YES ☐ NO		<u>W</u>																	
ADDRESS				CITY		STATE		ZIP CODE																	
<u>8381 North Rd</u>				<u>North</u>		<u>SC</u>		<u>29112</u>																	
VICTIM'S NAME (LAST, FIRST, MIDDLE)				RELATIONSHIP TO SUBJECT		RESIDENT		RACE																	
<u>Aiken Electric</u>						☒ YES ☐ NO		<u>W</u>																	
HEIGHT				WEIGHT		HAIR		EYES																	
FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.																									
ADDRESS																									
<u>8381 North Rd</u>				CITY		STATE		ZIP CODE																	
<u>North</u>				<u>SC</u>		<u>29112</u>		<u>04</u>																	
VISIBLE INJURY (VICT. 1) ☐ YES ☐ NO ☐ EXPLAIN																									
VISIBLE (NO. 1) USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐ DRUGS ☐ YES ☐ NO ☐ UNK ☐ TYPE																									
COMPLAINT OF ANY NON-VISIBLE INJURIES: ☐ YES ☐ NO ☐																									
TWO-MAN VEH. ☐ ONE-MAN VEH. ☐ DETECTIVE/SPL. ASMT. ☐ OTHER ☐ ALONE ☐ ASSISTED ☐ J-This Jurisdiction, S-State, O-Out of State, U-Unknown.																									
SUSPECT NAME (LAST, FIRST, MIDDLE)																									
<u>Unknown</u>				RACE		SEX		AGE																	
				<u>U</u>		<u>U</u>		<u>U</u>																	
FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.																									
ADDRESS																									
<u>Unknown</u>				CITY		STATE		ZIP CODE																	
<u>Unknown</u>				<u>Unknown</u>		<u>U</u>		<u>Unknown</u>																	
SUBJECT (NO. 1) USING ALCOHOL ☐ YES ☐ NO ☐ UNK ☐ DRUGS ☐ YES ☐ NO ☐ UNK ☐ TYPE																									
ARRESTED NEAR OFFENSE SCENE ☐ YES ☐ NO ☐ DATE/TIME OF OFFENSE																									
DATE/TIME OF ARREST																									
On 5-16-10. This deputy responded to the above incident type. Upon arrival I spoke to the complainant (Charles Rushon) and he stated that the security camera showed a unknown subject on the premise at the incident location. This unit conducted a security check of the incident location and did not locate the subject. Complainant stated that it is unknown if any items were taken.																									
I HAVE RECEIVED A COPY OF THE 1997 VICTIMS AND WITNESS SERVICES STATUTE.																									
Signature																									
Jurisdiction Of This Law Enforcement Agency																									
Jurisdiction Of Recovery Law Enforcement Agency																									
TYPE (GROUP)																									
STOLEN																									
DAMAGED																									
BURNED																									
RECOVERED																									
SEIZED																									
SUBJECT IDENTIFIED ☐ YES ☐ NO ☐ SUBJECT LOCATED ☐ YES ☐ NO ☐																									
☐ ACTIVE ☒ ADM. CLOSED ☐ ARRESTED UNDER 18 ☐ EX-CLEAR UNDER 18																									
☐ UNFOUNDED ☐ ARRESTED 18 AND OVER ☐ EX-CLEAR 18 AND OVER																									
☐ EXTRADITION DENIED ☐ VICTIM DECLINES COOPERATION ☐ JUVENILE-NO CUSTODY																									
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;">Investigator</td> <td style="width:25%;">Date</td> <td style="width:25%;">Unit Number</td> <td style="width:25%;">Officer</td> </tr> <tr> <td><u>Iduggis, M</u></td> <td><u>5-16-10</u></td> <td><u>123</u></td> <td><u>Sgt Hunter</u></td> </tr> <tr> <td colspan="2">FOLLOW-UP OFFICER</td> <td colspan="2">DATE</td> </tr> <tr> <td colspan="2"><u>5-16-10</u></td> <td colspan="2"><u>C109</u></td> </tr> </table>										Investigator	Date	Unit Number	Officer	<u>Iduggis, M</u>	<u>5-16-10</u>	<u>123</u>	<u>Sgt Hunter</u>	FOLLOW-UP OFFICER		DATE		<u>5-16-10</u>		<u>C109</u>	
Investigator	Date	Unit Number	Officer																						
<u>Iduggis, M</u>	<u>5-16-10</u>	<u>123</u>	<u>Sgt Hunter</u>																						
FOLLOW-UP OFFICER		DATE																							
<u>5-16-10</u>		<u>C109</u>																							
INVESTIGATION ☐ YES ☐ NO ☐																									

Agency I.D.
SCO 380000

INCIDENT REPORT

INFORMATION
ONLY

CASE NUMBER

NCIC
INQ. EN

2010005803

1. <u>Trespassing</u>		COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
2.		☒ YES ☐ NO	☐ YES ☐ NO	<u>Parking</u>		Individual
3.		☐ YES ☐ NO	☐ YES ☐ NO			Business
INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)						Financial Ins
<u>8381 North Rd</u>		<u>North SC</u>		<u>29112</u>		Relig. Orgt.
INCIDENT DATE	24 HR. CLOCK	DATE	24 HR. CLOCK	DISPATCH DATE/TIME	24 HR. CLOCK	Other
<u>5-16-10</u>	<u>2130</u>	<u>5-16-10</u>	<u>2247</u>	<u>5-16-10</u>	<u>2201</u>	Unknown
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX
<u>Rushon, Charles</u>				☒ YES ☐ NO	<u>W</u>	<u>M</u>
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.
<u>8381 North Rd</u>		<u>North</u>		<u>SC</u>	<u>29112</u>	<u>04</u>
VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX
<u>Aiken Electric</u>				☒ YES ☐ NO	<u>W</u>	<u>M</u>
HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.		
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.
<u>8381 North Rd</u>		<u>North</u>		<u>SC</u>	<u>29112</u>	<u>04</u>

VISIBLE INJURY (VICT. 1)		☐ YES ☐ NO ☐ EXPLAIN	COMPLAINT OF ANY NON-VISIBLE INJURIES: ☐ YES ☐ NO	
VISIBLE (NO. 1) USING: ALCOHOL ☐ YES ☐ NO ☐ UNK		DRUGS: ☐ YES ☐ NO ☐ UNK		
TWO-MAN VEH. ☐		ONE-MAN VEH. ☐ DETECTIVE/SPL. ASMT. ☐ OTHER ☐ ALONG ☐ ASSISTED ☐		
NAME (LAST, FIRST, MIDDLE)		J-This Jurisdiction, S-State, O-Out of State, U-Unknown.		
<u>Unknown</u>				
RACE		SEX	AGE	ETH.
<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>
DATE OF BIRTH		HEIGHT	WEIGHT	HAIR
<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>
ADDRESS		CITY		
<u>Unknown</u>		<u>Unknown</u>		
STATE		ZIP CODE	LOCATION NO.	
<u>U</u>	<u>Unknown</u>			
SUBJECT (NO. 1) USING: ALCOHOL ☐ YES ☐ NO ☐ UNK		ARRESTED NEAR OFFENSE SCENE ☐ YES ☐ NO		
DRUGS: ☐ YES ☐ NO ☐ UNK		TOTAL # ARRESTED		
		DATE/TIME OF OFFENSE		
		DATE/TIME OF ARREST		

On 5-16-10 This deputy responded to the above incident type. Upon arrival I spoke to the complainant (Charles Rushon) and he stated that the security camera showed a unknown subject on the premise At the incident location. This unit conducted a security check of the incident location and did not locate the subject. Complainant stated that it is unknown if any items were taken.

I HAVE RECEIVED A COPY OF THE 1997 VICTIMS AND WITNESS SERVICES STATUTE.

TYPE (GROUP)		Jurisdiction Of Theft Law Enforcement Agency		Jurisdiction Of Recovery Law Enforcement Agency	
STOLEN					
DAMAGED				TOTAL VALUE	
BURNED					
RECOVERED					
SEIZED					
SUBJECT IDENTIFIED ☐ YES ☐ NO		SUBJECT LOCATED ☐ YES ☐ NO			
REASON FOR EXCEPTIONAL CLEARANCE 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION		3. ☐ EXTRADITION DENIED		4. ☐ VICTIM DECLINES COOPERATION, 5. ☐ JUVENILE-NO CUSTODY	
Investigator: <u>Huggins, M</u>		Date: <u>5-16-10</u>		Time: <u>123</u>	
Follow-up Officer: <u>Sgt Hunter</u>		Date: <u>5-16-10</u>		Time: <u>C108</u>	
Investigation: <u>Yes</u>		Date: <u>5-17-10</u>			

AGENCY I.D.
SC0 380000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

2010005803

NCIC

INQ. 12

☐ ORIGINAL REPORT	☒ SUPPLEMENTAL REPORT	☐ ADDITIONAL VICTIMS	☐ ADDITIONAL STOLEN PROPERTY	PAGE 1 of 1
☐ MODIFIES ORIGINAL	☐ CASE STATUS CHANGE	☐ ADDITIONAL OFFENDERS	☐ ADDITIONAL RECOVERED PROPERTY	

VICT./SUBJ. I.D. OVERFLOW	☒ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.	
	☐ VICTIM #	Goss, Mark		#1	#2	#3	0300	W	M	47	5-5-68	
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
	☐ RUNAWAY	511	200	BRN	BRN							
	☐ WANTED	ADDRESS										
☐ WARRANT	8381 North Rd			North		SC	ZIP CODE	LOCATION NO.	DAY PHONE		EVENING PHONE	
☐ ARREST									803		803	
☐ JAIL									221-3590		221-3590	
☐ SUMMONS												
☐												

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.	
	☐ VICTIM #	Unknown		#1	#2	#3	J S O U	W	U	U	U	
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
	☐ RUNAWAY	U	U	U	U							
	☐ WANTED	ADDRESS										
☐ WARRANT	Unknown			Unknown		U	ZIP CODE	LOCATION NO.	DAY PHONE		EVENING PHONE	
☐ ARREST									Unknown		Unknown	
☐ JAIL												
☐ SUMMONS												
☐												

On 05-17-10 This deputy spoke to the above complainant (Mark Goss) in reference to case #2010005803. Complainant stated that an unknown subject stole the following items from the incident location. (1) boat cooper, (2) #6 cooper, (1) roll of Alumin. Estimated value of items taken are \$330.00. Complainant stated that a white ford F-150 was seen on the security camera at the incident location. This incident type has been charge to Burglary.

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY		JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY	
0250			

VEH./GUN/ETC. 1	STATUS	TYPE	VIN AND/OR LICENSE NO.	BOAT HULL NO. AND/OR REG. NO.
	☐ STOLEN	☐ VEHICLE		
	☐ RECOVERED	☐ GUN	SERIAL AND/OR OWNER APPLIED NO.	STATE
	☐ FOUND	☐ BOAT	YEAR OF REGISTRATION	YEAR OF EXPIRATION
	☐ TOWED	☐ LICENSE PLATE	MODEL	STYLE
	☐ SUSPECT	☐ SECURITIES/BONDS, STOCKS	NIC NO.	DENOMINATION
	☐ VICTIM	☐ ARTICLE	MISCELLANEOUS	

PROPERTY EST.	TYPE (GROUP)	Cooper	Alumini				TOTAL VALUE
	STOLEN	300	30				330
	DAMAGED						
	BURNED						
	RECOVERED						
	SEIZED						

ADMINISTRATIVE	SUBJECT IDENTIFIED	SUBJECT LOCATED	ACTIVE	ADJ. CLOSED	ARRESTED UNDER 18	EX-CLEAR UNDER 18
	☐ YES	☐ YES	☒ UNFOUNDED		☐ ARRESTED 18 AND OVER	☐ EX-CLEAR 18 AND OVER
	REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY					
	REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
	Idug, J. M.	5-17-10	123	Sgt Hunter	5-17-10	109

WHITE - RECORDS

YELLOW - S.L.E.D.

AGENCY I.D.
SCO 380000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

NCIC

2010005803

INQ. EP

☐ ORIGINAL REPORT	☒ SUPPLEMENTAL REPORT	☐ ADDITIONAL VICTIMS	☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL	☐ CASE STATUS CHANGE	☒ ADDITIONAL OFFENDERS	☐ ADDITIONAL RECOVERED PROPERTY

PAGE 1 of 1

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINTANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.
	☒ VICTIM #1	AIKEN ELECTRIC		#1	ST	#2					
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.					
	☐ RUNAWAY	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE	EVENING PHONE		
	☐ WANTED	8381 NORTH RD		ORANGEVILLE	SC	29115	-0				
☐ WARRANT	☐ VICTIM NO. _____ VISIBLE INJURY ☐ NO ☐ YES		☐ COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		☐ VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLASMT.		☐ ALONE		
☐ ARREST	EXPLAIN:		☐ NO ☐ YES		☐ DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.		☐ ONE-MAN VEHICLE ☐ OTHER		☐ ASSIS		
☐ JAIL	☐ SUBJECT NO. _____ USING ALCOHOL ☐ NO ☐ YES		☐ USING DRUGS: ☐ NO ☐ YES ☐ TYPE: ☐ UNK.								
☐ SUMMONS											

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINTANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.
	☒ VICTIM #1	HUEFFMAN, MEREDITH		#1		#2					
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.					
	☐ RUNAWAY	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE	EVENING PHONE		
	☐ WANTED	506 190 SAN		ST MATTHEWS	SC	29135	8				
☐ WARRANT	☐ VICTIM NO. _____ VISIBLE INJURY ☐ NO ☐ YES		☐ COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		☐ VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLASMT.		☐ ALONE		
☐ ARREST	EXPLAIN:		☐ NO ☐ YES		☐ DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.		☐ ONE-MAN VEHICLE ☐ OTHER		☐ ASSIS		
☐ JAIL	☒ SUBJECT NO. 1 USING ALCOHOL ☐ NO ☐ YES		☐ USING DRUGS: ☐ NO ☐ YES ☐ TYPE: ☒ UNK.								
☐ SUMMONS											

THIS UNIT MET WITH JOSEPH RICH, OWNER OF SCOTCHNE RECYCLING, IN REFERENCE TO THE SUBJECT BRIDGEMAN IN METAL THAT HAD BEEN IDENTIFIED AS STOLEN FROM THE VICTIM. THIS UNIT MET WITH MARK CROSS OF AIKEN ELECTRIC, VERIFY THAT THE METALS AT SCOTCHNE MATCHED SAMPLES THAT HE HAD BROUGHT. THIS UNIT OBSERVED THE SUBJECT ON VIDEO AT THE PAYMENT TERMINAL, AND THIS UNIT WAS ALSO PROVIDED WITH A COPY OF THE RECEIPT. MR. RICH ADVISED THAT HE WOULD PROVIDE OSCO WITH A COPY OF THE VIDEO. THE SUBJECT WAS DRIVING A BLACK DODGE PICK-UP TRUCK SC TAG: AFB 106. THIS UNIT WILL FORWARD THIS TO R/D REP HARRIS.

VEH./GUN/ETC. 1	STATUS	TYPE	VIN AND/OR LICENSE NO.	BOAT HULL NO. AND/OR REG. NO.
	☐ STOLEN	☐ VEHICLE	SERIAL AND/OR OWNER APPLIED NO.	STATE
	☐ RECOVERED	☐ GUN	YEAR OF REGISTRATION	YEAR OF EXPIRATION
	☐ FOUND	☐ BOAT	MODEL	STYLE
	☐ TOWED	☐ LICENSE PLATE	COLOR	BRAND NAME
☐ SUSPECT	☐ SECURITIES/BONDS, STOCKS	NIC NO.	DENOMINATION	ISSUER
☐ VICTIM	☐ ARTICLE	MISCELLANEOUS		

PROPERTY EST.	TYPE (GROUP)					TOTAL VALUE
	STOLEN					
	DAMAGED					
	BURNED					
	RECOVERED					
SEIZED						

ADMINISTRATIVE	SUBJECT IDENTIFIED	SUBJECT LOCATED	☐ ACTIVE ☐ ADM. CLOSED	☐ ARRESTED UNDER 18	☐ EX-CLEAR UNDER 18
	☒ YES ☐ NO	☐ YES ☒ NO	☐ UNFOUNDED	☐ ARRESTED 18 AND OVER	☐ EX-CLEAR 18 AND OVER
	REASON FOR EXCEPTIONAL CLEARANCE 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION.		3. ☐ EXTRADITION DENIED.		4. ☐ VICTIM DECLINES COOPERATION.
	REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE
	A. ALDRIDGE	5-17-10	C120	Sgt. S. J. Davis	5/17/10

WHITE - RECORDS
YELLOW - S.L.E.D.

AGENCY I.D.
SC0 380000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

NCI

2010005803

INC.

☐ ORIGINAL REPORT	☒ SUPPLEMENTAL REPORT	☐ ADDITIONAL VICTIMS	☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL	☐ CASE STATUS CHANGE	☒ ADDITIONAL OFFENDERS	☐ ADDITIONAL RECOVERED PROPERTY
			PAGE 1 of 2

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.
	☒ VICTIM # 1	AIKEN ELECTRIC		ST			OS O U				
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.					
	☐ RUNAWAY	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE	EVENING PHONE		
	☐ WANTED	8381 NORTH RD		CHANDLER	SC	29	6				
	☐ WARRANT	☐ VICTIM NO. _____		☐ VISIBLE INJURY ☐ NO ☐ YES		☐ COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		☐ VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASMT. ☐ ALO	
	☐ ARREST	EXPLAIN:		☐ SUBJECT NO. _____		☐ USING ALCOHOL ☐ NO ☐ YES		☐ DRUGS: ☐ NO ☐ YES TYPE: _____		☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASS	
	☐ JAIL										
	☐ SUMMONS										
	☐ _____										

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.
	☒ VICTIM # 2	JAMES, EUGENE					OS O U	B	M	36	12-19-73
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.					
	☐ RUNAWAY	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE	EVENING PHONE		
	☐ WANTED	509 290		GLK	PIO						
	☐ WARRANT	☐ VICTIM NO. _____		☐ VISIBLE INJURY ☐ NO ☐ YES		☐ COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		☐ VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASMT. ☐ ALO	
	☐ ARREST	EXPLAIN:		☐ SUBJECT NO. _____		☐ USING ALCOHOL ☐ NO ☐ YES		☐ DRUGS: ☐ NO ☐ YES TYPE: _____		☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASS	
	☐ JAIL										
	☐ SUMMONS										
	☐ _____										

NARRATIVE

THIS UNIT MET WITH MR GOSS OF AIKEN ELECTRIC ON 6-11-10, AT SLASHING RECYCLING IN REFERENCE TO A SUBJECT INVOLVED IN A LOBBY OF COPPER. MR GOSS PROVIDED THIS UNIT WITH PHOTOGRAPHIC EVIDENCE OF THE SUBJECT AND SUBJECT VEHICLE AT SLASHING SELLING THE COPPER. THE VEHICLE WAS A WHITE IN COLOR TRUCK, SC TAG 60B 7CM. MR. GOSS ADVISED HE CAN IDENTIFY THE COPPER BY THE AMOUNT OF WERE STANDS. MR GOSS IDENTIFIED THE COPPER BELONGING TO AIKEN ELECTRIC. THIS UNIT ALSO RECEIVED VERED SURVEILLANCE FROM SLASHING OF THE INCIDENT.

JURISDICTION OF THEFT
LAW ENFORCEMENT AGENCY

JURISDICTION OF RECOVERY
LAW ENFORCEMENT AGENCY

VEH./GUN/ETC. 1	STATUS	TYPE	VIN AND/OR LICENSE NO.	BOAT/HULL NO. AND/OR REG. NO.
	☐ STOLEN	☐ VEHICLE	SERIAL AND/OR OWNER APPLIED NO.	STATE
	☐ RECOVERED	☐ GUN	YEAR OF REGISTRATION	YEAR OF EXPIRATION
	☐ FOUND	☐ BOAT	MODEL	STYLE
	☐ TOWED	☐ LICENSE PLATE	NIC NO.	DENOMINATION
	☐ SUSPECT	☐ SECURITIES/BONDS, STOCKS	MISCELLANEOUS	COLOR
	☐ VICTIM	☐ ARTICLE		MAKE
				YEAR
				TYPE
				SECURITIES DATE

PROPERTY EST.	TYPE (GROUP)									TOTAL VALUE
	STOLEN									
	DAMAGED									
	BURNED									
	RECOVERED									
	SEIZED									

ADMINISTRATIVE	SUBJECT IDENTIFIED		SUBJECT LOCATED		☒ ACTIVE ☐ ADM. CLOSED		☐ ARRESTED UNDER 18		☐ EX-CLEAR UNDER 18	
	☒ YES ☐ NO		☒ YES ☐ NO		☐ UNFOUNDED		☐ ARRESTED 18 AND OVER		☐ EX-CLEAR 18 AND OVER	
	REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY									
	REPORTING OFFICER(S)		DATE		UNIT NUMBER		APPROVING OFFICER		DATE	
	A. AEDRDBE		6-11-10		C100		Cpl R. W. Wainwright		6-11-10	

WHITE - RECORDS

YELLOW - S.L.E.D.

AGENCY I.D.
SC0 380000

SUPPLEMENTARY REPORT

CASE NUMBER

2010005803

NCIC

INV. EN

☐ ORIGINAL
REPORT
☐ MODIFIES
ORIGINAL

☐ SUPPLEMENTAL
REPORT
☐ CASE STATUS
CHANGE

☐ ADDITIONAL
VICTIMS
☐ ADDITIONAL
OFFENDERS

☐ ADDITIONAL
STOLEN PROPERTY
☐ ADDITIONAL
RECOVERED PROPERTY

PAGE 2 of 2 PAGE

THIS UNIT AT THIS POINT HAS NOT BEEN ABLE TO WATCH THE VIDEO.
THIS UNIT WILL FORWARD THIS INFORMATION TO CID FOR FURTHER
INVESTIGATION. THE SUBJECT HAS BEEN KNOWN TO WORK AT CLUB
ZORAC AS A : MGR.

NARRATIVE

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO	SUBJECT LOCATED ☒ YES ☐ NO	☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED	☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER	☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER
REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY				
REPORTING OFFICER(S) A. ADDIDGE	DATE 6-11-10	UNIT NUMBER C180	APPROVING OFFICER Col K Winningsham	DATE 6-11-10
FOLLOW-UP INVESTIGATION ☒ YES ☐ NO			OFFICER	UNIT NUMBER C111

AGENCY I.D.
SC0 380000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

NCI

2010005803

INQ.

☐ ORIGINAL REPORT	☒ SUPPLEMENTAL REPORT	☐ ADDITIONAL VICTIMS	☐ ADDITIONAL STOLEN PROPERTY	PAGE 1 of 2
☐ MODIFIED ORIGINAL	☐ CASE STATUS CHANGE	☐ ADDITIONAL OFFENDERS	☐ ADDITIONAL RECOVERED PROPERTY	

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.	
	☐ VICTIM #	James, Eugene		#1	#2	#3	200	B	M	36	12/19/72	
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
	☐ RUNAWAY	509	300	Blk	Bro							
	☐ WANTED	ADDRESS										
☐ WARRANT	CITY			STATE	ZIP CODE	LOCATION NO	HOME		EVENING PHON			
☐ ARREST	Orangeburg			SC	29115	8	803					
☐ JAIL	VICTIM NO. ☐ VISIBLE INJURY ☐ NO ☐ YES			COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES			VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.			☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLASMT. ☐ ALO		
☐ SUMMONS	EXPLAIN: ☐ SUBJECT NO. 1: USING ALCOHOL ☐ NO ☐ YES			DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.			☐ ONE-MAN VEHICLE ☐ OTHER			☐ ASS		
☐	USING DRUGS: ☐ NO ☐ YES ☐ TYPE: ☐ UNK.											

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.	
	☒ VICTIM # 1	Aiken Electric		#1	#2	#3	200	B	M	36	12/19/72	
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
	☐ RUNAWAY	ADDRESS										
	☐ WANTED	CITY			STATE	ZIP CODE	LOCATION NO	HOME		EVENING PHON		
☐ WARRANT	North Rd			North	SC	29112	05	803		DAY PHONE		
☐ ARREST	VICTIM NO. 1 VISIBLE INJURY ☐ NO ☐ YES			COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES			VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.			☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLASMT. ☐ ALO		
☐ JAIL	EXPLAIN: ☐ SUBJECT NO. 1: USING ALCOHOL ☐ NO ☐ YES			DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.			☐ ONE-MAN VEHICLE ☐ OTHER			☐ ASS		
☐ SUMMONS	USING DRUGS: ☐ NO ☐ YES ☐ TYPE: ☐ UNK.											

NARRATIVE

On 06-21-10 This deputy responded to Sunshine Recycling in referen to the above subject (Eugene James) have stolen property in his possessi Subject had attempted to sell items from a local plant in Orangeburg (Antler's) that Sgt. Hunter responded to early this day (6-21-10). After further investigation this deputy recieved information that subject had sold some items from Aiken Electric Case# 2010005803. This deputy met with Aiken Electric security director (Mark Goss), who provided this deputy with security camera footage and picture of a subject matching the description of the above subject, bringing copper wiring

VEH. / GUN / ETC. 1	STATUS		TYPE		VIN AND/OR LICENSE NO.		BOAT HULL NO. AND/OR REG. NO.	
	☐ STOLEN	☐ VEHICLE						
	☐ RECOVERED	☐ GUN						
	☐ FOUND	☐ BOAT						
	☐ TOWED	☐ LICENSE PLATE						
	☐ SUSPECT	☐ SECURITIES/BONDS, STOCKS						
	☐ VICTIM	☐ ARTICLE						
	YEAR OF REGISTRATION		YEAR OF EXPIRATION		YEAR		MAKE	
	MODEL		STYLE		COLOR		BRAND NAME	
	NIC NO.		DENOMINATION		ISSUER		SECURITIES DATE	
MISCELLANEOUS								

ADMINISTRATIVE PROPERTY EST.	TYPE (GROUP)	Copper wiring								TOTAL VALUE
	STOLEN	600								600
	DAMAGED									
	BURNED									
	RECOVERED									
	SEIZED									
	SUBJECT IDENTIFIED		SUBJECT LOCATED		☒ ACTIVE ☐ ADM. CLOSED		☐ ARRESTED UNDER 18		☐ EX-CLEAR UNDER 18	
	☒ YES ☐ NO		☒ YES ☐ NO		☐ UNFOUNDED		☐ ARRESTED 18 AND OVER		☐ EX-CLEAR 18 AND OVER	
	REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY									
	REPORTING OFFICER(S)		DATE		UNIT NUMBER		APPROVING OFFICER		DATE	
Hunter, M		6-21-10		10		Sgt Hunter, A		06-21-10		
						FOLLOW UP OFFICER		UNIT NUMBER		
								40		

WHITE - RECORDS

YELLOW - S.I.E.D.

AGENCY I.D.
SGO 389000

SUPPLEMENTARY REPORT

CASE NUMBER

2010005803

NCIC

INQ. ENQ.

☐ ORIGINAL REPORT	☒ SUPPLEMENTAL REPORT	☐ ADDITIONAL VICTIMS	☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL	☐ CASE STATUS CHANGE	☐ ADDITIONAL OFFENDERS	☐ ADDITIONAL RECOVERED PROPERTY

PAGE 2 of 2 PAGES.

NARRATIVE

To Sunshine Recycling. This incident occurred on 5-16-10 it is in reference to case # 2010005803. After speaking to subject about this incident, he admitted and wrote a statement, stating that he (subject) entered Aiken Electric and stole copper wiring from that location. Subject was detained And transported to OCEOC. This deputy will speak to a magistrate judge to obtain arrest warrant.

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO		SUBJECT LOCATED ☒ YES ☐ NO		☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED	☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER	☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVER
REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY						
REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER	
Huggins, M	6-21-10	123	Sgt H E A	6-21-10	CD9	
FOLLOW-UP INVESTIGATION			☐ YES ☐ NO			

AGENCY I.D. SC0 380000	DATE/TIME OF ARREST 06-21-10/1400

BOOKING REPORT

CASE NUMBER 2010005803

DEPENDANT NAME (LAST, FIRST, MIDDLE) James, Eugene										RACE B	SEX M	DATE OF BIRTH 12-19-73	DOCKET NO.
AGE 36	ETH. N	HEIGHT 509	WEIGHT 300	HAIR Blk	EYES Brown	SOCIAL SECURITY NUMBER		VISIBLE SCARS AND MARKS		NCIC	I.D. NO.		
ADDRESS (NUMBER AND STREET)						CITY Orangetburg	STATE SC	ZIP CODE 29115	PRESIDENT 00 U	PHONE NUMBER			
EMPLOYER OR OCCUPATION						PLACE OF BIRTH Orangetburg	DRIVERS LICENSE NUMBER		S				
NEXT OF KIN						ADDRESS (CITY AND STATE)							

BOOKING OFFICER'S NAME M. Hussins		NUMBER 123	ARRESTING OFFICER M. Hussins		AGENCY OCSO	NUMBER 38000	
ARRESTEE ARMED ☐ YES ☐ NO		WEAPON TYPE:		☐ SEMI-AUTO ☐ FULL-AUTO	☐ ON VIEW ARREST	☐ SUMMONED	☐ CUST
JUVENILE DISPOSITION: 1. ☐ HANDLED, RELEASED 2. ☐ REFERRED TO OTHER AUTHORITY				*J—This Jurisdiction. S—State. O—Out of State. U—Unk			
ADDITIONAL CASE NUMBERS				MORE IN REMARKS			

IF HOLDING FOR ANOTHER AGENCY, CIRCLE CHARGE - A, B, C							
CHARGE ID.	A		B		C		
STATUTE							
BOND TYPE							
DISPOSITION							
	DAYS	AMOUNT	DAYS	AMOUNT	DAYS	AMOUNT	
TIME SERVED							
BALANCE							
RECEIPT NUMBER							

RELEASE DATE	TIME	RELEASING OFFICER	NUMBER	AGENCY RELEASED TO

SIGNATURE OF RECEIVING OFFICIAL X _____ LIST ANY REMARKS BELOW

REMARKS:

DEPENDANTS PERSONAL PROPERTY RECEIPT		TOTAL CASH AT TIME OF ARREST → \$	
QUANTITY	ITEM	QUANTITY	ITEM

I HEREBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X _____
DEFENDANT'S SIGNATURE AT TIME OF ARREST

I HEREBY STATE, ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X

Victim Name: Aiken Electric
Case Number: 2010005803
Date Contacted: 5/18/10
Time Contacted: 10:15
Person Spoken to: Charles Rushton
Reporting officer: Huggins

NOTES:

I talked to Mr. Rushton on 5/18/10. Mr. Rushton stated that Mark Goss spotted their wine at Sunshine. They have the identity of the woman who sold it.

Quality Assurance Check List was followed and everything was great. MR. Rushton stated that you need (3) officers to cover that station.

CASE FORWARDED TO: _____

WARRANT AFFIDAVIT

CASE #: 2010005803

**RECEIVING STOLEN GOODS
16-13-180**

DEFENDANT: MEREDITH A. HUFFMAN

ADDRESS: SAINT MATHEWS SC 29135

DOB: 10/08/1971 **SSN:**

RACE: WHITE **SEX:** FEMALE **HGT:** 508 **WGT:** 150

VICTIM: AIKEN ELECTRIC

INCIDENT DATE: MAY 17, 2010

AFFIANT: INV. JAMES ETHRIDGE

WITNESS:

MAGISTRATE: Rufus Murray **DATE:** 5-21-10 **TIME:** 11:15 AM

AFFIDAVIT

BASED ON AN INVESTIGATION BY THE ORANGEBURG COUNTY SHERIFF'S OFFICE, THE DEFENDANT, MEREDITH A HUFFMAN, DID VIOLATE SECTION 16-13-180 OF THE SOUTH CAROLINA CODE OF LAWS, RECEIVING STOLEN GOODS, IN THAT THE DEFENDANT DID RECEIVE COPPER AND ALUMINUM BELONGING TO AIKEN ELECTRIC VALUED AT LESS THAN \$1000, KNOWINGLY AT THE TIME THAT THE PROPERTY WAS STOLEN. THIS INCIDENT DID OCCUR IN THE COUNTY OF ORANGEBURG, STATE OF SOUTH CAROLINA.

ARREST WARRANT

M-213746

STATE OF SOUTH CAROLINA

☒ County/☐ Municipality of

Orangeburg

2010-3203

THE STATE

2010005803

against

Meredith Huffman

W600478535

Address:

Saint Matthews, SC 29135-

Phone:

SSN:

Sex: F

Race: W

Height: 5

8

Weight: 150

DL State:

DL #:

DOB: 10/8/1971

Agency ORI #: SC0380000

Prosecuting Agency: Orangeburg County Sheriff

Prosecuting Officer: James Ethridge - 0052

Offense: RSG / Receiving stolen goods, value less than \$1,000

Offense Code: 0512

Code/Ordinance Sec: 16-13-0180(1)

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused

is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant

on

Meredith Huffman
6-2-10CPL S. Bingham
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Western Region Magistrate
6357 Savannah Highway
P. O. Box 387
Neeses, SC 29107

RECEIVED

MAY 21 2010

WARRANT DIVISION

STATE OF SOUTH CAROLINA

☒ County/☐ Municipality of

Orangeburg

AFFIDAVIT

ORIGINAL

Form Approved 0
S.C. Attorney Gen
April 21, 2003
SCCA 518

Personally appeared before me the affiant James Ethridge

being duly sworn deposes and says that defendant Meredith Huffman

did within this county and state on or about 05/17/2010

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of

Orangeburg

violate the criminal laws c

DESCRIPTION OF OFFENSE RSG / Receiving stolen goods, value less than \$1,000

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

Based on an investigation by the Orangeburg County Sheriff's Office, the defendant, Meredith Huffman did violate section 16-13-0180 of the South Carolina Code of Laws, Receiving Stolen Goods, in that the defendant did receive copper and aluminum belonging to Aiken Electric and valued at less than \$1000.00, knowing at the time that the property was stolen. This incident d occur in the county of Orangeburg, state of South Carolina.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/☐ Municipality of

Orangeburg

Affiant's Address P. O. Box 9000

Orangeburg, SC 29116-

Affiant's Telephone (803)531-4647

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe

on or about 5/17/2010

defendant Meredith Huffman

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/☐ Municipality of

Orangeburg

) as set forth below.

DESCRIPTION OF OFFENSE: RSG / Receiving stolen goods, value less than \$1,000

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me

on 05/21/2010

Signature of Issuing Judge

Richard Murray

Judge Code: 5796

(L.S.)

Judge's Address 1540 Ellis Avenue

Orangeburg, SC 29116-9000

Judge's Telephone (803)533-5879

Issuing Court: ☒ Magistrate☐ Municipal☐ Circuit

STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)

ORANGEBURG COUNTY SHERIFF'S OFFICE
CRIMINAL INVESTIGATIVE DIVISION

Place: ED Date: 1/2/10 Time: 10:10

THESE ARE YOUR RIGHTS. PLEASE READ CAREFULLY

BEFORE WE ASK YOU ANY QUESTIONS, YOU MUST UNDERSTAND YOUR RIGHTS.
Please initial beside each sentence.

- MAH 1. You have the right to remain silent, anything you say can be used against you in court.
- MAH 2. You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.
- MAH 3. If you cannot afford a lawyer, one will be appointed for you before any questioning if you wish.
- MAH 4. If you decide to answer questions without a lawyer present, you will still have the right to stop answering at any time.
- MAH 5. You also have the right to stop answering at any time until you talk to a lawyer.

I UNDERSTAND MY RIGHTS.

[Signature]
Signature

WAIVER OF RIGHTS

I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

[Signature]
Signature

[Signature]
Witness

[Signature]
Witness

ORANGEBURG COUNTY SHERIFF'S OFFICE
CENTRAL INVESTIGATIVE DIVISION
DEFENDANT AFFIDAVIT

Date: 9/2/10 Time: 1020 Place: CID
Defendant Name: Meredith Huffman SSN: _____
Age: 38 Date of Birth: 10/2/71
Address _____ Phone Number 874-1861
St. Matthews S.C. 29135

I understand my rights and have initialed each. I have been advised of the rights
by Sgt. Ethridge of the Orangeburg County Sheriff's Office, and wish
to make the following statement.

The copper and aluminium that I took to Sunshine
was taken off a mobile home that we were tearing
down. Wires, frames, wires for electricity and
siding. Mobile home belongs to us. Haven't
stolen anything.

Page 2 Defendant Affidavit

[Handwritten signature: J. M. R.]

[Handwritten signature: J. M. R.]

Page 3 Defendant Affidavit

[Handwritten signature and initials across multiple lines]

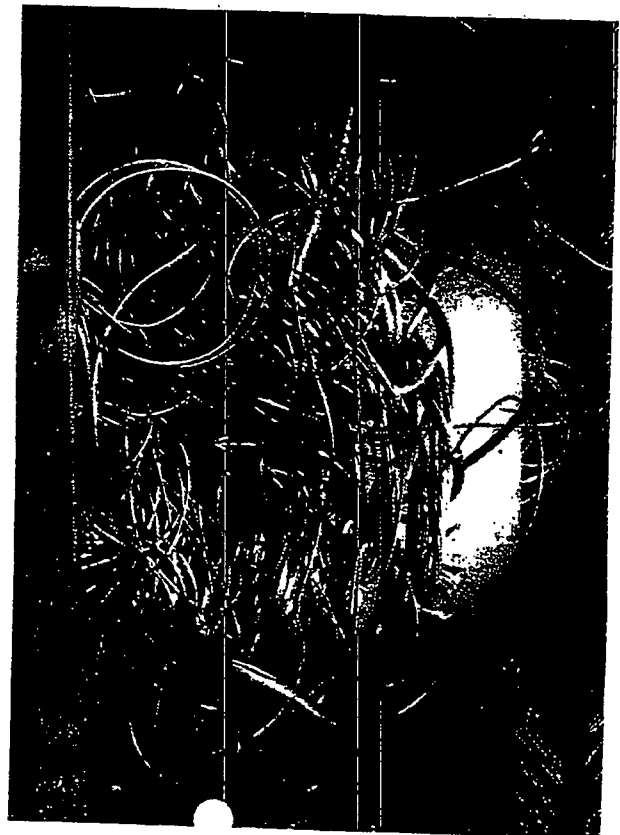
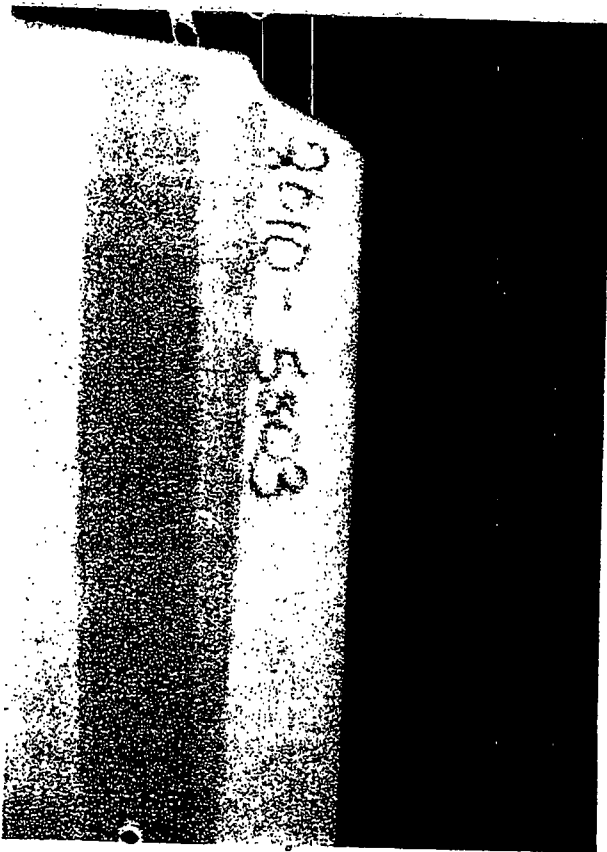
I have read the above thoroughly. I have made the necessary corrections and initialed each to make this a factual and complete representation.

[Handwritten signature]
Signature of Defendant

Witnesses:

Notary Public
Sworn to before me this _____
Day of _____, 20____
My Commission Expires *4/2/2011*





James Ethridge

From: Mark Goss [MGoss@aiken-co-op.org]
Sent: Monday, May 24, 2010 7:17 AM
To: 'jethridge@orangeburgcounty.org'
Subject: copper update \$

Good morning Bill, For the North Office breakin (5/16/10) the amount is \$463.19.

	Pounds	Price/Pounds	Total
1/0 CU Bare Stranded	8	\$4.68	\$37.44
# 2 Solid Copper	12.5	\$5.42	\$67.75
# 6 Solid Copper	50	\$4.82	\$241.00
# 6 Aluminum Tie Wire	50	\$2.34	\$117.00
Thanks Mark Goss (Aiken Electric)		Total	\$463.19

CONFIDENTIALITY NOTICE:

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Sunshine Recycling
1105 Southland Road
Orangeburg, S.C. 29115
803-531-4400

Purchased / Sold: _____

Vehicle Plate: 236 766
ID # SC4355797 Date: _____

Item	Price	Amount	Quantity
Eare/Bright	300	291.00	
No. 1 Copper			
No. 2 Copper			
Light Copper	23	51.00	
Insulated # 1			
Insulated # 2			
Yellow Brass			
Red Brass			
Plumber Brass			
Hard Brass			
Auto Rad.			
Irony Auto Rad.			
A/C Rad.			
Irony A/C			
Aluminum (O.S.)	40	31.00	
Aluminum (N.S.)			
Aluminum (ext.)			
Aluminum (MLC)			
Aluminum (Cast)			
Aluminum (Painted)			
Aluminum (L. Irony)			
Aluminum (H. Irony)			
Aluminum Cans			
Stainless Steel (304)			
Stainless Steel (316)			
Heater Coils			
TOTAL			

WEIGHED BY: [Signature]
PRINT NAME: _____
SIGNATURE: [Signature]

I acknowledge that
I have read and understand the terms and
conditions on the back of this form.

SOUTH CAROLINA
DEPARTMENT OF REVENUE
IDENTIFICATION CARD
JAMES EUGENE
DL# 207128376
EXP. 06-25-2011

NOT A DRIVER'S LICENSE
DOB: 06-08-1973
SEX: M
HT: 5-08
WGT: 290
EXP: 06-25-2008 38038 07

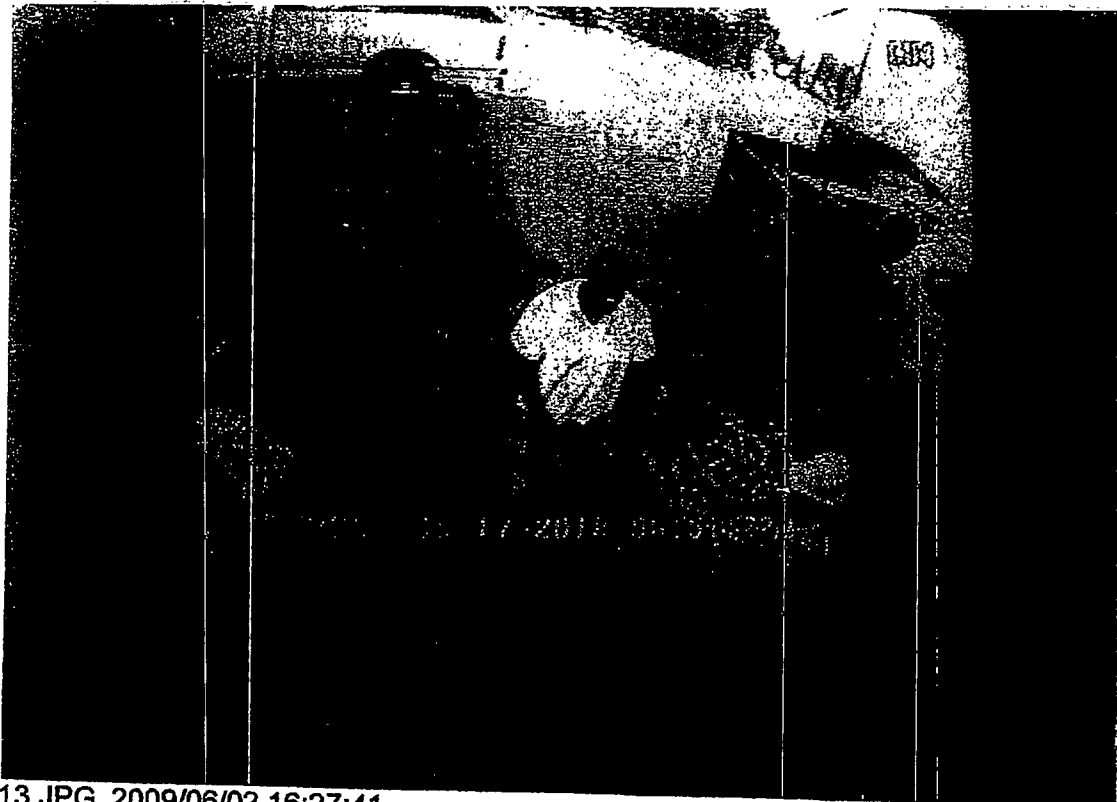
Victim Name: Aiken Electric
Case Number: 2010005803
Date Contacted: 5/18/10
Time Contacted: 10:15
Person Spoken to: Charles Rushton
Reporting officer: Higgins

NOTES:

I talked to Mr. Rushton on 5/18/10. Mr. Rushton stated that Mark Guss spotted their wine at Sunshine. They have the identity of the woman who sold it.

Quality Assurance Check list was followed and everything was great. ~~ED~~ MR. Rushton stated that you need (3) officers to cover this station.

CASE FORWARDED TO: _____



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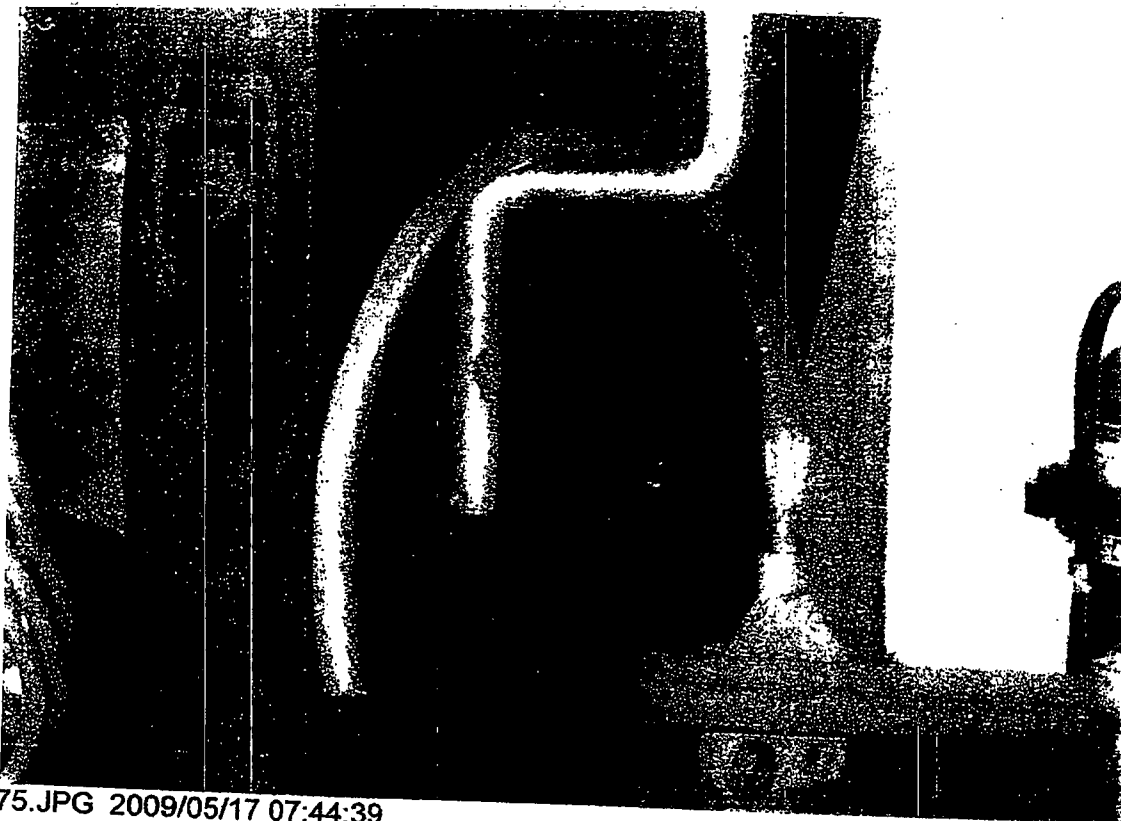
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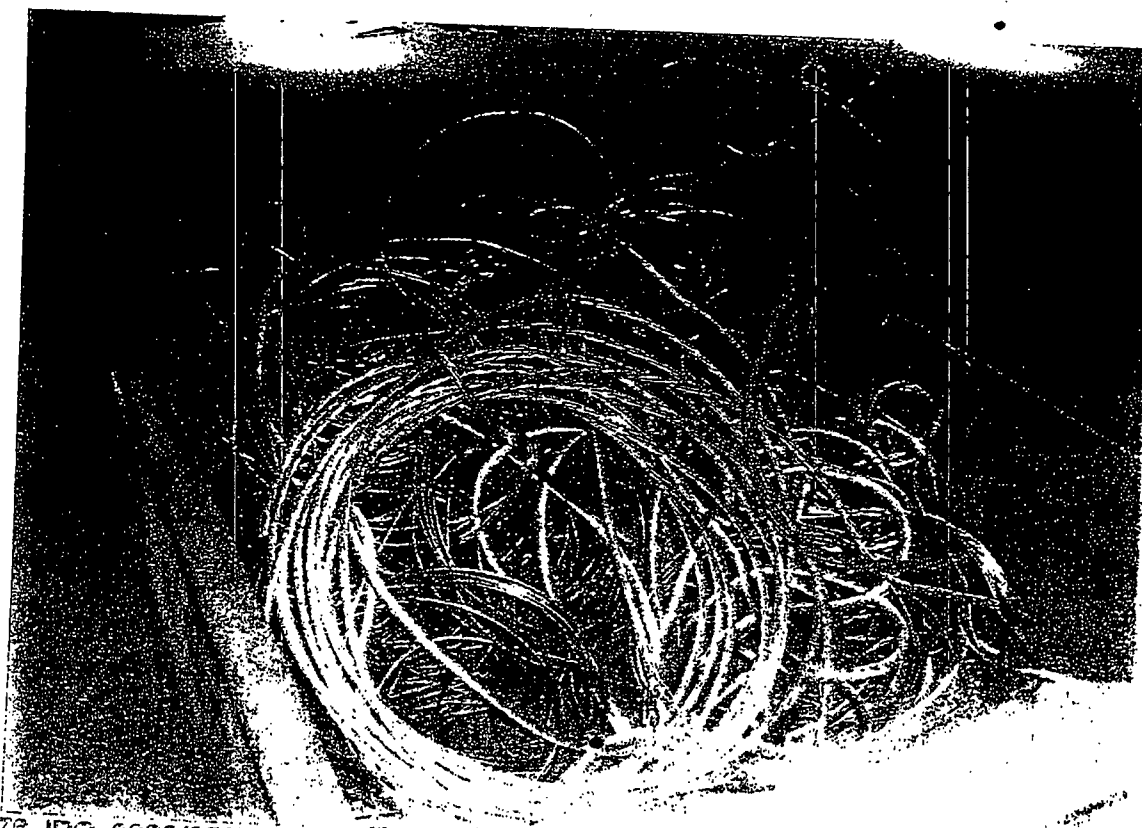
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DSCN1975.JPG 2009/05/17 07:44:39



DSCN1976.JPG 2009/05/18 13:21:53

	Pounds	Price / Pounds	Total
1/0 CU Bare Stranded	8	\$ 4.68	\$ 37.44
#6 Solid Copper	50	\$ 4.82	\$ 241.00
Aluminum Tie Wire	50	\$ 2.34	\$ 117.00
Truck Ground	24		\$ 200.00
 Total			 \$ 595.44

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VILL...
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EXHIBIT 2

Deposition Excerpts
Joseph Rich –
Sunshine Recycling, LLC

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF ORANGEBURG) 1st JUDICIAL CIRCUIT
) CIVIL ACTION NO.: 2012-CP-38-672
MEREDITH HUFFMAN,)
) PLAINTIFF,)
) VS.)
) DEPOSITION
) OF
ORANGEBURG COUNTY SHERIFF'S) JOSEPH RICH
DEPARTMENT, SUNSHINE)
RECYCLING, LLC AND AIKEN)
ELECTRIC COOPERATIVE, INC.,)
) DEFENDANTS.)

DEPOSITION OF JOSEPH RICH, TAKEN BEFORE LORI BOGGS
REILLY, PROFESSIONAL VERBATIM REPORTER, AND NOTARY PUBLIC IN
AND FOR THE STATE OF SOUTH CAROLINA, COMMENCING AT THE HOUR
OF 3:36 P.M., THURSDAY, THE 5TH DAY OF DECEMBER, 2013, AT THE
LAW OFFICES OF WILLIAMS & WILLIAMS, 1281 RUSSELL STREET,
ORANGEBURG, SOUTH CAROLINA.

COPY

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- 1 Q On the 18th of May, did you review the video at
2 Sunshine Recycling?
- 3 A No, sir.
- 4 Q Did you or anybody at Sunshine review the video on the
5 18th?
- 6 A No, sir. Never reviewed the video.
- 7 Q Never?
- 8 A No, sir.
- 9 Q To this day, you never seen the video?
- 10 A No, sir.
- 11 Q Okay. Did you, at some point on the 17th, communicate
12 with an employee in Spanish?
- 13 A Yes, sir.
- 14 Q Do you speak Spanish?
- 15 A Not fluently, but enough to get by.
- 16 Q You have a good reputation of being pretty fluent in
17 Spanish. You do speak, right?
- 18 A I can -- I can communicate. Yes, sir.
- 19 Q Okay. Good. And do you have Hispanics that work for
20 you?
- 21 A Yes, sir.
- 22 Q And did you hear Mr. Goss testify earlier today about
23 you speaking in Spanish to one of your employees?
- 24 A Yes, sir.
- 25 Q Did that happen that day, that you recall?

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- 1 A Yes, sir.
- 2 Q And what did this gentleman tell you?
- 3 A That the first person in the warehouse that was selling
4 material in that group was a white woman.
- 5 Q Okay. And who is this employee?
- 6 A One of my guys that worked in the warehouse, weighing
7 customers as they came in.
- 8 Q What's his name?
- 9 A I don't recall which one of the guys it was that was
10 weighing that day.
- 11 Q Does he still work for you?
- 12 A I don't think so.
- 13 Q Do you have any records as it relates to the
14 individuals that were actually working on the 17th of
15 May, 2010?
- 16 A You mean as far as the entire company?
- 17 Q Yes, sir.
- 18 A Yes, sir.
- 19 Q And your employees, were they paid by the hour?
- 20 A Yes, sir.
- 21 Q And at Sunshine Recycling, you all keep time cards of
22 time people worked, right?
- 23 A Yes, sir.
- 24 Q And so I could -- or you, or someone at Sunshine
25 Recycling could decipher the names of the employees



- 1 Department with a copy of -- of video footage from May
2 17th, 2010?
- 3 A Yes, sir. We did.
- 4 Q When did you provide that information?
- 5 A I don't know when Alan recorded it or when he burned it
6 off of the DVR.
- 7 Q Now, who's Alan?
- 8 A Alan Price.
- 9 Q Who is Alan Price with?
- 10 A Palmetto Security Cameras. They're located here in
11 Orangeburg. He actually does a pretty good bit of work
12 for the sheriff's department. So he's one of their
13 trusted sources for video or whatever else. I believe
14 we notified him that day, which is, you know, policy
15 with regards to, you know, sheriff's office needing
16 video, that they were going to need the video. And
17 when he could, to go ahead and burn them a copy of the
18 video.
- 19 Q Did you provide Orangeburg County Sheriff's Department
20 with a copy of the ticket that showed Meredith
21 Hoffman's name and receipt?
- 22 A Yes, sir.
- 23 Q Did you -- or do you recall Mr. Goss with Aiken
24 Electric, taking photographs of the metal?
- 25 A No, sir.

1 A No, sir.

2 Q Have you now learned that she was just a customer
3 coming and trying to --

4 A Yes, sir.

5 Q -- do the right thing and make a little bit of money
6 off the scraps from her dilapidated mobile home that
7 she was gifted?

8 A Yes, sir.

9 Q So you don't have any evidence sitting here today that
10 Meredith Huffman stole anything from Aiken Electric, do
11 you?

12 A No, sir. I do not.

13 Q And you don't have any evidence that she even received
14 any stolen goods from Aiken Electric, do you?

15 A No, sir. I do not.

16 Q Do you believe Meredith Huffman was innocent of
17 receiving stolen goods from Aiken Electric?

18 MS. WALKER: object to the form.

19 A I've never seen the video tape. I can't say. This has
20 all been hearsay by law enforcement telling me.

21 Q When did you learn that Meredith Huffman was arrested?

22 A I believe it was the day she was arrested. I assumed
23 she was being arrested when I saw a police car there
24 and someone being arrested and I thought it was a
25 female.

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WITNESS
CLERK
CLERK

EXHIBIT 3

Deposition Excerpts Mark Goss – Aiken Electric

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF ORANGEBURG) FIRST JUDICIAL CIRCUIT
CIVIL ACTION NO.: 2012-CP-38-672

MEREDITH HUFFMAN,
PLAINTIFF,

VS.

ORANGEBURG COUNTY SHERIFF'S)
DEPARTMENT, SUNSHINE)
RECYCLING, LLC AND AIKEN)
ELECTRIC COOPERATIVE, INC.,)
DEFENDANTS.)

DEPOSITION

OF

MARK GOSS

DEPOSITION OF MARK GOSS, TAKEN BEFORE LORI BOGGS REILLY,
PROFESSIONAL VERBATIM REPORTER, AND NOTARY PUBLIC IN
AND FOR THE STATE OF SOUTH CAROLINA, COMMENCING AT THE HOUR
OF 12:00 P.M., THURSDAY, THE 5TH DAY OF DECEMBER, 2013, AT THE
LAW OFFICES OF WILLIAM & WILLIAM, 1281 RUSSELL STREET,
ORANGEBURG, SOUTH CAROLINA.

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- 1 you --
- 2 A We refer to it as office.
- 3 Q Okay. Throughout the deposition if I refer to it as a
- 4 branch, you know we are talking about the same
- 5 location, right?
- 6 A We say branch sometimes, too, but mostly we say office.
- 7 Q Well, interchangeably, I may use branch or office and
- 8 you may, as well, but we're on the same -- I just want
- 9 to make sure we are on the same page. So you got a
- 10 phone call at night at your house, there had been a
- 11 break-in. You got this from dispatch, correct?
- 12 A Uh-huh.
- 13 Q And tell me what you did.
- 14 A I got dressed, got in the car and started heading that
- 15 way. I contacted the manager of that office, Charles
- 16 Rushton. He was getting dressed, heading that way,
- 17 because he can get there before I do. The dispatch
- 18 actually got on the phone with the sheriff's office and
- 19 by the time that I got there, the person had already
- 20 left, had already gotten away, and the sheriff's office
- 21 was there, but the person was already gone.
- 22 Q Did you look at the video surveillance at that time?
- 23 A Looked at it that morning when we were getting the list
- 24 of stuff together that was stolen. We looked at it on
- 25 Charles' -- if I'm not mistaken, we look at it on

- 1 more break-ins than the others?
- 2 A Yes. Oh, yes, sir, by far.
- 3 Q Okay. Let's go to this particular incident. What do
4 you recall?
- 5 A I recall that night getting the call that there was
6 someone underneath the truck shed stealing copper.
- 7 Q Who did you get that call from?
- 8 A Our dispatch. They monitor the cameras in there.
- 9 Q Okay.
- 10 A I told her that I would be on the way there, that she
11 needed to contact the Orangeburg County Sheriff's
12 Office, even though she was already on the other line
13 calling them.
- 14 Q When did you get this call, roughly?
- 15 A It was sometime at night. I don't remember what time.
- 16 Q And were you at 74 Citadel Drive in Aiken at this time
17 you got the call?
- 18 A Yes, sir, I was.
- 19 Q How far is that located, your house, your residence, to
20 the North branch?
- 21 A About 45 minutes.
- 22 Q Did you get in the car immediately to come to the North
23 branch?
- 24 A Yes, sir.
- 25 Q Is it appropriate to call it branch or office? What do



- 1 A Our accounting department. I turned in what we had
2 missing and they gave me the prices for it.
- 3 Q Describe to me what each of these four items are.
- 4 A The one bare stranded, that's a piece probably about as
5 big as my thumb. It's got seven strands to it. It's
6 unique to our industry. We are probably one of the few
7 people in the world to actually use it. That's the
8 easiest piece of wire there is out there for me to
9 find. If I find seven-stranded, bare copper, one-ought
10 copper, I can pretty much say it came from an
11 electrical utility.
- 12 Q So let me get this straight. The notation that says 1,
13 dash, OCU bare stranded?
- 14 A Uh-huh.
- 15 Q -- is?
- 16 A One ought copper and it has no coating on it.
- 17 Q Okay. And it's seven --
- 18 A Seven little small strands that wrap together.
- 19 Q And you would say it's about an inch in diameter?
- 20 A About the size of my thumb.
- 21 Q Okay.
- 22 A The number 2 solid copper is what we use for pole
23 grounds and transformers and things like that, and
24 number 6, we also use that, too. The aluminum tie wire
25 is the aluminum that we run all the way up the pole.



1 We don't run copper to the top anymore for cost and
2 theft, but we run aluminum all the way up and the
3 aluminum wire is also used to tie phases in.

4 Q What is larger, a number 2 solid copper or a number 6
5 solid copper?

6 A Number 2.

7 Q Is it fair to say that the metal that were stolen, all
8 the metal that was stolen from Aiken consisted of wire,
9 correct?

10 A Yes, sir.

11 Q And there was no sheet metal --

12 A No, sir.

13 Q -- stolen from your location, correct?

14 A No, sir.

15 Q All right. So when is the next time you spoke to an
16 Orangeburg County sheriff's deputy after May 16, 2010?

17 A That morning when I had my list together, I left out to
18 go to the metal recycling centers in Orangeburg, and I
19 stopped at the first one down there and they hadn't had
20 anything come in. My next stop was at Sunshine
21 Recycling and I met with Joe there. Me and Joe went
22 back to the back. The wire was back there on the
23 ground and Joe and them called the law enforcement out
24 then. The law enforcement came out then, a deputy.

25 Q Do you know who came out?

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- 1 Q So I understand -- of course, I wasn't there and I'm
2 trying to piece all this -- put all the pieces
3 together. It's a lot of moving parts here. You did
4 speak to an officer from the Orangeburg Sheriff's
5 Department on the 17th of May at the North location,
6 correct?
- 7 A If my memory serves me correct, he came out that
8 morning for us to give him the list of the items taken.
- 9 Q Did you give him a list of items taken that morning?
- 10 A I think he wrote them down on his pad, if I remember
11 right.
- 12 Q And was that --
- 13 A I don't remember giving him a note saying that this is
14 all the stuff on it.
- 15 Q Okay. So you didn't hand him the list marked as
16 Exhibit A --
- 17 A No, sir.
- 18 Q -- on the date --
- 19 A On the morning of the 17th, no, sir.
- 20 Q On the morning of the 17th?
- 21 A No, sir.
- 22 Q Okay. This was just an estimate, at least at this
23 point, correct?
- 24 A Yes, sir.
- 25 Q Was the estimate provided before Aiken Electric's

- 1 A And we went to the back back there, and the copper and
2 aluminum, the type that I was looking for, was there on
3 the floor. And if I remember correctly, it was on top
4 of some like tin, sheet metal, right there by that. I
5 don't remember if it was actually on top of it, but it
6 was right there by it. It was pulled off to the side.
7 Now, when we were driving back there to the back --
- 8 Q You saw copper and aluminum back here?
- 9 A Yes, sir.
- 10 Q And is the copper and aluminum that you saw have any
11 distinguishing characteristics that would allow you to
12 know that that copper and aluminum actually came from
13 Aiken Electric?
- 14 A As far as anything that specifically said Aiken
15 Electric on it, no, sir, there's nothing like that, but
16 for the amount of copper that I was looking for, the
17 amount of new copper that I was looking for and the
18 type of aluminum wire that was there, I knew that it
19 had come from an electrical utility.
- 20 Q Okay. In this you said you saw some copper wire. Did
21 the copper wire that you saw, was it the solid copper
22 wire, number 2 or number 6 copper wire, or was it that
23 copper wire, bare-stranded?
- 24 A It was number 6 and number 2 and aluminum, that I can
25 remember, that was the largest amounts of it that were



- 1 that, you know, we were working on and got the
2 information from me about what was stolen, and we went
3 back to the back and looked at the copper and aluminum
4 back there. Joe has good video back there for all the
5 stuff, so -- I had another court case that I had to
6 work on, so I had to leave early to go on back there.
7 They were going to review the video and see who
8 actually had come back there.
- 9 Q Did you review the video?
- 10 A Not at that time.
- 11 Q When was the first time you reviewed the video of Aiken
12 Electric -- excuse me, of --
- 13 A Sunshine?
- 14 Q Of Sunshine?
- 15 A It was sometime after that. Joe had made me a copy and
16 I rode down there to pick it up. I don't remember the
17 exact number of days.
- 18 Q What video did you recall reviewing first, the Aiken
19 Electric video or the Sunshine Recycling video?
- 20 A Aiken Electric.
- 21 Q Did you eventually obtain a copy of the Sunshine
22 Recycling video?
- 23 A Yes, sir.
- 24 Q How did you receive that video?
- 25 A I went to the office up there and picked it up.

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- 1 A Yes, sir, it does appear to be accurate.
- 2 Q You see under that it says red --
- 3 A Uh-huh.
- 4 Q -- underneath the word black? Whose handwriting is
- 5 that?
- 6 A I don't -- I don't know.
- 7 Q Where and how did you receive this document which is
- 8 marked as Exhibit E?
- 9 A When we have some type of break-in or something like
- 10 that, I will go by the police departments or sheriff's
- 11 offices and pick up a report on it.
- 12 Q Do you recall when you received this report?
- 13 A It was several days after. It usually takes about
- 14 three or four days for a report to get ready, and down
- 15 here in Orangeburg I don't come this way a lot, so it -
- 16 - I don't remember. It could have been quite a few
- 17 days.
- 18 Q The name Meredith Huffman is on this document, correct?
- 19 A Yes, sir.
- 20 Q And she's marked as the suspect, isn't she?
- 21 A Yes, sir.
- 22 Q How did she become the suspect?
- 23 A When we went back there where the copper was at, when
- 24 Joe talked to the employee there in Spanish, he told me
- 25 that the lady that had come in beforehand was the one



1 that dropped it off. That's how they got her name
2 right there to go there. Because they went up to the
3 video, up to the window there, and it was only like two
4 people had come in so far that morning. I was there
5 right away when they opened up. It wasn't very many
6 people that had come through. So the employee in the
7 back that accepted the copper said that a lady had come
8 up there and dropped it all off.

9 Q Okay. But the information that you gave Orangeburg
10 County Sheriff's Department linked up the samples that
11 you apparently had with you to the metal that she had
12 brought in, correct?

13 A That was brought in.

14 Q That was brought in.

15 A Yes, sir. I have no way of knowing who brings what in.
16 All I did was verify that the metal there matched the
17 metal that I was looking for. At that time, my video
18 showed a black male in there, but in the metal
19 industry, it's not uncommon for girlfriends and wives
20 to bring metal in and drop them off. It happens all
21 the time, so.

22 Q But you didn't see a female --

23 A She had already left.

24 Q -- in the video?

25 A I'm sorry.

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1 the perpetrator was would be the video evidence,
2 correct?
3 A Yes, sir.
4 Q Okay.
5 A And the statement that I had from the person seeing the
6 white Ford at that break-in.
7 Q Correct, correct. Because that links up the video now
8 at Sunshine?
9 A It links up the video at Sunshine to Aiken Electric.
10 Q That's right. All right. And I know I have
11 interrupted you just to try and get additional
12 information as you kind of go along, the chronology of
13 what happened. I do apologize for that. I'm just
14 trying to figure it all out. What do you recall
15 happening next? You said you contacted the sheriff's
16 department or they contacted you? What happened?
17 A If I remember correctly, Billy Ethridge with the
18 sheriff's office called me and told me that they had
19 arrested Ms. Huffman and she was maintaining her
20 innocence, and then he told me he viewed the video and
21 I don't remember -- I don't recall if they actually
22 viewed the video right away or not. I don't -- I don't
23 know. But he reviewed the video and could clearly see
24 in the video that it was the black male that was
25 unloading all the copper and aluminum and that they



- 1 Q It was a CD. Did you play that CD immediately upon
2 receiving the video?
- 3 A No, sir. I have no way to do that in the field. I
4 actually at that time had to come up to the office to
5 do so and I don't remember what happened, but with all
6 the duties that I do, it was a little while after that,
7 and I don't remember how long after that it was.
- 8 Q But you had the video in hand and it was sometime later
9 that you actually looked at the video, correct?
- 10 A Yes, sir.
- 11 Q When is the first time you recall actually looking at
12 the video?
- 13 A I don't -- I don't remember if I looked at the video
14 and was calling Billy, Mr. Ethridge, or if he called me
15 and I looked at it then. All of it was right there
16 together. I don't remember.
- 17 Q But when you did review the video for the first time,
18 you were able to determine that Aiken Electric metal
19 that was stolen was sold to Sunshine Recycling by a
20 black male, correct?
- 21 A Yes, sir.
- 22 Q Okay. And when you saw the video, that it was the
23 black male and not a white female, did you do anything?
- 24 A I called Billy to let him know, but I don't remember if
25 he had just called me. All that was right there



- 1 loaded into it, so that they were going to drop all the
2 charges against Ms. Huffman, but we still had to go to
3 court to do that. So I met him -- and I forget what
4 the court date was, but I met him at the court date
5 with Ms. Huffman.
- 6 Q So you ended up, I guess, watching the video after Ms.
7 Huffman was arrested then?
- 8 A Yes, sir.
- 9 Q Okay. So I'm just trying to understand the timeline.
- 10 A Yes, sir.
- 11 Q The first time you watched the video was after you had
12 learned that Meredith Huffman had been arrested?
- 13 A If memory serves me correct, yes, sir.
- 14 Q Okay. The video, though, was in your possession prior
15 to you ever watching it, correct?
- 16 A Yes, sir. Uh-huh.
- 17 Q Nothing prevented you from watching the video at
18 anytime before the time that you did, right?
- 19 A No, sir. I can honestly say that it didn't.
- 20 Q And you did receive the video prior to the time that
21 Meredith Huffman was arrested, right?
- 22 A Yes, sir, I did.
- 23 Q Okay.
- 24 A But, now, at that time, I was letting the sheriff's
25 office do their investigation.

- 1 A Yes, sir.
- 2 Q Okay. Do you believe Meredith Huffman was falsely
3 arrested?
- 4 A Yes, sir.
- 5 Q Do you know why Sunshine Recycling did not give the
6 sheriff's department a copy of the video that was
7 obtained from Sunshine on the 17th of May?
- 8 MS. WALKER: Object to the form.
- 9 BY MR. GOINGS:
- 10 Q You can answer it.
- 11 A I don't recall. I don't recall.
- 12 Q Are there any conversations that you have had with
13 anyone of Sunshine Recycling, LLC, or the Orangeburg
14 County Sheriff's Department, that we have not
15 discussed?
- 16 A No, sir.
- 17 Q Is there any facts or information that you know about
18 concerning the arrest of Meredith Huffman or this theft
19 that occurred on May 16th, 2010, that we have not
20 discussed?
- 21 MR. JOHNSON: Object to the form.
- 22 A No, sir.
- 23 Q I mean, is there information that we have not discussed
24 that you know about?
- 25 A No, sir.



1 Q Did the investigation that Aiken County -- excuse me,
2 Aiken Electric Cooperative conduct eventually determine
3 that Meredith Huffman was not a suspect and was not the
4 guilty party for this theft?

5 MR. JOHNSON: Object to the form.

6 A When we looked at the video, when I looked at the
7 video, it was very clear that she was not a part of the
8 theft.

9 Q Did you ever contact your supervisor or anyone with
10 Aiken Electric Cooperative to advise that the wrong
11 person had been arrested?

12 A Immediately.

13 Q Who did you tell?

14 A Mike Campbell.

15 Q Who is Mike Campbell?

16 A He was the vice-president over Steechick (sic) Services
17 I believe is what it was called then when I worked for
18 him. It was accounting and different things like that.
19 I don't remember his exact title, but he was the vice-
20 president over accounting, and IT, and things like
21 that.

22 Q Does he still work there?

23 A No, sir, he's retired.

24 Q He's retired. What did you tell him?

25 A I let him know that the wrong person had been arrested,

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EXHIBIT 4

Deposition Excerpts
Meredith Huffman

- 1 A I spoke with Mr. Etheridge that evening after -- after
2 I learned about it.
- 3 Q Okay. And what did he tell you, other than for you to
4 come the next morning and he would get you --
- 5 A I tried to explain to him that I was not the person he
6 was looking for and I had evidence to show that. And
7 he told me to be there at 9:00 the next morning.
- 8 Q So he did tell you that it involved the metal wire that
9 had been turned into the recycling center?
- 10 A Uh-huh (affirmative).
- 11 Q Okay. And had you indeed gone to the recycling center
12 --
- 13 A Yes.
- 14 Q -- and taken some wire? Okay.
- 15 A Yes.
- 16 Q Tell me about that.
- 17 A We had a mobile home.
- 18 Q Okay.
- 19 A And it was just in the next yard over from my house.
- 20 Q So it was on that Great Circle property?
- 21 A Yes.
- 22 Q Okay.
- 23 A It's on my property.
- 24 Q Okay.
- 25 A It was our trailer.

- 1 Q All right.
- 2 A And, we found out there was termites.
- 3 Q Okay.
- 4 A And so my husband and I talked about it, and he said
- 5 that he would tear it down and we could take it to the
- 6 recycling. I said, "Okay." So, that Saturday morning,
- 7 he tore the back siding off, and, the electrical
- 8 wiring, and the window frames. And so, my son and I,
- 9 that Monday morning, took it to Sunshine. And --
- 10 Q And that's your son?
- 11 A Zachary.
- 12 Q Zachary.
- 13 A Uh-huh (affirmative).
- 14 Q Okay. And what did you drive it there in?
- 15 A My 2005 red Dodge Hemi.
- 16 Q Okay. And, did you have a permit to transport the
- 17 metal, and was one even required for the metal that you
- 18 were --
- 19 A At that time --
- 20 Q -- were transporting?
- 21 A -- not to my knowledge there was not one required.
- 22 Q Okay. So you didn't have one then?
- 23 A No.
- 24 Q Okay. And you transported the metal to the recycling
- 25 center?

- 1 A Uh-huh (affirmative).
- 2 Q And what happened next?
- 3 A We went to the back, and the man that was working back
4 there, we took it off of the truck and put it over on
5 the scale, and he gave me my ticket, and I went back to
6 the trailer.
- 7 Q Okay. And you got paid?
- 8 A Fifty-two or fifty-three dollars, yes.
- 9 Q Okay. And, when did -- how long was it between taking
10 the metal and finding out there had been a problem?
- 11 A As I recall, between one and two months, maybe.
- 12 Q Okay. And you found out that there was a warrant for
13 you.
- 14 A Uh-huh (affirmative).
- 15 Q And you said you went to the sheriff's office, or to
16 the law enforcement complex?
- 17 A To -- not to the complex. To the -- it's right around
18 the corner from there. It's a -- it's a part of the
19 sheriff's department.
- 20 Q Okay. And what was that?
- 21 A It's -- I don't know what you call it, but it's part of
22 the sheriff's department. It's -- it's in the -- it's
23 in a little shopping strip right up from the complex.
- 24 Q Okay. All right. And you met Mr. Etheridge there?
- 25 A Uh-huh (affirmative). Yes.

1 Q Okay. What type of picture was it? And what type of
2 background? I mean, was it just a, like a head shot?
3 A Yes.
4 Q Do you know what color the background was?
5 A No.
6 Q Did it appear to be perhaps a DMV photo or could you
7 tell?
8 A It could have been. I don't -- I'm -- I'm not sure.
9 Q Okay. So a photo of your husband was in the file?
10 A Yes.
11 Q Okay. And did he indicate where he had gotten the
12 photo or --
13 A No.
14 Q -- how he came to have it?
15 A No.
16 Q Okay. So you said he told you that he didn't believe
17 you?
18 A Uh-huh (affirmative).
19 Q And what happened next?
20 A And he told me that he had a warrant that had to be
21 served. And that we needed to go around to the
22 complex. He then asked me --
23 THE DEPONENT: [Clears throat.] Excuse me.
24 A -- he then asked me, "You're not going to run, are
25 you?" And I said, "I've come this far. Why would I

1 run? I haven't done anything." So then, we went
2 around to the complex --
3 Q Let me stop you there and ask you: Did you take your
4 own car and drive to the complex?
5 A Yes, I did.
6 Q Okay.
7 A Parked it right outside under the tree in the front.
8 Q Okay. And what happened next?
9 A We went into the Warrant's Division and he served the
10 warrant or -- and from there, he put me in handcuffs
11 and took me to the back.
12 Q Uh-huh (affirmative).
13 A And, like I said, he told me when I come there that I'd
14 be in and out. Because of my children's situation, I
15 had to get --
16 Q Uh-huh (affirmative).
17 A -- back to my children.
18 Q And about what time was it that you and he got to the
19 complex?
20 A Probably, as I recall it was around eleven o'clock.
21 Q Okay.
22 A Maybe a little after.
23 Q Okay. And, so after he cuffed you, what happened next?
24 A Then we went to the back, and they had me sit there in
25 the front until, as I recall it was pretty close to two

1 o'clock. Then they decided to take me and dress me
2 out. So then, whenever the lady took me in the room
3 where -- where they dress you out and -- in their
4 jumpers --

5 Q Uh-huh (affirmative).

6 A -- we went in there and she then asked me, did I have
7 on a underwire bra. And I said, "Yes."

8 Q Now, let me ask you about the lady. Who was the lady;
9 do you know?

10 A It was a correctional officer. I do not know.

11 Q All right. And you told her you did.

12 A And then she said that I would either have to take the
13 bra off or take the wire out. So --

14 Q Okay.

15 A -- I stood there and by then I was crying and she said
16 -- she said, "I'm going to ask you one more time." I
17 said, "Well, can you give me something to split the
18 stitch and take -- so that I can pull the wire out and
19 then I can just stitch it back when I get back home?"

20 Q Uh-huh (affirmative).

21 A And, the correctional officer told me to use my -- she
22 said, "Use your teeth." And so, I gave her my bra to
23 put with my other stuff. They then escorted me through
24 to get a bag of stuff and a mat right on back to the
25 jail. And, I went back there, and I don't -- I don't

1 recall how long I was back there. Until the next bond
2 hearing which was around 2:30 maybe.

3 Q Okay.

4 A And, when they came to get me, they handcuffed me and
5 shackled me, and so, I went in front of the judge and
6 everybody else with no bra and their jumpsuit, and
7 handcuffed and shackled.

8 Q And was this within the complex or did you have to go
9 elsewhere?

10 A It was --

11 Q Did you ever have to get in a van, in other words?

12 A No, it was within the complex.

13 Q Okay. Now, you had said earlier that you sat out front
14 until 2:00 p.m. What -- where -- or in the front, what
15 do you mean by the front of the --

16 A No, ma'am, I -- oh, oh, in the front of the --

17 Q Right. Was it a cell?

18 A -- of the detention?

19 Q Was it a cell or what was it?

20 A It -- when you go in the jail, they have those little
21 rooms to the right.

22 Q Yes, ma'am.

23 A Right there. In the -- in one of those little rooms.
24 I did not use the phone. I had not even a drink of
25 water. And I couldn't call and check on my children.

1 So then after the bond hearing -- when we went to the
2 bond hearing --

3 Q And let me ask you this: What date was this? Were
4 your children in school?

5 A No, they were at home. That's why it was so imperative
6 for me to be there.

7 Q Okay. And were they home alone?

8 A Yes.

9 Q Now, that's the younger child who's nine now?

10 A Uh-huh (affirmative).

11 Q And Zachary?

12 A Uh-huh (affirmative).

13 Q Okay.

14 A There's ten years and one day between them.

15 Q And has Zachary ever kept the younger child before for
16 you?

17 A Uh-huh (affirmative). Yes.

18 Q Okay. So, you went to the bond hearing and what
19 happened next?

20 A And that's when Mr. Etheridge told the judge what an
21 upstanding citizen I was and ties to the community.
22 And, I got a PR bond and went back to the back, still
23 handcuffed and shackled, and sat and waited to be
24 released.

25 Q And, so you had not -- you had not pulled the wire out

STATE OF SOUTH CAROLINA) COURT OF COMMON PLEAS
COUNTY OF ORANGEBURG) C/A #: 2012-CP-38-672

Meredith Huffman,)
Plaintiff,)
v.)
Sunshine Recycling, LLC)
and Aiken Electric,)
Defendants.)
-----)

DEPOSITION OF
MEREDITH HUFFMAN

Thursday, January 9, 2014
2:30 p.m. - 3:16 p.m.

The deposition of MEREDITH HUFFMAN, taken on behalf of the Defendant at the law offices of Johnson & Barnette, LLP, 1230 Richland Street, Columbia, South Carolina, on the 9th day of January, 2014 before Jennifer L. Cash, Court Reporter and Notary Public in and for the State of South Carolina, pursuant to Notice of Deposition and/or agreement of counsel.



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1 give or take a little.

2 Q: Was that when you and he talked -- first talked

3 about it?

4 A: That's when I was booked. When we went to

5 warrants and I was ---

6 Q: When did you talk about it? When you got

7 there?

8 A: When he finished what he was doing, yes.

9 Q: So sometime between 9:00 ---

10 A: 9:00 and 10:00. 9:00, 10:30, 11:00, something

11 like that.

12 Q: And did you explain to him that you were

13 innocent and hadn't done it?

14 A: Yes.

15 Q: Why -- did you ask him why he didn't believe

16 you?

17 A: Yeah. And he said because Aiken Electric and

18 Sunshine said that it was me.

19 Q: Okay. And did you ask to be able to call a

20 lawyer or anyone to help you?

21 A: No. Because he assured me that if I didn't do

22 it or whatever when we went to court that it

23 would all be straightened out.

24 Q: I see. So he tried to reassure you about it?

25 A: Uh-huh (affirmative response.)



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1 Q: Did he say anything else to you about why you
2 -- why you were being arrested even though you
3 said you were innocent?

4 A: No.

5 Q: Did -- and then, so you were booked at 11:00?

6 A: Uh-huh (affirmative response.)

7 Q: What was the process of your being booked?

8 A: They served the warrant. Handcuffed me and
9 took me to the detention center and there they
10 ---

11 Q: What time did you get to the detention center?

12 A: It was probably between 11:00 and 11:30. It
13 was very shortly thereafter.

14 Q: Did they give you lunch?

15 A: No.

16 Q: So you got to the detention center and what did
17 they do there?

18 A: They made me change into one of their jump
19 suits and they took me through to get the -- a
20 little bag of stuff and a mat and took me right
21 on to the back of the jail. And then they --
22 they came, I think, around 2:00 or 2:30 and
23 handcuffed me and shackled me and took me in
24 front of the judge and that's where the PR bond
25 was done and ---



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- 1 Q: Was that in the jail?
- 2 A: Yes. It's all ---
- 3 Q: Held in the same building?
- 4 A: It's all right there, yes.
- 5 Q: Let me ask you this. When they gave you the
- 6 clothes to change into did they give you a
- 7 receipt for what -- for anything -- what did
- 8 they do with your clothes?
- 9 A: They put them in a bag and gave them back to
- 10 me when I came out.
- 11 Q: And where did you go to change?
- 12 A: It was a little -- it was a little room with
- 13 all the jump suits. It was the same room ---
- 14 Q: Were you in there by yourself?
- 15 A: No.
- 16 Q: Who was in ---
- 17 A: It was a lady correctional officer in there.
- 18 Q: Okay. So then they took you to the magistrate
- 19 and he did what?
- 20 A: That's when they gave -- they set my bond and
- 21 ---
- 22 Q: What did they set your bond at?
- 23 A: Thousand dollar PR bond, I think.
- 24 Q: Okay. And what time did you get out?
- 25 A: It was, I want to say, around 5:00, 5:30 maybe.



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EXHIBIT 5

Deposition Excerpts Officer James Ethridge

EXHIBIT 5

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF ORANGEBURG) FIRST JUDICIAL CIRCUIT
) CIVIL ACTION NO.: 2012-CP-38-672
MEREDITH HUFFMAN,)
) DEPOSITION
PLAINTIFF,)
VS.) OF
ORANGEBURG COUNTY SHERIFF'S) JAMES ETHRIDGE
DEPARTMENT, SUNSHINE)
RECYCLING, LLC AND AIKEN)
ELECTRIC COOPERATIVE, INC.,)
DEFENDANTS.)

DEPOSITION OF JAMES ETHRIDGE, TAKEN BEFORE LORI BOGGS REILLY,
PROFESSIONAL VERBATIM REPORTER, AND NOTARY PUBLIC IN
AND FOR THE STATE OF SOUTH CAROLINA, COMMENCING AT THE HOUR
OF 4:43 P.M., THURSDAY, THE 5TH DAY OF DECEMBER, 2013, AT THE
LAW OFFICES OF WILLIAMS & WILLIAMS, 1281 RUSSELL STREET,
ORANGEBURG, SOUTH CAROLINA.

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1 Q You brought with you today an offense report; is that
2 correct?

3 A Yeah, this is -- actually the very back copy is the
4 initial incident report that was written. It's just a
5 copy of the incident report, case number 2010-005803.

6 Q What's the date of that incident report?

7 A The date on 5-16, 2010.

8 Q And who completed that incident report?

9 A An M. Huggins.

10 (MARKED AS PLAINTIFF'S EXHIBIT NUMBER 1 FOR IDENTIFICATION

11 PURPOSES, OFFENSE REPORT)

12 BY MR. GOINGS:

13 Q I want to hand you what is -- what will be marked for
14 purposes of your deposition, Exhibit 1. And does this
15 appear to be --

16 MR. GOINGS: Breon, Pope, you've got copies
17 of this, right? You need another copy?

18 MS. JETT: I have a copy.

19 BY MR. GOINGS:

20 Q Okay. Does this document appear to be a true and
21 accurate copy of the offense report related to an
22 incident that occurred at Aiken Electric?

23 A Correct. This right here is actually -- starting with
24 this first copy. This is actually where I documented
25 in the computer. This is my supplemental here. It

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1 started on the -- it's dated -- the offense is at the
2 top where I started my stuff on the 18th of May of
3 2010. This is -- these are my notes. These -- this is
4 my supplemental that I wrote.

5 Q And did you prepare this document yourself?

6 A Yes, I typed it in the computer myself.

7 Q Okay. And is the information contained in this
8 document true and accurate?

9 A Yes, sir. It is.

10 Q Okay. And explain to me how these documents are made,
11 generated?

12 A Well, what we do is, normally, when someone would call
13 into the sheriff's office to report an incident or
14 something, it would go into what we call the CAD
15 system, which is just a computer system at that point
16 in time they were using. And that's where this top
17 part would be generated. They would automatically
18 issue a case number, what the type of crime, the status
19 of the crime, where the incident took place, where it
20 has Aiken Electric, 8381 North Road, North, South
21 Carolina.

22 Then it comes down where I actually put my --
23 when I put my supplemental in and it keys in report
24 employee, I had an employee number that when I would
25 start something, I would have to key my number in.



1 That way it would come up as I was the one inputting
2 this information. Where you see report, employee, date
3 and time, it has Ethridge, James and it has 6/1/10
4 10:13 where it's getting -- that actually -- I entered
5 this part of this information right here which had --
6 this was -- at that point in time, I put in a suspect's
7 name of Meredith Huffman. For the date and times as
8 you start putting the information in, that's when I put
9 her information in.

10 And then when I started doing my narrative,
11 it shows a report date and time of 5/18, 2010, and this
12 is me actually typing this stuff in into our CAD
13 system.

14 Q So this document was prepared contemporaneous to the
15 information that's provided --

16 A Correct.

17 Q -- over the internet?

18 A Yeah.

19 Q Okay. Is this a document that's generated in the
20 ordinary course of business at Orangeburg County
21 Sheriff's Department?

22 A Correct. Your deputies, when they would respond, they
23 would do like an initial incident report. And then
24 when they come to us, we didn't hand write. Our stuff
25 went straight into the CAD system as a supplemental



1 report --

2 Q When you say "us," who was us?

3 A Over in investigations.

4 MR. JOHNSON: Robert, I couldn't -- he was
5 pointing to something. Are you saying here where it
6 says 6/1/10 --

7 MR. GOINGS: Uh-huh.

8 THE WITNESS: That show -- that shows when I
9 keyed --

10 MR. JOHNSON: You put that information in
11 that -- ..

12 THE WITNESS: Right. So in other words, you
13 see -- you see the second part where it says
14 supplemental details.

15 MR. JOHNSON: Yeah.

16 THE WITNESS: And it has my name and then
17 5/18, 2010.

18 MR. JOHNSON: Right.

19 THE WITNESS: That's when I started typing in
20 my narrative.

21 MR. JOHNSON: You started typing.

22 THE WITNESS: Typing in my narrative. Yes,
23 sir. That's when I first put my -- started typing my
24 narrative in. And then when I got to a point of
25 putting in her information of Ms. Meredith Huffman,



1 that's the date I actually put her information in into
2 this computer was on 6/1, 2010.

3 MR. JOHNSON: Are you saying everything from
4 here, 5/18/10 was put in on 5/18/10 or was it put in as
5 you went along?

6 THE WITNESS: It could have been put in as I
7 went along. That shows the first time it was -- it was
8 started. When I opened that file up and I started the
9 supplemental is what that date shows.

10 MR. JOHNSON: Okay.

11 THE WITNESS: Which would be on the 18th is
12 when I -- when I first keyed in -- because when you go
13 into the computer system, you would say if you're
14 picking a name or if you're picking a supplemental or
15 how -- and then that day, 5/18, 2010, I chose I was
16 going to do a supplemental and I started a supplemental
17 on this case and that's when I started it.

18 MR. JOHNSON: But the material you put under
19 your supplemental, did you put it in at the time you
20 learned it or did you -- or did it --

21 THE WITNESS: No, periodically.

22 MR. JOHNSON: -- or did you just --

23 THE WITNESS: I was -- I would -- I would go
24 in and type some in, and then maybe as an -- I mean,
25 how this one was done, I can't tell you exactly but,



1 normally, if something took place, I would -- I would
2 put it in and I may work on a case for two or three
3 days and then catch up on paperwork and put more stuff
4 in.

5 MR. JOHNSON: So it wasn't -- right. So it
6 wasn't actually all contemporaneous. When you did it,
7 it could be two or three days later you would catch --

8 THE WITNESS: Correct.

9 MR. JOHNSON: -- up your notes and --

10 THE WITNESS: Correct.

11 MR. GOINGS: You want me to finish?

12 MR. JOHNSON: Well, yeah.

13 MR. GOINGS: You're doing good.

14 THE WITNESS: Did that -- did that clarify it
15 all? I'm trying --

16 MR. JOHNSON: Yeah, yeah.

17 THE WITNESS: It's a running diary.

18 BY MR. GOINGS:

19 Q Is it fair to say this is a running diary?

20 A Yeah.

21 Q But it --

22 A And it can say that it started on 5/18, 2010. That's
23 what I could say.

24 MR. GOING: Finished?

25 MR. JOHNSON: I'm finished on that point.



1 MR. GOINGS: Okay. Good, good, good.
2 MR. JOHNSON: I just didn't understand.
3 MR. GOINGS: No, I got you. I'm sorry. I
4 wasn't trying to interrupt you either.
5 BY MR. GOINGS:
6 Q Officer, this offense report in the narrative section,
7 is it fair to say that it -- this is like a running
8 diary of events that you learned during the course of
9 your investigation?
10 A Correct. It was a continuation from the time I started
11 it until the time I finished it.
12 Q Okay. And the first paragraph says I, Sergeant
13 Etheridge, was assigned to case number 2010-005803 in
14 reference to some copper wire being taken from Aiken
15 Electric Cooperative.
16 Is it fair to say, Officer, that that
17 sentence in and of itself was probably the first
18 sentence that was put in the narrative?
19 A Correct.
20 Q And if you started the section on 5/18, 2010, that
21 would be written in 2000 -- on 5/18, 2010?
22 A Correct.
23 Q And then if you read this, it appears that you're
24 discussing events as they -- as they unfold, correct?
25 A Correct.

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1 Q Now, when I said that you enter in the information
2 contemporaneous to when you learn it, it may be that
3 afternoon or the next morning. Correct?
4 A Correct.
5 Q Okay. But while it's still fresh in your head is when
6 you put it in, correct?
7 A Correct.
8 MR. JOHNSON: Object to the form.
9 BY MR. GOINGS:
10 Q Is information contained in the narrative section
11 information that you personally have knowledge of?
12 MR. JOHNSON: Object to the form.
13 THE WITNESS: Yes.
14 BY MR. GOINGS:
15 Q Okay. You don't put something in the narrative that
16 you're not told, do you?
17 A No.
18 MR. JOHNSON: Object to the form.
19 BY MR. GOINGS:
20 Q And you don't put false information in a narrative, do
21 you?
22 A No.
23 MR. JOHNSON: Object to the form.
24 MS. WALKER: Same objection.
25 BY MR. GOINGS:

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1 Q And you've been -- you've been in law enforcement many
2 years now, haven't you?

3 A Correct..

4 Q And you, in fact, teach law enforcement, right?

5 A Correct.

6 MR. JOHNSON: Object to the form

7 BY MR. GOINGS:

8 Q Do you teach your students that they don't put false
9 information in an incident reports?

10 MR. JOHNSON: Object to the form.

11 THE WITNESS: You only document the truth.

12 BY MR. GOINGS:

13 Q Okay. And I guess the questions that I'm trying to
14 find out is does this document, the incident report,
15 reflect the truth --

16 MR. JOHNSON: Object to the form.

17 BY MR. GOINGS:

18 Q -- as it relates to your investigation into a theft
19 that occurred at Aiken Electric in North, South
20 Carolina?

21 A Correct.

22 MR. JOHNSON: Object to the form.

23 MS. WALKER: Same objection.

24 BY MR. GOINGS:

25 Q Was this document prepared in the ordinary course of



1 business?

2 MR. JOHNSON: Object to the form.

3 THE WITNESS: Correct, yes.

4 MR. GOINGS: What was wrong with the form of
5 that question?

6 MR. JOHNSON: We just need to swear you.
7 What's wrong with it? It's leading. You -- it's
8 leading. You could ask him how was this document
9 prepared but you don't --

10 MR. GOINGS: But you did that.

11 MR. JOHNSON: -- put words in his mouth.

12 MR. GOINGS: But you did that.

13 MR. JOHNSON: I was trying to help you.

14 BY MR. GOINGS:

15 Q Okay. I will satisfy his objections. I want you to
16 explain fully one more time, and take as long as you
17 need, to explain how this document is generated.

18 MR. JOHNSON: He's done that. Let's get on
19 with it.

20 MR. GOINGS: Go ahead and withdraw the
21 question so I don't have to do it again --

22 MR. JOHNSON: I'm not withdrawing a damned --
23 anything. It's like --

24 BY MR. GOINGS:

25 Q Explain -- explain -- I want you to explain, seriously,



1 for the record, how this document's generated without
2 me leading you.

3 A Okay. It would be a continuation of the course of the
4 investigation, the date of -- I was first assigned the
5 case, and it would start -- obviously it has 5/18,
6 2010. That's when I started my -- my narrative here
7 note-wise, and it's just -- it's a -- it's a documented
8 continuation of my full investigation from start to
9 finish.

10 Now, throughout the narrative, there are
11 different dates of current -- of events that took
12 place, but it -- it -- the date that you see on here
13 actually only shows the date that I started to input
14 the information in the computer.

15 BY MR. GOINGS:

16 Q Okay. And is this a business record of Orangeburg
17 County Sheriff's Department?

18 A Yes, yes. We called -- this is actually called a
19 supplemental to the initial incident report is what it
20 is.

21 Q And this is the type of document that an investigator
22 would --

23 A Correct.

24 Q -- would --

25 A Correct.



1 Q Does this document help refresh your recollection as to
2 what occurred back in May and in June of 2010 related
3 to this incident?

4 A Yes.

5 Q Sitting here today, is there anything that you believe
6 should be changed or altered for purposes of this
7 document?

8 A No.

9 Q Explain, sir, what you recall when you first got
10 involved in this incident and kind of tell me
11 chronologically what you remember.

12 A Where?

13 Q As it relates to your investigation into a theft that
14 occurred in North, South Carolina at Aiken Electric.

15 A How it started?

16 Q Yes, sir.

17 A The investigate -- well, when you have your -- talking
18 about assigned, the incident report would be written
19 and then turned into investigations. And then,
20 obviously, I was assigned by my supervisor at that
21 point in time to look further into the -- to the case.
22 And then that's when -- actually, I was familiar with
23 Mr. Goss because I had worked other cases at Aiken
24 Electric dealing with thefts and burglaries and stuff
25 so I was kind of familiar with him.



1 Then, after being assigned the case, when I
2 spoke with them, they said that the -- there was wire
3 that was -- had been located at Sunshine Recycling. I
4 had dealt with Mr. Joe Rich on numerous occasions. I
5 mean, we -- frequently we'd go out there and talk with
6 him. He's always real cooperative with us and -- and
7 anything that we needed on the case.

8 And they'd informed us that items that was
9 taken from Aiken Electric was located at Sunshine
10 Recycling. There's, you know, certain laws they have
11 to abide by and when they -- the wire was sold, they
12 obtained the lady's information. Had her driver's
13 license. Had -- everything was on the ticket just like
14 they normally did. Gave me copies of the ticket and
15 everything. I went down and spoke with Mr. Rich. Mr.
16 Goss spoke with one of his employees in the rear.

17 At that point in time, there was something
18 going on with the -- with the video, with Mr. Alan
19 Price. He had video surveillance cameras out there and
20 we couldn't see -- we couldn't view the video on that
21 day. So we, you know, took what they had at that point
22 in time. They were guaranteeing that the metal that
23 she brought in was the metal -- Mr. Goss was saying
24 this is 100 percent our metal from Aiken Electric and
25 the ticket was showing the weights, everything, was --



1 was co- -- everything was looking the same.

2 And they had the ticket. They had the
3 employee in the back saying she brought that metal in.
4 Had a ticket with her information on there. It was
5 verified, her driver's license number. They obtained
6 the property back. We -- I photographed the property
7 that was there, which was just some copper wire, and
8 gave the wire back to Mr. Goss.

9 Q Okay. Let me stop you right there. I'll get you to
10 continue -- ask you some questions about that.

11 A Oh, I know.

12 Q So when you went to Aiken -- when you went to Sunshine
13 Recycling for the first time regarding this incident,
14 they had documentation ready for you to look at,
15 correct?

16 A Correct.

17 Q And one of those documents was Meredith Huffman's
18 invoice and receipt, correct?

19 A Correct.

20 MR. JOHNSON: Object to the form.

21 MS. WALKER: Same objection.

22 BY MR. GOINGS:

23 Q Did they show you anything else other than Meredith
24 Huffman's invoice and receipt?

25 MR. JOHNSON: Object to the form.

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1 THE WITNESS: Besides that, they -- they get
2 copies of her driver's license. So they had copies of
3 her driver's license and then the property.

4 BY MR. GOINGS:

5 Q Okay. So they had the documents related to Meredith
6 Huffman already pulled out for you, right?

7 A Correct.

8 MR. JOHNSON: Object to the form.

9 BY MR. GOINGS:

10 Q You didn't plunder through their documents to find
11 Meredith Huffman's name?

12 A No.

13 MR. JOHNSON: Object to the form.

14 MS. WALKER: Same objection.

15 BY MR. GOINGS:

16 Q Who told you that Meredith Huffman was the individual
17 that came in with the stolen property of Aiken
18 Electric?

19 A I'm pretty sure it was Mark Goss actually had told me
20 to go down and meet him down at Sunshine.

21 Q Did he tell you they had -- they had identified the
22 stolen --

23 A Correct, correct.

24 MR. JOHNSON: Object to the form.

25 THE WITNESS: He had said Mark had actually

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1 talked with her. He was actually there because he made
2 the comment, I see here in my notes that he -- he had
3 actually spoke with her in line and she was obtaining
4 payment for the property. So he -- he had saw her and
5 spoke to her on the property of Sunshine.

6 BY MR. GOINGS:

7 Q And did he tell you that he saw her with the stolen
8 property?

9 MR. JOHNSON: Object to the form.

10 THE WITNESS: Let's look at -- it's got here
11 Goss says that he viewed the items after she left and
12 identified them as being theirs.

13 BY MR. GOINGS:

14 Q Okay. And then in the paragraph before that, the last
15 sentence --

16 A It said Goss --

17 Q -- and why --

18 A It says Goss advised me that he went to this location
19 on the date and informed the company their theft and
20 give them some samples of the wire so that they will
21 know what was taken. While he was there, he actually
22 spoke and carried on a conversation with Huffman while
23 she was waiting to get paid for the items that she had
24 just brought in. And it's got Goss said that he viewed
25 the items after she left and identified them as being



1 theirs.

2 Q And so the -- the statements that you just read out of
3 this report, you learned this information --

4 A That's from Goss, from Mark Goss.

5 Q Which is an employee of Aiken Electric.

6 A Correct.

7 Q You just wouldn't make this up, what you --

8 MR. JOHNSON: Object to the form.

9 THE WITNESS: No, this is information that
10 I'm gathering through my investigation as -- I mean,
11 that's what we are. We're fact-finders. We gather
12 information. This is information that's given directly
13 to me from Mr. Goss.

14 BY MR. GOINGS:

15 Q Okay. So in the course of your investigation, you
16 didn't stumble across the name Meredith Huffman as the
17 suspect, did you?

18 MR. JOHNSON: Objection to the form.

19 THE WITNESS: No, not -- well, at Sunshine --

20 BY MR. GOINGS:

21 Q Yeah.

22 A -- Recycling.

23 Q Who provided you, if anyone, the name Meredith Huffman?

24 A Mark Goss and Sunshine Recycling.

25 Q Okay. And did they tell you that Meredith Huffman was



1 the suspect?

2 MR. JOHNSON: Object to the form.

3 THE WITNESS: Correct.

4 BY MR. GOINGS:

5 Q Okay. So, based on the information that you received

6 from Sunshine Recycling and Aiken Electric, your

7 investigation revealed that Meredith Huffman was

8 responsible for this theft, correct?

9 MR. JOHNSON: Object to the form.

10 THE WITNESS: No, that Meredith --

11 MS. WALKER: Same objection.

12 THE WITNESS: -- Huffman was in possession of

13 items that were stolen because that's what she was

14 actually charged with. I did not charge her with any

15 theft.

16 BY MR. GOINGS:

17 Q Okay.

18 A I charged her with receiving stolen goods.

19 Q Okay. So -- I understand that. You were told by

20 Sunshine Recycling and Aiken Electric that Meredith

21 Huffman was the person that was in possession of those

22 stolen goods, correct?

23 A Correct.

24 MR. JOHNSON: Object to the form.

25 MS. WALKER: Object to the form.



1 BY MR. GOINGS:

2 Q Okay.

3 A Mark Goss had identified his property at Sunshine
4 Recycling, and Sunshine Recycling was informing me that
5 she had just brought these items in. They were in her
6 possession when she came onto Sunshine and she sold
7 those items to Sunshine Recycling.

8 Q Okay. And who told you that?

9 A Mark Goss and employees of Sunshine Recycling.

10 Q And did you recall talking to Joe Rich that day as
11 well?

12 A I did. I did speak to him.

13 Q Did you notice he had any Hispanics working in or
14 around the area?

15 A I'm not -- I don't know exactly who I spoke with, but I
16 -- I remember them being Hispanic. I don't have his
17 name, but I know he was a Hispanic male.

18 Q Did -- is it your understanding that Joe Rich was the
19 one speaking to him and Joe Rich was giving you that
20 information?

21 A Oh, yes. Yeah.

22 MR. JOHNSON: Object to the form.

23 MS. WALKER: Same objection.

24 BY MR. GOINGS:

25 Q And how did -- how did you obtain documentation that

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1 had Meredith Huffman's name or information on it?

2 A It was given -- Sunshine Recycling gave it to us.

3 Q Okay. What do you recall Sunshine Recycling giving

4 you?

5 A I remember them giving me the -- the actual ticket,

6 which is when -- this could be a weight ticket, more or

7 less from what she gets paid for. And then they --

8 they keep copies of everybody's driver's license.

9 Q What do you recall happening next?

10 A Excuse me?

11 Q What do you recall happening next?

12 A With that, I tried to get in touch with Ms. Hoffman and

13 I never were able to reach her. She was actually

14 living in Calhoun County at the time.

15 Q You mean Huffman?

16 A Huffman, I'm sorry.

17 Q You're all right. You're fine.

18 A Huffman, yes.

19 Q You tried to get in touch with her?

20 A Correct. And actually, I was really -- honestly, I was

21 waiting on the video because I wanted a little bit more

22 than just what I had at that point in time. I wanted

23 to actually be able to get a copy of the video.

24 Q Okay. Did Sunshine Recycling tell you what they saw in

25 the video?



1 A Yes.

2 Q Okay. What did they tell you they saw in the video?

3 MR. JOHNSON: Object to the form.

4 THE WITNESS: You got in here -- well, let's
5 see. Here, you got in here she was in the copper area.
6 Advised that Huffman was the individual who brought
7 merchandise in. She was driving a red color. --

8 MS. WALKER: Can you tell me where you're --

9 THE WITNESS: I'm on page two at the last
10 paragraph.

11 MS. WALKER: Uh-huh.

12 THE WITNESS: This is where, you know, Goss
13 was -- the third paragraph where Goss -- Goss actually
14 provided us with the information and gave us the tag
15 number of her vehicle, AFB-106.

16 MR. JOHNSON: What are you looking at?

17 THE WITNESS: Third paragraph on page two. I
18 tell you what, go to -- you see the fourth paragraph
19 from the bottom? It says, I have obtained a copy of
20 the ticket that shows that Meredith Huffman sold
21 aluminum and copper to Sunshine in the amount of
22 \$53.00. On the receipt is the I.D. number of
23 007248484. I ran this number and it comes back to a
24 Meredith Huffman. That as being her driver's license
25 number is what that is.

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1 I also met with Goss --

2 MR. JOHNSON: And who's doing that?

3 THE WITNESS: I did that. It goes through
4 our dispatch.

5 BY MR. GOINGS:

6 Q All right. Keep going, sir.

7 A I also met with Goss at Sunshine. He obtained the
8 property. I did photograph these items, were released
9 to Goss. Goss also showed me samples of the -- samples
10 from the incident location. I also photographed them.
11 Goss also informed me that he viewed the report done by
12 Aldridge and the vehicle that Huffman was in was a red
13 Dodge truck, not black. Obviously, at some point in
14 time, I think Aldridge, maybe in his supplemental, put
15 it was a black vehicle. So I was correcting that in my
16 report because it was actually a red Dodge truck that
17 she was in.

18 He advised that the tag number is AFV-106 was
19 correct. I ran the tag. The vehicle is a 2005 Dodge
20 truck registered to Jeffrey Miller and Meredith
21 Huffman. While I was there, I also spoke with the
22 owner of Sunshine and he advised that he has not yet
23 obtained me a copy of the video but he will call the
24 company to do so. He also advised me that his employee
25 -- his employees that work in the copper area advised

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1 that Huffman was the individual who brought the
2 merchandise in and that she was driving a red in color
3 truck. And that's where I tell you I -- I never made
4 contact with Huffman but I will -- I had spoke with
5 Sunshine Several times trying to obtain a copy of the
6 video and Mr. Goss was calling me, wanting to know what
7 I was doing with the case.

8 Q Okay. And let me -- let me go back to the question I
9 asked you. You never saw the video at Sunshine, did
10 you?

11 A No.

12 Q Do you recall Sunshine telling you what it was on the
13 video that --

14 A They was saying that it was caught on the video, but I
15 -- something wrong with the player. They couldn't give
16 me a copy of it and I couldn't view -- view the video
17 back there. He has some -- at that point in time, I
18 can't remember. He had two systems. He had one system
19 up at the front where the girls did the money and that
20 would capture a lot of stuff at the front of Sunshine.
21 And then when you would go back and drop your stuff off
22 in the aluminum area and stuff, he had another system
23 and monitors and stuff set up back there.

24 So I was not able to watch any video at that
25 point in time. Mr. Alan Price, which I had dealt with

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1 several times, he -- I called him several times myself
2 trying to meet up so we could go out there and try and
3 download this so we could watch it.

4 Q So either -- you didn't personally see the video or
5 watch the video at Sunshine. You were told by Sunshine
6 that it showed Meredith Huffman --

7 A Correct.

8 Q -- with the -

9 MR. JOHNSON: Object to the form.

10 MS. WALKER: Object to the form.

11 THE WITNESS: She -- yes, yes.

12 BY MR. GOINGS:

13 Q Okay. And the reason you didn't contact Meredith
14 Huffman is that she was in Calhoun County, correct?

15 A Correct.

16 Q And that is another jurisdiction, correct?

17 A Correct.

18 MR. JOHNSON: Object to the form.

19 BY MR. GOINGS:

20 Q And in order for you to make official contact with her
21 for law enforcement -- law enforcement purposes, you
22 would have had to go through Calhoun County?

23 A Correct.

24 MR. JOHNSON: Object to the form.

25 BY MR. GOINGS:



1 Q And that's protocol, isn't it?

2 A Correct.

3 MR. JOHNSON: Object to the form.

4 BY MR. GOINGS:

5 Q Why didn't you make contact with Meredith Huffman?

6 A Well, now, I have in here I never made contact with
7 Meredith Huffman due to she lived in Calhoun County. I
8 don't -- I mean, I -- I'm not going to sit here and say
9 why I didn't. I'm not going to say I didn't even make
10 a phone call to Calhoun County. I don't recall what
11 took place, why I did not --

12 Q Okay.

13 A -- go any further than trying to talk to her. Because
14 it doesn't say that I didn't attempt. It just said
15 that I -- I never made contact with her.

16 Q Right. I understand. It doesn't say you didn't
17 contact --

18 A I didn't -- I didn't try and contact. It says you
19 never made - it's pretty odd for me to sit here and
20 tell you that I did not attempt in some way and
21 fashion.

22 Q And it says here that Mark Goss called me several times
23 about moving further with the case. Do you see that?

24 A Oh, yeah.

25 Q Explain that to me.

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1 A Well, he was just calling me, because if you look, I
2 know we was dealing with the dates and, you know, how I
3 wrote this report but -- you know, if you look, I met
4 him -- if you go back to page two, say third paragraph
5 from the bottom, I was meeting with them on May the
6 18th. This incident took -- this incident took place,
7 I think the incident date was the 16th, which actually
8 was a night time I believe. So the 17th. Then the 18th
9 I met with them out there. He -- it was a couple of
10 days there. I was trying to wait on a video so he --
11 he was calling me, wanting to know what I was doing.

12 Because, I mean, it actually was. I mean, it
13 was in my hands. I mean, I -- I -- you know, I was --
14 I obtained information from him, obtained information
15 from Sunshine. I would -- I was waiting on a video. I
16 didn't have the video at that point in time so he
17 wanted to know what I was going to do. Was I going to
18 try and arrest her, lock her up, you know, speak with a
19 magistrate, what to do. On the 21st, that's what I did
20 is I went and spoke with a magistrate.

21 Q Did you feel that Mark Goss was urging you to prosecute
22 Meredith Huffman?

23 MR. JOHNSON: Object to the form.

24 THE WITNESS: He was calling me. He was
25 calling me just like any other victim would. You know,

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1 what are you doing? You know, what -- I mean, he had
2 people he had to answer to, too, so --

3 BY MR. GOINGS:

4 Q Well, he wasn't calling you saying don't arrest
5 Meredith Huffman, was he?

6 MR. JOHNSON: Object to the form.

7 THE WITNESS: Correct.

8 BY MR. GOINGS:

9 Q Okay. And he wasn't calling you to -- to talk about
10 the weather, was he?

11 MR. JOHNSON: Object to the form.

12 THE WITNESS: No, he wasn't calling me to
13 talk about the weather.

14 BY MR. GOINGS:

15 Q Okay. And the reason he was calling you is because he
16 wanted --

17 A To know what I was going to do with the case. Was I --

18 MR. JOHNSON: Object to the form.

19 THE WITNESS: -- going to arrest her, yeah.

20 BY MR. GOINGS:

21 Q And at this point, he had not identified any other
22 suspect?

23 A That's the only --

24 MR. JOHNSON: Object to the form.

25 THE WITNESS: -- suspect we had at that point

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1 in time was Ms. Huffman.

2 BY MR. GOINGS:

3 Q Okay. Did Mark Goss ever call you and tell you that he
4 had a copy of the video and the video actually didn't
5 show Meredith Huffman as the -- as the individual that
6 brought in the stolen goods?

7 MR. JOHNSON: Object to the form.

8 THE WITNESS: No. Go -- ask me that again.

9 I want to make sure.

10 BY MR. GOINGS:

11 Q Well, let me ask you this, did Mark Goss tell you that
12 he was actually -- that he was -- during this time you
13 were trying to get the video, he was actually riding
14 around with a copy of the video? Did he tell you that?

15 MR. JOHNSON: Object to the form.

16 THE WITNESS: That he had a copy of the video
17 from Sunshine?

18 BY MR. GOINGS:

19 Q Uh-huh. Did he tell you that?

20 MR. JOHNSON: Object to the form.

21 THE WITNESS: I don't recall that, because I
22 -- actually, if you see in here, I contact -- I was
23 contacted by Alan Price, and that's who I'm saying is -
24 - he had the security system at Sunshine. So I was
25 actually contacted by Alan Price myself. He called me,

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1 advised me that he was meeting me at Sunshine to view
2 the video and to obtain a copy. That's -- that's where
3 I got my copy of the video from was from Mr. Price.

4 BY MR. GOINGS:

5 Q Right, that's your copy, but did Mark Goss ever tell
6 you that he had a copy?

7 MR. JOHNSON: Object to the form.

8 THE WITNESS: I would think I would have had
9 it. If he had a copy, I would have asked him for it.
10 I wouldn't have been going through Alan Price to get a
11 copy if he had a copy riding around in his truck.

12 BY MR. GOINGS:

13 Q Or just with him.

14 A Or with him.

15 MR. JOHNSON: Object to the form.

16 BY MR. GOINGS:

17 Q And did you swear out a warrant for the arrest of
18 Meredith Huffman for her receiving stolen goods?

19 A I did. Yes, sir.

20 Q And -- and the information that you based your decision
21 to swear that warrant out was based on information that
22 you'd received from Aiken Electric and Sunshine
23 Recycling. Isn't that correct?

24 MR. JOHNSON: Object to the form.

25 THE WITNESS: Correct. The information --

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1 when I went to the Judge on May the 21st was -- that's
2 the only information I had was what I gathered at that
3 point in time was more or less the documentation that I
4 obtained from Sunshine and the basis -- I was going off
5 of what I was told at Sunshine by Sunshine Recycling
6 and what Mark Goss was giving me the information.

7 BY MR. GOINGS:

8 Q Okay. And you believe the information they gave you at
9 the time was true?

10 A Yes.

11 MR. JOHNSON: Object to the form.

12 MS. WALKER: Object to the form.

13 BY MR. GOINGS:

14 Q Okay. How did you process the warrant for purposes of
15 arresting Ms. Huffman if she lived in Calhoun County?

16 A She actually came in. So that's what I'm saying. When
17 I obtained that warrant, it was put in NCIC. I don't
18 have it here, but if she came in on her own, I know a
19 lot of guys that work in Calhoun County. I'm going to
20 say more than likely they went by and told her, and
21 said hey, you need to go up and see Etheridge, you
22 know, and talk with him, and she came in.

23 Because she came in. I didn't go pick her up
24 or anything like that. She came in to me, to my office
25 on Chestnut Street where I was there that one time.

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1 Q Okay. You think she came in to talk --
2 A Oh, I know she did, because --
3 Q Yeah, that's right.
4 A Yeah, because she -- it's put in here on June 2nd,
5 2010, Huffman did come in and talk with me. She came
6 in. I didn't pick her up.
7 Q And you remember talking to her, right?
8 A Oh, yeah. I remember interviewing her. Yeah.
9 Q And did you advise her of her rights?
10 A Yes.
11 MR. JOHNSON: Object to the form.
12 BY MR. GOINGS:
13 Q She gave you a written statement, correct?
14 MR. JOHNSON: Object to the form.
15 THE WITNESS: Yes, she did.
16 BY MR. GOINGS:
17 Q Was she nice to you --
18 MR. JOHNSON: Object to the form.
19 BY MR. GOINGS:
20 Q -- that you recall?
21 A That I can recall, yeah. I didn't have any problems
22 with her.
23 Q I mean, she didn't act rude or --
24 A No, no.
25 Q -- belligerent, did she?

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1 MR. JOHNSON: Object to the form.

2 BY MR. GOINGS:

3 Q And did you serve her with the warrant there?

4 A I did.

5 Q Personally?

6 A Yes, sir.

7 Q And then what happened next; do you recollect?

8 A She was put in the detention center.

9 Q Okay.

10 A But I do remember bonding her. We -- I'm pretty sure
11 y'all bonded her that same day. I mean, she wasn't
12 there, like, overnight or anything.

13 Q Did she tell you that she didn't steal the -- did she
14 tell you that she had nothing to do with receiving
15 stolen goods?

16 MR. JOHNSON: Object to the form.

17 A Correct.

18 Q What did she tell you --

19 A She gave me a statement saying that she did go to
20 Sunshine but none of the items that she took was
21 stolen. She brought in -- she also brought in some
22 metal similar to what she took to Sunshine. Obviously,
23 in the file it'll be pictures where I -- I took of
24 those items.

25 Q Do you recall her --

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1 A I remember it being tin because I remember her saying -
2 - and it should be in her statement, to my recall, it's
3 going to be where a mobile home or something. She was
4 -- I mean, they were tearing down a motor home. It's
5 going to be like some tin that was off of a mobile
6 home.

7 Q Right.

8 A I mean, I don't want to say a lie because I'm not
9 looking at the pictures, but that's -- that's what I'm
10 remembering. I don't --

11 Q And your memory makes sense because then a couple
12 paragraphs later you said that her aluminum was
13 sheeting and not wire. You see that?

14 A That's what we saw -- that's where when I went to
15 Sunshine.

16 Q Let's -- let's -- let's get these -- let's get this
17 time line straight then, sir.

18 A If you look down -- if you look. See, I had already
19 spoken -- Huffman, she was served with a warrant. So
20 then she was put in the -- the detention center. I
21 then later was contacted by Alan Price. Okay. So
22 she's in -- I've already interviewed her and talked
23 with her. She's in jail. Then spoke with Alan Price
24 about meeting him down to watch the video, get a copy
25 of the video.

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1 I went down, met with him. Observed Huffman
2 on the property in a red truck just like they had told
3 me. We then went to the back area, like I told you.
4 You've got two video systems. Remember I told you
5 front video, back. So we went to that back area to
6 watch the video of where she took the items off the
7 truck and did have some copper that resembled what was
8 taken in the back of her truck, but the aluminum was
9 sheeting, not wire. So I'm assuming it was -- I'm
10 saying the sheet -- sheeting, it was, like, the size of
11 a mobile home. I mean, that's what I -- I'm pretty
12 sure I remember her telling me.

13 Q Okay. And then what you --

14 A Well -- go ahead.

15 Q -- what you observed on the video that you watched was
16 consistent with what Ms. Huffman had told you --

17 MR. JOHNSON: Object --

18 THE WITNESS: Correct.

19 BY MR. GOINGS:

20 Q -- about the --

21 A Correct.

22 Q -- that she brought in, right?

23 A Right. What she had told me.

24 Q Okay. And then it says, I then questioned the owner,
25 Joe Rich, and he advised that his employees observed

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1 Huffman with the -- with the items and he added that he
2 would come and testify in court.

3 A Correct.

4 Q Explain this statement.

5 A Joe Rich is -- I mean, he was saying that -- that she
6 had the stolen items. You know, that she definitely
7 brought that property in and that he would -- he would
8 be more than glad to go and testify in court to those
9 facts.

10 Q Even though the video showed otherwise?

11 MR. JOHNSON: Object to the form.

12 THE WITNESS: He's saying that he would come
13 in and testify that she had the stolen property.

14 BY MR. GOINGS:

15 Q And I'm asking you, even though --

16 A Yeah, he watched the video also.

17 Q Okay. He was there. So he -- so after he watched the
18 video, it showed -- and saw that Meredith Huffman
19 didn't come in with the stolen goods, he still
20 maintained that he and his employees would still come
21 and testify against her, correct?

22 A Correct.

23 MS. WALKER: Object to the form.

24 BY MR. GOINGS:

25 Q And then, it says here, I advised him that after

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1 viewing the video, it does not show her with the same
2 items that was taken. Due to these facts, there is not
3 enough evidence to support the case.

4 Do you remember having that impression at the
5 time?

6 A Yes.

7 Q Does this help you recall a set of circumstances where
8 you had Sunshine Recycling and Aiken Electric
9 pressuring you to arrest Meredith Huffman --

10 MS. WALKER: Object to the form.

11 MR. JOHNSON: Object to the form.

12 BY MR. GOINGS:

13 Q -- and then continue to prosecute Meredith Huffman?

14 MS. WALKER: Object to the form.

15 MR. JOHNSON: Object to the form.

16 THE WITNESS: If I -- I refused to prosecute.
17 I didn't -- I didn't feel like -- I didn't feel
18 comfortable. This was going to be a case -- I was
19 working investigations, and most of the cases that we
20 worked on were General Session cases. So the
21 solicitor's office picked most of those up. So they
22 would be heard in General Session.

23 This being a misdemeanor, it was something I
24 was going to have to prosecute, something I had to be
25 comfortable with. It was something that I had to make



1 sure I had enough evidence to take it to court. At
2 this point in time, I felt like the information that I
3 had gathered, I had enough probable cause to obtain a
4 warrant, but after -- when this video came, I felt like
5 I did not have enough evidence to prosecute her.

6 BY MR. GOINGS:

7 Q Okay. And you made the decision to dismiss the
8 charges?

9 A I made the decision to dismiss the charges.

10 Q Okay. And you made the decision to -- to get an arrest
11 warrant based on the information you were --
12 obtained --

13 A Correct. I went to the judge --

14 MR. JOHNSON: Object to the form.

15 BY MR. GOINGS:

16 Q Hold on. Let me finish. Let me finish.

17 A I'm sorry.

18 Q -- based on the information you obtained from Sunshine
19 Recycling and Aiken Electric?

20 A Correct.

21 MR. JOHNSON: Object to the form.

22 MS. WALKER: Same objection.

23 BY MR. GOINGS:

24 Q Turn to the next page at the very top. It says, at
25 this time, I'm not comfortable with this case due to

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1 the witnesses gave me false information the first time.
2 Goss says he can identify the property but it is metal
3 and it is not marked in any way. Explain this.

4 A Well, I just -- I didn't feel comfortable. I'm -- I
5 was not going to prosecute on the information that I
6 had gathered because I had -- a person's statement is
7 good but the video did not support the statements that
8 I had gathered at that point in time.

9 Q Okay. As for the metal, it's always been an issue. I
10 mean, it's good to have serial numbers on property. I
11 mean, metal is metal. We were -- what we were looking
12 for was copper wire. It wasn't marked in any way,
13 shape or form anyway. So, I mean, that -- that was
14 also another issue there that we were always dealing
15 with. Any time you're dealing with any kind of copper
16 wire or something, there's nothing identifying yours
17 from mine. Does that make sense?

18 Q Yes.

19 A I just -- it's kind of hard to identify property that's
20 not marked.

21 Q What witnesses gave you false information the first
22 time?

23 A Well, maybe I shouldn't have said false information but
24 the information that I gathered from Sunshine and from
25 Mark Goss was not -- it was -- it was information that



1 was gathered but the video showed -- showed other.

2 (OFF THE RECORD)

3 BY MR. GOINGS:

4 Q Mr. Etheridge, before you got the video and actually
5 saw the video, am I clear in understanding that you
6 were told by Sunshine and by Aiken Electric that all
7 the evidence that they had suggested that --

8 A Pointed at Huffman at that point in time, correct.

9 MR. JOHNSON: Object to the form.

10 MS. WALKER: Same objection.

11 BY MR. GOINGS:

12 Q What did -- or how did Mr. Rich and Mark Goss act when
13 you advised them that -- advised them that you wouldn't
14 continue to prosecute Meredith Huffman?

15 MR. JOHNSON: Object to the form.

16 THE WITNESS: I don't -- more or less with
17 Mr. Rich, I don't really recall him -- I mean, his
18 demeanor or anything. Mr. Goss was fine. He more or
19 less had people above him that he had to answer to that
20 were just a little bit concerned as to, you know, what
21 was going on and where would it go and why -- why would
22 I be, you know, dismissing the charges. But I mean,
23 I'm not saying like upset or -- I mean, I don't
24 remember all that but I know -- I mean, he was
25 questioning because he had people he had to answer to.

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1 BY MR. GOINGS:

2 Q No, I understand.

3 A As with Mr. Rich, I -- I don't really think we had a
4 big conversation after when all this was -- you know,
5 at the end here that I recall. I don't remember hardly
6 speaking to Mr. Rich anymore after this.

7 Q If Mr. Rich has testified that when you came out the
8 first time, he asked you to review the video but you
9 refused to, would that be -- do you recall refusing
10 looking at the video?

11 A No.

12 MR. JOHNSON: Object to the form.

13 MS. WALKER: Object to the form.

14 THE WITNESS: No, I do not recall refusing to
15 look at any video.

16 BY MR. GOINGS:

17 Q Is that something you would do as an officer?

18 A No.

19 MR. JOHNSON: Object to the form.

20 THE WITNESS: No. No, I would not do that.

21 BY MR. GOINGS:

22 Q Did you ever have any discussions with anyone from
23 Sunshine Recycling or Aiken Electric about Meredith
24 Huffman being arrested after she was released and the
25 charges were dismissed?

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1 A Do --

2 Q Did you recall ever having a conversation with anyone
3 from Sunshine Recycling or Aiken Electric after you
4 dismissed the charges against Meredith Huffman?

5 A I know when -- I mean, I spoke with -- I remember the
6 day we had court because we went to court in Neeses and
7 Mr. Goss was there and we talked and everything.
8 That's when we dismissed everything, that day.

9 Q Do you recall anything about the conversation?

10 A No. I mean, I don't recollect anything.

11 Q Do you recall talking to Meredith Huffman on the date
12 in which the charges were dismissed?

13 A Yes, I actually called her. When I obtained all this
14 information prior to court, I remember calling her,
15 telling her she didn't have to come to court. That it
16 was going to be taken care of.

17 And I don't blame her after everything she'd
18 been through, she showed up that day and I -- I was --
19 spoke to her and explained everything to her and she
20 sat in the proceedings. And, I mean, that was the
21 first thing -- I mean, it wasn't much. Just called to
22 order and I explained to the judge what had happened,
23 what was going on, and that we wanted it dismissed.
24 And she -- she was there for that.

25 Q Was Mr. Goss there for that?

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- 1 A Mr. Goss was there, but I don't know Mr. Rich being
2 there. I'm not saying he wasn't but I know Mr. Goss
3 was there.
- 4 Q Mr. Goss was the victim of this theft, correct?
- 5 A Well, he was representing the victim as Aiken Electric,
6 yes.
- 7 Q I see.
- 8 A But I'm not saying that Mr. Rich wasn't there. I just
9 said I don't recall. I don't recall him being there
10 because I -- I mean, we -- our plans was not to go
11 forward with the case on there, so --

12 MR. GOINGS: I don't have any further
13 questions. Thank you.

14 (OFF THE RECORD)

15 MR. JOHNSON: We've agreed to recess the
16 deposition because of the late hour and keeping lawyers
17 here at their office, and we're going to resume it
18 hopefully next week or whenever Robert gets out of
19 court.

20 (WHEREUPON, THE DEPOSITION WAS ADJOURNED AT 5:32 P.M.)
21
22
23
24
25

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CERTIFICATE

This is to certify that the foregoing deposition of JAMES ETHRIDGE, consisting of 53 pages is a true and correct transcript of the testimony given by said deponent after first being duly sworn; said deposition was reported by method of Stenomask utilizing speech recognition with digital backup. This transcript may contain quoted material; said material is transcribed as read or quoted by the speaker.

I further certify that I am neither employed by nor related to any of the parties in this matter nor their counsel; nor do I have any interest, financial or otherwise, in the outcome of the same.

IN WITNESS WHEREOF I have hereunto set my hand and seal this 18TH day of DECEMBER, 2013.

Lori Boggs Reilly
Professional Verbatim
Reporter

Notary in and for the State of South Carolina
My Commission Expires: May 14, 2014

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STATE OF SOUTH CAROLINA	) IN THE COURT OF COMMON PLEAS
	)
COUNTY OF ORANGEBURG	)
	)
MEREDITH HUFFMAN,	) C/A NO.: 2012-CP-38-00672
	)
PLAINTIFF,	) CONTINUED DEPOSITION
	)
	) OF
SUNSHINE RECYCLING, LLC AND	)
AIKEN ELECTRIC COOPERATIVE,	) JAMES ETHRIDGE
INC.,	)
	)
DEFENDANTS.	)

CONTINUED DEPOSITION OF JAMES ETHRIDGE, TAKEN BEFORE
WENDY SHANNON SULLIVAN, A NOTARY PUBLIC IN AND FOR THE STATE
OF SOUTH CAROLINA, COMMENCING AT THE HOUR OF 10:31 A.M.,
MONDAY, THE 30TH OF DECEMBER, 2013, AT WILLIAMS & WILLIAMS
LOCATED AT 1281 RUSSELL STREET, ORANGEBURG, SOUTH CAROLINA.

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- 1 A No, no.
- 2 Q Now, then your next paragraph, is this a conversation
3 with Goss?
- 4 A Correct.
- 5 Q And you say he advised me that he went to this location
6 on this date and informed the company of the theft, and
7 give them some samples so they'd know what was taken,
8 and he said that, while he was there, he actually had a
9 conversation with Ms. Huffman?
- 10 A Correct.
- 11 Q And did he tell you anything more than he just had a
12 casual conversation with her?
- 13 A More or less that he had spoken to her. He had
14 actually saw her there and spoken to her.
- 15 Q Do you know what -- but at that point, did he -- was
16 there any indication that she was the person who was
17 selling the stolen items? I mean, did Mark Goss say I
18 spoke to Ms. Huffman?
- 19 A No, I -- when he spoke to her, I don't think he had
20 knowledge that she was the individual that possibly had
21 taken the metal in.
- 22 Q All right.
- 23 A I think he was just saying that I went there and
24 actually spoke to the same lady that we're suspecting.
- 25 Q All right. Now, this is something you're doing on May

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1 18th?

2 A Correct.

3 Q Then it goes on, next paragraph says that he viewed the

4 items after she left and identified as being theirs?

5 A Correct.

6 Q What items did he identify as being theirs?

7 A It was some metal. I mean, because I went back out

8 later and took pictures of it. I mean, it was just --

9 what they had -- what had been taken off the trucks

10 that night.

11 Q But it wasn't the aluminum siding --

12 A It was not the sheathing, no.

13 Q -- that she brought?

14 A It was not the sheathing that she brought.

15 Q So he saw, at the location, the co-op materials --

16 A Right.

17 Q -- and identified and claimed that they belonged to the

18 co-op?

19 A Correct.

20 Q Now, then you've got -- noted that she had to present a

21 driver's license and, I assume, that's when you got a

22 copy of that?

23 A Correct.

24 Q Then you go on to say that you obtained a copy of the

25 ticket that shows she sold aluminum and copper to

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1 Sunshine in the amount of \$53?

2 A Correct.

3 Q And did Mr. Goss ever claim that they had -- were --
4 that aluminum was stolen?

5 A It was wire. I don't remember. I mean, I don't
6 remember the actual -- what all wire that was taken. I
7 mean, there's aluminum, there's copper, I mean, I'm
8 not --

9 Q You --

10 A Yeah.

11 Q -- you were able to see that what they had there was
12 aluminum siding, weren't you?

13 A Do what now?

14 Q Weren't you able to, while you were there on the --

15 A No, no.

16 Q You didn't know?

17 A We didn't -- I didn't go around and look at everything
18 that was there. We looked at what, specifically, Mark
19 Goss had pointed out and said this is what -- these are
20 my items, this is what was taken from Aiken Electric,
21 and that's what we photographed and took. We didn't
22 look around at everything else that was there.

23 Q To your knowledge, were any of the items he claimed
24 were stolen, aluminum?

25 A I don't recall. There was no aluminum siding, no.



1 Q Was there any aluminum wire?
2 A I don't -- I can't recall. All I'm saying is we had to
3 look at the pictures --
4 Q Well, let's --
5 A -- as exactly what he told me. I'm not saying --
6 Q Let me ask this.
7 A Yeah.
8 Q It's the copper wire that's got the value in it?
9 A Right, right.
10 Q Not the aluminum?
11 A Right.
12 Q Aluminum's -- doesn't get you anything to sell it?
13 A Right. Well, I mean, all I can remember is it was
14 wire.
15 Q Okay.
16 A I mean, that was taken and that's what we obtained that
17 day.
18 Q But the ticket showed that she sold some copper and she
19 sold some aluminum?
20 A Correct.
21 Q Now, you also met -- then you go on to say, I also met
22 with Goss at Sunshine on May 18th so they could obtain
23 the property. And you photograph items that you
24 released to Goss?
25 A Correct.

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- 1 Q And Goss told you that those were items that -- the
2 items they were missing?
- 3 A Correct.
- 4 Q And I gather you didn't have any objection to releasing
5 them to them?
- 6 A I didn't, neither did Mr. Rich.
- 7 Q Then it goes on to say Goss also informed me of the
8 report done by Aldridge and the vehicle Huffman was in
9 was a red Dodge truck, not a black Dodge truck?
- 10 A Correct.
- 11 Q Is that the first time you learned that?
- 12 A Correct.
- 13 Q So the guy who supposedly was doing the stealing was
14 driving a white Ford F150?
- 15 A Correct.
- 16 Q Your Mr. -- your Deputy Aldridge noted a black Dodge --
17 A In his supplemental.
- 18 Q -- in his supplemental, but the truck was actually a
19 red Dodge?
- 20 A Hold on there, let's clarify. The red Dodge is what
21 Mark saw her driving at Sunshine. We're clear on that,
22 right?
- 23 Q Right.
- 24 A And Aldridge wrote, in his report, that she was driving
25 a black Dodge.



1 Q Right.
2 A So the white truck --
3 Q Was not her truck?
4 A Well, the white truck was what was at --
5 Q Aiken, Aiken.
6 A -- the only mistake was the difference between the
7 truck that she was driving at Sunshine on that date.
8 Q Was red, not black?
9 A It was red, not black, correct.
10 Q And then you ran the tag and the vehicle -- where did
11 you get the tag to run the vehicle? From the ticket?
12 A Yeah, yeah, it's all on that ticket, that information.
13 Should be.
14 Q Vehicle plate and ID number?
15 A Right.
16 Q And then you say, while I was there -- oh, let me ask
17 you this. You say, at this point, I also met with Mark
18 Goss at Sunshine on May 18th so he could release the
19 items. Was your prior contact with him by phone?
20 A Phone, correct.
21 Q So, initially, had a phone conversation --
22 A Correct.
23 Q -- when you saw him at the place so he could get the
24 items? Then you say, while I was there I also spoke to
25 the owner of the business, he obtained a copy of the

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1 video, he'll call the company. He advised his
2 employees working there that Ms. Huffman was the
3 individual that brought the merchandise in, that was
4 driving a red vehicle, correct?

5 A Correct.

6 Q So, at this point, you knew, from the owner of
7 Sunshine, that he had talked with his employees and
8 that his employees pointed the finger at Ms. Huffman?

9 A Correct.

10 Q Did you interview or talk to any of the employees?

11 A They were of Hispanic descent. I can't --

12 Q You don't speak Spanish?

13 A No, sir. I'm very --

14 Q No, I --

15 A I do a little bit. Not enough to get that kind of
16 conversation out of them.

17 Q Well, does the sheriff's department have personnel who
18 can interpret?

19 A There was one at that point in time; I'm sure it was,
20 yeah.

21 Q Did you have that person interview the employee?

22 A No, sir.

23 Q And did you know good of Spanish the owner of Sunshine
24 spoke?

25 A Mr. Joe's worked them for years. I mean, he

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1 communicates --

2 Q Somehow.

3 A I mean, he seems to do pretty good with them.

4 Q All right. Now and you didn't make contact with Ms.

5 Huffman to interview her?

6 A No.

7 Q Because she lived in Calhoun County?

8 A Correct.

9 Q I assume that that's something you often do if you have

10 someone who's suspected of a crime? You go out and

11 read them their rights and interview them about what

12 went on to try and decide whether they were involved or

13 not?

14 A Correct.

15 Q Now it says, I spoke with Sunshine several times but

16 they still did not have a copy of the incident. So you

17 were waiting, I gather, to review the video?

18 A I wanted to see the video, myself.

19 Q And why did you want to see the video, yourself?

20 A Well, I just --

21 Q Because it would prove or disprove --

22 A Correct.

23 Q -- whether she was involved?

24 A It would be some very good evidence.

25 Q Right. Now, then you say, 'Mark Goss called me several

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1 times about moving further with the case?'

2 A Right.

3 Q Do you recall any details --

4 A Well, I was just wanting to know what we were doing.
5 You know, what was going on. I mean, Mark had people
6 that was calling him, too. I mean, I understand he
7 has --

8 Q Right.

9 A -- his people above him.

10 Q I gather it's not --

11 A They had had several incidents so, I mean, they were
12 pretty frustrated. I mean, obviously. I mean, you
13 can't blame a victim for being upset.

14 Q Right. Then it says on May 21, 2010 you talked with
15 Judge Murray in reference to the case and was able to
16 obtain a warrant on Ms. Huffman for receiving stolen
17 goods?

18 A Correct.

19 Q Explain, to me, the process you go through to obtain a
20 warrant.

21 A Sitting down with the judge. I mean, he would swear
22 you in and you would just present the facts that you
23 had at that point in time.

24 Q All right. And let me understand.

25 A Because we're looking at probable cause. That's what

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- 1 we're to show, probable cause, to issue that warrant.
- 2 Q Did you -- do you have to get approval from anyone to
- 3 go get a warrant issued? Do you have to report to your
- 4 supervisor and say this is what I found; I want to go
- 5 get a warrant?
- 6 A We would discuss the cases with our supervisors, I
- 7 mean, but I'm not saying more, say we have to get
- 8 approval all the time.
- 9 Q Did you discuss this case with --
- 10 A I don't -- I can't -- I don't remember.
- 11 Q And, in any event, you sat down and talked with the
- 12 Magistrate and he was --
- 13 A Correct.
- 14 Q -- satisfied and you -- did you fill out an affidavit?
- 15 A Yes.
- 16 Q And does that affidavit contain what you told the
- 17 Magistrate?
- 18 A And the affidavit should contain the same thing that's
- 19 on the face of the warrant.
- 20 Q Okay. And so the Magistrate issued the warrant?
- 21 A Correct.
- 22 Q And how long did that process take?
- 23 A I don't know. I mean, I don't know how long it would
- 24 have taken him. I mean, it could take up to --
- 25 Q And then you said --



1 Q And --
2 A She gave me a statement, yes, sir.
3 Q And let me ask you this: You said she gave a statement
4 saying she did go, but none of the items she took were
5 stolen?
6 A Correct.
7 Q She brought in metal similar to what she took to
8 Sunshine and pictures of where she got it from?
9 A Correct.
10 Q And did those pictures show aluminum siding?
11 A Correct.
12 Q And is what she told you, and gave you in the
13 statement, to the best of your knowledge, accurate and
14 true?
15 A Do what now?
16 Q Is what she told you in her statement, that you have
17 recorded in Exhibit 1, based upon what you now know,
18 was that what she was telling you was the truth?
19 A Yes. She brought in metal sheathing, yes.
20 Q Now, did you serve her with the warrant at that time?
21 A I did.
22 Q And when you served her with the warrant, what does
23 that trigger?
24 A It's just where the -- that's her charging document.
25 That's where she was actually formally arrested and

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1 charged.

2 Q All right. And when she's formally arrested, what
3 happens to her?

4 A I know she was taken to the detention center and we --
5 they processed her and then we -- I mean, we took her
6 before a judge to be bonded.

7 Q What does processing involve?

8 A I don't work for the jail. You'll have to deal with
9 the jail.

10 Q Yeah.

11 A We -- the sheriff's office doesn't control the jail
12 here. It's controlled by a Board of Directors.

13 Q How long was she kept --

14 A She came in that morning. And they have bond hearing
15 at 9:30 and 2 o'clock here in Orangeburg, during the
16 week --

17 Q Right.

18 A -- and if your -- your paperwork has to be in by noon
19 to be bonded at 2:00.

20 Q At 2:00.

21 A Your paperwork has to be in at 8:00 for the warrant's
22 division to be bonded at 9:30. So when she came in
23 there, you know, we got everything done at my office
24 where we could get her into the detention center where
25 she was bonded. I'm almost 100 percent sure she was



1 bonded at 2:00 that afternoon.

2 Q Do you recall what time she came in?

3 A It was morning time. It would be on the -- it would be

4 on her statement and stuff, because it's documented on

5 her statement and on the Miranda rights what time she

6 came in.

7 Q And so she would have been arrested and then processed

8 as you described?

9 A Well, processing was more or less fingerprinting,

10 getting her general information, they photograph her at

11 the detention center. I mean, I'm -- but I don't work

12 at the detention center.

13 Q Was she required to post a bond?

14 A I'm pretty -- I don't --

15 Q You don't remember?

16 A I don't remember. I wouldn't think that she -- she

17 would -- she had no criminal history, misdemeanor. I

18 wouldn't think it would.

19 Q All right. And this was June 2nd?

20 A Correct.

21 Q All right. Then you -- your next paragraph says, 'I

22 then later was contacted by Allen Price, advising that

23 he could meet you and show you -- let you view the

24 video?'

25 A Correct.



1 Q When was that?
2 A The same day.
3 Q June 2nd?
4 A That afternoon, yeah.
5 Q And so did you go meet with him and observe Ms. Huffman
6 on the property in a red truck?
7 A Right. We went and viewed the video that day.
8 Q And did you watch the video and determine -- see the
9 items she took off her truck?
10 A Correct.
11 Q And did you see that she also had some aluminum
12 sheathing that was not wire?
13 A Correct.
14 Q And was that aluminum sheathing that was similar to the
15 metal she brought in?
16 A Correct.
17 Q And then you spoke with Mr. Joe Rich and you note that
18 he advised that his employees had observed her with
19 items and that he would come to court and testify?
20 A Correct.
21 Q Was he maintaining that she still had -- his employees
22 said she still had the stolen items?
23 A That's what I have noted here in my report, yes.
24 Q Now, let me ask you this: Between seeing Mark Goss and
25 meeting with him on May 18, 2010, other than him

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1 calling you and asking you, several times, about moving
2 on with the case, did you have any communication with
3 him regarding the substance of the investigation?

4 A Do what now?

5 Q Did you -- according to your report, you saw him on May
6 18th at Sunshine. You called him, then you saw him on
7 the 18th at Sunshine?

8 A Right.

9 Q Then you report that he called you several times about
10 moving forward with the case?

11 A Right.

12 Q Then you -- on June 2nd you arrest Ms. Huffman.

13 A Correct.

14 Q In the interim between May 18th and June 2nd, did you
15 have any communications with Mark Goss other than him
16 asking about how the case was moving forward?

17 A I don't recall. I mean, I -- I couldn't --

18 Q Now, you then report that after you viewed the video
19 you say, it does not show her with the same items that
20 were taken. Due to these facts, there's not evidence -
21 - enough evidence to support this case. I'll be
22 dismissing the charges on Huffman.

23 A Correct.

24 Q So, the same day you arrested her -- no, I'm sorry.

25 No, it's the same day you arrested her, you went and

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1 looked at the video, learned that the video showed it
2 wasn't her, and you made a decision, then, that you
3 were going to dismiss the charges. And, I assume, that
4 it's because it showed --
5 A What I saw on the video, yeah.
6 Q -- the video showed?
7 A Correct.
8 Q Showed that she wasn't selling what was stolen?
9 A Correct.
10 Q Then you report that, I then, later, was contacted by
11 Mark Goss --
12 A Yeah. Now, I don't know what day that was on. I don't
13 -- it's not dated.
14 Q -- and Sunshine. So they called you together?
15 A Well, I think Mark Goss was at Sunshine.
16 Q And they said they were going back and review the --
17 that they did go back and view the video and the same
18 time Ms. Huffman was at the location, a black male in a
19 white truck came to the business premises and they gave
20 you his name?
21 A Eugene James, correct.
22 Q Is that the first time you had that information?
23 A Correct.
24 Q And then you got a copy of his ticket? That's where he
25 was selling?



- 1 A Correct.
- 2 Q And you got the other information Sunshine would have
3 produced --
- 4 A Yes, sir.
- 5 Q -- or had him produce when he didn't make the sale?
6 Now, how do you go about dismissing the case when you
7 decide you --
- 8 A Well --
- 9 Q -- the suspect --
- 10 A -- the evidence --
- 11 Q -- did not --
- 12 A -- if the evidence doesn't support the case, I mean,
13 there's no need to keep going forward with the case.
- 14 Q No, I understand that.
- 15 A How we would allow -- dismissing this case?
- 16 Q Yeah.
- 17 A Actually, I spoke with Ms. Huffman, told her some of
18 the information and I told her, when we went to court,
19 we would just dismiss it, because she was issued a
20 court date. It was a Magistrate's Court level offense
21 so she would have a court date within 30 days.
- 22 Q So you just picked up the phone and called her?
- 23 A I spoke with her, yes.
- 24 Q Do you know how long it was after June 2nd? I mean,
25 you learned, June 2nd, that she wasn't the party who



1 was guilty.

2 A Right.

3 Q But did you let her know, pretty promptly, that you
4 were going to be dismissing the charges?

5 A Yeah. I'd say within a couple of days. I mean, I
6 don't -- yeah.

7 Q All right. What did she say when you told her? She
8 say thank you?

9 A Well, I mean, she was happy, but I do remember her
10 saying -- because I do, specifically, remember telling
11 her she didn't have to come to the court date, it would
12 be taken care of, but she said she'd be there. And she
13 showed up, and I don't blame her one bit; she was
14 there.

15 Q Right. Make sure you did what you were saying you
16 would do?

17 A Oh, yeah, and she was there. She was there that day.

18 Q All right. And how long was she there in court?

19 A Oh, I don't know. I mean, I can't recall a specific
20 timeframe.

21 Q Now, did you take the investigation involving Eugene
22 James forward?

23 A We weren't -- because I actually had spoke with my
24 supervisor. We weren't comfortable with the case at
25 this point in time but, yes, I did take all the same



1 information and it was all reviewed with, actually, the
2 Chief Magistrate at the time.

3 Q Let me ask you this. On this page four, you said, at
4 this time I'm not comfortable with this case --

5 A Right.

6 Q -- due to the witnesses gave me false information the
7 first time. Did Mark Goss give you any false
8 information?

9 A He was more -- no. I mean, he -- what he was giving
10 was being relayed from what was at Sunshine. I mean,
11 he -- I mean, everything he had given me I would say,
12 you know -- because he knew what was taken and all this
13 stuff. I mean, he --

14 Q He gave you the details on what was taken?

15 A Correct. I mean -- no. I mean, I'm not saying that he
16 -- I would say the only -- the only false information
17 that we're speaking of is mainly what the individuals
18 in the back had --

19 Q Told.

20 A -- had said that she was the only that actually had
21 brought the metal in, and the video doesn't show that.

22 Q Right. And does that --

23 A I'm not saying anybody lied, or I'm not trying --

24 Q Right.

25 A -- I'm just saying what they observed is not the same

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1 thing --

2 Q That the video --

3 A -- that's on the video, and the video -- if the video
4 supported what they said, we would have been fine.

5 Q All right. Now let me ask you this, specifically.

6 A Okay.

7 Q You learned what the employees of Sunshine said through
8 what Mr. Rich told you, correct?

9 A Correct.

10 Q Not from anything Mr. Goss told you?

11 A No. It was coming from Mr. Rich.

12 Q And is it correct that Mr. Goss did not give you any
13 false information?

14 MR. GOINGS: Object to the form of the question.
15 You can answer it.

16 THE WITNESS: I mean, besides -- I mean what --
17 it's according to what you're going to say false,
18 because if he was to tell me that Joel Rich's people
19 said that that -- I mean, you see what I'm saying? I
20 mean, I don't recall him directly giving me anything
21 that was more or less -- I mean, what he -- what took
22 place at Aiken Electric -- I mean, everything he told
23 me, all that was true. I mean someone had --

24 BY MR. JOHNSON:

25 Q Right.

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EXHIBIT 6

Deposition Excerpts Officer Ashley Aldridge

STATE OF SOUTH CAROLINA COURT OF COMMON PLEAS
COUNTY OF ORANGEBURG FIRST JUDICIAL CIRCUIT

MEREDITH HUFFMAN,
Plaintiff,

vs.

SUNSHINE RECYCLING, LLC and
AIKEN ELECTRIC COOPERATIVE,
INC.,

Defendants.

FILED
2014 FEB 5 10 52 AM
CLERK
CIVIL ACTION NO.:
2012-CP-38-672

Wednesday, February 5 , 2014

ORAL DEPOSITION OF ASHLEY ALDRIDGE, taken
at the Law Offices of Gallivan, White & Boyd, P.A.,
1201 Main Street, 12th Floor, Columbia, South
Carolina, commencing at 10:10 a.m., before Tami I.
Watters, a Registered Professional Reporter and
Notary Public.

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Columbia, South Carolina 29202
803-212-0012

1 MS. WALKER: Back on.

2 BY MS. WALKER:

3 Q All right. Officer Aldridge, we have
4 marked as Exhibit 1 to your deposition a file that
5 you brought with you today, and it's my
6 understanding that this is the full, I guess,
7 investigative file from the Orangeburg County
8 Sheriff's Department?

9 A Yes. This was the file that was given to
10 me this morning by Ms. Karen Sanders,
11 administrative assistant, Orangeburg County.

12 Q Okay.

13 A Karen Glover. Sorry.

14 Q What I want you to do is take me through
15 your role in the investigation of the incident that
16 we're here for today. And what I mean by that is
17 how you -- how you became involved in it, if you
18 responded, any followup that you did.

19 Just kind of take me through your
20 involvement in the case.

21 A On. On 5/17/2010 I responded to a call
22 for service at Sunshine Recycling. Referring back
23 to my incident report, it says I met Mr. Joseph
24 Rich, the owner of Sunshine. And this is in
25 reference to a subject bringing metal in for scrap.

1 professional level. I had routinely taken calls at
2 Sunshine for stolen property.

3 Q And when you say stolen property, you
4 mean people bringing metal to Sunshine to sell?

5 A Stolen vehicles that may have popped up
6 on their VIN check as stolen or similar calls as
7 this.

8 Q Okay. All right. So it says when you
9 got there, you met with them. You met with Mark --
10 it says Gross, but it's Mark Goss of Aiken
11 Electric, and that he verified that the metals at
12 Sunshine matched samples that he had brought.

13 A Correct.

14 Q Did he actually have -- do you recall him
15 having the samples with him and showing them to you
16 and matching them to the metal at Sunshine?

17 A I don't recall.

18 Q Okay. It says, "This unit observed the
19 subject on video at the payment window and this
20 unit was also provided with a copy of the receipt."

21 Do you have a independent recollection of
22 observing Ms. Huffman on video?

23 A I do recall observing a video, and they
24 advised to me that she was the one that brought
25 that metal. That's pretty much it. They said this

1 is the one that brought the metal and we can tell
2 from our timestamp.

3 Q Okay. When you say "they," who are you
4 referring to?

5 A "They" being Sunshine.

6 Q Okay. Now, the video that you observed,
7 what did you actually observe her doing on the
8 video, do you remember?

9 A I recall a white female approaching the
10 payment window.

11 Q Okay.

12 A That's all I really saw in that video at
13 that time.

14 Q All right. Did you ever observe a video
15 of her -- you've been out to Sunshine before.

16 A Correct.

17 Q So you're familiar that there's the
18 payment area and then there's the area in the back
19 where the vehicles go through to actually drop off
20 the metal.

21 A Right.

22 Q Did you actually observe the video of
23 Ms. Huffman or anyone dropping off the metal that
24 was later identified by Aiken Electric?

25 A No.

1 receipt for the type of metal sold. They also gave
2 me a copy of that receipt, and, I believe, I
3 forwarded it to the responding officer.

4 Q Okay. And that would be Officer Huggins?

5 A Yes, ma'am.

6 Q And when you say responding officer,
7 because Officer Huggins is the one that initially
8 responded to the actual theft at Aiken Electric; is
9 that correct?

10 A He was the initial officer on the
11 incident report. I'm not familiar with
12 Mr. Huggins' complete incident report.

13 Q Okay. Did you have any more -- did you
14 do any additional investigations or followup other
15 than this one day that you went out to Sunshine?

16 A Yes, ma'am. I'm looking over my incident
17 report and it says I responded again on the 11th --
18 6/11/2010 for a --

19 Q Let me find that.

20 A I'm sorry.

21 Q Where is that in your -- I have the one
22 from 5/17/2010, and then is there another one right
23 after that?

24 A Yes, ma'am. It's gonna be same case
25 number from 6/11/2010..

1 Q Let's see. Okay. All right. So what
2 happened on the 11th?

3 A I responded for another call for service
4 at Sunshine. Again, referring to my incident
5 report, it says I met with Mr. Goss. Mr. Goss
6 provided me with the photograph of the subject and
7 his vehicle at Sunshine selling the aforementioned
8 copper or what was believed to be the
9 aforementioned copper.

10 I went on and further described a
11 white-in-color truck with a South Carolina tag of
12 607 Charlie Mike. He then -- Mr. Goss, being
13 "he" -- advised he can identify the copper by the
14 amount of wire on the strands. He again identified
15 the wire belonging to Aiken Electric.

16 They -- according to my incident report,
17 I don't really recall, but it says I received video
18 surveillance from Sunshine of the incident, which I
19 had not watched and still to this date have not
20 seen.

21 I forwarded that information to CID, our
22 criminal investigation division, and notated that
23 he's been known to work at Club Zodiac.

24 So, essentially, I just gathered the
25 information for this Investigator Ethridge and

1 passed it on.

2 Q It says, "Work at Club Zodiac as a --

3 A Manager. Sorry.

4 Q Okay. And I just want to make sure that
5 the record's clear. You said that you identified
6 the white-in-color truck with SC tag 670 Charlie
7 Mike. Your incident report says 6087 Charlie Mike.
8 Is that --

9 A I'm sorry. Correction. 6087 Charlie
10 Mike.

11 Q Okay. Why did you end up going back to
12 Sunshine on the 11th? Did you just happen to get
13 the call?

14 A I was probably dispatched out there.

15 Q Okay. So it has nothing to do with the
16 fact that you responded on the 17th?

17 A Generally, no. No.

18 Q Did you do anything on this file between
19 when you went out there on the 17th and when you
20 went back out there on June 11th?

21 A No.

22 Q Now, this references a surveillance video
23 from Sunshine of the incident at the bottom of
24 your -- the first page of your 6/11/10 report.

25 You said the video that you have not been

1 able to watch and you still haven't watched.

2 A Oh, okay.

3 Q So was this the day that you actually
4 received a copy of that video on the 11th?

5 A It says I received video surveillance.
6 They may have given me a disc.

7 Q Okay. And is there any reason why you
8 would not have viewed the video?

9 A I may not have had the capabilities of
10 doing it of either through their system -- I know
11 we don't have any way to play it back in our patrol
12 car. So, one, they couldn't or, two, I couldn't.

13 Q Okay. Is there someplace once you get
14 back to the sheriff's department, if you walk in
15 and someone provides you with a disc of a
16 surveillance video, you can play it somewhere in
17 the sheriff's department?

18 A Not all the time. It depends on what
19 files we have on those computers. Certain people
20 only have certain permissions on computers. Even
21 in investigations, I don't have an opportunity to
22 play every video I get.

23 No, there was no way for me to watch it
24 when I received it.

25 Q Okay. In your supplemental incident

EXAMINATION

BY MR. GOINGS:

Q Officer, my name is Robert Goings, and I represent Meredith Huffman. Are you aware that Orangeburg County Sheriff's Department is not a party to this case currently?

A I am.

Q As I understand, you completed two incident reports related to the incident; is that correct?

A Yes, sir.

Q And the first one is dated May 17th, 2010; is that correct?

A Yes, sir.

Q And the second one is dated June 11th, 2010; is that correct?

A Yes, sir.

Q And are both of these incident reports in front of you today?

A Yes, they are.

Q And they're included in what's been marked as Plaintiff's Exhibit Number 1 -- excuse me -- Deposition Exhibit 1, correct?

1 A Yes.

2 Q And are these two incident reports the
3 only incident reports that you created as a result
4 of this alleged theft?

5 A To my recollection.

6 Q Do you recall completing any other or any
7 additional incident reports?

8 A I do not.

9 Q And are these two incident reports
10 bearing the date of May 17th, 2010 and June 11,
11 2010 appear to be a true and accurate copy of that
12 report that you created on behalf of Orangeburg
13 County Sheriff's Department?

14 A Yes, sir.

15 Q Let's go to the first report, May 17th,
16 2010. Is it in front of you?

17 A Yes.

18 Q Is that your name and signature at the
19 bottom as the reporting officer?

20 A It is.

21 Q And this is the incident report -- the
22 first incident report you created when you met with
23 Mr. Rich at Sunshine Recycling and Mr. Mark Goss at
24 Aiken Electric, correct?

25 A Correct.

1 Q And that meeting occurred at Sunshine
2 Recycling; is that right?

3 A That's correct.

4 Q And based on information that you
5 received from Joseph Rich and Mark Goss, you were
6 told that Meredith Huffman was the suspect,
7 correct?

8 MR. JOHNSON: Object to the form of that
9 question.

10 MS. WALKER: Object.

11 THE WITNESS: I was advised that they
12 believed Ms. Huffman to be the suspect in the
13 incident.

14 BY MR. GOINGS:

15 Q Okay. So the answer's yes, correct?

16 A Yes.

17 MR. JOHNSON: Object to the form.

18 MS. WALKER: Object to the form.

19 BY MR. GOINGS:

20 Q Well, it says subject here, right, and
21 the name's Meredith Huffman right beside subject,
22 right?

23 A Yes.

24 MR. JOHNSON: Object to the form.

25 MS. WALKER: Object to the form.

1 BY MR. GOINGS:

2 Q Am I reading that correctly?

3 MR. JOHNSON: Object to the form.

4 THE WITNESS: In my -- in my particulars
5 box, I do have Ms. Huffman listed as suspect
6 number one.

7 BY MR. GOINGS:

8 Q Is anyone else listed as a suspect other
9 than Ms. Huffman?

10 A No, sir.

11 Q So in this narrative report, any time it
12 says subject, you're referring to Ms. Huffman,
13 correct?

14 A Correct.

15 Q And the information that you received in
16 order to determine that Ms. Huffman was a suspect
17 was from who?

18 A One more time, sorry.

19 Q In order to determine that Ms. Huffman
20 was a suspect, where did you get this information
21 from?

22 A From speaking with Mr. Joe Rich and
23 Mr. Mark Goss.

24 Q Okay. Did anyone else give you
25 information that Meredith Huffman was a suspect,

1 other than Mark Goss and Joseph Rich?

2 MR. JOHNSON: Object to the form.

3 THE WITNESS: No.

4 BY MR. GOINGS:

5 Q And when you met with Mr. Rich and
6 Mr. Goss, do you recall watching the surveillance
7 video; is that correct?

8 A Yes. Yes, sir.

9 Q Okay. And you -- sitting here today, you
10 physically recall reviewing the video, not just
11 that it's on your report? I mean, you remember
12 doing that, correct?

13 A I remember viewing a video. It's been
14 such a long time since I've reviewed this -- excuse
15 me -- I mean, almost four years.

16 I remember responding. I remember
17 viewing a video.

18 Q Okay. You wouldn't have written down on
19 your official incident report that you reviewed a
20 video if you didn't review a video, correct?

21 MR. JOHNSON: Object to the form.

22 THE WITNESS: Absolutely.

23 BY MR. GOINGS:

24 Q Absolutely not?

25 A I'm sorry. Absolutely not. Excuse me.

1 Q Okay. And you agree with me that it
2 would be improper to state on an incident report
3 that you reviewed a video when, in fact, you didn't
4 review a video?

5 MS. WALKER: Objection.

6 MR. JOHNSON: Object to the form.

7 THE WITNESS: Correct.

8 BY MR. GOINGS:

9 Q Okay. And did you review portions of the
10 video that Mr. Goss and Mr. Rich wanted you to see
11 or did you have access to review any and all
12 portions of the video?

13 MR. JOHNSON: Object to the form.

14 MS. WALKER: Object to the form.

15 THE WITNESS: I recall viewing a video
16 that was provided to me by Mr. Rich and
17 Mr. Goss.

18 BY MR. GOINGS:

19 Q And your report says, "Mr. Rich advised
20 that he would provide OCSO with a copy of the
21 video;" is that correct?

22 A Yes.

23 Q Okay. And was it your understanding that
24 it was Mr. Rich that was gonna provide a copy of
25 the video to your department?

1 A Yes.

2 Q And did you understand that your
3 department had to come back and make additional
4 efforts to get the video or that Mr. Rich would
5 provide that voluntarily to your department subject
6 to this investigation?

7 A I'm not sure. It just says he will
8 provide us with a copy. So whether he gave it to
9 us or we got it from him, I'm not a hundred percent
10 sure.

11 Q Okay. And at this meeting that you had
12 Mr. Rich and Mr. Goss, based on your incident
13 report, Mr. Goss verified to you that the metal at
14 Sunshine matched the samples that he brought in and
15 that the subject listed on the video was the person
16 that brought that metal in, correct?

17 MR. JOHNSON: Object to the form.

18 MS. WALKER: Object to the form.

19 THE WITNESS: Correct.

20 BY MR. GOINGS:

21 Q Okay. And, at this point, your
22 investigation on May the 17th, 2010, it's based on
23 what you're told by other people, correct?

24 A Yes, sir.

25 Q Okay. And you're taking what Mr. Goss --

1 A Goss.

2 Q -- Goss and Mr. Rich are telling you as
3 it's true, correct?

4 MR. JOHNSON: Object to the form.

5 MS. WALKER: Object to the form.

6 THE WITNESS: I was receiving information
7 because of a call from -- because of a call
8 for service to transport -- I mean, to give
9 the information to Deputy Huggins. So whether
10 it's true or not, I'm not a hundred percent
11 sure. I just took the information and passed
12 it on to the original investigating officer.

13 BY MR. GOINGS:

14 Q Okay. But you took the information from
15 them, correct?

16 A Yes.

17 Q Did you -- did you speak with or were you
18 in the presence of Meredith Huffman at the time you
19 went to meet Mr. Rich or Aiken Electric?

20 A No.

21 Q And then the next report that you
22 generated was June 11th, 2010, correct?

23 A That's correct.

24 Q And, at this time, there is a Subject 2,
25 and his name is Eugene James, correct?

1 A Correct.

2 Q Did you meet personally with Mr. Goss and
3 Mr. Rich at this date -- or on this date?

4 A My incident report shows I met with
5 Mr. Goss.

6 Q Did you meet with Mr. Rich at this date
7 or just Mr. Goss?

8 A According to my incident report, it just
9 says Mr. Goss.

10 Q And you were given a copy of the video
11 surveillance from Sunshine at that time?

12 A I was given a copy of surveillance.

13 Q And you didn't review it at that time?

14 A No.

15 Q You just took it back to the department?

16 A Correct.

17 Q Last sentence of your report in June
18 states that "the subject has been known to work at
19 Club Zodiac as a manager."

20 Did you -- did you know Eugene James at
21 this time?

22 A No, sir.

23 Q How did you come to gather the
24 information that the subject has been known to work
25 at Club Zodiac as a manager?

1 A It was given to me by another source. I
2 can't recall who it was at this time, though.

3 Q You testified that Mr. Goss of Aiken
4 Electric imposed a sense of urgency regarding this
5 case; is that correct?

6 A That's correct.

7 Q Is it -- well, explain what you meant by
8 that.

9 A He just -- I'm trying to think of the
10 best way to word this.

11 When I spoke with Mr. Goss, he expressed
12 to me that he wanted the sheriff's office to help
13 him conclude this case, probably a little more so
14 than normal. However, it's not uncommon for
15 someone to be antsy when their job is to recover
16 stolen property.

17 Now, he did say that he's been trying to
18 work with the sheriff's office to get this problem
19 resolved as soon as he possibly could.

20 Q Okay. I guess it's fair to say he was
21 eager to see that the sheriff's department arrest
22 someone for this alleged crime; is that right?

23 MR. JOHNSON: Object to the form.

24 THE WITNESS: Yes.

25

1 BY MR. GOINGS:

2 Q Okay. Have you ever reviewed the offense
3 report that was completed by James Ethridge in this
4 matter?

5 A No.

6 Q Are you familiar with what an offense
7 report is?

8 A Yeah. Just the one you're holding in
9 your hand? That's the supplemental report most
10 investigators would put into their narratives.

11 Q And you're an investigator now, correct?

12 A I am.

13 Q And in the course of your investigations,
14 do you complete offense reports?

15 A Generally. If there's something requires
16 followup, mostly like a call for service or
17 following up when we get the case, we usually will.

18 Q And is it generally true that offense
19 reports, the narrative section, is like a running
20 narrative as to -- or a diary of what you, as an
21 investigator, does on a day-to-day basis?

22 MR. JOHNSON: Object to the form.

23 THE WITNESS: We generally call them case
24 notes. Every time you make some kind of
25 progress in a case, you're supposed to put

1 down a case note just to keep a log or a, like
2 you said, diary as to what has happened in
3 that case.

4 BY MR. GOINGS:

5 Q And you would agree that those case notes
6 that are contained in the offense report almost
7 reads as if it's a narrative?

8 A Correct.

9 MR. JOHNSON: Object to the form.

10 BY MR. GOINGS:

11 Q Of what an officer or investigator seen,
12 heard, observed or did, basically, right?

13 A Yes.

14 Q Okay. Are you aware that
15 Officer Ethridge stated in his narrative of his
16 report that, quote, "At this time I'm not
17 comfortable with this case due to the witnesses
18 gave me false information the first time," end
19 quote.

20 Are you aware of that?

21 MR. JOHNSON: Object to the form.

22 MS. WALKER: Object to the form.

23 THE WITNESS: No.

24 BY MR. GOINGS:

25 Q But you've never read the offense report?

1 A No.

2 Q And based on what Investigator Ethridge
3 had at the time that he sought out the arrest of
4 Meredith Huffman, he had at that point your
5 investigative report of May 17th, 2010 that
6 indicates that you did review the video with
7 Joseph Rich and Mark Goss, correct?

8 MR. JOHNSON: Object to the form.

9 THE WITNESS: You're saying the May 17th,
10 2010?

11 BY MR. GOINGS:

12 Q Yes, sir.

13 A Yeah. I mean, it's the same supplemental
14 so, I assume, he would have access to my reports.

15 Q Okay. And it's routine and ordinary for
16 investigators to have access to any and all
17 supplemental reports that are existing at the time
18 prior to completing a warrant affidavit, correct?

19 MR. JOHNSON: Object to the form.

20 MR. GOINGS: Just let me finish my
21 question and you can object, okay?

22 MR. JOHNSON: Object to the form.

23 THE WITNESS: I wouldn't say it's
24 routine, but someone would have access to a
25 supplemental report prior to a warrant --

1 could have access.

2 BY MR. GOINGS:

3 Q I mean, you're an investigator now,
4 right?

5 A Right.

6 Q And before you go and submit a warrant
7 application -- application for an arrest warrant,
8 you review all incident reports that are existing
9 in the file, don't you?

10 MR. JOHNSON: Object to the form.

11 THE WITNESS: Personally?

12 BY MR. GOINGS:

13 Q Yes, sir.

14 A Yes, personally, I do.

15 Q And do you have any reason why
16 Officer Ethridge did not review the incident
17 reports that were in the file related to this
18 incident prior to issuing an arrest warrant?

19 A He didn't read them?

20 Q No. Do you have any reason that he
21 didn't? Do you know that he did or he didn't?

22 A I don't know if he did or not.

23 Q Is Officer Ethridge considered an
24 upstanding person?

25 MR. JOHNSON: Object to the form.

1 MS. WALKER: Object to the form.

2 THE WITNESS: My personal dealings with
3 him, he's been a good officer.

4 BY MR. GOINGS:

5 Q Okay. Do you have any reason to doubt
6 his trustworthiness or voracity?

7 MR. JOHNSON: Object to the form.

8 MS. WALKER: Same objection.

9 THE WITNESS: I've never had an issue
10 with Investigator Ethridge.

11 MR. GOINGS: Okay. Thank you so much. I
12 have no further questions.

13 MS. WALKER: No further questions.

14 MR. JOHNSON: I have one or two.

15 - - -

16 EXAMINATION

17 - - -

18 BY MR. JOHNSON:

19 Q You described this -- Mr. Goss's sense of
20 urgency. Do you know if that was displayed when
21 you met with him in May or met with him in June?

22 A I -- I'm not quite sure. It's been such
23 a long time. There was a sense of urgency.

24 What Mr. Goss explained to me was -- and
25 correct me if I'm wrong -- is he's employed by

1 information, I would like to have known.

2 BY MR. JOHNSON:

3 Q In other words, if someone told him
4 something, you would hope that he would express it
5 to you so you could consider it in your
6 investigation?

7 MS. WALKER: Object to the form.

8 THE WITNESS: Right.

9 MR. JOHNSON: That's all I have.

10 - - -

11 EXAMINATION

12 - - -

13 BY MR. GOINGS:

14 Q One followup. One quick followup.
15 Talking about officer -- excuse me -- Mr. Goss
16 representing that there was a sense of urgency, you
17 don't really know when he made that comment, do
18 you?

19 A I believe it was -- you know, I really
20 can't say definitely. I want to recall it was the
21 second incident, but I don't want to say anything
22 that I cannot exactly nail down.

23 But I do remember a sense of urgency
24 being pressed.

25 Q Well, you would agree with me that he

1 would make that type of statement before there was
2 an arrest, correct?

3 MR. JOHNSON: Object to the form.

4 THE WITNESS: I'm --

5 BY MR. GOINGS:

6 Q I mean --

7 A Generally -- I mean, most people wouldn't
8 press after an arrest is made.

9 Q And that's right. I mean, I guess what
10 I'm trying to figure out, why would someone press
11 to have someone arrested for a crime if they'd
12 already been arrested? So the comment would
13 logically have been made before there was any
14 arrest for this alleged incident, correct?

15 MR. JOHNSON: Object to the form.

16 THE WITNESS: But which arrest? And
17 that's the question I'm trying to figure out.
18 And I'm gonna have you clarify for me.

19 Now, the -- are we talking about
20 the -- the arrest of Ms. Huffman for this --

21 BY MR. GOINGS:

22 Q Or any arrest for this incident. Any
23 arrest whatsoever for this incident.

24 A Well, I mean, if he's a victim or
25 representing the victim, I would expect him to give

1 a certain sense of urgency to have some case
2 resolution.

3 Q Absolutely. But the sense of urgency to
4 have someone arrested for this crime, that -- those
5 types -- that comment would have been made before
6 there was any arrest --

7 MR. JOHNSON: Object to the form.

8 BY MR. GOINGS:

9 Q -- in this incident?

10 A It could have been. I'm trying to
11 exactly fish out your question.

12 You're asking me if that comment was made
13 before an arrest?

14 Q Yes.

15 A I don't know. It was made before one of
16 the two arrests because I have -- these are my only
17 two interactions with him.

18 Q And I'm not trying to trick you or
19 anything.

20 A No, I understand.

21 Q This happened four years ago, and there's
22 no notation of this type of comment, at least, in
23 your incident reports.

24 A Right.

25 Q But you do recall it happening. And you

1 don't know -- is it just fair to say you don't know
2 the date or time at which that statement was made
3 to you by Mark?

4 A Out of these two dates, I do not know the
5 date.

6 MR. GOINGS: Thank you.

7 MS. WALKER: Now I do have a followup.

8 - - -

9 EXAMINATION

10 - - -

11 BY MS. WALKER:

12 Q This sense of urgency that we've been
13 referencing over the course of your deposition, do
14 you recall there ever being a sense of urgency
15 pushing for the arrest of the plaintiff by Mr. Rich
16 or anybody at Sunshine Recycling?

17 A No.

18 Q And other than the initial May 17th visit
19 when you went out to Sunshine and Mr. Rich made
20 this surveillance video available for you to view,
21 did you have -- do you recall any other dealings or
22 interactions with Mr. Rich regarding this
23 incident?

24 A No.

25 MS. WALKER: That's all I have.

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF ORANGEBURG	)	FIRST JUDICIAL CIRCUIT
	)	
Meredith Huffman,	)	CIVIL ACTION No.: 2012-CP-38-672
	)	
Plaintiff,	)	
	)	
vs.	)	PLAINTIFF'S MOTION TO
	)	RECONSIDER, ALTER OR AMEND THE
Sunshine Recycling, LLC and Aiken	)	ORDER GRANTING SUMMARY
Electric Cooperative, Inc.,	)	JUDGMENT
	)	
Defendants.	)	
	)	

Plaintiff Meredith Huffman ("Huffman"), by and through her undersigned counsel and pursuant to Rule 59(e), SCRCPP, submits this Motion to Reconsider and to Alter or Amend the Order Granting Summary Judgment. Huffman's counsel received written notice of the entry of this Order on April 18, 2014 from the Orangeburg Clerk of Court, thus this Motion is timely under Rule 59(e). This Motion has also been served on Circuit Court Judge Maité Murphy in accordance with the Rules.

The Court's Order erroneously found that no genuine issue of material fact existed and Defendants were entitled to judgment on claims of negligence, false arrest, and malicious prosecution as a matter of law. Huffman respectfully requests this Court reconsider, alter, and amend this Order on the following grounds:

1. The Court misapplied and misconstrued the evidence, failed to construe the evidence and all reasonable inferences in favor of the non-moving parties, and omitted and ignored material evidence in reaching a determination that no genuine issue of material fact existed in granting summary judgment. At the very least, a mere scintilla of evidence was

presented to allow Huffman's claims to be presented to a jury. In particular, the Court construed the evidence against Huffman and failed to consider the following:

On May 17, 2010, Huffman lawfully brought metal for recycling at Sunshine Recycling. (Huffman Depo p. 12-13). The metal was from an abandoned mobile home that Huffman owned. (Huffman Depo 12). The metal consisted of old aluminum sheeting and old electrical wiring that was used throughout her mobile home. (Huffman Depo p. 13). Sunshine Recycling paid Huffman \$53.00 for her metal. (Huffman Depo p. 14).

Unbeknownst to Huffman, Aiken Electric had experienced a theft of *new* cooper and *new* aluminum wiring stored at the North location of Aiken Electric the night before. (Goss Depo p. 31). Mr. Mark Goss of Aiken Electric reported the theft to the Orangeburg County Sheriff's Department ("Sheriff's Department"). (Goss Depo p. 31-32). The amount of the metal stolen from Aiken Electric was estimated around \$330.00, and described as "(1) 60ft cooper [wire], (2) #6 cooper [wire], (1) roll of alumini [wire]." (Goss Depo p. 35-36).

On the morning of May 17, 2010, Mr. Goss of Aiken Electric and Joseph Rich, owner of Sunshine Recycling, met with the Sheriff's Department because it was determined by the Defendants the alleged stolen metal was identified as being sold to Sunshine Recycling. (Aldridge Depo p. 18; Goss Depo p. 38) Mr. Goss identified the metal that Huffman brought in as stolen from Aiken Electric. (Aldridge Depo p. 21, Ethridge Depo p. 21-23; Goss Depo p. 44, 50) Mr. Goss and Mr. Rich showed Officer Aldridge the video of Ms. Huffman at Sunshine Recycling and a copy of Ms. Huffman's receipt. (Incident Report 5/17/10; Aldridge Depo p. 21; Ethridge Depo 20-21, 24-25; Rich Depo p. 31). On the video, Mr. Goss and Mr. Rich identified Huffman as the person that sold the stolen metal from Aiken Electric to Sunshine Recycling. (Incident Report 5/17/10; Aldridge Depo p. 18, 21-22; Ethridge Depo p. 24-25; Huffman (1.9.14) Depo p. 14). Additionally, Mr. Goss told the officers that he "actually spoke and carried on a conversation with Huffman while she as waiting to get paid for the items that she had just brought in...[and] viewed the items after she left and identified them as being [from Aiken Electric.]" (OCSD Offense Report, p. 2; Ethridge p. 19). This was false. The next day, Mr. Rich told Officer Ethridge that "his employees that work in the copper area advised that Huffman was the individual who brought the merchandised in [to Sunshine Recycling]." (OCSD Offense Report, p. 2; Ethridge Depo p. 25; Goss Depo p. 55-56; Rich Depo p. 28-29). An employee of Aiken Electric, Charles Rushton, also told another officer of the Sheriff's Department that "Mark Goss ha[d] the identity of the woman who sold the wire," referring again to Huffman.

After Sunshine Recycling and Aiken Electric had accused Huffman, Aiken Electric continued to strongly urge the Sheriff's Department to arrest Huffman. (Aldridge Depo p. 24, 50; Ethridge Depo p. 26-27). Officer Aldridge testified that the defendants expressed "sense of urgency" for the Sheriff's Department to arrest Huffman. All these Defendants had to do was review the video surveillance, which clearly proves that Ms. Huffman was not the person that brought in the alleged stolen goods to Sunshine Recycling. (Aldridge Depo p. 25-27; Ethridge Depo p. 32-33). Even a cursory review of the surveillance video clearly shows that a black male brought in the stolen metal. (Aldridge Depo p. 25-27; Ethridge Depo p. 32-33). If the video was not enough, the receipts proved that Huffman did not bring in the stolen metal, nor was she paid for the stolen metal. As indicated on the video and Huffman's receipt, the type of metal that she brought in (i.e. old aluminum sheeting, old electrical wiring) was not the type of metal that was stolen from Aiken Electric. (Ethridge Depo p. 32-34). Any reasonable review of the evidence by Sunshine Recycling and Aiken Electric would have plainly revealed that Ms. Huffman was not a suspect or responsible in any manner for the stolen metal sold to Sunshine Recycling.

Based on the claims of Sunshine Recycling and Aiken Electric, on May 21, 2010, the Sheriff's Department obtained an arrest warrant of Huffman for receiving stolen goods in violation of S.C. Code Ann 16-13-180. (Ethridge Depo p. 27-28). On June 2, 2010, Huffman was arrested and booked as an inmate at the Orangeburg-Calhoun Regional Detention Center. (Huffman Depo 16-20; Huffman (1.9.14) Depo p. 15-16; Ethridge Depo p. 30-32). Huffman told the arresting officer that he had arrested the wrong person because the metal that she took to Sunshine Recycling was old aluminum sheeting and old electrical wiring from her mobile home. (Ethridge Depo p. 30; Goss Depo p. 65; Huffman (1.9.14) Depo p. 14). After being incarcerated, she was released on bond. (Huffman Depo p. 20; Huffman (1.9.14) Depo p. 16; Ethridge Depo p. 32). The Sheriff's Department then obtained a copy of the surveillance video from Sunshine Recycling that plainly showed the stolen goods were brought in by a black male. (Aldridge Depo p. 25-27; Ethridge Depo p. 32-33). The video does not show Huffman with the type of metal that was stolen (new wiring vs. old aluminum sheeting), and the invoice associated with the black male totaled \$350.00, which very closely resembled Aiken Electric's description of the stolen metal and estimated price of \$330.00, not Huffman's invoice of \$53.00. (Ethridge Depo p. 32-34)

Despite the clear evidence that Huffman was wrongfully arrested, the Defendants continued to accuse her as the person who committed the crime. (OCSD Offense Report, p. 3; Ethridge Depo p. 33). Officer Ethridge confronted Mr. Rich with the video evidence that did not show Ms. Huffman as the person who brought in the stolen metal, and Mr. Rich

responded that "his employees observed Huffman with the items and he added that he would come and testify [against Ms. Huffman] in court." (Offense Report p. 3; Ethridge Depo p. 33). Officer Ethridge's report stated, "At this time I am not comfortable with this case due to the witnesses gave [sic] me false information the first time." (Offense Report p. 3; Ethridge Depo p. 38-39).

2. In granting summary judgment as to Huffman's negligence cause of action, the trial court erred in following legal precedent from foreign jurisdictions in holding that the Defendants did not have a legal duty to use reasonable and due care in investigating a crime and making accusations to the police that a person committed a crime. (Order p. 4-6). No South Carolina court has adopted these holdings, and the trial court committed error in finding that Defendants are entitled to relief as a matter of law based on holdings of foreign courts. Further, adopting the holdings from these foreign jurisdictions run counter to well-established South Carolina jurisprudence. "The duty of care is that standard of conduct the law requires of an actor in order to protect others against the risk of harm from his actions. It embodies the principle that the plaintiff should not be called to suffer a harm to his person or property which is foreseeable and which can be avoided by the defendant's exercise of reasonable care." *Snow v. City of Columbia*, 305 S.C. 544, 554, 409 S.E.2d 797, 803 (Ct. App. 1991). "An affirmative legal duty to act exists only if created by statute, contract, relationship, status, property interest, or some other special circumstance." *Miller v. City of Camden*, 317 S.C. 28, 33, 451 S.E.2d 401, 404 (Ct. App. 1994). However, "one who assumes to act, even though under no obligation to do so, thereby becomes obligated to act with due care." *Id.* at 33-34, 409 S.E.2d at 404. Here, the Defendants had a duty to use reasonable care related to Huffman. Huffman was a customer, and the Defendants should have employed reasonable measures to protect her. Further, Defendants owe a duty to members of the public to take reasonable action before accusing a person of committing a crime. The affect of this ruling provides that businesses are not required to act

reasonably in accusing a person of committing a crime. Further, Defendants assumed a duty to act with due care when they decided to investigate the incident and accuse Huffman of committing a criminal act. Defendants undertook this duty, and as a result was required to use reasonable care.

3. The trial court erred in citing to S.C. Code Ann. Section 16-3-1505 in reasoning that Defendant had a “civic and moral duty” to cooperate with law enforcement. The trial court erred in suggesting that this code section immunizes witnesses and victims from civil liability for a lack of a duty of care. (Order p. 6). This code section has nothing to do with civil liability, and is wholly inapplicable in this case. This code section assumes that a victim or witness will tell the truth. The legislature never intended this code section to serve as immunity to victims or witnesses that provide false information to police. Here, the Defendants did not tell the truth, but instead continued to falsely, or at the very least, recklessly accuse Huffman of committing a crime when the evidence before the Defendants showed that she did not commit any crime. Further, the trial court erred in holding that “Law enforcement, not the crime victim and witnesses to a crime, has the duty to investigate a crime and to decide whether and when to seek a warrant.” (Order p. 6). This duty is not limited to only law enforcement, because in many occasions law enforcement must rely on statements given to it by others that are untrue, such as the Defendants gave against Huffman.

4. The trial court erred in granting summary judgment as to Huffman’s false arrest/imprisonment cause of action. The trial court misapprehended well-established South Carolina law that holds that “the tort of false imprisonment does not require an actual injurious touching. False imprisonment may be committed by words alone, or by acts alone or by both, and by merely operating on the will of the individual, or by personal violence, or by both.”

Jones v. Winn-Dixie Greenville, 318 S.C. 171, 175, 456 S.E.2d 429, 432 (S.C. Ct. App. 1995). The court incorrectly reasoned that “plaintiff has failed to produce any evidence that defendants deprived her of her liberty in any way. There has been no evidence produced that defendants physically restricted plaintiff or by their words or conduct, constructively restrained plaintiff.” (Order p. 7). This finding is erroneous. In this case, the evidence is clear that Defendants caused Huffman to be arrested by their words and conduct in falsely accusing her of committing a crime. Quite simply, it was the Defendants words and conduct alone that caused the police to arrest her. The Defendants identified and accused her. The Sheriff’s officers testified that Huffman was arrested because of the Defendants’ accusation of her, and if they were told all the facts, then Plaintiff would not have been arrested.

5. In granting summary judgment as to Huffman’s false arrest/false imprisonment cause of action, the trial court erred in failing to consider the lack of probable cause for her arrest. The Court grants summary judgment as to false arrest/false imprisonment without any reference or analysis as to probable cause. South Carolina law provides that the linchpin of a false arrest claim is causing a person to be arrested without probable cause. *See Gist v. Berkeley County Sheriff’s Dep’t*, 336 S.C. 611, 615 (Ct. App. 1999) (“An action for false imprisonment may not be maintained where the plaintiff was arrested by lawful authority.”); *Wortman v. Spartanburg*, 310 S.C. 1, 4, 425 S.E.2d 18, 20 (S.C. 1992) (holding that the fundamental issue in determining the lawfulness of an arrest for a false arrest claim is whether there was “probable cause” to make the arrest).

“The issue of probable cause is a question of fact and ordinarily one for the jury.” *Wortman v. Spartanburg*, 310 S.C. 1, 4, 425 S.E.2d 18, 20 (S.C. 1992). In granting summary judgment the Court had to find that probable cause existed for her arrest as a matter of law. This

is in error. Here, it is undisputed that Sunshine Recycling and Aiken Electric accused the wrong person. Even a cursory review of the surveillance video clearly shows that a black male brought in the stolen metal. (Aldridge Depo p. 25-27; Ethridge Depo p. 32-33). As indicated on the video and Plaintiff's receipt, the type of metal that she brought in (i.e. old aluminum sheeting, old electrical wiring) was not the type of metal that was stolen from Aiken Electric. (Ethridge Depo p. 32-34). Defendants had this video at the time the accusations were made, and showed the video to Sheriff's Department before Plaintiff was arrested. Mr. Goss of Aiken Electric also falsely stated that he spoke with Ms. Huffman and that she was carrying metal from Aiken Electric. This could not be further from the truth. Any reasonable review of the evidence by Sunshine Recycling and Aiken Electric would have plainly revealed that Huffman was not a suspect or responsible in any manner for the stolen metal. Defendants' determination that Huffman committed the crime was based on a rash opinion and a reckless disregard for the truth. Based on the probable cause standard, there was no sufficient belief based on the facts that Huffman was guilty of a crime that would induce an ordinarily prudent and cautious person, under the circumstances, to believe likewise. Even so, Defendants concede that no evidence existed to believe that Plaintiff committed any crime. (Goss Depo p. 67, 78-79; Rich Depo p. 35). At the very least, the issue of probable cause is a decision for a jury, not this court. Thus, a mere scintilla of disputed fact remains that probable cause did not exist for Defendants to accuse Huffman of this crime.

6. The trial court erred in granting summary judgment as to Plaintiff's malicious prosecution cause of action. The trial court incorrectly found that "defendants assisted and cooperated with an investigation." and "did not institute the investigation or prosecution, nor did they assist with malice." (Order p. 8-9). This finding is inconsistent with the evidence in the

light most favorable to the Plaintiff. The Defendants contacted the police and accused the Plaintiff of committing this crime. The Defendants caused the criminal investigation by contacting the police. Thus, the institution of the criminal proceedings was made at the instance of the Defendants.

7. In granting summary judgment as to Plaintiff's malicious prosecution cause of action, the trial court erred in reasoning that no evidence existed that Defendants acted maliciously in connection with the Plaintiff's arrest. (Order p. 9). In the context of a malicious prosecution claim, malice may be inferred at law based on the lack of probable cause. In *Law v. S.C. Dept. of Corrections*, 368 S.C. 424, 437, 629 S.E.2d 642, 649 (2006), the Supreme Court explained:

Malice is defined as the deliberate intentional doing of an act without just cause or excuse. Malice does not necessarily mean a defendant acted out of spite, revenge, or with a malignant disposition, although such an attitude certainly may indicate malice. Malice also may proceed from an ill-regulated mind which is not sufficiently cautious before causing injury to another person. Moreover, malice may be implied where the evidence reveals a disregard of the consequences of an injurious act, without reference to any special injury that may be inflicted on another person. Malice also may be implied in the doing of an illegal act for one's own gratification or purpose without regard to the rights of others or the injury which may be inflicted on another person. In an action for malicious prosecution, malice may be inferred from a lack of probable cause to institute the prosecution.

The trial court erred in finding as a matter of law that malice did not exist. This finding should be reserved to a jury, not as a matter of law by this Court. Malice is inferred at law due to material issues of fact that probable cause was lacking. Further, malice is implied because Defendants were acting without regard to the rights of others or the injuries which could be inflicted. The physical evidence (ex. video, receipts, and the metal) that Defendants had at the time these accusations were made clearly established that Plaintiff was completely innocent. In

addition to a lack of probable cause, the facts demonstrate that Defendants made false statements and accused Huffman of committing a crime, while completely disregarding the evidence. The Defendants told the Sheriff's Department that the video showed that Plaintiff brought in the stolen metal. This was false. The Defendants even reviewed the video with the Sheriff's Department and explained that Huffman brought in the stolen metal. The evidence cannot support this claim. Additionally, Mr. Goss also told the officers that he "actually spoke and carried on a conversation with Huffman while she as waiting to get paid for that items that she had just brought in...[and] viewed the items after she left and identified them as being [from Aiken Electric.]" (OCSO Offense Report, p. 2; Ethridge p. 19). This was false. Sunshine Recycling and Aiken Electric continued to press the Sheriff's Department for her arrest in the face of clear exculpatory evidence. After the Sheriff's Department reviewed the video the second time with Sunshine Recycling for the purpose of pointing out that Ms. Huffman was not responsible, the owner of Sunshine Recycling, Mr. Rich, still pressed for her conviction and demanded to "come and testify [against Ms. Huffman] in court." (Offense Report p. 3; Ethridge Depo p. 33). The fact that Defendants pressed the Sheriff's Department to continue to prosecute the Plaintiff even after the Sheriff told the Defendants that Plaintiff was not responsible is appalling. The Defendants' actions led to Officer Ethridge concluding that he was "not comfortable with this case due to the witnesses gave [sic] me false information the first time." (Offense Report p. 3; Ethridge Depo p. 38-39). The evidence infers malice because Sunshine Recycling and Aiken Electric disregarded the consequences of their actions, without regard for any injury that may be inflicted on another person, such as accusing an innocent person of a crime. The facts in a light most favorable to the Plaintiff demonstrate that Defendants proceeded against Plaintiff with an ill-regulated mind, did not act sufficiently cautious before accusing the

Plaintiff, and acted with a disregard of the consequences of their injurious act. This Court should reconsider its finding that Defendants did not act with malicious as a matter of law.

8. In granting summary judgment as to Huffman's malicious prosecution cause of action, the trial court erred in finding that probable cause existed for her arrest. "The issue of probable cause is a question of fact and ordinarily one for the jury." *Wortman v. Spartanburg*, 310 S.C. 1, 4, 425 S.E.2d 18, 20 (S.C. 1992). Huffman set forth facts that make it unjustifiable for Defendants to conclude the Plaintiff committed this crime. This court found that "[o]nce the Hispanic employee reported that the plaintiff was the person who brought the stolen goods in for sale, that information would cause a reasonable person to believe that the plaintiff was guilty of the crime charged" and that "there is no evidence that the defendants acted...without probable cause" (Order p. 9). This court improperly weighed the evidence in favor of the Defendants instead of viewing the record in the light most favorable to the Plaintiff in determining whether a genuine issue of fact existed. Further, in making this finding of probable cause, the Court is relying on wholly unsubstantial statements from an unnamed "Hispanic employee" to establish probable cause. For this court to conclude as a matter of law that probable cause exists because an unnamed "Hispanic employee" said that Huffman committed is a crime is a substantial legal error. This unnamed "Hispanic employee" cannot establish probable cause for Huffman's arrest as a matter of law. This holding renders the probable cause analysis to something much less than even reasonable suspicion. Moreover, it is erroneous for this Court to determine that this "Hispanic employee" can establish probable cause, especially here where the video and all evidence plainly showed that Plaintiff did not bring in the stolen metal. Probable cause cannot be established based on someone's statement accusing the Plaintiff of committing the crime when this statement is not corroborated or substantiated by any physical evidence. Defendants

should not have relied on this statement when no reasonable evidence supported this bald accusation. Based on this ruling, probable cause would exist for any wrongful arrest if simply someone “reported” another of a crime based on an unsubstantiated hunch. Probable cause requires more than “reasonable suspicion” or an “inchoated and unparticularized suspicion or hunch.” *Terry v. Ohio*, 392 U.S. 1 (1968), *State v. Corley*, 392 S.C. 125, 708 S.E.2d 217 (S.C. 2011). Rather it is for a jury to determine whether a ordinarily prudent and cautious person would rely on an unnamed “Hispanic employee”, while disregarding *all* evidence to the contrary. Notably, the Sheriff’s Department did not rely on an unnamed “Hispanic employee” in swearing out an arrest warrant, but based on the patently false statements given by Sunshine Recycling and Aiken Electric.

9. In granting summary judgment as to Plaintiff’s malicious prosecution cause of action, the trial court erred in finding that “defendants cooperated with law enforcement and discharged their civil and moral duty to cooperate fully and voluntarily with law enforcement.” (Order p. 9). This reasoning fails to appreciate that Defendants provided false statements to law enforcement. There is no civil and moral duty to lie to the police. The Defendants instituted this police investigation, and provided false information to police. For this court to hold as a matter of law that, based on the facts of this case, that “defendants cooperated with law enforcement and discharged their civil and moral duty to cooperate fully and voluntarily with law enforcement” is in error.

WHEREFORE, Huffman respectfully requests this Court reconsider its Order and find that Summary Judgment should be denied.

Respectfully submitted,

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Columbia, South Carolina

April 22, 2014

State of South Carolina
County of Orangeburg

Court of Common Pleas

Meredith Huffman	)	
	)	
Plaintiff,	)	Transcript of Record
v.	)	2012-CP-38-00672
	)	
Orangeburg County	)	
Sheriff's Department,	)	
et al.	)	
	)	
Defendant.	)	

March 10, 2014
Orangeburg, South Carolina

B E F O R E:

The Honorable Maite Murphy, Judge.

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

Robert Fredrick Goings, Esquire
Attorney for the Plaintiff

Pope D. Johnson, III, Esquire
Attorney for Defendant Aiken Electric

Breon C. M. Walker, Esquire
Attorney for Defendant Sunshine Recycling

Bethanie K. Patterson
Circuit Court Reporter

1 (The following proceedings were held on March
2 10, 2014.)

3 THE COURT: Good morning, everyone. What is
4 first on the docket?

5 THE CLERK: Your Honor, this is number 5. This
6 is Meredith Huffman vs. Orangeburg County Sheriff's
7 Department.

8 THE COURT: All right. Parties ready to
9 proceed?

10 MR. GOINGS: Yes, Your Honor.

11 THE COURT: All right.

12 MR. JOHNSON: May it please the Court.

13 THE COURT: Yes, sir.

14 MR. JOHNSON: My name is Pope Johnson. I
15 represent Aiken Electric in this suit. And, Your
16 Honor, this is a case that presents some important
17 public policy considerations, and those are one of
18 the rights of victims of crimes and what they can do
19 and not do. As Your Honor is aware, there's a
20 statute that governs victims' rights. In recent --
21 the intent of the statute is to encourage
22 cooperation. A victim is supposed to have a moral
23 and civic duty to cooperate freely and voluntarily
24 with law enforcement, which is what they did here.

25 Now, this matter is before you on my Motion to

1 Dismiss which I ask the Court to convert to a
2 summary judgment under the rule. We've handed up
3 affidavits and other materials for you to look at in
4 considering the motion. But the background of the
5 case -- the case involves the fact that Ms. Huffman
6 was wrongfully arrested as a result of a warrant
7 taken out by Orangeburg Sheriff's Department. And
8 that -- once it was determined that she was
9 wrongfully arrested, the criminal matter against her
10 was ended and she sued the sheriff's department and
11 maybe Sunshine later joined Aiken Electric as a
12 party to the case. A settlement has been reached
13 with the sheriff's department, \$25,000, so she
14 proceeds against Aiken and Sunshine.

15 Now here's the background: Aiken had -- was a
16 victim of a crime. A black male, a thief, came into
17 their facility one night, stole copper wiring and
18 aluminum wiring, and they had a video showing that
19 it was a black male that had done it. They also had
20 a statement from one of their employees who was
21 riding by that evening who said he saw someone drive
22 out in a white pickup. So Aiken reports this to the
23 sheriff's department, then their man who's in charge
24 of investigating and following up on these things
25 started going to the local metal recyclers to see if

1 anybody had brought it in to be sold. When he went
2 to Sunshine, he learned that a lady, Ms. Huffman,
3 and another person had come in and sold. He
4 identified -- saw that what had been received was
5 the stolen wire. They -- the owner of Sunshine, who
6 didn't see who brought it in, went to his Hispanic
7 employees. Now, he didn't speak Spanish well, but
8 he tried to communicate with them and was told by
9 one of the employees that Ms. Huffman was the person
10 who had brought in the copper wire and aluminum wire
11 that Aiken said was theirs. That information was --
12 to my Aiken representative, to the owner of
13 Sunshine, and when the sheriff's department came to
14 participate in the investigation, they reported what
15 the Hispanic employee had told them and they
16 identified Ms. Huffman. He had identified Ms.
17 Huffman as the party who brought the materials in.

18 Now, at this metal recycling facility, they
19 have a surveillance-camera system that apparently
20 covers pretty much the whole place. They showed --
21 they had a video of Ms. Huffman getting paid for the
22 material. For some reason there was something wrong
23 with the camera where they unloaded it and they
24 couldn't print off or look at the video to see who
25 had actually brought it in. So later, the sheriff's

1 department arrested Ms. Huffman; they arrested her
2 without ever interviewing the Hispanic employee,
3 they arrested her without ever looking at the video
4 that was later made available. And once the video
5 was made available, it was obvious that Ms. Huffman
6 wasn't the person who brought in the copper wire and
7 the aluminum wire; it was a black male, the same guy
8 who was shown -- showed up on the video at Aiken
9 Electric.

10 So the action -- the criminal action against
11 Ms. Huffman was dismissed, and then she brought this
12 suit. And her claims are -- she has three causes of
13 action: She has a cause of action of negligence
14 against Aiken Electric, a cause of action of false
15 imprisonment, and cause of action for malicious
16 prosecution. Her theory appears to be that because
17 Aiken and Sunshine provided the information they did
18 in cooperation with law enforcement, the fact that
19 that information was wrong somehow necessarily means
20 that they're liable for damages at law. As to the
21 cause of action -- and what they -- through the
22 depositions, apparently, what they contend is that
23 Aiken Electric and Sunshine fingered Ms. Huffman and
24 said it was Ms. Huffman who did the stealing and
25 that Aiken Electric encouraged the arrest of

1 Ms. Huffman, that our guy went to the sheriff's
2 deputy and said, when are you going to get this
3 thing done, get it moving, get it moving, that sort
4 of thing, and that those two facts are -- that both
5 of those facts create a question of liability on the
6 part of Aiken Electric.

7 For purposes of this motion, we ask you to
8 assume that what they -- their spin on the facts is
9 true; that our Aiken Electric employee pointed to
10 Ms. Huffman as the person who needed to be arrested
11 and that our employee was -- complained and pressed
12 Aiken to move forward with an arrest. We say if you
13 consider those things to be true for purposes of the
14 motion, there's still no liability on the part of
15 Aiken Electric.

16 The claim for negligence is they claim that we
17 should have investigated further, done other things
18 before we did anything. But there's no case law
19 that says a crime victim has a duty to alleged
20 perpetrator of the crime to do anything; their
21 responsibility is to cooperate with law enforcement,
22 which is all they did here. The only thing they did
23 was tell law enforcement what they knew. And
24 there's certainly nothing that suggests a crime
25 victim citizen can't press law enforcement to go

1 forward with the matter. And witnesses have said as
2 much, the sheriff's department witnesses has said as
3 much. I reported in my memo that I could find no
4 case in South Carolina which would say there was a
5 duty owed, thus a claim in negligence under the
6 facts of this case.

7 I read quickly Mr. Goings' memo. He doesn't
8 cite a case that says that there's a duty. And the
9 question of duty is a question of law for the Court.
10 It's not a factual question; the Court has to look
11 at it and say is there a duty here and, if so, what
12 was the duty and was it breached and were there
13 damages. We would say in absence of appellate
14 decisions that says that South Carolina has adopted
15 some duty or recognized a duty that a crime victim
16 owes to the alleged perpetrator. There is no basis
17 for the cause of action for negligence.

18 As to the cause of action for false
19 imprisonment, there has to be evidence that the
20 party is accused of false imprisonment, caught --
21 imprisoned her. And if imprisonment is pursuant to
22 a lawful proceeding, which it was here, affidavit by
23 the sheriff's deputy to the magistrate, there's no
24 basis for a claim for false imprisonment. As to the
25 third cause of action, malicious prosecution, the

1 plaintiff must show that there was a lack of
2 probable cause and they must show malice. Here,
3 under the facts of this case, there was an
4 eyewitness, Hispanic employee, who said the lady
5 brought the materials in. The Aiken representative
6 only reported what he was told this Hispanic
7 employee said. If you have an eyewitness to a crime
8 and who says it, then surely that's got to be
9 probable cause.

10 But more importantly, on the issue of malice,
11 there's no evidence whatsoever in the record of any
12 malice on the part of Aiken Electric. All Aiken
13 Electric was doing was fulfilling their civic and
14 moral duty to cooperate with law enforcement. And
15 so we would say that taking the plaintiff's theory
16 in this case as being true, there's still no
17 evidence that would give rise to a cause of action;
18 summary judgment should be granted in our favor.

19 Your Honor, I've sent in some original
20 affidavits -- excuse me, depositions. We have three
21 more we'd like to make part of the record that are
22 referred to in some of the memos. Your Honor, I
23 often think of summary judgment, well, I guess, as
24 one of the rules of a playground. And that rule is
25 this: It's time to put up or shut up. They have to

1 point to a disputed issue of fact, a genuine issue
2 of material fact, in order to resist our motion. We
3 say if you look at all of the facts, view it in the
4 light most favorable to them, there's no claim.
5 We'd ask you grant summary judgment.

6 THE COURT: Thank you, Mr. Johnson.
7 Mr. Goings?

8 MR. GOINGS: Thank you, Your Honor. It may be
9 more orderly if Ms. Walker presents hers since,
10 essentially, their motions are the same; hers is for
11 summary judgment, his is to dismiss, to be converted
12 into summary judgment. But I understand their
13 arguments are the same. I can respond separately or
14 however you'd like to proceed.

15 THE COURT: You mind letting them go forward?

16 MS. WALKER: Your Honor, may it please the
17 Court. My name is Breon Walker and I represent
18 defendant Sunshine Recycling in this lawsuit.
19 Mr. Johnson did a great job of going over the
20 factual background in this case. I don't really
21 have a lot to add in terms of that. The only thing
22 that I will add is, you can tell from what
23 Mr. Johnson just stated that Sunshine is even
24 further removed in this situation than Aiken
25 Electric as Sunshine was merely a cooperating

1 witness. All of the witnesses, including law
2 enforcement, and the -- it's undisputed that the
3 victim in this case was Aiken Electric. They are
4 the ones that had the metal stolen from their
5 property.

6 All Sunshine did was cooperate in an
7 investigation. Sunshine was approached by Mark Goss
8 with Aiken Electric the day following the theft and
9 told -- which is routine. I mean, at any time --
10 because Sunshine Recycling is a recycling center,
11 any time there's metal stolen in the area, law
12 apparently law enforcement says -- describe it as
13 being a kin to an Amber Alert; something goes out
14 and notifies the nearby recycling centers to be on
15 the lookout for metal matching whatever type
16 description. When this happened, I don't think it
17 was that advanced yet, but that's the way that it's
18 handled now.

19 In the case Sunshine was contacted in person by
20 Mark Goss the next day and told that they were to be
21 on the lookout, that there was some metal that was
22 stolen and given a description of the metal. The
23 owner of Sunshine, Joe Rich, then allowed Mark Goss,
24 as he always allows any victim, to walk around the
25 center, go back to -- there's a separate area in the

1 back of the recycling center where the cars actually
2 drop off the metal and they weigh it. They then
3 find that -- you know, get a ticket for how much and
4 they go to a separate counter where they present it,
5 they're given money for it, and they're given a
6 receipt.

7 So the two of them walked back and there was
8 metal on the floor. And Mark Goss from Aiken
9 Electric identified that metal as that being the
10 metal that was taken from Sunshine. Sunshine would
11 have no idea -- I mean, it wasn't Sunshine's metal.
12 So that identification was made.

13 There is some confusion over this translation
14 between the Hispanic employee. There's been
15 testimony that the employee either said it was the
16 first person in a group, because apparently
17 Ms. Huffman was there at the exact same time as the
18 gentleman that actually did steal the metal. So
19 there's confusion over the translation that either
20 the Hispanic employee said a lady dropped it off or
21 the Hispanic employee said the first person in that
22 group of persons -- people at the same time dropped
23 it off. Either way, they then went through -- went
24 to the receipt counter and said -- and asked them
25 for the receipt that would match the metal that was

1 dropped off. They did that. They also looked at
2 the surveillance video that Mr. Johnson mentioned.
3 And from all of that, it was -- and law enforcement
4 was involved in that. The determination was made by
5 law enforcement that Ms. Huffman was the one that
6 brought in the stolen metal.

7 There is an issue over this surveillance video
8 because there are two separate areas for the
9 surveillance video; there's the receipt counter,
10 which was working, which they were able to view that
11 day, and then there's the surveillance video that
12 shows the back area where the metal is weighed.
13 That is the surveillance video that was not working
14 properly that day. And that is the surveillance
15 video that law -- Orangeburg County Sheriff's
16 Department Officers Aldridge and Eldridge both said
17 had they viewed that video before making an
18 arrest -- or before making a determination, this
19 arrest never would have happened because it would
20 have shown them that it wasn't Ms. Huffman that
21 brought it in.

22 Orangeburg County Sheriff's Department made the
23 decision to proceed with that arrest without
24 properly conducting a full investigation. And they
25 have since settled out of this case for \$25,000.

1 So, you know, I agree with what Mr. Johnson said
2 about this. I mean, this is a public policy issue,
3 it is a kin to an Amber Alert where something goes
4 out and says be on the lookout for a five-year-old
5 wearing red sweatshirt and jeans and you, as a
6 public citizen, do your duty and you call in and
7 identify the person or the person you think it might
8 be it and it happens to be the wrong person, if we
9 allow these causes of action to go forward, then
10 we'd allow any public citizen to be able to be sued
11 for trying to assist in an investigation.

12 As Your Honor is well aware, negligence
13 requires a duty of care owed, a breach of that duty
14 and damage resulting from that breach. There is no
15 duty on the -- there was no duty on the part of
16 Sunshine here as merely a witness cooperating with
17 an investigation. There -- I agree both with
18 Mr. Johnson and Mr. Goings that there is no South
19 Carolina case law directly on point, however there
20 were other jurisdictions that have addressed similar
21 issues. One, specifically, is Minnesota. There's a
22 1983 case that is cited in my brief, it's *Lundberg*
23 *vs. Scoggins*. In that case, a sexual assault victim
24 misidentified the person that she thought raped her
25 in a lineup. She identified the wrong person. That

1 person then sued her for negligence . And in that
2 case, the Court stated that public policy favors
3 prosecution and affords such protection of another
4 in good faith and on reasonable grounds as is
5 essential to public justice . Persons having
6 knowledge of crimes are encouraged , if not
7 obligated , to report and assist in investigating and
8 prosecution of those crimes . And therefore that,
9 the Minnesota Court held that complaints of
10 negligent accusation and misidentification of a
11 criminal suspect does not state a claim upon which
12 relief can be granted for public policy reasons .

13 There's also a separate case, a Florida Supreme
14 Court case, 1980. That case is also referenced in
15 my memo, it's McCorney vs. First Federal [phonetic].
16 In that the Florida Supreme Court said that Florida
17 courts have never recognized a separate tort for
18 negligently swearing out a warrant; that must be
19 handled in the form of a suit for malicious
20 prosecution , not negligence . And in that case, the
21 plaintiff bears the burden of establishing malice
22 and warrant of probable cause . Mere negligence
23 alone is insufficient . The Court stated that
24 negligent misidentification of a suspect cannot and
25 should not lead to liability on the part of a

1 witness .

2 So while there's nothing directly on point in
3 South Carolina , other jurisdictions have looked at
4 this issue and said it's against public policy for a
5 defendant to be able to be held liable in negligence
6 for a mistake and investigating -- I mean, in
7 identifying someone that they think is a suspect.

8 The next cause -- and for those reasons,
9 summary granted should be -- summary judgment should
10 be granted as a matter of law as to the claim of
11 negligence against Sunshine Recycling .

12 The next two are fairly quick: False
13 imprisonment , Mr. Johnson already went over this and
14 as Your Honor is aware, requires that the defendant
15 restrain the plaintiff, requires that the restraint
16 was intentional and requires that the restraint was
17 unlawful. Sunshine Recycling did not restrain the
18 plaintiff at all. I mean, we can't restrain her.
19 We didn't do anything other cooperate and allow law
20 enforcement and the victim to come in and check it
21 out, to check out the facility. False imprisonment
22 has to be an intentional tort; negligence cannot be
23 an element -- or negligence is not an element of
24 false imprisonment. So, I mean, that cause of
25 action is just very simple. They can't even get

1 past the first element in that Sunshine never
2 restrained the plaintiff. Even assuming that
3 they -- that they say that -- they try to make that
4 stretch that Sunshine Recycling restrained the
5 plaintiff by identifying the wrong person, that
6 lacks the intentional requirement of false
7 imprisonment. That was a mistake. They did not do
8 anything maliciously or intentionally. So for those
9 reasons, the false imprisonment cause of action
10 should be dismissed and summary judgment granted as
11 a matter of law.

12 The last element, malicious prosecution, as
13 Your Honor knows, has six elements. The institution
14 or continuation of original judicial proceedings by
15 or at the insistence of the defendant -- and we can
16 actually stop there. But just for the record,
17 I'll -- the other four -- the third element is
18 termination of proceeds in the plaintiff's favor,
19 fourth element is malice and instituting those
20 proceedings, the fifth element is lack of probable
21 cause, and the sixth element that it has to result
22 in injury or damage.

23 An action for malicious prosecution fails if
24 Plaintiff cannot prove each one of those six
25 elements. Plaintiff can't get past elements one or

1 two. Sunshine Recycling, again, is a witness. We
2 were not the victim in this case, we did not have a
3 dog in this fight, all we did was cooperate. So we
4 did not institute or try to continue any judicial
5 proceedings. Our only involvement was to allow law
6 enforcement to come out and check out the facility
7. and that was it.

8 The officers for -- Officers Aldridge and
9 Ethridge both testified that they were never
10 contacted by anybody from Sunshine Recycling.
11 Sunshine Recycling never pushed for any sort of
12 prosecution, Sunshine Recycling was not the victim,
13 and all Sunshine Recycling did was cooperate. So
14 there's no insistency on behalf of a mere witness
15 that something be done. And this happens all the
16 time. I mean, this is how it's handled in a
17 situation where something is stolen and Sunshine
18 Recycling allows the victim and law enforcement to
19 come in, cooperates with the investigation, if
20 nothing happens, they don't ever hear anything
21 again, if asked to cooperate or to come into court
22 for any reason, they do so. But because Plaintiff
23 cannot get past the first two elements of malicious
24 prosecution, then the whole cause of action -- they
25 don't have a cause of action and it fails, and

1 summary judgment should be granted in Sunshine
2 Recycling's favor for malicious prosecution as well.

3 If you bear with me one moment. That's it in
4 terms of the three causes of action against Sunshine
5 Recycling, so we join in with Defendant Aiken
6 Electric in requesting that the Court grant summary
7 judgment in our favor.

8 THE COURT: Thank you, Ms. Walker.

9 Mr. Goings?

10 MR. GOINGS: Judge Murphy, may it please the
11 Court. I'm Robert Goings. Todd Rutherford and I
12 represent Ms. Meredith Huffman, the plaintiff in
13 this action. I'm going to tell you the other side
14 of the story and the rest of the story, as it would
15 be. Your Honor, on May 17th, 2010, Ms. Huffman, who
16 is here today, went to Sunshine Recycling to recycle
17 her metal. Fifteen days later she was arrested,
18 booked and incarcerated for theft. By way of
19 background, the metal was taken from an abandoned
20 mobile home that she owned. It's important to note
21 that the metal was old aluminum siding and old
22 electrical wiring. And we've provided the Court
23 with our Memorandum in Opposition with six exhibits.
24 I don't know if you have that or not, Judge. It's
25 in a binder clip.

1 THE COURT: I don't think so -- I got it.

2 MR. GOINGS: Thank you, Judge. And so what I'm
3 saying and what I will tell you is supported by the
4 deposition testimony of the parties and documents
5 obtained from the Orangeburg County Sheriff's
6 Department. She brought this wiring in, this old
7 wiring, old metal in, she was paid \$53 for the
8 metal. That's important to note the price, \$53.
9 Unrelated to Ms. Huffman, Aiken Electric experienced
10 a theft the night before; it was new aluminum and
11 new copper wiring, completely different from the
12 types of stuff Ms. Huffman was bringing in, and the
13 estimate for the amount of value was around \$330.
14 We're talking like 60 feet of wiring, big huge rolls
15 of wiring.

16 Well, that morning, Mark Goss from Aiken
17 Electric and the owner of Sunshine Recycling, Joseph
18 Rich, met with the sheriff's department regarding
19 this stolen metal. And Mr. Goss of Aiken Electric
20 identified that metal as the metal that Ms. Huffman
21 brought in. When they were meeting with the
22 sheriff's department, Mr. Rich and Mr. Goss showed
23 Officer Aldridge a video of the surveillance and
24 pointed at Ms. Huffman and said, that's the lady
25 that brought the metal in. Mr. Goss said that he

1 actually spoke and carried on a conversation with
2 Ms. Huffman while she was waiting in line to get paid
3 for the items that she just brought in and viewed
4 the items that she brought in and left and said that
5 the stuff that Ms. Huffman brought in was Aiken
6 Electric's wiring.

7 The next day, Mr. Rich told Officer Ethridge
8 that his employees that work in this copper area
9 said that Ms. Huffman was the lady that brought in
10 this stolen metal. Another employee of Aiken
11 Electric Charles Rusten said that they've identified
12 the suspect and her name is Meredith Huffman. And
13 that is -- this is in sworn testimony in
14 depositions, this is in incident reports of the
15 officers. And after Sunshine and Aiken Electric
16 accused Ms. Huffman, Aiken Electric continued to
17 strongly urge the sheriff's department to arrest
18 Ms. Huffman. Officer Aldridge testified that the
19 defendant's express -- and these are his words --
20 quote, a great sense of urgency, end quote, to
21 arrest Ms. Huffman. Well, based on the claims of
22 Aiken Electric and Sunshine Recycling, Ms. Huffman
23 was arrested. Now, there's only two people that can
24 really say whose metal it was, and that is Aiken
25 Electric and Sunshine. And those are the only two

1 that identified the metal and then accused Meredith
2 Huffman. The sheriff's department never accused
3 Meredith Huffman; it was the defendants, Sunshine
4 Recycling and Aiken Electric that, without a doubt,
5 accused Meredith Huffman.

6 So they show the officers a video and said, see
7 this lady right here, this is the lady, and she's
8 carrying in our metal. Mr. Goss from Aiken Electric
9 says, I even talked to her, I saw her with my metal
10 in her hands, and she sold it to y'all. So, again,
11 Aiken Electric and Sunshine identified Meredith
12 Huffman as the person that had the stolen metal.

13 Now, Ms. Huffman's invoice is only for \$53.
14 Aiken Electric had valued its property at \$330. The
15 person actually -- they actually -- at the end of
16 the day after she was arrested and booked and the
17 charges were dismissed, they ended up arresting the
18 person that came in after Ms. Huffman. Then, of
19 course, his invoice was for \$350, very similar in
20 price to what Aiken Electric was claiming the amount
21 was owed. And after Ms. Huffman was arrested, she
22 told the police that I didn't do that, this is metal
23 from my mobile home, it's my metal and I brought it
24 in and the money was given to my son so he could buy
25 something at school with.

1 Well, the police went back to Aiken Electric
2 and Sunshine Recycling and said, you've told me the
3 wrong person, Meredith Huffman said she didn't do
4 it. And they said -- get this: Mr. Rich who owns
5 Sunshine Recycling said that his employees observed
6 Huffman with the items and that he would come and
7 testify against Ms. Huffman in court. At that
8 time -- actually, right before that, the sheriff's
9 department said, give me the copy of that video that
10 you showed me, I want to look at that. They looked
11 at the video, the video this time clearly showed
12 Meredith Huffman did not have the stolen metal. He
13 said, listen, I'm dismissing these charges because
14 what you've been telling me all along is false.

15 At that point Sunshine Recycling still said, we
16 want to come in and testify that Meredith Huffman
17 was the guilty party here because our employees are
18 telling us that she had it and we're going to
19 testify against her at trial regardless of what the
20 video evidence showed. And if you look at the
21 offense report completed by the investigator, he
22 said -- this was his quote and he said that he
23 believed this at the time he wrote it in his
24 deposition: Quote, at this time I'm not comfortable
25 with this case due to the witnesses giving me false

1 information the first time. That's on page 3 on the
2 offense report, and that's pages 38 and 39 of
3 Officer Ethridge's deposition.

4 Well, Ms. Huffman appeared in court and the
5 charges were dismissed on grounds consistent with
6 her innocence. And, you know, it's appalling that
7 Ms. Huffman had to go through all of this and all
8 she did was with lawfully go to that location as a
9 patron and as a business invitee to sell her own
10 metal.

11 As to the cause of action for negligence,
12 Mr. Johnson says that there's no case in South
13 Carolina that sets forth a duty. But the law in
14 South Carolina says this, and it's written on page 5
15 of the Memorandum In Opposition where it discusses
16 what is a duty of care: The duty of care is that
17 standard of conduct the law requires of an actor in
18 order to protect others against the risk of harm
19 from his actions. Clearly under South Carolina law
20 the defendants had a duty in this case. They had a
21 duty to make sure that they were accusing the right
22 person, that they did a proper investigation, that
23 they actually looked at the evidence, looked at the
24 documents, looked that video, before they accused
25 the wrong person. The law says one who assumes to

1 act, even though he has no obligation to do so,
2 thereby becomes obligated to act with due care. The
3 testimony and the evidence in this case
4 overwhelmingly demonstrates that Sunshine Recycling
5 and Aiken Electric assumed a duty to act and did not
6 act with due care in the accusations that they made
7 against Ms. Huffman. And a genuine issue of facts
8 exists that they didn't create a -- that they did
9 not conduct a reasonable investigation and they
10 relied on holey speeches and unreliable information
11 in accusing Ms. Huffman.

12 As it relates to the claim, Your Honor, for
13 false arrest, the linchpin of a false arrest claim
14 is probable cause. And I don't think there is any
15 dispute that there was -- probable cause was lacking
16 for the arrest of Ms. Huffman. You never heard
17 opposing counsel stand up here and say or argue that
18 probable cause actually existed for her arrest. In
19 fact, their own witnesses testified under oath that
20 there wasn't probable cause for her arrest. There
21 was no good faith justification in arresting her.
22 Now that's what they say.

23 False imprisonment or false arrest is
24 committed -- the law says it can be committed by
25 words alone or by acts alone or by both which create

1 a situation that works to operate against the will
2 of an individual . Well, here in this case, the
3 defendant 's words and accusations of accusing the
4 plaintiff of a crime that she clearly did not commit
5 was false arrest .

6 The courts have held that false -- an arrest
7 for false imprison- -- an action of false
8 imprisonment cannot be maintained when the plaintiff
9 was arrested by lawful authority . The courts have
10 said lawful authority means was there probable
11 cause, because if you don't have probable cause then
12 there's no lawful authority for someone's arrest .
13 And the question of probable cause, as the Court
14 knows, is always -- almost always a question of fact
15 and ordinarily one reserved for the jury. It's a
16 factual issue as to whether or not there was
17 probable cause . And if the case goes to trial, I
18 have a hard time seeing that opposing counsel is
19 going to actually argue that there was probable
20 cause for her arrest when all the evidence shows
21 that she was not guilty of any crime whatsoever .
22 And, in fact, after they arrested her and they found
23 out they arrested the wrong person, they did find
24 the person that actually committed the crime . So,
25 Your Honor, there was no probable cause .

1 And as it relates to the claim for malicious
2 prosecution , it's very similar to a claim for false
3 arrest. Mr. Johnson and Ms. Walker mentioned that
4 there was no evidence of malice. Well, first off,
5 for malicious prosecution, the case law says that
6 malice can be inferred, legally inferred, or is
7 legally inferred based on a want probable cause. So
8 at the end of the day the factual question is, was
9 there probable cause? Not one argument you heard
10 said that there was probable cause because they know
11 that there was no probable cause for her arrest.

12 And to show you what was going on here, Aiken
13 Electric and Sunshine were pressing for an arrest.
14 They really didn't care who was going to be
15 arrested, they just needed to arrest somebody for
16 the crimes that were committed. And this is clearly
17 shown based on the deposition of the officers and
18 the incident reports in the file. After the police
19 told them that they had accused the wrong person,
20 what did they do? Instead of just accepting that,
21 what did Sunshine do? Sunshine said, we still want
22 to go to court against her because we're going to
23 testify in court against her because we know she did
24 it and we have employees here that said she did it
25 and we're going to testify against her even though

1 the video clearly showed that she was not
2 responsible or had anything to do with this. That's
3 when the police department said that they were,
4 quote, not comfortable with this case because the
5 witnesses had given them false information.

6 And, you know, Mr. Johnson mentioned at the
7 beginning that this case has important public policy
8 concerns, and it does. The public policy concern is
9 that when you go accusing people of crimes, you need
10 to make sure that you're accusing the right person.
11 And before you accuse somebody of a crime, you
12 actually look at the video. Before you accuse
13 somebody of a crime, why don't you look at the
14 documentation that you have that shows that the
15 metal that Ms. Huffman brought in was completely
16 different from the metal that the defendants claim
17 was stolen?

18 There is a public policy in this state to not
19 arrest or falsely accuse an innocent person. That's
20 what happened in this case. Your Honor, we believe
21 the evidence is more than overwhelming to create a
22 genuine issue material fact. In this kind of case,
23 the standard is a mere scintilla, and I understand
24 that's an extremely low threshold for purposes of
25 overcoming summary judgment.

1 Your Honor, for purposes of just the record,
2 the Memorandum in Opposition has six exhibits.
3 Exhibit 1, Your Honor, is a list of -- I mean,
4 documents from the Orangeburg County Sheriff's
5 Department incident reports and that sort of thing,
6 but I also deposition excerpts which I consider to
7 be, to some extent, the most relevant portions of
8 the excerpts. But we have -- opposing counsel and I
9 have handed up the entire transcripts of those
10 depositions.

11 I also have a video, if Your Honor would like
12 to see the video, that clearly shows that Meredith
13 Huffman was not responsible for this and that they
14 arrested the wrong person. I only have one copy of
15 that video and I can hand it up to you, Your Honor,
16 if somehow I could get it back. The reason I have
17 it is because the Orangeburg Sheriff's Department
18 produced it to me and they only produced one copy.
19 And based on the type of video, I was unable to
20 duplicate it.

21 THE COURT: I think everybody concedes that the
22 video is what it is. I don't think that will be
23 helpful.

24 MR. GOINGS: Okay. Thank you.

25 THE COURT: Thank you though.

1 MR. GOINGS: Thank you, Your Honor.

2 THE COURT: Do you have an extra copy of your
3 memorandum? I know the original was filed with the
4 Court. But since I won't be here other than Friday,
5 if you have an extra one, I --

6 MR. GOINGS: I can do this, Your Honor: I can
7 mail you -- I can mail it to you or I can e-mail it
8 to you. I would give you mine, but I --

9 MS. WALKER: You can have mine.

10 THE COURT: Great. Thank you. That would be
11 helpful.

12 MR. GOINGS: Anything else from me, Your Honor?

13 THE COURT: No, sir. Thank you.

14 MR. GOINGS: Thank you.

15 MR. JOHNSON: Your Honor, just very briefly, I
16 believe if you review the Goss deposition and the
17 Ethridge, the deputy -- the investigator from the
18 sheriff's department, you'll see exactly what the
19 sworn testimony is and what took place. Counsel
20 argued that they saw the video and when she was
21 getting -- when Ms. Huffman was getting paid for
22 items and the Aiken Electric person saw what she
23 brought in and identified her as being a thief or a
24 criminal, I believe if you read those two
25 depositions you'll find that that evidence is not as

1 counsel described it. And I believe you'll see that
2 the undisputed evidence is exactly what he have told
3 you. And the question is, bottom line, public
4 policy, what responsibility does a crime victim
5 have, what exposure do they have if they are wrong
6 in what they tell the investigating officer? But
7 here, the arrest was as a result of the investigator
8 on his own -- he said as much in his deposition --
9 making his own determination that he had sufficient
10 information to arrest Ms. Huffman. And that was
11 totally under his control and discretion, decision
12 by him. And the fact that he did not do any
13 thorough investigation should not impose liability
14 on the crime victim or victims. So we would ask
15 that you consider that.

16 THE COURT: Okay. Thank you.

17 Anything further, Ms. Walker?

18 MS. WALKER: Just a couple of things. The
19 other side of the public policy argument that
20 Mr. Goings stated at the end is that we cannot have
21 a situation where we have victims and/or witnesses
22 who are afraid to come forward in identifying
23 suspects because they're afraid of getting sued.
24 And if we allow these causes of action to go forward
25 in this case, specifically as it relates to my

1 client, Sunshine Recycling, who was merely a
2 cooperating witness, it's a slippery slope and I
3 don't -- I mean, that could just get very out of
4 control.

5 We -- and I keep going back to the Amber Alert
6 example because I think that that's what this is.
7 You cannot have people that are afraid to come
8 forward and respond or identify or speak to law
9 enforcement because they can be sued if they make a
10 mistake. And if we allow these three causes of
11 action to go forward against Sunshine Recycling in
12 this case, we're allowing people or companies to be
13 sued for making a mistake. And that's -- that's all
14 there is.

15 The sheriff's department Officer Ethridge and
16 Officer Aldridge, you can see from their deposition
17 transcripts, both said had they viewed the video,
18 this arrest never would have happened. They were
19 the ones conducting the investigation, they decided
20 to make the arrest happen before looking at the key
21 piece of evidence that would have identified the
22 right person. Then when they made a mistake and
23 they went back and viewed it, they were able to find
24 the right person. That wasn't anything that
25 Sunshine Recycling did or Aiken Electric. So those

1 are just the two -- I mean, we can -- obviously, we
2 can go point/counterpoint, point/counterpoint. And
3 I think you'll see from our memo, again, all we did
4 was cooperate in the investigation, we're simply a
5 witness.

6 And I will say that I've known Mr. Goings for a
7 long time and I think he's an excellent attorney. I
8 do think he made a couple of statements that were
9 not exactly what was testified to in the deposition
10 transcripts that you will see. There's no testimony
11 that Sunshine Recycling contacted law enforcement
12 and wanted to -- pushing for some sort of
13 prosecution in this case. Both of the officers said
14 that Sunshine was not the victim. We did not have a
15 dog in this fight and all we did was say we would
16 cooperate. I think what he's referring to is, there
17 was a statement later where Ms. Huffman's -- they
18 were talking about Ms. Huffman and Sunshine said,
19 that's what the video showed or said something about
20 Ms. Huffman and said, whatever we need to do, if we
21 need to come in and testify, cooperate, we'll do
22 that, which is what they'll do in any sort of
23 investigation because they always cooperate with law
24 enforcement and will do whatever is needed.

25 But one of the officers, I think it was Officer

1 Aldridge , said that he'd never talked to Mr. Rich
2 other than when he went out to Sunshine and he
3 allowed them to come in and look at the video. I
4 mean, there's testimony that Sunshine was not
5 contacting law enforcement , was not pushing law
6 enforcement , was not the victim in the case and did
7 not have a dog in the fight. So that's all.

8 THE COURT: Okay. Thank you. I'll take the
9 time to review the depositions and the memorandums
10 and we'll be in contact.

11 MR. GOINGS: Thank you, Judge.

12 MS. WALKER: Thank you, Your Honor.

13 MR. JOHNSON: Thank you, Your Honor.

14 -- END OF TRANSCRIPT OF RECORD --

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C E R T I F I C A T E

STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON

I, the undersigned, Bethanie Patterson, Circuit Court Reporter for the Second 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 the evidence introduced in the captioned cause, relative to appeal in the Criminal Court for Orangeburg County, South Carolina, on the 10th of March, 2014.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

May 30, 2014

Bethanie Patterson
Circuit Court Reporter.

STATE OF SOUTH CAROLINA COURT OF COMMON PLEAS
COUNTY OF ORANGEBURG FIRST JUDICIAL CIRCUIT

- - -

MEREDITH HUFFMAN,	)	
	)	CIVIL ACTION NO.:
Plaintiff,	)	
	)	2012-CP-38-672
vs.	)	
	)	
SUNSHINE RECYCLING, LLC and	)	
AIKEN ELECTRIC COOPERATIVE,	)	
INC.,	)	
	)	
Defendants.	)	

- - -

Wednesday, February 5 , 2014

- - -

ORAL DEPOSITION OF ASHLEY ALDRIDGE, taken
at the Law Offices of Gallivan, White & Boyd, P.A.,
1201 Main Street, 12th Floor, Columbia, South
Carolina, commencing at 10:10 a.m., before Tami I.
Watters, a Registered Professional Reporter and
Notary Public.

- - -

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P.O. Box 1459
Columbia, South Carolina 29202
803-212-0012

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(INDEX AT REAR OF TRANSCRIPT.)

(It is hereby stipulated and agreed by and between counsel for the respective parties that this deposition is being taken in accordance with the South Carolina Rules of Civil Procedure; that all objections, except as to the form of the question, are reserved until the time of trial; and that the deponent waives reading and signing of this deposition transcript.)

- - -

ASHLEY ALDRIDGE, after having been first duly sworn, was examined and testified as follows:

- - -

EXAMINATION

- - -

BY MS. WALKER:

Q Officer Aldridge -- am I pronouncing your name correctly?

A Yes, ma'am.

Q My name is Breon Walker, and I represent Defendant Sunshine Recycling in this lawsuit that was filed by Meredith Huffman, which is regarding an investigation that was done and that you were also a part of.

1 Do you know why -- do you know that
2 that's why you're here today?

3 A Yes, ma'am.

4 Q Have you ever been through this process
5 before of having your deposition taken?

6 A Yes.

7 Q Well, the rules require that I go over
8 some ground rules just so we're communicating
9 properly today.

10 The first you're doing already. Please
11 make sure you give me verbal responses. Madam
12 Court Reporter is taking down everything we're
13 saying and she cannot take down head nods or
14 headshakes. So like you're already doing, if
15 you'll just answer yes, no or give me a verbal
16 response so the record's clear, I'd appreciate
17 that.

18 If I see you nodding your head or shaking
19 your head no, I'm gonna ask you, "Officer, is that
20 a yes or no?" I'm not being smart or flippant.
21 I'm trying to remind you or prompt you to give me a
22 verbal response, okay?

23 A Yes.

24 Q If I ask you a question that you do not
25 understand, please ask me for clarification and

1 I'll repeat or rephrase the question as many times
2 as I need to so we're communicating today. If you
3 do not ask me for clarification, I'll assume you
4 understood the question as asked; is that fair?

5 A I understand.

6 Q If you need a break at any time -- we
7 should not be here that long today, hopefully. But
8 if you need a break, for whatever reason, let us
9 know and we'll be glad to stop whenever you need us
10 to.

11 May I have your full name, please?

12 A It's Ashley Swinton Aldridge.

13 Q And how do you spell Ashley?

14 A A-S-H-L-E-Y.

15 Q Swinton?

16 A S-W-I-N-T-O-N.

17 Q Okay. And Aldridge is A-L-D-R-I-D-G-E?

18 A Correct.

19 Q What is your address?

20 A It's , Lexington,
21 South Carolina 29073.

22 Q And are you from Lexington?

23 A Originally?

24 Q Originally.

25 A I'm originally from Columbia.

1 Q How long have you lived at
2 ?

3 A About two months.

4 Q Where did you live prior to that?

5 A , Columbia, 29203.

6 Q Okay. How long did you live there?

7 A Consecutively or -- it's a family house.

8 I've lived there for 30 years --

9 Q Okay.

10 A -- off and on.

11 Q What's your date of birth?

12 A November 4th, 1982.

13 Q Have you only lived in the Columbia and
14 the Lexington areas?

15 A Yes.

16 Q Okay. Where did you go to high school?

17 A Ben Lippen.

18 Q And when did you finish Ben Lippen?

19 A 2001.

20 Q Okay. Did you go -- did you go to
21 college?

22 A I'm in college now.

23 Q Okay. Where are you in college?

24 A Liberty University.

25 Q And where is that located?

1 A The hard campus is in Lynchburg,
2 Virginia.

3 Q And do you actually go to Lynchburg?

4 A No, ma'am.

5 Q Is it like online?

6 A It's online, yes, ma'am.

7 Q When do you plan to graduate from
8 Liberty?

9 A If I stay on pace, it will be about a
10 year and a half.

11 Q Which is -- so 2015? The end of 2015 you
12 think?

13 A Hopefully, yes, ma'am.

14 Q Or the summer of 2015?

15 A Yes, ma'am.

16 Q All right. Are you married?

17 A Not yet.

18 Q Do you have any kids?

19 A No, ma'am.

20 Q All right. This case is pending in
21 Orangeburg County. Do you have any relatives in
22 Orangeburg County over the age of eighteen?

23 A No, ma'am.

24 Q Okay. Are you a member of a church?

25 A Yes, ma'am.

1 Q Where?

2 A The Harvest on 378 in Lexington.

3 Q How long have you been going to the
4 Harvest?

5 A Since November of last year, 2013.

6 Q Okay. All right. So in terms of where
7 you've lived, you grew up in Columbia, lived in
8 Columbia for the past -- well, in and out of the
9 family home for 30 years, and then you moved from
10 there to where you live now, which is the
11 ?

12 A Yes, ma'am.

13 Q All right. What's the address for the
14 family home?

15 A .

16 Q You told me that. I'm sorry.

17 A No problem.

18 Q And that's Columbia --

19 A 29203.

20 Q All right. Do you live with anyone at
21 ?

22 A My fiance.

23 Q And what is your fiance's name?

24 A LaQuana. That's L-A big Q-U-A-N-A.

25 Q What's her last name?

1 A Peterson.

2 Q When are y'all getting married?

3 A March the 8th.

4 Q Congratulations.

5 A Thank you.

6 Q Is LaQuana employed?

7 A Yes, ma'am.

8 Q Where does she work?

9 A Irmo Elementary School.

10 Q Is she a teacher?

11 A Yes, ma'am.

12 Q What grade does she teach?

13 A Second.

14 Q All right. At the time of the incident
15 that we're here for today, which is May or June of
16 2010, you were employed with the Orangeburg County
17 Sheriff's Department; is that correct?

18 A Yes, ma'am.

19 Q Is that where you're still employed?

20 A Yes, ma'am.

21 Q How long have you been employed there?

22 A Almost five years. I started in June of
23 2009.

24 Q Okay. And what is your title at the
25 sheriff's department?

1 A Investigator.

2 Q Has it been investigator since '09?

3 A No, ma'am.

4 Q Take me through your employment history
5 with the sheriff's department.

6 A I was hired on, if I remember correctly,
7 June the 8th, 2009. Attended the Academy from
8 August until September 17th.

9 I was on patrol until -- so I was
10 promoted to investigations in December of 2012,
11 started in investigations in June of 2013, if I
12 believe -- I'm sorry. I got that wrong. I was
13 promoted in 2011, started in '12, and since June of
14 2012 I've been in investigations.

15 Q Okay. So is it fair to say that you were
16 in patrol from basically '09 until --

17 A Until 2011.

18 Q -- 2011?

19 A Yes, ma'am.

20 Q And then from 2012 on, you've been in
21 investigations?

22 A Yes.

23 Q All right. So at the time of this
24 incident, which is 2010, you would have been in
25 patrol?

1 A In patrol.

2 Q What does that mean when you say you're
3 in patrol?

4 A Patrol is -- I'll run down. The
5 responsibilities of the patrol deputy is I would
6 take calls for service, pretty much your basic
7 assistance if you were to call the police, if one
8 shows up on-scene, frontline responder.

9 So I would have the responsibility of
10 taking calls, answering questions from citizens, so
11 forth and so on, doing followups for investigators
12 if need be, things like that.

13 Q And then what are your job duties in
14 investigations versus patrol?

15 A Well, your general investigator's job
16 duty would be to follow up on cases that have leads
17 and working them until either you can either clear
18 them administratively or make an arrest in them.

19 My job description is that of an
20 interdiction investigator. My job is I go out and
21 we look for street-level crimes, so it's slightly
22 different than your general investigations.

23 Q Okay. So what do you mean by that?

24 A Street-level crimes?

25 Q Yes.

1 A Street-level crimes, transfer of guns,
2 narcotics, wanted people, illegal funds, things of
3 that nature; warrants, assisting other federal
4 agencies, so forth and so on. And that's probably
5 a little more down my job description.

6 Q Okay. Did you work anywhere between when
7 you graduated in 2001 and when you started working
8 at the sheriff's department in '09?

9 A Yes, ma'am.

10 Q Where did you work?

11 A Oh, goodness. I've worked at Value City
12 Furniture, I worked at Plex Indoor Sports, I worked
13 at Group Therapy in Columbia, I worked at
14 Good Times in Columbia.

15 I've worked various small jobs, but I
16 would say the longest jobs I had was Group Therapy,
17 Good Times, Plex Indoor Sports and Value City
18 Furniture.

19 Q And what were you doing at Group Therapy
20 and Good Times?

21 A I was a bouncer there.

22 Q Okay. And then what about Plex?

23 A Plex, I was the nighttime manager,
24 customer services representative and facilities
25 manager.

1 Q And what about Value City?

2 A Delivery driver.

3 Q So how did you end up in law enforcement
4 in 2009?

5 A I was a reserve officer for the Town of
6 Norway. Continued on that career path and applied
7 to Orangeburg County and accepted the position
8 there in '09.

9 Q And when you say you were a reserve
10 officer with Norway, how did you end up being a
11 reserve officer?

12 A A close friend of mine was a lieutenant
13 there at the time and offered me an opportunity to
14 work for free as a police officer and to see if I
15 liked the job, and here I am.

16 Q So is that what a reserve officer means
17 is that you're -- it's an unpaid --

18 A You're an unpaid law enforcement officer,
19 yes, ma'am.

20 Q Who is the friend in Norway?

21 A Randall Day.

22 Q Day as in D-A-Y?

23 A D-A-Y, yes, ma'am.

24 Q And what was Randall's position in
25 Norway?

1 A He was lieutenant of the Norway Police
2 Department at the time.

3 Q Okay. When did you start being a reserve
4 officer for him?

5 A 2008. I can't remember the exact month.
6 It was later in the year.

7 Q So you did that for about a year before
8 going to the Academy?

9 A About eight months, yes, ma'am, before I
10 took employment with Orangeburg County.

11 Q All right. What kind of training did you
12 have to go through to actually become an officer?

13 A There was a nine-week course at the
14 South Carolina Criminal Justice Academy. They just
15 call it the basic law enforcement course.

16 They teach you South Carolina legals,
17 problem solving, types of crimes, how to handle
18 types of crimes, driving training, firearm training
19 and scenario training.

20 Q You said that's how many weeks?

21 A Nine weeks at the time.

22 Q And you do that here in Columbia?

23 A Yes, ma'am.

24 Q Off of Broad River Road?

25 A That's correct.

1 Q Is it an on-campus? Do you actually stay
2 at the Academy?

3 A Yes, ma'am.

4 Q And you did that in 2009?

5 A 2009.

6 Q Okay. And then when you graduate from
7 the Academy or when you graduated, that's when you
8 joined Orangeburg County in June?

9 A No, ma'am. I went in August. I went to
10 the Academy in August. You have to be hired prior
11 to be given -- prior to being given an academy
12 date.

13 Q Okay.

14 A So the Orangeburg County sent me to the
15 Criminal Justice Academy.

16 Q Now, how did you end up with Orangeburg
17 County versus like Richland County or
18 Lexington County?

19 A I had some acquaintances that worked
20 there and spoke highly of the department and
21 convinced me to try Orangeburg County to get my
22 feet wet, as it were, into law enforcement.

23 Q Okay. And, I think, you said earlier
24 you're still with Orangeburg County?

25 A Yes, ma'am.

1 Q Do you plan to stay there?

2 A Yes, ma'am, as long as they'll have me.

3 Q Have you had any other training, other
4 than the nine-week's course at the Academy?

5 A Yes, ma'am.

6 Q And what other training have you had?

7 A Let me start down the list here. I have
8 basic detective, I have crime scene for new
9 investigator, I am radar, Breathalyzer and field
10 sobriety certified. I have training in
11 interdiction, training in identification of armed
12 gunmen, I have training in bloodhound handling.

13 That's all I can think of off the top of
14 my head. I have a stack of certifications at home
15 of some other things.

16 Q Okay. Now, how does that work? I mean,
17 you go through the nine-week's course and then just
18 over the course of the years, you'll just get
19 additional certifications or training?

20 A Yes, ma'am. They -- that's called
21 advanced training. Generally, you go back to the
22 Academy campus or a class held at another
23 department and they'll issue you advanced training.

24 Q Okay. Is it -- do you decide to do that
25 or does the department tell you you need to go get

1 certified?

2 A The department would generally send you.

3 Q Okay. All right. At the time of this
4 investigation, which would have been -- again,
5 we're talking May, June 2010, who was your direct
6 supervisor?

7 A I'm not quite sure. If I look on my
8 incident report, I'll be able to tell you.

9 Q Okay.

10 A Let me see if I have it in here. I think
11 you guys have a copy of it.

12 Do you have a copy of the incident
13 report? I'm sorry.

14 Q I do.

15 A I just need to see whose name is on the
16 bottom of it.

17 MR. GOINGS: There's a couple on the
18 reports.

19 MS. WALKER: Yeah. There's this
20 entire -- we can go off the record.

21 - - -

22 (Discussion held off the record.)

23 - - -

24 (File Material marked Aldridge Exhibit
25 Number 1, for identification.)

1 MS. WALKER: Back on.

2 BY MS. WALKER:

3 Q All right. Officer Aldridge, we have
4 marked as Exhibit 1 to your deposition a file that
5 you brought with you today, and it's my
6 understanding that this is the full, I guess,
7 investigative file from the Orangeburg County
8 Sheriff's Department?

9 A Yes. This was the file that was given to
10 me this morning by Ms. Karen Sanders,
11 administrative assistant, Orangeburg County.

12 Q Okay.

13 A Karen Glover. Sorry.

14 Q What I want you to do is take me through
15 your role in the investigation of the incident that
16 we're here for today. And what I mean by that is
17 how you -- how you became involved in it, if you
18 responded, any followup that you did.

19 Just kind of take me through your
20 involvement in the case.

21 A On. On 5/17/2010 I responded to a call
22 for service at Sunshine Recycling. Referring back
23 to my incident report, it says I met Mr. Joseph
24 Rich, the owner of Sunshine. And this is in
25 reference to a subject bringing metal in for scrap.

1 The metal at that time was identified by
2 Mr. Mark Gross (sic) as belonging to Aiken
3 Electric. He advised me that he verified --
4 visually verified the metals as belonging to Aiken
5 Electric.

6 At that time the officer showed me a
7 video of what my report says was Ms. Huffman and
8 advised they believe she was the one that brought
9 those metals to Sunshine.

10 I then took this information and
11 forwarded it to the original responding officer,
12 Deputy Maurice Huggins.

13 Q Do you have any independent recollection
14 of responding on the 17th or are you just going
15 from your notes and incident report?

16 A Vaguely. I remember meeting with
17 Mr. Rich and Mr. Gross. The conversation probably
18 went about like my incident report said. It was
19 more like a followup to -- it shows the original
20 case number of theft.

21 I don't -- I did not do any independent
22 investigation at that point. I was more just
23 passing along information from the complainant and
24 Mr. Rich to then Deputy Huggins.

25 Q Okay. Do you remember who -- who you

1 actually -- who actually called?

2 A I'm not sure who the actual complainant
3 was. I just recall responding to a call for
4 service.

5 Q Okay. Now, you have -- so, I guess, once
6 you got there, you determined the victim would be
7 Aiken Electric because that's who you have as the
8 victim at the top of your report?

9 A Yes. And, as I say, I'm not a hundred
10 percent sure Aiken Electric is the one that called
11 me. I just know that Aiken Electric was the one
12 that is listed as the original victim on the
13 incident report.

14 Q Okay. So you -- does this indicate what
15 time you responded on the 17th?

16 A Supplemental does not have a response
17 time on it.

18 Q Do you have an independent recollection
19 of whether it was morning or afternoon?

20 A It might have been late morning or early
21 afternoon.

22 Q When you got there, you recall meeting
23 with Mr. Rich and the owner, Mr. Goss.

24 Did you know any of them before?

25 A No. I've had dealings with Mr. Rich on a

1 professional level. I had routinely taken calls at
2 Sunshine for stolen property.

3 Q And when you say stolen property, you
4 mean people bringing metal to Sunshine to sell?

5 A Stolen vehicles that may have popped up
6 on their VIN check as stolen or similar calls as
7 this.

8 Q Okay. All right. So it says when you
9 got there, you met with them. You met with Mark --
10 it says Gross, but it's Mark Goss of Aiken
11 Electric, and that he verified that the metals at
12 Sunshine matched samples that he had brought.

13 A Correct.

14 Q Did he actually have -- do you recall him
15 having the samples with him and showing them to you
16 and matching them to the metal at Sunshine?

17 A I don't recall.

18 Q Okay. It says, "This unit observed the
19 subject on video at the payment window and this
20 unit was also provided with a copy of the receipt."

21 Do you have a independent recollection of
22 observing Ms. Huffman on video?

23 A I do recall observing a video, and they
24 advised to me that she was the one that brought
25 that metal. That's pretty much it. They said this

1 is the one that brought the metal and we can tell
2 from our timestamp.

3 Q Okay. When you say "they," who are you
4 referring to?

5 A "They" being Sunshine.

6 Q Okay. Now, the video that you observed,
7 what did you actually observe her doing on the
8 video, do you remember?

9 A I recall a white female approaching the
10 payment window.

11 Q Okay.

12 A That's all I really saw in that video at
13 that time.

14 Q All right. Did you ever observe a video
15 of her -- you've been out to Sunshine before.

16 A Correct.

17 Q So you're familiar that there's the
18 payment area and then there's the area in the back
19 where the vehicles go through to actually drop off
20 the metal.

21 A Right.

22 Q Did you actually observe the video of
23 Ms. Huffman or anyone dropping off the metal that
24 was later identified by Aiken Electric?

25 A No.

1 Q When you responded to other calls at
2 Sunshine, is that -- is there video in the back or
3 surveillance video that you've viewed before?

4 A I've never viewed surveillance video from
5 the back.

6 Q Okay. Who had this video -- I mean, do
7 you remember how you came about like even seeing
8 this video of her paying at the counter?

9 A It was provided to me by -- I'm not sure
10 which, but, I believe, it was Mr. Rich showed me
11 the video at Sunshine.

12 Q Okay. Is there -- did he take you to a
13 certain area and y'all -- the three of y'all
14 watched the video together?

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

16 Q Do you remember where this area was
17 located at Sunshine?

18 A It's inside the main office.

19 Q All right. So you observed a video of
20 Meredith Huffman paying at a window, and then you
21 said that they also provided a copy of the receipt.

22 A Yes.

23 Q What kind of receipt?

24 A If I remember -- well, from previous
25 dealing with Sunshine, they generally issue a

1 receipt for the type of metal sold. They also gave
2 me a copy of that receipt, and, I believe, I
3 forwarded it to the responding officer.

4 Q Okay. And that would be Officer Huggins?

5 A Yes, ma'am.

6 Q And when you say responding officer,
7 because Officer Huggins is the one that initially
8 responded to the actual theft at Aiken Electric; is
9 that correct?

10 A He was the initial officer on the
11 incident report. I'm not familiar with
12 Mr. Huggins' complete incident report.

13 Q Okay. Did you have any more -- did you
14 do any additional investigations or followup other
15 than this one day that you went out to Sunshine?

16 A Yes, ma'am. I'm looking over my incident
17 report and it says I responded again on the 11th --
18 6/11/2010 for a --

19 Q Let me find that.

20 A I'm sorry.

21 Q Where is that in your -- I have the one
22 from 5/17/2010, and then is there another one right
23 after that?

24 A Yes, ma'am. It's gonna be same case
25 number from 6/11/2010.

1 Q Let's see. Okay. All right. So what
2 happened on the 11th?

3 A I responded for another call for service
4 at Sunshine. Again, referring to my incident
5 report, it says I met with Mr. Goss. Mr. Goss
6 provided me with the photograph of the subject and
7 his vehicle at Sunshine selling the aforementioned
8 copper or what was believed to be the
9 aforementioned copper.

10 I went on and further described a
11 white-in-color truck with a South Carolina tag of
12 607 Charlie Mike. He then -- Mr. Goss, being
13 "he" -- advised he can identify the copper by the
14 amount of wire on the strands. He again identified
15 the wire belonging to Aiken Electric.

16 They -- according to my incident report,
17 I don't really recall, but it says I received video
18 surveillance from Sunshine of the incident, which I
19 had not watched and still to this date have not
20 seen.

21 I forwarded that information to CID, our
22 criminal investigation division, and notated that
23 he's been known to work at Club Zodiac.

24 So, essentially, I just gathered the
25 information for this Investigator Ethridge and

1 passed it on.

2 Q It says, "Work at Club Zodiac as a --

3 A Manager. Sorry.

4 Q Okay. And I just want to make sure that
5 the record's clear. You said that you identified
6 the white-in-color truck with SC tag 670 Charlie
7 Mike. Your incident report says 6087 Charlie Mike.
8 Is that --

9 A I'm sorry. Correction. 6087 Charlie
10 Mike.

11 Q Okay. Why did you end up going back to
12 Sunshine on the 11th? Did you just happen to get
13 the call?

14 A I was probably dispatched out there.

15 Q Okay. So it has nothing to do with the
16 fact that you responded on the 17th?

17 A Generally, no. No.

18 Q Did you do anything on this file between
19 when you went out there on the 17th and when you
20 went back out there on June 11th?

21 A No.

22 Q Now, this references a surveillance video
23 from Sunshine of the incident at the bottom of
24 your -- the first page of your 6/11/10 report.

25 You said the video that you have not been

1 able to watch and you still haven't watched.

2 A Oh, okay.

3 Q So was this the day that you actually
4 received a copy of that video on the 11th?

5 A It says I received video surveillance.
6 They may have given me a disc.

7 Q Okay. And is there any reason why you
8 would not have viewed the video?

9 A I may not have had the capabilities of
10 doing it of either through their system -- I know
11 we don't have any way to play it back in our patrol
12 car. So, one, they couldn't or, two, I couldn't.

13 Q Okay. Is there someplace once you get
14 back to the sheriff's department, if you walk in
15 and someone provides you with a disc of a
16 surveillance video, you can play it somewhere in
17 the sheriff's department?

18 A Not all the time. It depends on what
19 files we have on those computers. Certain people
20 only have certain permissions on computers. Even
21 in investigations, I don't have an opportunity to
22 play every video I get.

23 No, there was no way for me to watch it
24 when I received it.

25 Q Okay. In your supplemental incident

1 report you mention Mr. Goss. There's no mention of
2 Mr. Rich.

3 Do you recall if you talked to Mr. Rich
4 when you went back out to Sunshine on June 11th of
5 2010?

6 A I do not recall.

7 Q All right. In your supplemental, it
8 says, "Mr. Goss provided this unit with
9 photographic evidence of the subject and subject
10 vehicle at Sunshine selling the copper."

11 Do you have any independent recollection
12 of where he got this photographic evidence from?

13 A I do not.

14 Q Okay. Or would this have been
15 included -- are these the pictures that -- the
16 colored photos that are included in this file?

17 A It's possible.

18 Q And what I'm referring to are these --
19 what's in Exhibit 1. It looks like there's a --
20 colored photos of a black male in a white T-shirt
21 and jeans. The time stamped at the bottom is
22 5/17/2010 and it looks like the time is 8:51.

23 A Yes, ma'am.

24 Q Looking at that, is that the photographic
25 evidence you're referring to?

1 A I remotely recall seeing this photograph.

2 Yes, ma'am, I recall seeing that one.

3 Q And what about the picture at the bottom
4 which looks like of a shed out in a field?

5 A Yes, ma'am.

6 Q Do you know what that's a picture of?

7 A I don't recall.

8 Q Any idea if this would have been the
9 Aiken Electric facility where the copper was
10 originally taken from?

11 A No, ma'am, I don't believe so. It
12 says -- and if I remember correctly, I think they
13 said this was a possible address, but it looks to
14 be nothing out there.

15 Q A possible address for who?

16 A The -- Mr. Eugene James.

17 Q Okay. And then the next page are
18 additional photos of looks like just wiring,
19 aluminum and copper dated 5/18/2009. And, I'm
20 guessing, that is a typo since this happened in
21 2010?

22 A Again, I assume. I don't believe I took
23 these pictures myself.

24 Q Do you have any idea who took the
25 pictures?

1 A No, ma'am.

2 Q Okay. Have you seen these pictures
3 before?

4 A Yes, ma'am.

5 Q All right. And do you think these
6 pictures were provided by Mr. Goss?

7 Would these have been the photographs
8 that you're referring to in your report as provided
9 by Mr. Goss?

10 A I believe so.

11 Q And do you know what they're supposed to
12 be photographs of?

13 A Of the copper wire in question, if I'm
14 not mistaken, or at least samples of.

15 Q Yeah. And that's what I'm asking. Do
16 you know if this is supposed to be the samples
17 Mr. Goss had so he could match it to what was taken
18 from Aiken Electric or was this supposed to be the
19 stuff that was actually sold to Sunshine Electric
20 (sic) by the individual?

21 A I don't recall.

22 Q And then the third page of photographs,
23 at the top, I guess, is additional metal.

24 And do you have any idea what that's
25 supposed to be a picture of? And I'm referring to

1 the top photograph. Looks like there's some piping
2 and a thick wiring hanging over the -- some sort of
3 pipe in an arch.

4 A It appears to be a picture of some type
5 of wire or tube. I'm not sure exactly what that
6 picture's in reference to.

7 Q Okay. So this picture does not look
8 familiar to you?

9 A No, ma'am.

10 Q All right. And then the bottom photo
11 looks like it's the same as the previous picture of
12 wiring?

13 A Yes, ma'am.

14 Q Okay. So you recall seeing some of these
15 pictures but not all of them?

16 A Correct.

17 Q And you did not take any of these
18 pictures?

19 A No, ma'am.

20 Q And you're not sure who did?

21 A No, ma'am.

22 Q Okay. Did you at any point talk to
23 Ms. Huffman, the plaintiff in this case?

24 A No, ma'am.

25 Q Did you talk to anybody in this case

1 other than Mr. Rich and Mr. Goss?

2 A No, ma'am.

3 Q Okay. So you -- you didn't talk to any
4 other Sunshine Electric employees or any other --
5 I'm sorry -- Sunshine Recycling employees or any
6 other Aiken Electric employees?

7 A No, ma'am, none that I can recall.

8 Q Did you have any independent
9 conversations with Officer Ethridge regarding your
10 investigation?

11 A I believe I called him and told him that
12 I had done a followup and to look out for the --
13 for the paperwork in his office.

14 Q You think this was after your 5/17 report
15 or your 6/11 report?

16 A Probably my 6/11 report because it said I
17 forwarded it to CID. I do recall having a
18 conversation with Investigator Ethridge just
19 letting him know I had done something.

20 Q All right. Do you have any background on
21 this case and what Ms. Huffman is suing Sunshine,
22 Aiken and Orangeburg County for?

23 MR. GOINGS: Objection.

24 BY MS. WALKER:

25 Q You can answer.

1 A Okay. Remotely, yes, ma'am.

2 Q And what's your understanding of why
3 she's filed suit?

4 A That at -- she alleges Orangeburg County
5 unlawfully arrested her on a charge of theft.

6 Q Okay. And you know that -- did someone
7 tell you that or do you know that from seeing the
8 Complaint?

9 A I've been briefed in a prior deposition.
10 This was maybe a year ago.

11 Q What was the -- what deposition was that?

12 A I really can't remember. It was a while
13 ago, I think, when the case initially came up, they
14 advised me that I was involved because of my
15 supplemental reports.

16 Q And when you say "they," who are you
17 referring to?

18 A They -- Orangeburg County's attorneys.

19 Q Okay. So you met with Orangeburg
20 County's attorneys?

21 A Yes, ma'am.

22 Q But you were not actually deposed?

23 A No. No, ma'am.

24 Q Okay. So they met with you to say, hey,
25 you might be questioned on your involvement in this

1 case?

2 A Yes, ma'am.

3 Q Okay. Do you have any -- outside of what
4 we've already talked about in your role in this
5 investigation, do you have any independent
6 knowledge regarding the alleged unlawful arrest of
7 the plaintiff?

8 A No, ma'am.

9 Q Do you have any information whether
10 Ms. Meredith Huffman is the one that actually was
11 involved in the theft at Aiken Electric and the
12 subsequent selling of the metal to Sunshine?

13 A I'm not really sure as far as what became
14 of the investigation. I'm just aware of the -- of
15 this incident here, the alleged false arrest or
16 unlawful arrest.

17 Q Okay. And are you aware that she was
18 ultimately determined to not be the one that was
19 involved in the theft at Aiken Electric?

20 A No. Like I said, I hadn't followed the
21 case. I heard unofficially that they ended up
22 dropping the charges or something, but I didn't
23 know if she was deemed not guilty or what happened
24 with that.

25 Q Okay. Do you have any information or

1 knowledge as to whether Sunshine Recycling did
2 anything wrong in this case?

3 A No, ma'am.

4 Q Do you have any information or knowledge
5 as to whether Aiken Electric did anything wrong in
6 this case?

7 A No, ma'am.

8 Q All right. If you'd bear with me one
9 second. I just want to go through and see if
10 there's anything I missed on here.

11 Oh, I know what I meant to ask you about.
12 In your initial -- when you responded on May 17th,
13 you initially identified the subject as driving a
14 black Dodge pickup truck.

15 A Yes, ma'am.

16 Q Okay. Are you aware that it was later
17 determined from looking at the video that she was
18 driving a red Dodge pickup truck?

19 A No, ma'am.

20 Q Okay.

21 A I did not know that.

22 Q So you don't have any independent
23 knowledge or recollection as to why you would have
24 said black instead of red?

25 A If I recall correctly, it was the vehicle

1 that was pointed out to me on video.

2 Q Who -- pointed out to you by who?

3 A It would either be Mr. Rich or Mr. Goss.

4 And that's because -- it's because that's the

5 vehicle that showed up on camera.

6 I do remember them pointing out and

7 saying this vehicle is the one that came -- or

8 corresponds with this person with this load of

9 metal. And that was the information I was given at

10 that time.

11 Q Okay. So that vehicle, was this -- you

12 actually remember watching a video with them where

13 they pointed out a vehicle?

14 A I remember -- I remember watching a

15 video. I remember them pointing out a

16 corresponding vehicle.

17 I couldn't recall, honestly, without the

18 incident report what color it would be or any other

19 details.

20 But I do remember them pointing out a

21 vehicle and a person that they supposed

22 corresponded with that load of stolen material. So

23 that's all I know about that.

24 Q Okay. Do you know if this video that you

25 watched is the same video that you referred to with

1 Ms. Huffman at the payment window or was this a
2 video that you watched showing the vehicles back
3 where they drop off the metal?

4 A Again, I'm not exactly sure. I just
5 remember being advised that those were the
6 corresponding frames.

7 So I was instructed -- or I was told by
8 either Mr. Rich or Mr. Goss that that was the
9 vehicle that corresponded with Ms. Huffman.

10 Q Okay. You know Officer Ethridge,
11 obviously?

12 A Yes, ma'am.

13 Q And was he your supervisor in 2010?

14 A No, ma'am.

15 Q All right. So he was just the -- it was
16 his file? You just happened to be the responding
17 officer a couple of times on the file that he was
18 in charge of; is that fair?

19 A Kind of. The way our cases generally
20 flow is an officer will respond on scene. That
21 officer in this incident would have been Maurice
22 Huggins. That file will be assigned to a case
23 investigator, which would have been Investigator
24 Ethridge.

25 Between Investigator Ethridge and

1 Deputy Huggins getting those files, I responded as
2 a supplemental report taker mostly because neither
3 one of the officers at that time were available.

4 I know I was not on the same shift as
5 Deputy Huggins.

6 Q Okay.

7 A So, more than likely, I responded to get
8 information that he wouldn't be able to get
9 otherwise.

10 Q Okay. Are you aware that
11 Officer Ethridge has already been deposed? He's
12 actually been deposed twice in this case.

13 A No, ma'am, not until slightly before this
14 deposition.

15 Q Okay. Do you talk to Officer Ethridge
16 now?

17 A No, ma'am.

18 Q So have you had any conversation with
19 Officer Ethridge about this ongoing case?

20 A Not at all.

21 Q Okay. Let me -- I mean, I'll represent
22 to you that a large part of this case is this
23 surveillance video at the back of Sunshine
24 Recycling that actually shows who -- in the back
25 area that you're familiar with where they drop off

1 the metal.

2 And you said you've been out there
3 before?

4 A Yes, ma'am.

5 Q So you know that there's the front area
6 which also is where the customers go and get paid
7 and get their receipt for the metal, and then
8 there's the back area which is where the cars go
9 through and the metal's weighed and they drop it
10 off.

11 Is that an accurate, I guess, description
12 of Sunshine?

13 A Yes, ma'am.

14 Q Okay. And a large part of this case is
15 that there were surveillance video of the back area
16 that showed the actual individual dropping off the
17 metal, the individual that was later charged,
18 Mr. Eugene James.

19 Were you aware of that?

20 A I'm not really sure if I knew that at
21 that time. Now I'm aware of how the cameras are at
22 Sunshine, but ...

23 Only thing I knew was that the cameras
24 were in the front. I'm not sure I knew about the
25 ones in the back at that time.

1 Q Okay. You are now in investigations,
2 right?

3 A Yes, ma'am.

4 Q Which is the equivalent of what
5 Officer Ethridge would have been doing at the time
6 of this case?

7 A Similar, yes, ma'am.

8 Q And Officer Ethridge has already
9 testified that Ms. Huffman was arrested prior to
10 Officer Ethridge watching the surveillance video
11 from the back of Sunshine.

12 Were you aware of that?

13 A No, ma'am.

14 Q And then once he watched the surveillance
15 video in the back of Sunshine, they realized they
16 had the wrong person and the case was ultimately
17 dismissed, okay?

18 If you were investigating a case like
19 this, would there have been any reason for you to
20 arrest the plaintiff, Ms. Huffman, knowing that
21 there's a surveillance video at the back of
22 Sunshine prior to actually viewing that video?

23 MR. GOINGS: Object to the form of the
24 question. You can answer if you can.

25 THE WITNESS: And to understand your

1 question completely, you're asking what I
2 would do if I was in Investigator Ethridge's
3 shoes?

4 BY MS. WALKER:

5 Q Yes.

6 A As a general practice, I try to
7 investigate a case as fully as I possibly can given
8 the information I have at the time.

9 If I had known -- if I'm putting myself
10 in Investigator Ethridge's shoes -- that there was
11 additional video evidence, I would make an attempt
12 to view that prior to closing out my case.

13 That's just how I generally try to
14 operate. I can't really speak for what Officer --
15 sorry -- Investigator Ethridge did, but I try to
16 get as much information as I can before putting
17 down a warrant or closing out a case.

18 Q Okay. And you don't have any independent
19 recollection of this surveillance video showing the
20 back of Sunshine that I'm referring to?

21 A No, ma'am.

22 Q Other than your June 11th supplement
23 where it says you were provided a video and you
24 didn't have a chance to watch it?

25 A Correct.

1 MS. WALKER: That's all the questions I
2 have for you right now. Pope might have some.

3 MR. JOHNSON: I have a couple. Just a
4 few.

5 - - -

6 EXAMINATION

7 - - -

8 BY MR. JOHNSON:

9 Q I represent Aiken Electric. And as I
10 understand, listening to what you said in your
11 testimony, you were involved in this in a very
12 limited fashion and it's been some time ago, and
13 you recall -- you can read what's in your report,
14 but you have to rely upon that for what you've told
15 us?

16 A That's accurate.

17 Q Do you recall anything that you haven't
18 told us that was said by Mr. Goss of Aiken
19 Electric?

20 A The one thing that does stick out in my
21 head as far as my interaction with Mr. Goss was
22 that he imposed a sense of urgency on the case.

23 Q All right.

24 A I'm not exactly sure what had been done
25 or what conversation had transpired before my

1 interactions with him, but there did seem to be a
2 sense of urgency on his part to get some resolution
3 of the incident.

4 Q Let me ask you, is it unusual for victims
5 of crimes to want to see something happen?

6 A I'm sorry. Say that one more time.

7 Q Is it unusual for victims of crimes to
8 want to see law enforcement take action?

9 A Generally, victims are more pressed than
10 not to have law enforcement resolve their issue.

11 Q And I would assume law enforcement has to
12 do it at its own pace, but sometimes victims are
13 frustrated by the delay and the process and the
14 process of taking a case forward?

15 A Right. Right. And it's completely
16 common.

17 Q But do you, yourself, allow a victim's
18 sense of urgency to affect your proper
19 investigation of what's occurred?

20 A No.

21 Q Is it correct that when you -- when
22 there's been a crime committed, that you often
23 interview people who have knowledge of what
24 occurred? That's part of the investigative
25 process?

1 A Absolutely.

2 Q And do you count on those persons to
3 provide you with the information they know or think
4 they know?

5 A Yes. Absolutely.

6 Q Do you want them to tell you the truth as
7 they understand it?

8 A Yes.

9 Q And sometimes these people have the facts
10 right and sometimes they have them wrong?

11 MR. GOINGS: Object to the form of the
12 question.

13 THE WITNESS: The witness accounts are
14 generally perceived differently. You normally
15 would like to weed out the pertinent facts to
16 get the most accurate statement.

17 BY MR. JOHNSON:

18 Q Right. So sometimes what they tell you
19 turns out to be accurate and sometimes it turns out
20 to be mistaken and inaccurate?

21 A Correct.

22 Q Counsel was asking you about the video.
23 If there was a video that would have shown whether
24 or not this lady, Ms. Huffman, was involved in this
25 crime, would you have considered it important to

1 view it before making a determination as to whether
2 to arrest her?

3 MR. GOINGS: Object to the form of the
4 question. You can answer, if you can.

5 THE WITNESS: I'll have you clarify.
6 You're asking me, once again, what I would do
7 in Mr. Ethridge's position?

8 BY MR. JOHNSON:

9 Q Yeah.

10 MR. GOINGS: Same objection.

11 THE WITNESS: I would -- again, I would
12 attempt to obtain as much information as I
13 could to assist me in the case.

14 BY MR. JOHNSON:

15 Q Well, let me ask you directly, I guess.
16 Not referencing what you would do, but do you have
17 an opinion about what an investigator should do in
18 terms of when they make an arrest, should the
19 investigator, if he knows that there's a video that
20 would show whether the perpetrator was involved or
21 not, should the investigator review the video
22 before making the arrest?

23 MR. GOINGS: Object to the form of the
24 question.

25 THE WITNESS: It would behoove the

1 investigator to look at that video, yes, sir.

2 BY MR. JOHNSON:

3 Q Right. When you go -- when you get the
4 warrants issued, do you go to the magistrate's and
5 participate in the process of having a warrant
6 issued for people arrest?

7 A Yes, sir.

8 Q Is it your responsibility -- or who has
9 the responsibility as to whether to seek the
10 warrant or not seek the warrant? Is it the
11 investigating officer?

12 A Yes, sir.

13 Q And is it up to the investigating officer
14 to make a determination as to when and whether
15 there's sufficient information to seek an arrest
16 warrant?

17 A Yes.

18 Q And so that is a function of law
19 enforcement?

20 A Yes, sir, to investigate crimes
21 essentially.

22 Q Thank you.

23 MR. JOHNSON: That's all I have.

24 - - -

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- - -
EXAMINATION
- - -

BY MR. GOINGS:

Q Officer, my name is Robert Goings, and I represent Meredith Huffman. Are you aware that Orangeburg County Sheriff's Department is not a party to this case currently?

A I am.

Q As I understand, you completed two incident reports related to the incident; is that correct?

A Yes, sir.

Q And the first one is dated May 17th, 2010; is that correct?

A Yes, sir.

Q And the second one is dated June 11th, 2010; is that correct?

A Yes, sir.

Q And are both of these incident reports in front of you today?

A Yes, they are.

Q And they're included in what's been marked as Plaintiff's Exhibit Number 1 -- excuse me -- Deposition Exhibit 1, correct?

1 A Yes.

2 Q And are these two incident reports the
3 only incident reports that you created as a result
4 of this alleged theft?

5 A To my recollection.

6 Q Do you recall completing any other or any
7 additional incident reports?

8 A I do not.

9 Q And are these two incident reports
10 bearing the date of May 17th, 2010 and June 11,
11 2010 appear to be a true and accurate copy of that
12 report that you created on behalf of Orangeburg
13 County Sheriff's Department?

14 A Yes, sir.

15 Q Let's go to the first report, May 17th,
16 2010. Is it in front of you?

17 A Yes.

18 Q Is that your name and signature at the
19 bottom as the reporting officer?

20 A It is.

21 Q And this is the incident report -- the
22 first incident report you created when you met with
23 Mr. Rich at Sunshine Recycling and Mr. Mark Goss at
24 Aiken Electric, correct?

25 A Correct.

1 Q And that meeting occurred at Sunshine
2 Recycling; is that right?

3 A That's correct.

4 Q And based on information that you
5 received from Joseph Rich and Mark Goss, you were
6 told that Meredith Huffman was the suspect,
7 correct?

8 MR. JOHNSON: Object to the form of that
9 question.

10 MS. WALKER: Object.

11 THE WITNESS: I was advised that they
12 believed Ms. Huffman to be the suspect in the
13 incident.

14 BY MR. GOINGS:

15 Q Okay. So the answer's yes, correct?

16 A Yes.

17 MR. JOHNSON: Object to the form.

18 MS. WALKER: Object to the form.

19 BY MR. GOINGS:

20 Q Well, it says subject here, right, and
21 the name's Meredith Huffman right beside subject,
22 right?

23 A Yes.

24 MR. JOHNSON: Object to the form.

25 MS. WALKER: Object to the form.

1 BY MR. GOINGS:

2 Q Am I reading that correctly?

3 MR. JOHNSON: Object to the form.

4 THE WITNESS: In my -- in my particulars
5 box, I do have Ms. Huffman listed as suspect
6 number one.

7 BY MR. GOINGS:

8 Q Is anyone else listed as a suspect other
9 than Ms. Huffman?

10 A No, sir.

11 Q So in this narrative report, any time it
12 says subject, you're referring to Ms. Huffman,
13 correct?

14 A Correct.

15 Q And the information that you received in
16 order to determine that Ms. Huffman was a suspect
17 was from who?

18 A One more time, sorry.

19 Q In order to determine that Ms. Huffman
20 was a suspect, where did you get this information
21 from?

22 A From speaking with Mr. Joe Rich and
23 Mr. Mark Goss.

24 Q Okay. Did anyone else give you
25 information that Meredith Huffman was a suspect,

1 other than Mark Goss and Joseph Rich?

2 MR. JOHNSON: Object to the form.

3 THE WITNESS: No.

4 BY MR. GOINGS:

5 Q And when you met with Mr. Rich and
6 Mr. Goss, do you recall watching the surveillance
7 video; is that correct?

8 A Yes. Yes, sir.

9 Q Okay. And you -- sitting here today, you
10 physically recall reviewing the video, not just
11 that it's on your report? I mean, you remember
12 doing that, correct?

13 A I remember viewing a video. It's been
14 such a long time since I've reviewed this -- excuse
15 me -- I mean, almost four years.

16 I remember responding. I remember
17 viewing a video.

18 Q Okay. You wouldn't have written down on
19 your official incident report that you reviewed a
20 video if you didn't review a video, correct?

21 MR. JOHNSON: Object to the form.

22 THE WITNESS: Absolutely.

23 BY MR. GOINGS:

24 Q Absolutely not?

25 A I'm sorry. Absolutely not. Excuse me.

1 Q Okay. And you agree with me that it
2 would be improper to state on an incident report
3 that you reviewed a video when, in fact, you didn't
4 review a video?

5 MS. WALKER: Objection.

6 MR. JOHNSON: Object to the form.

7 THE WITNESS: Correct.

8 BY MR. GOINGS:

9 Q Okay. And did you review portions of the
10 video that Mr. Goss and Mr. Rich wanted you to see
11 or did you have access to review any and all
12 portions of the video?

13 MR. JOHNSON: Object to the form.

14 MS. WALKER: Object to the form.

15 THE WITNESS: I recall viewing a video
16 that was provided to me by Mr. Rich and
17 Mr. Goss.

18 BY MR. GOINGS:

19 Q And your report says, "Mr. Rich advised
20 that he would provide OCSO with a copy of the
21 video;" is that correct?

22 A Yes.

23 Q Okay. And was it your understanding that
24 it was Mr. Rich that was gonna provide a copy of
25 the video to your department?

1 A Yes.

2 Q And did you understand that your
3 department had to come back and make additional
4 efforts to get the video or that Mr. Rich would
5 provide that voluntarily to your department subject
6 to this investigation?

7 A I'm not sure. It just says he will
8 provide us with a copy. So whether he gave it to
9 us or we got it from him, I'm not a hundred percent
10 sure.

11 Q Okay. And at this meeting that you had
12 Mr. Rich and Mr. Goss, based on your incident
13 report, Mr. Goss verified to you that the metal at
14 Sunshine matched the samples that he brought in and
15 that the subject listed on the video was the person
16 that brought that metal in, correct?

17 MR. JOHNSON: Object to the form.

18 MS. WALKER: Object to the form.

19 THE WITNESS: Correct.

20 BY MR. GOINGS:

21 Q Okay. And, at this point, your
22 investigation on May the 17th, 2010, it's based on
23 what you're told by other people, correct?

24 A Yes, sir.

25 Q Okay. And you're taking what Mr. Goss --

1 A Goss.

2 Q -- Goss and Mr. Rich are telling you as
3 it's true, correct?

4 MR. JOHNSON: Object to the form.

5 MS. WALKER: Object to the form.

6 THE WITNESS: I was receiving information
7 because of a call from -- because of a call
8 for service to transport -- I mean, to give
9 the information to Deputy Huggins. So whether
10 it's true or not, I'm not a hundred percent
11 sure. I just took the information and passed
12 it on to the original investigating officer.

13 BY MR. GOINGS:

14 Q Okay. But you took the information from
15 them, correct?

16 A Yes.

17 Q Did you -- did you speak with or were you
18 in the presence of Meredith Huffman at the time you
19 went to meet Mr. Rich or Aiken Electric?

20 A No.

21 Q And then the next report that you
22 generated was June 11th, 2010, correct?

23 A That's correct.

24 Q And, at this time, there is a Subject 2,
25 and his name is Eugene James, correct?

1 A Correct.

2 Q Did you meet personally with Mr. Goss and
3 Mr. Rich at this date -- or on this date?

4 A My incident report shows I met with
5 Mr. Goss.

6 Q Did you meet with Mr. Rich at this date
7 or just Mr. Goss?

8 A According to my incident report, it just
9 says Mr. Goss.

10 Q And you were given a copy of the video
11 surveillance from Sunshine at that time?

12 A I was given a copy of surveillance.

13 Q And you didn't review it at that time?

14 A No.

15 Q You just took it back to the department?

16 A Correct.

17 Q Last sentence of your report in June
18 states that "the subject has been known to work at
19 Club Zodiac as a manager."

20 Did you -- did you know Eugene James at
21 this time?

22 A No, sir.

23 Q How did you come to gather the
24 information that the subject has been known to work
25 at Club Zodiac as a manager?

1 A It was given to me by another source. I
2 can't recall who it was at this time, though.

3 Q You testified that Mr. Goss of Aiken
4 Electric imposed a sense of urgency regarding this
5 case; is that correct?

6 A That's correct.

7 Q Is it -- well, explain what you meant by
8 that.

9 A He just -- I'm trying to think of the
10 best way to word this.

11 When I spoke with Mr. Goss, he expressed
12 to me that he wanted the sheriff's office to help
13 him conclude this case, probably a little more so
14 than normal. However, it's not uncommon for
15 someone to be antsy when their job is to recover
16 stolen property.

17 Now, he did say that he's been trying to
18 work with the sheriff's office to get this problem
19 resolved as soon as he possibly could.

20 Q Okay. I guess it's fair to say he was
21 eager to see that the sheriff's department arrest
22 someone for this alleged crime; is that right?

23 MR. JOHNSON: Object to the form.

24 THE WITNESS: Yes.

25

1 BY MR. GOINGS:

2 Q Okay. Have you ever reviewed the offense
3 report that was completed by James Ethridge in this
4 matter?

5 A No.

6 Q Are you familiar with what an offense
7 report is?

8 A Yeah. Just the one you're holding in
9 your hand? That's the supplemental report most
10 investigators would put into their narratives.

11 Q And you're an investigator now, correct?

12 A I am.

13 Q And in the course of your investigations,
14 do you complete offense reports?

15 A Generally. If there's something requires
16 followup, mostly like a call for service or
17 following up when we get the case, we usually will.

18 Q And is it generally true that offense
19 reports, the narrative section, is like a running
20 narrative as to -- or a diary of what you, as an
21 investigator, does on a day-to-day basis?

22 MR. JOHNSON: Object to the form.

23 THE WITNESS: We generally call them case
24 notes. Every time you make some kind of
25 progress in a case, you're supposed to put

1 down a case note just to keep a log or a, like
2 you said, diary as to what has happened in
3 that case.

4 BY MR. GOINGS:

5 Q And you would agree that those case notes
6 that are contained in the offense report almost
7 reads as if it's a narrative?

8 A Correct.

9 MR. JOHNSON: Object to the form.

10 BY MR. GOINGS:

11 Q Of what an officer or investigator seen,
12 heard, observed or did, basically, right?

13 A Yes.

14 Q Okay. Are you aware that
15 Officer Ethridge stated in his narrative of his
16 report that, quote, "At this time I'm not
17 comfortable with this case due to the witnesses
18 gave me false information the first time," end
19 quote.

20 Are you aware of that?

21 MR. JOHNSON: Object to the form.

22 MS. WALKER: Object to the form.

23 THE WITNESS: No.

24 BY MR. GOINGS:

25 Q But you've never read the offense report?

1 A No.

2 Q And based on what Investigator Ethridge
3 had at the time that he sought out the arrest of
4 Meredith Huffman, he had at that point your
5 investigative report of May 17th, 2010 that
6 indicates that you did review the video with
7 Joseph Rich and Mark Goss, correct?

8 MR. JOHNSON: Object to the form.

9 THE WITNESS: You're saying the May 17th,
10 2010?

11 BY MR. GOINGS:

12 Q Yes, sir.

13 A Yeah. I mean, it's the same supplemental
14 so, I assume, he would have access to my reports.

15 Q Okay. And it's routine and ordinary for
16 investigators to have access to any and all
17 supplemental reports that are existing at the time
18 prior to completing a warrant affidavit, correct?

19 MR. JOHNSON: Object to the form.

20 MR. GOINGS: Just let me finish my
21 question and you can object, okay?

22 MR. JOHNSON: Object to the form.

23 THE WITNESS: I wouldn't say it's
24 routine, but someone would have access to a
25 supplemental report prior to a warrant --

1 could have access.

2 BY MR. GOINGS:

3 Q I mean, you're an investigator now,
4 right?

5 A Right.

6 Q And before you go and submit a warrant
7 application -- application for an arrest warrant,
8 you review all incident reports that are existing
9 in the file, don't you?

10 MR. JOHNSON: Object to the form.

11 THE WITNESS: Personally?

12 BY MR. GOINGS:

13 Q Yes, sir.

14 A Yes, personally, I do.

15 Q And do you have any reason why
16 Officer Ethridge did not review the incident
17 reports that were in the file related to this
18 incident prior to issuing an arrest warrant?

19 A He didn't read them?

20 Q No. Do you have any reason that he
21 didn't? Do you know that he did or he didn't?

22 A I don't know if he did or not.

23 Q Is Officer Ethridge considered an
24 upstanding person?

25 MR. JOHNSON: Object to the form.

1 MS. WALKER: Object to the form.

2 THE WITNESS: My personal dealings with
3 him, he's been a good officer.

4 BY MR. GOINGS:

5 Q Okay. Do you have any reason to doubt
6 his trustworthiness or voracity?

7 MR. JOHNSON: Object to the form.

8 MS. WALKER: Same objection.

9 THE WITNESS: I've never had an issue
10 with Investigator Ethridge.

11 MR. GOINGS: Okay. Thank you so much. I
12 have no further questions.

13 MS. WALKER: No further questions.

14 MR. JOHNSON: I have one or two.

15 - - -

16 EXAMINATION

17 - - -

18 BY MR. JOHNSON:

19 Q You described this -- Mr. Goss's sense of
20 urgency. Do you know if that was displayed when
21 you met with him in May or met with him in June?

22 A I -- I'm not quite sure. It's been such
23 a long time. There was a sense of urgency.

24 What Mr. Goss explained to me was -- and
25 correct me if I'm wrong -- is he's employed by

1 Aiken Electric as either a corporate investigator
2 or he investigates their internal thefts.

3 Q Right.

4 A And he told me that he would like to see
5 something done. You said earlier that it's not
6 uncommon for someone to want to see something done,
7 especially within his line of work.

8 Now, that being said, he also expressed
9 to me that he was a reserve deputy sheriff and he
10 expected something to be done.

11 Now, that's pretty much the long and
12 short of it. I think I kind of shut him down. I
13 don't like being pushed in my investigations,
14 whether it be me on the road or me working an
15 actual case, but that's where I sensed his sense of
16 urgency was coming from.

17 Q As we sit here today, you don't know
18 whether he displayed it in May or displayed it in
19 June or displayed it both times?

20 A I believe it was in June.

21 Q Now, do you know why Investigator
22 Ethridge left the sheriff's department?

23 A He took employment elsewhere.

24 Q And it was just a voluntary resignation,
25 as far as you know?

1 A I don't know if he resigned in the sense
2 of "I don't want to work here anymore." I believe
3 he took a job at SLED.

4 Q Okay. You were asked about, by counsel
5 for the plaintiff, what you were told by Mr. Rich
6 and Mr. Goss about the involvement of Ms. Huffman,
7 and you were asked did they tell you that she was
8 the person who had taken -- who brought in the
9 stolen items.

10 A I was advised that she was the person
11 that brought in the items.

12 Q Let me ask you this: Would you look at
13 your May 17th, 2010 report? What in that report do
14 you note that you learned from Mark Goss?

15 A According to my report -- I'll try to
16 read it verbatim. "This unit met with Mark Goss of
17 Aiken Electric." It says, "He verified that the
18 metals at Sunshine matched samples that he had
19 brought."

20 Q Did you learn anything else from him that
21 day that you now recall?

22 A Just this one day.

23 Q Just that one sentence? Do you recall
24 anything else you had learned from him that day?

25 A No. He just advised that that was the

1 metal that was stolen, the metal that was found at
2 Sunshine.

3 Q Do you recall -- can you look at your
4 report and tell me what you learned from Mr. Rich
5 that you recorded that day?

6 A It says, "I met with Mr. Rich, owner of
7 Sunshine, in reference to the subject bringing in
8 metal that had been identified as stolen from the
9 victim."

10 Okay? So I met with him in reference to
11 a subject -- the subject, Ms. Huffman. Other than
12 that and him stating he will provide me with a copy
13 of the video and as to also what was shown to me on
14 camera, that's all that he really expressed to me.

15 Q All right. Do you recall whether
16 Mr. Rich told you about a Hispanic employee who had
17 reported this lady was the one who brought in the
18 stolen items?

19 MS. WALKER: Object to the form.

20 THE WITNESS: I don't recall.

21 BY MR. JOHNSON:

22 Q If a Hispanic employee told Mr. Rich
23 that, would you have wanted him to tell you?

24 MS. WALKER: Object to the form.

25 THE WITNESS: If he had any pertinent

1 information, I would like to have known.

2 BY MR. JOHNSON:

3 Q In other words, if someone told him
4 something, you would hope that he would express it
5 to you so you could consider it in your
6 investigation?

7 MS. WALKER: Object to the form.

8 THE WITNESS: Right.

9 MR. JOHNSON: That's all I have.

10 - - -

11 EXAMINATION

12 - - -

13 BY MR. GOINGS:

14 Q One followup. One quick followup.
15 Talking about officer -- excuse me -- Mr. Goss
16 representing that there was a sense of urgency, you
17 don't really know when he made that comment, do
18 you?

19 A I believe it was -- you know, I really
20 can't say definitely. I want to recall it was the
21 second incident, but I don't want to say anything
22 that I cannot exactly nail down.

23 But I do remember a sense of urgency
24 being pressed.

25 Q Well, you would agree with me that he

1 would make that type of statement before there was
2 an arrest, correct?

3 MR. JOHNSON: Object to the form.

4 THE WITNESS: I'm --

5 BY MR. GOINGS:

6 Q I mean --

7 A Generally -- I mean, most people wouldn't
8 press after an arrest is made.

9 Q And that's right. I mean, I guess what
10 I'm trying to figure out, why would someone press
11 to have someone arrested for a crime if they'd
12 already been arrested? So the comment would
13 logically have been made before there was any
14 arrest for this alleged incident, correct?

15 MR. JOHNSON: Object to the form.

16 THE WITNESS: But which arrest? And
17 that's the question I'm trying to figure out.
18 And I'm gonna have you clarify for me.

19 Now, the -- are we talking about
20 the -- the arrest of Ms. Huffman for this --

21 BY MR. GOINGS:

22 Q Or any arrest for this incident. Any
23 arrest whatsoever for this incident.

24 A Well, I mean, if he's a victim or
25 representing the victim, I would expect him to give

1 a certain sense of urgency to have some case
2 resolution.

3 Q Absolutely. But the sense of urgency to
4 have someone arrested for this crime, that -- those
5 types -- that comment would have been made before
6 there was any arrest --

7 MR. JOHNSON: Object to the form.

8 BY MR. GOINGS:

9 Q -- in this incident?

10 A It could have been. I'm trying to
11 exactly fish out your question.

12 You're asking me if that comment was made
13 before an arrest?

14 Q Yes.

15 A I don't know. It was made before one of
16 the two arrests because I have -- these are my only
17 two interactions with him.

18 Q And I'm not trying to trick you or
19 anything.

20 A No, I understand.

21 Q This happened four years ago, and there's
22 no notation of this type of comment, at least, in
23 your incident reports.

24 A Right.

25 Q But you do recall it happening. And you

1 don't know -- is it just fair to say you don't know
2 the date or time at which that statement was made
3 to you by Mark?

4 A Out of these two dates, I do not know the
5 date.

6 MR. GOINGS: Thank you.

7 MS. WALKER: Now I do have a followup.

8 - - -

9 EXAMINATION

10 - - -

11 BY MS. WALKER:

12 Q This sense of urgency that we've been
13 referencing over the course of your deposition, do
14 you recall there ever being a sense of urgency
15 pushing for the arrest of the plaintiff by Mr. Rich
16 or anybody at Sunshine Recycling?

17 A No.

18 Q And other than the initial May 17th visit
19 when you went out to Sunshine and Mr. Rich made
20 this surveillance video available for you to view,
21 did you have -- do you recall any other dealings or
22 interactions with Mr. Rich regarding this
23 incident?

24 A No.

25 MS. WALKER: That's all I have.

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MR. GOINGS: I think we're done.

MR. JOHNSON: Thank you.

- - -

(Witness excused.)

- - -

(Deposition concluded at 11:50 a.m.)

- - -

CERTIFICATE OF REPORTER

I, Tami I. Watters, Registered Professional Reporter and Notary Public for the State of South Carolina at Large, do hereby certify:

That the foregoing deposition was taken before me on the date and at the time and location stated on page 1 of this transcript; that the deponent was duly sworn to testify to the truth, the whole truth and nothing but the truth; that the testimony of the deponent and all objections made at the time of the examination were recorded stenographically by me and were thereafter transcribed; that the foregoing deposition as typed is a true, accurate and complete record of the testimony of the deponent and of all objections made at the time of the examination to the best of my ability.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof. Witness my hand, I have hereunto affixed my official seal this 5th day of February, 2014, at Lexington, Lexington County, South Carolina.


Tami I. Watters,
Registered Professional Reporter
Notary Public
State of South Carolina at Large
My Commission expires:
February 6, 2019

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STATE OF SOUTH CAROLINA

ISSUED BY THE COURT OF COMMON PLEAS

IN THE COUNTY OF ORANGEBURG

Meredith Huffman,

Plaintiff,

v.

SUBPOENA IN A CIVIL CASE

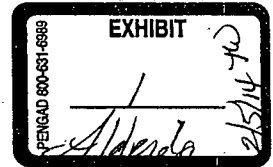
C.A. NUMBER: 2012-CP-32-03669

Sunshine Recycling, LLC and Aiken Electric Cooperative,
Inc.,

Defendants.

Pending in the county of Orangeburg

TO: Inv. Ashley Aldridge
Orangeburg County Sheriff Department
PO Drawer 9000
Orangeburg, SC 29116-9000



☐ **YOU ARE COMMANDED** to appear in the above named court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM/ DATE AND TIME

☒ **YOU ARE COMMANDED** to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

Gallivan, White & Boyd, P.A.
1201 Main Street, 12th Floor
Columbia SC 29201
803-779-1833

Wednesday, February 5, 2014
at 10:00 a.m.

☐ **YOU ARE COMMANDED** to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date, and time specified below:

PLACE

DATE AND TIME

☐ **YOU ARE COMMANDED** to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS SUIT IS HEREBY DIRECTED PURSUANT TO RULE 30 (b) (6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, AND MAY SET FORTH, FOR EACH PERSON SO DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED SHALL TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION.

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Breon C. M. Walker, S.C. Bar #72030
GALLIVAN, WHITE & BOYD, P.A.
P.O. Box 7368
Columbia, SC 29202
(803) 779-1833

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45 (c) (1) AND THAT NOTICE AS REQUIRED BY RULE 45 (b) (1) HAS BEEN GIVEN TO ALL PARTIES.

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

Attorney for Defendant, Sunshine Recycling, LLC

Date: January 24, 2014

SCCA FORM 254 (11/2013) (See Rule 45, South Carolina Rules of Civil Procedure, Part (c) & (d) on Reverse)

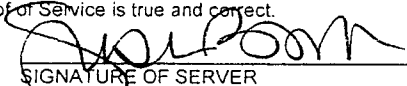
PROOF OF SERVICE

SERVED	DATE <u>01-22-14</u>	FEES AND MILEAGE TENDERED TO WITNESS ☐ YES ☐ NO AMOUNT \$
	PLACE <u>Orangeburg, SC</u>	
SERVED ON <u>Orangeburg County Sheriff Department</u>		MANNER OF SERVICE <u>Certified Mail</u>
SERVED BY <u>Susan Book</u>		TITLE <u>Paralegal</u>

DECLARATION OF SERVER

I certify that the foregoing information contained in the Proof of Service is true and correct.

Executed on 01/22/14


SIGNATURE OF SERVER

1201 Main Street, Suite 1200, Columbia, SC 29201
ADDRESS OF SERVER

Rule 45, South Carolina Rules of Civil Procedures, Parts (c) and (d).

(c) Protection of Persons Subject to Subpoenas.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial. A party or an attorney responsible for the issuance and service of a subpoena for production of books, papers and documents without a deposition shall provide to another party copies of documents so produced upon written request. The party requesting copies shall pay the reasonable costs of reproduction.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition, or production or inspection directed to a non-party, the court in the county where the non-party resides, is employed or regularly transacts business in person, shall quash or modify the subpoena if:

- i. fails to allow reasonable time for compliance; or
- ii. requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held; or
- iii. requires disclosure of privileged or otherwise protected matter and no exception or waiver applies; or
- iv. subjects a person to undue burden.

(B) If a subpoena:

- i. requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- ii. requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- iii. requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to incur substantial expense to travel from the county where that person resides, is employed or regularly transacts business in person, the court may, to protect person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) Duties in Responding to Subpoena.

(1)(A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which it is ordinarily maintained or in a reasonably useable form or forms.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(6)(B). The court may specify conditions for the discovery.

(2)(A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specific information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for determination of the claim. If the receiving party disclosed the information before being notified, the receiving party must take reasonable steps to retrieve the information. The person who produced the information must preserve the information until the claim is resolved.

BREON C. M. WALKER
DIRECT DIAL: 803-724-1700
BWALKER@GWBLAWFIRM.COM



Gallivan, White & Boyd, P.A.
ATTORNEYS AT LAW

1201 Main Street, Suite 1200
Post Office Box 7368 (29202)
Columbia, South Carolina 29201
Telephone 803.779.1833
Facsimile 803.779.1767
www.GWBlawfirm.com

January 22, 2014

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Inv. Ashley Aldridge
Orangeburg County Sheriff's Department
PO Drawer 9000
Orangeburg, SC 29116-9000

Re: Meredith Huffman v. Sunshine Recycling, LLC & Aiken Electric Cooperative, Inc.
Civil Action No.: 2012-CP-38-00672
GWB File No.: 4-1849

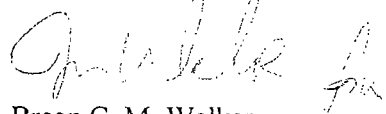
Dear Investigator Aldridge,

I hereby serve you with the enclosed Subpoena *duces tecum* in the above-referenced matter. Please note that your deposition is scheduled for **Wednesday, February 5, 2014 beginning at 10:00 a.m. in our office located at 1201 Main Street, 12th Floor, Columbia SC 29201.**

If you have any questions regarding this matter, please do not hesitate to contact me.

Very truly yours,

GALLIVAN, WHITE & BOYD, P.A.

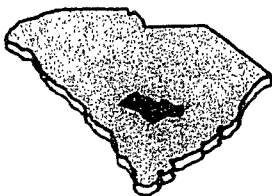


Breon C. M. Walker

BCMw/smb
Enclosures

cc: Robert F. Goings
GOINGS LAW FIRM, LLC
Post Office Box 436
Columbia, SC 29202

Pope D. Johnson, III
JOHNSON & BARNETTE, LLP
Post Office Box 11209
Columbia, SC 29211



COUNTY OF ORANGEBURG

2015 BROUGHTON STREET, ORANGEBURG, S.C. 29115

TELEPHONE 803/534-4487

FAX 803/534-2797

dannehaydel@sc.rr.com

COUNTY ATTORNEY

D'ANNE HAYDEL

COUNCIL MEMBERS

JOHNNIE WRIGHT, SR., CHM.

JANIE COOPER, VICE CHAIR

CLYDE B. LIVINGSTON

KEYWARD H. LIVINGSTON

WILLIE B. OWENS

JOHNNY RAVENELL

HARRY WIMBERLY

June 18, 2012

Via Fax 803 737-0042

Mr. Danny E. Parris

Assistant to the Claims Manager

Insurance Reserve Fund

Division of General Services

Post Office Box 11066

Columbia, South Carolina 29211

Re: Meredith Huffman v. Orangeburg County Sheriff's Department and
Sunshine Recycling, 2012-CP-38-00672
DOL 06022010

Dear Mr. Parris:

With this letter, please find the following pleadings which were served on the Orangeburg County Sheriff's Office on June 14, 2012: Summons and Complaint. The County submits this matter to the IRF as a covered claim and requests that it provide defense counsel to represent the interests of the Sheriff's Office.

The contact for this case is Karen Glover whose telephone number is (803) 533-5825. By copy of this letter to Ms. Glover, I am reminding her of the duty of the Sheriff's Office to cooperate with its insurer (the IRF) and assigned defense counsel.

Ms. Glover has gathered relevant documents and those documents are in my office. Please have assigned defense counsel contact me so I can make arrangements to get those documents to him/her.

Sincerely,

D'Anne Haydel

Enclosures

Cc Karen Glover, OCSO (w/o encls)

Risk Manager, Orangeburg County HR Department (w/o encls)

————— BUILDING A BRIGHTER FUTURE FOR OUR CITIZENS —————

ROA 399

Orangeburg County Sheriff's Office
Case Jacket Cover Sheet

COPY

Incident Date: 05/16/10 Case #: 2010005803

☒ A. Synopsis Sheet	☐ M. Evidence Room Receipts
☒ B. Case Summary	☒ N. Criminal History
☒ C. Incident/Supplemental Reports	☐ O. Updated Criminal History
☒ D. Booking Report	☐ P. Other Agencies Reports
☒ E. Warrants and Affidavits	☒ Q. Miscellaneous-Paperwork
☒ F. Wavier of Rights	
☒ G. Statement	
☐ H. SLED Analysis	
☐ I. Reports from other Agencies	
☒ J. Exhibits-including photos-charts	
☐ K. Vehicle Impound Sheet	
☐ L. Property Receipt	

Synopsis Sheet

Crime Location:

Victim(s)	Defendant(s)	Booking Date	Charge(s)
Aiken Electric	Meredith Huffman	06/02/10	Receiving Stolen Goods

Please Write A Brief Summary Of What Happened On The Lines Below

BASED ON AN INVESTIGATION BY THE ORANGEBURG COUNTY SHERIFF'S OFFICE, THE DEFENDANT, MEREDITH A HUFFMAN, DID VIOLATE SECTION 16-13-180 OF THE SOUTH CAROLINA CODE OF LAWS, RECEIVING STOLEN GOODS, IN THAT THE DEFENDANT DID RECEIVE COPPER AND ALUMINUM BELONGING TO AIKEN ELECTRIC VALUED AT LESS THAN \$1000, KNOWINGLY AT THE TIME THAT THE PROPERTY WAS STOLEN. THESE ITEMS WERE TAKEN FROM AIKEN ELECTRIC ON MAY 16, 2010 AND ON THE MORNING OF MAY 17, 2010 MEREDITH HUFFMAN WAS IDENTIFIED THROUGH VIDEO SURVEILLANCE SELLING THE ITEMS AT SUNSHINE RECYCLING. THIS INCIDENT DID OCCUR IN THE COUNTY OF ORANGEBURG, STATE OF SOUTH CAROLINA

Agency I.D.
SCO 380000

INCIDENT REPORT

INFORMATION
ONLY

CASE NUMBER

NCIC
INQ. EN

201010051803

INCIDENT TYPE		COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. <i>Trespassing</i>		☒ YES ☐ NO	☐ YES ☐ NO	<i>Parking</i>		☐ Individual ☐ Business ☐ Financial Inst ☐ Government ☐ Relig. Orgn. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.
2.		☐ YES ☐ NO	☐ YES ☐ NO			
3.		☐ YES ☐ NO	☐ YES ☐ NO			

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)		ZIP CODE		WEAPON TYPE	
<i>8381 North Rd North SC</i>		<i>29112</i>			
INCIDENT DATE	24 HR. CLOCK	TO DATE	24 HR. CLOCK	DISP. DATE	DISPATCH DATE/TIME 24 HR. CLOCK
<i>5-16-10</i>	<i>2130</i>	<i>5-16-10</i>	<i>2247</i>	<i>5-16-10</i>	<i>2201</i>
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		DEPART TIME	
<i>Rushon, Charles</i>				<i>2247</i>	
ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.
<i>8381 North Rd</i>		<i>North</i>	<i>SC</i>	<i>29112</i>	<i>04</i>
VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		DAYTIME PHONE	
<i>Aiken Electric</i>				<i>803-247-2121</i>	
HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.	

ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.
<i>8381 North Rd</i>		<i>North</i>	<i>SC</i>	<i>29112</i>	<i>04</i>
VISIBLE INJURY (VICT. 1)		EXPLAIN			
☐ YES ☐ NO					
VISIBLE (NO. 1) USING: ALCOHOL		YES ☐ NO ☐ UNK. ☐		COMPLAINT OF ANY NON-VISIBLE INJURIES: ☐ YES ☐ NO ☐	
TWO-MAN VEH. ☐		ONE-MAN VEH. ☐		DETECTIVE/SPL. ASMT. ☐	
OTHER ☐		ALONE ☐		ASSISTED ☐	

SUBJECT NO. 1	NAME (LAST, FIRST, MIDDLE)		RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
	<i>Unknown</i>		<i>U</i>	<i>U</i>	<i>U</i>	<i>U</i>	<i>UNK</i>	<i>UNK</i>	<i>UNK</i>	<i>U</i>	<i>U</i>
	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.										
	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.					
	<i>Unknown</i>		<i>Unknown</i>	<i>U</i>	<i>Unknown</i>						
SUBJECT NO. 2	SUBJECT (NO. 1) USING: ALCOHOL		YES ☐ NO ☐ UNK. ☐		ARRESTED NEAR OFFENSE SCENE		YES ☐ NO ☐		DATE/TIME OF OFFENSE		
	DRUGS: ☐ YES ☐ NO ☐ UNK. ☐		TYPE:		TOTAL # ARRESTED				DATE/TIME OF ARREST		

On 5-16-10 This deputy responded to the above incident type. Upon arrival I spoke to the complainant (Charles Rushon) and he stated that the security camera showed a unknown subject on the premise At the incident location. This unit conducted a security check of the incident location and did not locate the subject. Complainant stated that it is unknown if any items were taken.

I HAVE RECEIVED A COPY OF THE 1997 VICTIMS AND WITNESS SERVICES STATUTE.

Signature		Jurisdiction Of Trial Law Enforcement Agency		Jurisdiction Of Recovery Law Enforcement Agency	
TYPE (GROUP)					
STOLEN					TOTAL VALUE
DAMAGED					
BURNED					
RECOVERED					
SEIZED					

SUBJECT IDENTIFIED		SUBJECT LOCATED		REASON FOR EXCEPTIONAL CLEARANCE		DATE		UNIT NUMBER	
☐ YES ☒ NO		☐ YES ☒ NO		1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE-NO CUSTODY					
<i>Huggins, M</i>		<i>5-16-10</i>		<i>123</i>		<i>Sgt Hunter</i>		<i>5-16-10</i>	
						<i>5-17-10</i>		<i>C109</i>	

INQ

ROA 402

AGENCY I.D.
SC0 380000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

2010005803

INQ.

☐ ORIGINAL REPORT	☒ SUPPLEMENTAL REPORT	☐ ADDITIONAL VICTIMS	☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL	☐ CASE STATUS CHANGE	☒ ADDITIONAL OFFENDERS	☐ ADDITIONAL RECOVERED PROPERTY

PAGE 1 of 1

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.
	☒ VICTIM # 1	AIKEN ELECTRIC		#1	#2	#3	060 U				
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.					
	☐ RUNAWAY										
	☐ WANTED										
	☐ WARRANT										
	☐ ARREST										
	☐ JAIL										
	☐ SUMMONS										
	☐										
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.	DAY PHONE		EVENING PHC		
8381 NORTH RD		ORANVILLE		SC	29115	0					
☐ VICTIM NO. _____		☐ VISIBLE INJURY ☐ NO ☐ YES		☐ COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		☐ VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASMT. ☐ AL			
EXPLAIN:		☐ NO ☐ YES		☐ DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.		☐ ONE-MAN VEHICLE ☐ OTHER		☐ A:			
☐ SUBJECT NO. _____		☐ USING ALCOHOL ☐ NO ☐ YES		☐ USING DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.							

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.
	☒ VICTIM # 1	HEFFMAN, MEREDITH		#1	#2	#3	060 U	W F	40	10-8-71	
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.					
	☐ RUNAWAY										
	☐ WANTED										
	☐ WARRANT										
	☐ ARREST										
	☐ JAIL										
	☐ SUMMONS										
	☐										
ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.	DAY PHONE		EVENING PHC		
506 190 BW		ST MATTHEWS		SC	29135	5					
☐ VICTIM NO. _____		☐ VISIBLE INJURY ☐ NO ☐ YES		☐ COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		☐ VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASMT. ☐ AL			
EXPLAIN:		☐ NO ☐ YES		☐ DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.		☐ ONE-MAN VEHICLE ☐ OTHER		☐ A:			
☒ SUBJECT NO. 1		☐ USING ALCOHOL ☐ NO ☐ YES		☐ USING DRUGS: ☐ NO ☐ YES TYPE: ☒ UNK.							

NARRATIVE

THIS UNIT MET WITH JOSEPH REICH, OWNER OF SUNSHINE RECYCLING, IN REGAIN TO THE SUBJECT BIDDING 6 IN METAL THAT HAD BEEN IDENTIFIED AS STOLEN FROM THE VICTIMS. THIS UNIT MET WITH MARK CROSS OF AIKEN ELECTRIC VERIFY THAT THE METALS AT SUNSHINE MATCHED SAMPLES THAT HE HAD BROUGHT. THIS UNIT OBSERVED THE SUBJECT ON VIDEO AT THE PAYMENT EXCHANGE, AND THIS UNIT WAS ALSO PROVIDED WITH A COPY OF THE RECEIPT. MR REICH ADVISED THAT HE WOULD PROVIDE OCSO WITH A COPY OF THE VIDEO. THE SUBJECT WAS DRIVING A BLACK PODGE PICK-UP TRUCK SC TAG: AFB 106. THIS UNIT WILL FORWARD THIS TO

JURISDICTION OF THEFT
LAW ENFORCEMENT AGENCY

JURISDICTION OF RECOVERY
LAW ENFORCEMENT AGENCY

R/D REP HUIGENS.

VEH. / GUN / ETC. 1	STATUS		TYPE		VIN AND/OR LICENSE NO.		BOAT HULL NO. AND/OR REG. NO.	
	☐ STOLEN	☐ VEHICLE						
	☐ RECOVERED	☐ GUN						
	☐ FOUND	☐ BOAT						
	☐ TOWED	☐ LICENSE PLATE						
	☐ SUSPECT	☐ SECURITIES/BONDS, STOCKS						
	☐ VICTIM	☐ ARTICLE						
	SERIAL AND/OR OWNER APPLIED NO.		STATE		YEAR OF REGISTRATION		YEAR OF EXPIRATION	
	MODEL		STYLE		COLOR		MAKE	
	NIC NO.		DENOMINATION		ISSUER		SECURITIES DATE	
MISCELLANEOUS								

PROPERTY EST.	TYPE (GROUP)							TOTAL VALUE
	STOLEN							
	DAMAGED							
	BURNED							
	RECOVERED							
	SEIZED							

ADMINISTRATIVE	SUBJECT IDENTIFIED		SUBJECT LOCATED		☐ ACTIVE ☐ ADM. CLOSED		☐ ARRESTED UNDER 18		☐ EX-CLEAR UNDER 18	
	☒ YES ☐ NO		☐ YES ☒ NO		☐ UNFOUNDED		☐ ARRESTED 18 AND OVER		☐ EX-CLEAR 18 AND OVER	
	REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY									
	REPORTING OFFICER(S)		DATE		UNIT NUMBER		APPROVING OFFICER		DATE	
	A. ALDRIDGE		5-17-10		0100		S. S. DAVIS		5/17/10	
							FOLLOW-UP INVESTIGATION ☐ YES ☐ NO		OFFICER	

WHITE - RECORDS

YELLOW - S.I.E.D.

Date: 6/03/10
Time: 12:41:17

ORANGEBURG CO SO
Offense Report

Page:
Program: CMS30

Case Number . : 1-10-005803 Occur From Date: 5/16/10 21:59
Occur To Date . : 5/16/10 21:59 Day Of Week . : Sunday
Dept Class . . : Receiving Stolen Goods Case Status . : Administratively Clo
Case Status Dt : 6/03/10
Common Name . : AIKEN ELECTRIC, 8381 NORTH RD
City : NORTH,
Map Reference . : 30306706A Report Officer : HUGGINS, MAURICE
Report Date . . : 5/16/10 21:59 Entry Date . . : JORDAN, SANDRA 5/16

***** V E H I C L E I N F O R M A T I O N # 1 *****
Case number . : 1-10-005803 Make : DODGE
Color - Top . : BLUE

***** S U S P E C T / A R R E S T E E I N F O R M A T I O N - # 1

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time. : ETHRIDGE, JAMES 6/01/10 10:13

Case Number . : 1-10-005803 Prompt valid in: HUFFMAN, MEREDITH
Street Number :
City : ST MATTHEWS, SC 29135
Home Phone No. : 803/000-0000 Business Phone : 803/000-0000
Birth Date . . : 10/08/1971 38 Maximum Age . : 38
Social Security: Minimum Height : 508
Minimum Weight: 150 Juvenile . . . : ADULT
Race : White Sex : Female
Ethnic Origin : Non-hispanic

***** N A R R A T I V E # 1 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time. : ETHRIDGE, JAMES 5/18/10 16:31

SUPPLEMENTAL Reported By: ETHRIDGE, JAMES 5/18

I, SGT. ETHRIDGE, WAS ASSIGNED CASE NUMBER 2010005803 IN REFERENCE TO
SOME COPPER WIRE BEING TAKEN FROM AIKEN ELECTRIC COOPERATIVE.

THE FIRST OFFICER NOTED THAT HE RESPONDED TO THE LOCATION AND COULD
NOT DETERMINE IF ANYTHING WAS MISSING.

A SUPPLEMENTAL WAS THEN DONE BY DEPUTY HUGGINS, THE RESPONDING
OFFICER, SAYING THAT ITEMS WERE TAKEN FROM THE LOCATION. THE AMOUNT OF
ITEMS TAKEN WAS AROUND \$330. THE OFFICER ALSO NOTED THAT THE BUSINESS
DOES HAVE SURVEILLANCE CAMERAS AND A WHITE TRUCK WAS SEEN ON THE
VIDEO. ALSO THE OFFICER STATED THAT THE INCIDENT TYPE IS BEING CHANGED
TO BURGLARY.

THESE ELEMENTS DO NOT CONSTITUTE A BURGLARY; IT IS STILL A PETIT
LARCENY.

BECAUSE I AM FAMILIAR WITH MARK GOSS AND HE CONTACTED ME ABOUT THIS
CASE I AM GOING TO FOLLOW UP ON THE CASE.

Date: 6/03/10
Time: 12:41:17

ORANGEBURG CO SO
Offense Report

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1-10-005803 (Continued)

ALSO I OBTAINED A COPY OF THE VIDEO AND I DID NOT OBSERVE ANY SUSPECT VEHICLES. I DO OBSERVE A BLACK MALE FROM A DISTANCE WALKING ON THE PROPERTY AND OBTAINING PROPERTY FROM WORK TRUCKS. YOU CAN NOT IDENTIFY THE INDIVIDUAL FROM THE VIDEO.

I ALSO QUESTIONED MARK GOSS ABOUT THE WHITE TRUCK AND HE ADVISED ME THAT HE INFORMED THE OFFICER THAT ONE OF THEIR EMPLOYERS, CHUCK SPELLS, RODE BY THE INCIDENT LOCATION AROUND THE TIME OF THIS INCIDENT AND OBSERVED A WHITE FORD F-150 COMING FROM BEHIND THE FENCE AREA ON A PRIVATE ROAD BELONGING TO THE BUSINESS.

DEPUTY ALDRIDGE ALSO RESPONDED TO SUNSHINE RECYCLING IN REFERENCE TO THIS SAME CASE. HE MET WITH THE OWNER, JOE RICH, AND MARK GOSS, AIKEN ELECTRIC EMPLOYEE, IN REFERENCE TO A FEMALE SELLING THE METAL. THE OFFICER ADVISED THAT THE FEMALE IS A MEREDITH HUFFMAN AND SHE WAS DRIVING A BLACK IN COLOR DODGE TRUCK. THE OFFICER OBSERVED THE BUSINESSES VIDEO SURVEILLANCE AND OBSERVED HUFFMAN BRINGING THE MERCHANDISE IN AND SELLING IT TO SUNSHINE STEEL.

GOSS ADVISED ME THAT HE WENT TO THIS LOCATION ON THIS DAY TO INFORM THE COMPANY OF THEIR THEFT AND GIVE THEM SOME SAMPLES OF THE WIRE SO THAT THEY WILL KNOW WHAT WAS TAKEN. WHILE HE WAS THERE HE ACTUALLY SPOKE AND CARRIED ON A CONVERSATION WITH HUFFMAN WHILE SHE WAS WAITING TO GET PAID FOR THE ITEMS THAT SHE HAD JUST BROUGHT IN.

GOSS SAID THAT HE VIEWED THE ITEMS AFTER SHE LEFT AND IDENTIFIED THEM AS BEING THEIRS.

HUFFMAN WAS ALSO IDENTIFIED DUE TO HAVING TO PRESENT HER DRIVERS LICENSE TO MAKE THE TRANSACTION.

I HAVE OBTAINED A COPY OF THE TICKET THAT SHOWS THAT MEREDITH HUFFMAN SOLD ALUMINUM AND COPPER TO SUNSHINE IN THE AMOUNT OF \$53. ON THE RECEIPT IS THE ID NUMBER OF 007248484. I RAN THIS NUMBER AND IT COMES BACK TO MEREDITH HUFFMAN.

I ALSO MET WITH GOSS AT SUNSHINE ON MAY 18, 2010 SO THAT HE COULD OBTAIN THE PROPERTY. I DID PHOTOGRAPH THESE ITEMS AND THEY WERE RELEASED TO GOSS. GOSS ALSO SHOWED ME SAMPLES FROM THE INCIDENT LOCATION AND I ALSO PHOTOGRAPHED THEM. GOSS ALSO INFORMED ME THAT HE VIEWED THE REPORT DONE BY ALDRIDGE AND THE VEHICLE THAT HUFFMAN WAS IN WAS A RED DODGE TRUCK NOT BLACK. HE ADVISED THAT THE TAG NUMBER OF AFB106 WAS CORRECT.

I DID RUN THIS TAG AND THE VEHICLE IS A 2005 DODGE TRUCK REGISTERED TO JEFFREY MILLER AND MEREDITH HUFFMAN.

WHILE I WAS THERE I ALSO SPOKE WITH THE OWNER OF SUNSHINE AND HE ADVISED THAT HE HAS NOT YET OBTAINED ME A COPY OF THE VIDEO BUT HE WILL CALL THE COMPANY TO DO SO. HE ALSO ADVISED ME THAT HIS EMPLOYEES THAT WORK IN THE COPPER AREA ADVISED THAT HUFFMAN WAS THE INDIVIDUAL WHO BROUGHT THE MERCHANDISE IN AND THAT SHE WAS DRIVING A RED IN COLOR

Date: 6/03/10
Time: 12:41:17

ORANGEBURG CO SO
Offense Report

Page:
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1-10-005803 (Continued)

TRUCK.

I NEVER MADE CONTACT WITH HUFFMAN, DUE TO SHE LIVED IN CALHOUN COUNTY.

I ALSO SPOKE WITH SUNSHINE SEVERAL TIMES ABOUT THE VIDEO BUT THEY STILL DID NOT HAVE A COPY OF THE INCIDENT.

MARK GOSS ALSO CALLED ME SEVERAL TIMES ABOUT MOVING FURTHER WITH THE CASE.

ON MAY 21, 2010, I WAS ABLE TO SPEAK WITH JUDGE MURRAY IN REFERENCE TO THIS CASE AND I WAS ABLE TO OBTAIN A WARRANT ON MEREDITH HUFFMAN FOR RECEIVING STOLEN GOODS.

THE WARRANT IS IN NCIC AND CALHOUN COUNTY IS AWARE OF THE WARRANT.

ON JUNE 2, 2010 HUFFMAN DID COME IN AND TALK WITH ME. SHE WAS ADVISED OF HER RIGHTS AND AGREED TO TALK WITH ME. SHE DID GIVE ME A STATEMENT SAYING THAT SHE DID GO TO SUNSHINE BUT NONE OF THE ITEMS THAT SHE TOOK WITH STOLEN. HUFFMAN ALSO BROUGHT IN METAL SIMILAR TO WHAT SHE TOOK TO SUNSHINE AND PICTURES OF WHERE SHE GOT IT FROM.

HUFFMAN WAS SERVED WITH HER WARRANT.

I THEN LATER WAS CONTACTED BY ALLEN PRICE WITH THE SECURITY SERVICE ADVISING ME THAT HE WOULD MEET ME AT SUNSHINE TO VIEW THE VIDEO AND TO OBTAIN A COPY IF IT.

I DID GO AND MEET HIM. I DID OBSERVE HUFFMAN ON THE PROPERTY IN THE RED TRUCK. WE THEN WENT TO THE BACK AREA AND WATCHED THE VIDEO OF WHERE SHE TOOK THE ITEMS OFF OF HER TRUCK AND SHE DID HAVE SOME COPPER THAT RESEMBLES WHAT WAS TAKEN IN THE BACK OF HER TRUCK, BUT THE ALUMINUM WAS SHEETING NOT WIRE.

I THEN QUESTIONED THE OWNER, JOE RICH, AND HE ADVISED THAT HIS EMPLOYEES OBSERVED HUFFMAN WITH THE ITEMS AND HE ADDED THAT HE WOULD COME AND TESTIFY IN COURT.

I ADVISED HIM THAT AFTER VIEWING THE VIDEO, IT DOES NOT SHOW HER WITH THE SAME ITEMS THAT WAS TAKEN. DUE TO THESE FACTS THERE IS NOT ENOUGH EVIDENCE TO SUPPORT THIS CASE.

I WILL BE DISMISSING THESE CHARGES ON HUFFMAN.

I THEN LATER WAS CONTACTED BY MARK GOSS AND SUNSHINE SAYING THAT THEY DID GO BACK AND VIEW THE VIDEO AND THE SAME TIME HUFFMAN WAS AT THE LOCATION A BLACK MALE DRIVING A WHITE TRUCK CAME TO THE BUSINESS. HIS NAME IS EUGENE JAMES AND HIS SC TAG NUMBER WAS 6087CM.

I DID OBTAIN A COPY OF THIS TICKET AND ALL HIS INFORMATION FROM SUNSHINE.

Date: 6/03/10
Time: 12:41:17

ORANGEBURG CO SO
Offense Report

Page:
Program: CMS301

1-10-005803 (Continued)

AT THIS TIME I AM NOT COMFORTABLE WITH THIS CASE DUE TO THE WITNESSES GAVE ME FALSE INFORMATION THE FIRST TIME. GOSS SAYS HE CAN IDENTIFY THE PROPERTY BUT IT IS METAL AND IT IS NOT MARKED IN ANY WAY.

I DID GO AND SPEAK WITH JUDGE DASH ABOUT EUGENE JAMES. HE ADVISED THAT METAL IS METAL, UNLESS IT IS MARKED IN A SPECIFIC WAY THAT HE WOULD NOT ISSUE A WARRANT.

I HAVE SPOKEN TO GOSS IN REFERENCE TO THIS CASE AGAIN. I ADVISED HIM OF WHAT THE JUDGE STATED AND HE ADVISED THAT HE WOULD INFORM HIS PEOPLE. HE ADVISED THAT HE COULD IDENTIFY THE METAL. I ASKED HIM IF IT WAS A SPECIAL WIRE AND HE ADVISED THAT HE COULD NOT TELL YOU THAT THEY ARE THE ONLY COMPANY IN SOUTH CAROLINA THAT USES IT.

GOSS ALSO ADVISED ME THAT HE DID GO BY THE ADDRESS ON EUGENE JAMES S DRIVERS LICENSE BUT IT IS AN ABANDONED RESIDENCE.

I DID CHECK OUR SYSTEM AND I DID FIND AN ADDRESS ANOTHER ADDRESS IN HOLLY HILL.

I WILL ATTEMPT TO LOCATE JAMES ABOUT THIS INCIDENT ON A LATER DATE AND SEE IF HE WILL ADMIT TO IT.

THIS CASE IS CLOSED.

DUE TO THE CHARGES ARE GOING TO BE DROPPED ON THE ORIGINAL ARREST I AM ADMINISTRATIVELY CLOSING THIS CASE AT THIS TIME.

***** N A R R A T I V E # 2 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time. : CONNOR, EUGENE 5/19/10 10:22

ADDITIONAL NOTES

Reported By: CONNOR, EUGENE

5/19/10

I talked to Mr. Rushton on 5/18/10. Mr. Rushton stated that Mark Goss spotted their wire at sunshine. They have the identity of the woman who sold the wire. Quality Assurance check list was followed and everything was great. Mr. Rushton stated that you need three officers to cover that station.

***** END OF REPORT *****

Date: 6/01/10
Time: 10:15:00

ORANGEBURG CO SO
Offense Report

Page:
Program: CMS30

Case Number . : 1-10-005803 Occur From Date: 5/16/10 21:59
Occur To Date . : 5/16/10 21:59 Day Of Week . : Sunday
Dept Class . . : Receiving Stolen Goods
Case Status . . : Pending Arrest (Warrant Issued)
Case Status Dt : 6/01/10
Common Name . : AIKEN ELECTRIC, 8381 NORTH RD
City : NORTH,
Map Reference . : 30306706A Report Officer : HUGGINS, MAURICE
Report Date . . : 5/16/10 21:59 Entry Date . . : JORDAN, SANDRA 5/16

***** V E H I C L E I N F O R M A T I O N # 1 *****
Case number . : 1-10-005803 Make : DODGE
Color - Top . : BLUE

***** S U S P E C T / A R R E S T E E I N F O R M A T I O N - # 1

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time. : ETHRIDGE, JAMES 6/01/10 10:13

Case Number . : 1-10-005803 Prompt valid in: HUFFMAN, MEREDITH
Street Number : 1
City : ST MATTHEWS, SC 29135
Home Phone No. : 803/000-0000 Business Phone : 803/000-0000
Birth Date . . : 10/08/1971 38 Maximum Age . : 38
Social Security: Minimum Height : 508
Minimum Weight : 150 Juvenile . . . : ADULT
Race : White Sex : Female
Ethnic Origin : Non-hispanic

***** N A R R A T I V E # 1 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time. : ETHRIDGE, JAMES 5/18/10 16:31

SUPPLEMENTAL Reported By: ETHRIDGE, JAMES 5/18

I, SGT. ETHRIDGE, WAS ASSIGNED CASE NUMBER 2010005803 IN REFERENCE TO SOME COPPER WIRE BEING TAKEN FROM AIKEN ELECTRIC COOPERATIVE.

THE FIRST OFFICER NOTED THAT HE RESPONDED TO THE LOCATION AND COULD NOT DETERMINE IF ANYTHING WAS MISSING.

A SUPPLEMENTAL WAS THEN DONE BY DEPUTY HUGGINS, THE RESPONDING OFFICER, SAYING THAT ITEMS WERE TAKEN FROM THE LOCATION. THE AMOUNT OF ITEMS TAKEN WAS AROUND \$330. THE OFFICER ALSO NOTED THAT THE BUSINESS DOES HAVE SURVEILLANCE CAMERAS AND A WHITE TRUCK WAS SEEN ON THE VIDEO. ALSO THE OFFICER STATED THAT THE INCIDENT TYPE IS BEING CHANGED TO BURGLARY.

THESE ELEMENTS TO NOT CONSTITUTE A BURGLARY, IT IS STILL A PETIT LARCENY.

ALSO I OBTAINED A COPY OF THE VIDEO AND I DID NOT OBSERVE ANY SUSPECT VEHICLES. I DO OBSERVE A BLACK MALE FROM A DISTANCE WALKING ON THE

Date: 6/01/10
Time: 10:15:00

ORANGEBURG CO SO
Offense Report

Page:
Program: CMS30

1-10-005803 (Continued)

PROPERTY AND OBTAINING PROPERTY FROM WORK TRUCKS. YOU CAN NOT IDENTIFY THE INDIVIDUAL FROM THE VIDEO.

I ALSO QUESTIONED MARK GOSS ABOUT THE WHITE TRUCK AND HE ADVISED ME THAT HE INFORMED THE OFFICER THAT ONE OF THEIR EMPLOYERS, CHUCK SPELLS, RODE BY THE INCIDENT LOCATION AROUND THE TIME OF THIS INCIDENT AND OBSERVED A WHITE FORD F-150 COMING FROM BEHIND THE FENCE AREA ON A PRIVATE ROAD BELONGING TO THE BUSINESS.

DEPUTY ALDRIDGE ALSO RESPONDED TO SUNSHINE RECYCLING IN REFERENCE TO THIS SAME CASE. HE MET WITH THE OWNER, JOE RICH, AND MARK GOSS, AIKEN ELECTRIC EMPLOYEE IN REFERENCE TO A FEMALE SELLING THE METAL. THE OFFICER ADVISED THAT THE FEMALE IS A MEREDITH HUFFMAN AND SHE WAS DRIVING A BLACK IN COLOR DODGE TRUCK. THE OFFICER OBSERVED THE BUSINESSES VIDEO SURVEILLANCE AND OBSERVED HUFFMAN BRINGING THE MERCHANDISE IN AND SELLING IT TO SUNSHINE STEEL.

GOSS ADVISED ME THAT HE WENT TO THIS LOCATION ON THIS DAY TO INFORM THE COMPANY OF THEIR THEFT AND GIVE THEM SOME SAMPLES OF THE WIRE SO THAT THEY WILL KNOW WHAT WAS TAKEN. WHILE HE WAS THERE HE ACTUALLY SPOKE AND CARRIED ON A CONVERSATION WITH HUFFMAN WHILE SHE WAS WAITING TO GET PAID FOR THE ITEMS THAT SHE HAD JUST BROUGHT IN.

GOSS SAID THAT HE VIEWED THE ITEMS AFTER SHE LEFT AND IDENTIFIED THEM AS BEING THEIRS.

HUFFMAN WAS ALSO IDENTIFIED DUE TO HAVING TO PRESENT HER DRIVERS LICENSE TO MAKE THE TRANSACTION.

I HAVE OBTAINED A COPY OF THE TICKET THAT SHOWS THAT MEREDITH HUFFMAN SOLD ALUMINUM AND COPPER TO SUNSHINE IN THE AMOUNT OF \$53. ON THE RECEIPT IS THE ID NUMBER OF 007248484. I RAN THIS NUMBER AND IT COMES BACK TO MEREDITH HUFFMAN.

I ALSO MET WITH GOSS AT SUNSHINE ON MAY 18, 2010 SO THAT HE COULD OBTAIN THE PROPERTY. I DID PHOTOGRAPH THESE ITEMS AND THEY WERE RELEASED TO GOSS. GOSS ALSO SHOWED ME SAMPLES FROM THE INCIDENT LOCATION AND I ALSO PHOTOGRAPHED THEM. GOSS ALSO INFORMED ME THAT HE VIEWED THE REPORT DONE BY ALDRIDGE AND THE VEHICLE THAT HUFFMAN WAS IN WAS AN RD DODGE TRUCK NOT BLACK. HE ADVISED THAT THE TAG NUMBER OF AFB106 WAS CORRECT.

I DID RUN THIS TAG AND THE VEHICLE IS A 2005 DODGE TRUCK REGISTERED TO JEFFREY MILLER AND MEREDITH HUFFMAN.

ON May 21, 2010, I WAS ABLE TO SPEAK WITH JUDGE MURRAY IN REFERENCE TO THIS CASE AND I WAS ABLE TO OBTAIN A WARRANT ON MEREDITH HUFFMAN FOR RECEIVING STOLEN GOODS.

The warrant is in ncic and Calhoun County is aware of the warrant.

This case is closed pending an arrest.

Date: 6/01/10
Time: 10:15:00

ORANGEBURG CO SO
Offense Report

Page:
Program: CMS30

1-10-005803 (Continued)

***** N A R R A T I V E # 2 *****

*** SUPPLEMENT DETAILS ***

Report Emp/Dte/Time. : CONNOR, EUGENE 5/19/10 10:22

ADDITIONAL NOTES

Reported By: CONNOR, EUGENE

5/19

I talked to Mr. Rushton on 5/18/10. Mr. Rushton stated that Mark Goss spotted their wire at sunshine. They have the identity of the woman who sold the wire. Quality Assurance check list was followed and everything was great. Mr. Rushton stated that you need three officers to cover that station.

***** END OF REPORT *****

Date: 6/03/10
Time: 10:38:59

ORANGEBURG CO SO
Arrest Report

Page:
Program: CMS30

Case Number . : 1-10-005803-001 Name : HUFFMAN, MEREDITH
Address :
City/State/Zip : ST MATTHEWS, SC 29135
Home Phone No. : 803/000-0000 Business Phone : 803/000-0000
Other Phone No.: 803/000-0000 Birth Date/Age : 10/08/1971 38
Birth Cty/State: O Residency Type : State
Soc Sec Number : Adult/Juvenile : ADULT
Status : Suspect Race : White
Sex : Female Ethnic Origin : Non-hispanic
Height : 508 Weight : 150

***** A R R E S T I N F O R M A T I O N *****
Case Number . : 1-10-005803 Arrst Date/Time: 6/02/10 12:00
Day of Week . : Wednesday Arrest Type . : Taken Into Custody
Weapon Seized : None - Offense Only Arresting Ofcr : ETHRIDGE, JAMES

LOCATION INFORMATION

Case number . : 1-10-005803
***** C H A R G E I N F O R M A T I O N # 1 *****
Case Number . : 1-10-005803 State Classif : All Other Larcenies
Statute/Ordnce : 16-13-180 1

* * * * * E N D O F R E P O R T * * * * *

WARRANT AFFIDAVIT

CASE #: 2010005803

**RECEIVING STOLEN GOODS
16-13-180**

DEFENDANT: MEREDITH A. HUFFMAN

ADDRESS: SAINT MATHEWS SC 29135

DOB: 10/08/1971 **SSN:**

RACE: WHITE **SEX:** FEMALE **HGT:** 508 **WGT:** 150

VICTIM: AIKEN ELECTRIC

INCIDENT DATE: MAY 17, 2010

AFFIANT: INV. JAMES ETHRIDGE

WITNESS:

MAGISTRATE: Robert M. Munn **DATE:** 5-21-10 **TIME:** 11:15 AM

AFFIDAVIT

BASED ON AN INVESTIGATION BY THE ORANGEBURG COUNTY SHERIFF'S OFFICE, THE DEFENDANT, MEREDITH A HUFFMAN, DID VIOLATE SECTION 16-13-180 OF THE SOUTH CAROLINA CODE OF LAWS, RECEIVING STOLEN GOODS, IN THAT THE DEFENDANT DID RECEIVE COPPER AND ALUMINUM BELONGING TO AIKEN ELECTRIC VALUED AT LESS THAN \$1000, KNOWINGLY AT THE TIME THAT THE PROPERTY WAS STOLEN. THIS INCIDENT DID OCCUR IN THE COUNTY OF ORANGEBURG, STATE OF SOUTH CAROLINA.

ARREST WARRANT

M-213746

STATE OF SOUTH CAROLINA

☒ County/☐ Municipality of

Orangeburg

2010-3203

THE STATE

2010005803

against

Meredith Huffman

W600478535

Address:

Saint Matthews, SC 29135-

Phone:

SSN:

Sex: F

Race: W

Height: 5

8

Weight: 150

DL State:

DL #:

DOB: 10/8/1971

Agency ORI #: SC0380000

Prosecuting Agency: Orangeburg County Sheriff

Prosecuting Officer: James Ethridge - 0052

Offense: RSG / Receiving stolen goods, value less than \$1,000

Offense Code: 0512

Code/Ordinance Sec: 16-13-0180(1)

This warrant is CERTIFIED FOR SERVICE in the

☐ County/☐ Municipality of

The accused

is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant

on

Meredith Huffman
6-2-10

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Western Regional Magistrate
6357 Savannah Highway
P. O. Box 387
Neeses, SC 29107

RECEIVED

MAY 21 2010

WARRANT NUMBER

STATE OF SOUTH CAROLINA

☒ County/☐ Municipality of

Orangeburg

Personally appeared before me the affiant James Ethridge

being duly sworn deposes and says that defendant Meredith Huffman

did within this county and state on or about 05/17/2010

violate the criminal laws of

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of

Orangeburg

in the following particulars:

DESCRIPTION OF OFFENSE RSG / Receiving stolen goods, value less than \$1,000

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

Based on an investigation by the Orangeburg County Sheriff's Office, the defendant, Meredith Huffman did violate section 16-13-0180 of the South Carolina Code of Laws, Receiving Stolen Goods, in that the defendant did receive copper and aluminum belonging to Aiken Electric and valued at less than \$1000.00, knowing at the time that the property was stolen. This incident did occur in the county of Orangeburg, state of South Carolina.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/☐ Municipality of

Orangeburg

Affiant's Address P. O. Box 9000

Orangeburg, SC 29116-

Affiant's Telephone (803)531-4647

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe

on or about 5/17/2010

defendant Meredith Huffman

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/☐ Municipality of

Orangeburg

) as set forth below.

DESCRIPTION OF OFFENSE: RSG / Receiving stolen goods, value less than \$1,000

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him/her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or soon thereafter as is practicable.
Sworn to and subscribed before me

on 05/21/2010

Signature of Issuing Judge

Richard Murray

Judge Code: 5796

Judge's Address 1540 Ellis Avenue

Orangeburg, SC 29116-9000

Judge's Telephone (803)533-5879

Issuing Court: ☒ Magistrate☐ Municipal☐ Circuit

ORIGINAL

Form Approved by
S.C. Attorney Gen.
April 21, 2003
SCCA 516

ROA 413

STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)

ORANGEBURG COUNTY SHERIFF'S OFFICE
CRIMINAL INVESTIGATIVE DIVISION

Place: CTD Date: 12/2/10 Time: 1016

THESE ARE YOUR RIGHTS. PLEASE READ CAREFULLY

BEFORE WE ASK YOU ANY QUESTIONS, YOU MUST UNDERSTAND YOUR RIGHTS.
Please initial beside each sentence.

- MH 1. You have the right to remain silent, anything you say can be used against you in court.
- MH 2. You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.
- MH 3. If you cannot afford a lawyer, one will be appointed for you before any questioning if you wish.
- MH 4. If you decide to answer questions without a lawyer present, you will still have the right to stop answering at any time.
- MH 5. You also have the right to stop answering at any time until you talk to a lawyer.

I UNDERSTAND MY RIGHTS.

[Signature]
Signature

WAIVER OF RIGHTS

I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

[Signature]
Signature

[Signature]
Witness

[Signature]
Witness

ORANGEBURG COUNTY SHERIFF'S OFFICE
CENTRAL INVESTIGATIVE DIVISION
DEFENDANT AFFIDAVIT

Date: 2/2/10 Time: 1020 Place: CID
Defendant Name: Meredith Huffman SSN: _____
Age: 38 Date of Birth: 12/18/71 Phone Number 874-1861
Address St. Matthews 34129135

I understand my rights and have initialed each. I have been advised of the rights
by Sgt. E. H. Smith of the Orangeburg County Sheriff's Office, and wish
to make the following statement.

The copper and aluminum about 1 inch thick to Sanokini
was taken off a mobile phone that was sitting
on a table. I would like to know if it is a mobile phone and
sitting. I would like to know if it is a mobile phone and
sitting anything.

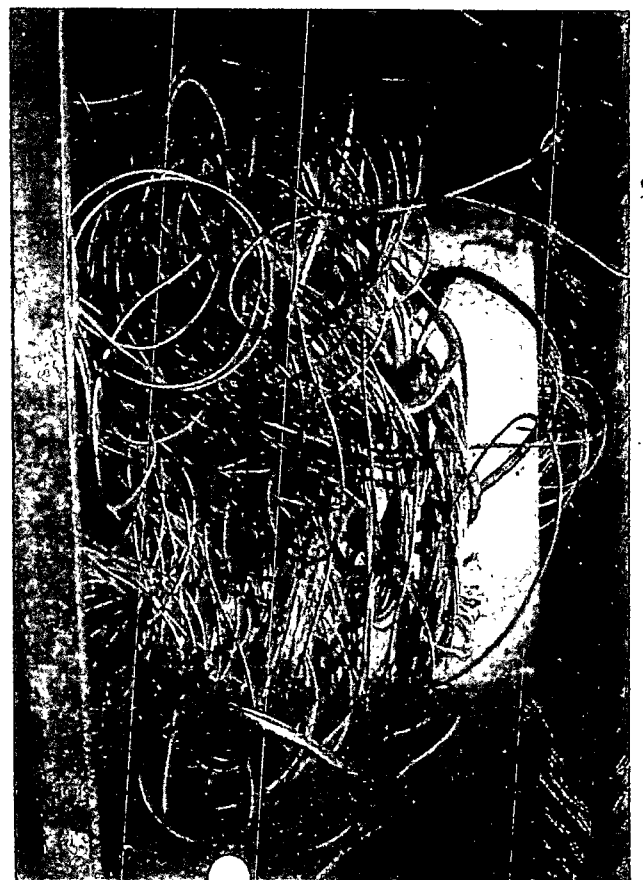
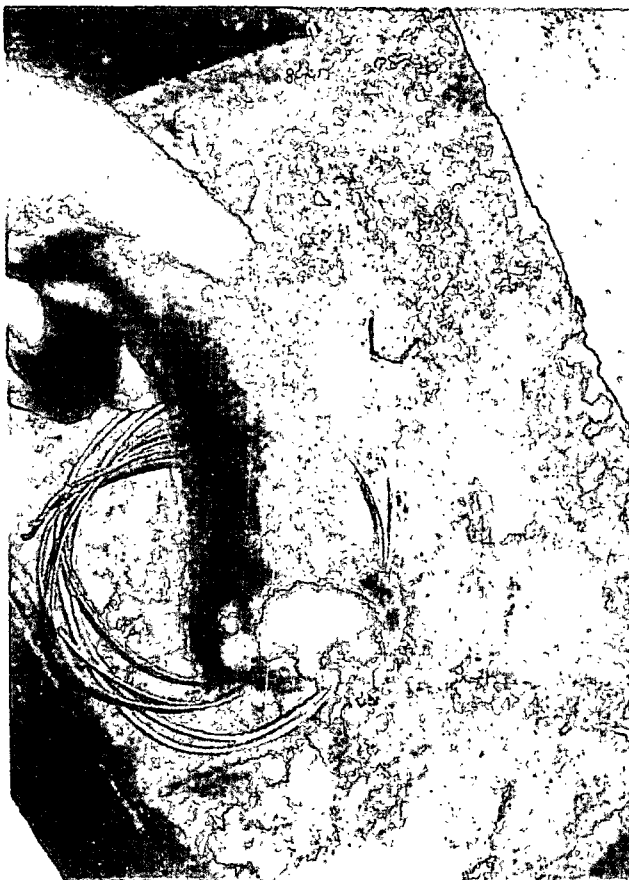
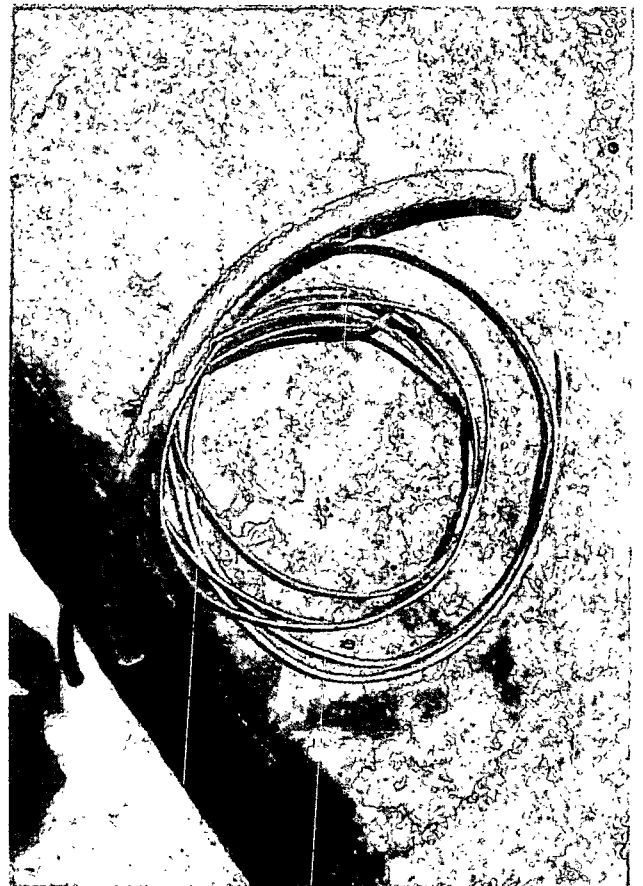
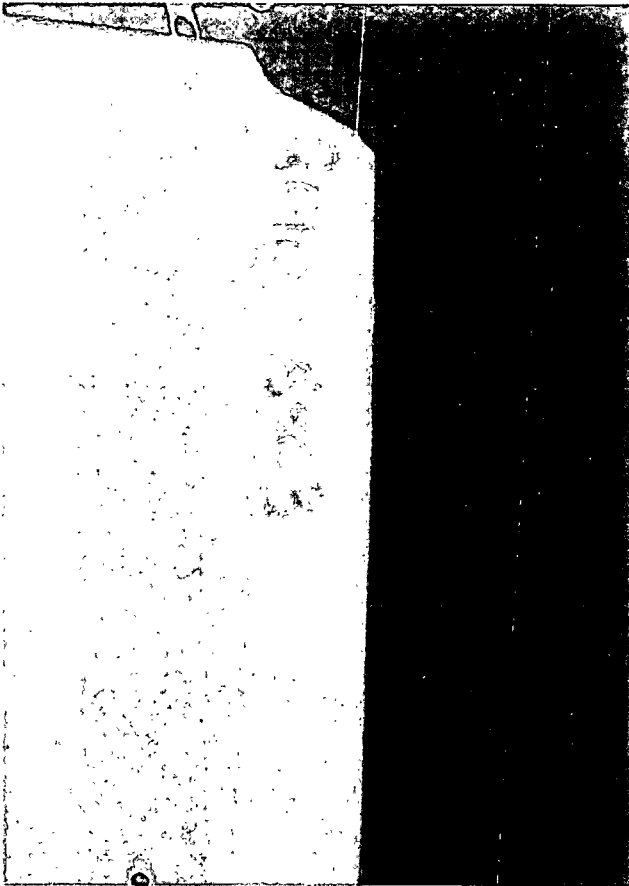
Page 2 Defendant Affidavit

[The body of the page contains approximately 25 horizontal lines. A large, diagonal handwritten 'X' is drawn across the entire section, indicating that the content has been redacted or is otherwise void.]

have read the above thoroughly. I have made the necessary corrections to each to make this a factual and accurate record.

Signature of Defendant





Reference: 02X000000K
Msg Key : QWA
Date/Time: 20100601111559
Source : NC2K

02X000000K.NC2K.QWA.20100601111559.
TO: ORGSO001-00180321 20100601 11:15:59 0006F3C0F1
FROM: NC2K 20100601 11:15:58
1L01137E012B7C2QWA
SC0380000

***MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT LIMITATIONS.
MKE/WANTED PERSON

2 - LIMITED EXTRADITION SEE MIS FIELD

ORI/SC0380000 NAM/HUFFMAN, MEREDITH SEX/F RAC/W DOB/19711008

HGT/508 WGT/150 EYE/BRO HAI/BRO

SOC/

OFF/STOLEN PROPERTY

DOW/20100521 OCA/2010005803

WNO/M213746

NOA/N

MIS/WARRANT FOR RECEIVING STOLEN GOODS LESS THAN \$1000 WILL EXTRADITE SC NC GA

MIS/AND SURROUNDING COUNTIES

DNA/N

ORI IS ORANGEBURG CO SO ORANGEBURG 803 534-3550

AKA/SALLEY, MEREDITH

AKA/HUFFMAN, MERIDETH

AKA/HUFFMAN, MERIDETH ANN

NIC/W600478535 DTE/20100521 1236 EDT DLU/20100521 1241 EDT



Current Plate

VIN: 1D7HA18D75S128203
Empty Weight: 4834

Year: 2005

Make: DODG

Model: RAM

Body: TK

Title Number: 772060193919695B
Status: CURRENT TITLE

Issue Date: 07/08/2008

Dup: N

Owner Number:

Owner Name: MILLER, JEFFREY LEE

Owner Relationship: OR

Owner Address:

SAINT MATTHEWS SC, 291357664

Owner Number:

Owner Name: HUFFMAN, MEREDITH A

Owner Relationship: OR

Last Transaction: RENEW REGISTRATION

Plate Number: AFB106

Date of Issue: 08/03/2009

GVW: 6000

County: 9 - CALHOUN

Vehicle Housed Address:

Plate Class: RP1 REGULAR PLATE

Plate Exp Date: 07/31/2010

Empty Weight: 4834

Municipality: 0

SAINT MATTHEWS SC, 291357664

Vehicle Type: 5

Decal Exp Date: 07/31/2010

Equip Number:

School District: 00

Annual Fee: \$60.00

End of Report



South Carolina
Department of Motor Vehicles

SCDMV

[DMV Home](#) > [Member Services Menu](#) > Driver Photograph

3159: Account number not authorized for data requested.

Step 2: Transaction Complete

MEREDITH A HUFFMAN

SAINT MATTHEWS, SC 29135-7664

DL: ()
SSN: ()
DOB: 10/8/1971



Meredith A Huffman

South Carolina Department of Motor Vehicles
5/18/2010 4:03:51 PM



3 YEAR DRIVER RECORD



Customer No:		Driver License No:	
Name:	HUFFMAN, MEREDITH A		
Address:			
City:	SAINT MATTHEWS	State: SC	Zip: 291357664
County:	CALHOUN		
DOB: 10/08/1971		Sex: F	Driver Training: N
Status - DL: NO SUSPENSION		CDL: NO DISQUALIFICATION	

License Information

Type	Class	Function	Issued	Expires	First Issued	Restrictions	Endorsements
Current							
DL	D	Renewal	10/05/2006	10/08/2016	05/28/1992	N	N
Prior							
DL	D	Renewal	10/09/2001	10/08/2006	05/28/1992	N	N
DL	D	Duplicate	05/13/2003	10/08/2006	05/28/1992	N	N

Point Summary

Total Current Points:	2
Driver Credit:	-0
Adjusted Current Points:	2

VIOL: 421 - Speeding 10-mph or less

Violation: 09/04/2009 **Conviction:** 09/17/2009

ACD: S51 **Conviction Loc Ref:**

Conviction State: SC

Recd: 09/28/2009

Conviction Reference:

Court Type: MAG

Violation Points: 2 **Current Points:** 2

Ticket#: E092281

Post: 10/16/2009

End of Report



3 YEAR DRIVER RECORD



Customer No: 24670010		Driver License No:	
Name: MILLER, JEFFREY LEE			
Address:			
City: SAINT MATTHEWS		State: SC	Zip: 291357664
County: CALHOUN			
DOB: 03/19/1966		Sex: M	Driver Training: N
Status - DL: NO SUSPENSION		CDL: NO DISQUALIFICATION	

License Information

Type	Class	Function	Issued	Expires	First Issued	Restrictions	Endorsements
Current							
DL	D	Renewal	03/18/2008	03/19/2018	03/03/1997	N	N
Prior							
DL	D	Renewal	02/19/2003	03/19/2008	03/03/1997	N	N
DL	D	Renewal	04/13/1998	03/19/2003	03/03/1997	N	N
DL	D	Duplicate	02/07/2001	03/19/2003	03/03/1997	N	N
DL	D	Returned	04/13/1998	03/19/2003	03/03/1997	N	N

Point Summary

Total Current Points:	0
Driver Credit:	-0
Adjusted Current Points:	0

End of Report



Customers at Same Residence

Customer Number: -----
Birthdate: 10/08/1971

MEREDITH A HUFFMAN
SAINT MATTHEWS, SC 29135-7664

Customer Number: -----
Birthdate: 03/19/1966

JEFFREY LEE MILLER
SAINT MATTHEWS, SC 29135-7664

End of Report

Reference: 02X900001M
Msg Key : XLIC
Date/Time: 20100517092847
Source : DMV

C120

02X900001M.DMV.XLIC.20100517092847.
TO: ORGSO002-00594494 20100517 09:28:47 001EBCF04D
FROM: DMV 20100517 09:28:47
TXLIC SC0380000137F026AD6
XLIC
DL NO
HUFFMAN, MEREDITH A

SAINT MATTHEWS SC 291357664 CALH CNTY
SEX F HGT 5 06 WGT 190 BIRTH 10/08/1971
SSN RACE WHITE
STATUS-DL:NO SUSPENSION CDL:NO DISQUALIFICATION
DRIVER LICENSE CLASS D ISSUED 10/05/2006
** MORE **

Reference: 02X900001M
Msg Key : XLIC
Date/Time: 20100517092848
Source : DMV

02X900001M.DMV.XLIC.20100517092848.

TO: ORGSO002-00594495 20100517 09:28:48 001EBCF04E

FROM: DMV 20100517 09:28:47

TXLIC SC0380000137F026AD6

XLIC

OLN =

SUSP CAUSE BEGIN END

97 01/04/1996 04/30/1996 05/29/1996

97 09/01/1995 03/03/1996 03/27/1996

** END OF INQUIRY **

Reference: 02X900001R
Msg Key : XTAG
Date/Time: 20100517092920
Source : DMV

C/20

02X900001R.DMV.XTAG.20100517092920.

TO: ORGSO002-00594497 20100517 09:29:20 001EBCF05C
FROM: DMV 20100517 09:29:20

TXTAG SC0380000137F026AD7

XTAG

2000 AFB106 VALIDATION AFB106 TAG EXP 07/2010 DECAL EXP 07/2010
2005 DODG TK RAM VIN 1D7HA18D75S128203 EMPT WGT 004 GVW 006000
MILLER, JEFFREY LEE

SAINT MATTH SC 291357664 CALH CNTY

ALTERNATE TAG YEAR

TTL: 772060193919695 B TTL ISSUE DT: 07/08/2008 SALES PRICE: \$0.00

1ST LIEN: GMAC

LIEN DT: 06/26/2008

ADDR1: PO BOX 8132

CITY : COCKEYSVILLE

ST: MD

James Ethridge

From: Mark Goss [MGoss@aiken-co-op.org]
Sent: Monday, May 24, 2010 7:17 AM
To: 'jethridge@orangeburgcounty.org'
Subject: copper update \$

Good morning Bill, For the North Office breakin (5/16/10) the amount is \$463.19.

	Pounds	Price/Pounds	Total
1/0 CU Bare Stranded	8	\$4.68	\$37.44
# 2 Solid Copper	12.5	\$5.42	\$67.75
# 6 Solid Copper	50	\$4.82	\$241.00
# 6 Aluminum Tie Wire	50	\$2.34	\$117.00
		Total	\$463.19

Thanks Mark Goss (Aiken Electric)

CONFIDENTIALITY NOTICE:

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44-22147-000



Sunshine Recycling
1105 Southland Road
Orangeburg, S.C. 29115
803-531-4402

91776

Purchased / Sold Eugene James

Vehicle Plate ACE 700
ID # 004355797 Date _____

Item	Price	Amount	Quantity
Eare/Bright	3.20	39.20	
No. 1 Copper			
No. 2 Copper			
Light Copper	2.30	39.10	
Insulated # 1			
Insulated # 2			32 17 L COPPER
Yellow Brass			
Red Brass			
Plumber Brass			
Hard Brass			
Auto Rad.			
Irony Auto Rad.			
A/C Rad.			
Irony A/C			
Aluminum (O.S.)	40	30.00	
Aluminum (N.S.)			
Aluminum (ext.)			
Aluminum (MLC)			
Aluminum (Cast)			
Aluminum (Painted)			
Aluminum (L. Irony)			
Aluminum (H. Irony)			
Aluminum Cans			30
Stainless Steel (304)			
Stainless Steel (316)			
Heater Coils			37
TOTAL			

WEIGHED BY 0000

PRINT NAME _____

SIGNATURE Eugene James

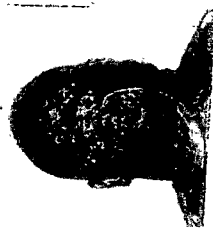
I acknowledge that
I have read and understand the terms and
conditions on the back of this form.

3 SAFETY - LITHO USA Form No. 85-3AW09CS000701 4M10

SOUTH CAROLINA
DEPARTMENT OF MOTOR VEHICLES
IDENTIFICATION CARD
JAMES EUGENE

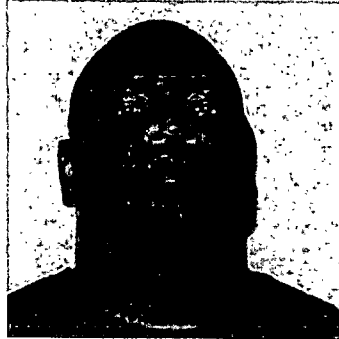
DL# _____
Expires: 08-25-2013
NORTH SC 281128376

NOT A DRIVER'S LICENSE
Sex: M Hgt: 5-09 Wgt: 290
DOB: 12-19-1973
Issued: 06-25-2008 38038.02





3 YEAR DRIVER RECORD



Customer No:		Driver License No:	
Name:	JAMES. EUGENE		
Address:			
City:	ORANGEBURG	State: SC	Zip: 291153414
County:	ORANGEBURG		
DOB: 12/19/1973		Sex: M	Driver Training: N
Status - DL: NO SUSPENSION		CDL: NO DISQUALIFICATION	

License Information

Type	Class	Function	Issued	Expires	First Issued	Restrictions	Endorsements
Current							
DL	D	Modify	12/07/2009	12/19/2016	07/11/1991	N	N
BP	M	Renewal	03/29/2001	03/29/2002	03/29/2001	N	N
Prior							
DL	D	Renewal	02/15/2006	12/19/2016	07/11/1991	N	N
DL	D	Reissue	02/15/2006	12/19/2016	07/11/1991	N	N
DL	D	Duplicate	05/18/2009	12/19/2016	07/11/1991	N	N
DL	D	Renewal	12/15/2000	12/19/2005	07/11/1991	N	N
DL	D	Duplicate	10/01/2001	12/19/2005	07/11/1991	N	N
DL	D	Duplicate	11/07/2003	12/19/2005	07/11/1991	N	N

Address Change -

Address:		Date Changed: 12/07/2009
City: NORTH	State: SC	Zip: 291128376

Point Summary

Total Current Points:	0
Driver Credit:	-0
Adjusted Current Points:	0

VIOL: 560 - Failure to Pay Traffic Ticket or Appear
Violation: 10/29/2007 **Conviction:** 11/08/2007
ACD: D56 **Conviction Loc Ref:** 589
Conviction State: SC

Ticket#: C846639
Recd: 01/14/2008 **Post:** 01/14/2008
Conviction Reference:
Court Type: UNK

3 YEAR DRIVER RECORD

Customer No:

Name: JAMES, EUGENE

Driver License No:

SUSP: 097 - Failure to Pay Traffic Ticket

Suspension Beg: 02/03/2008

Causal: 10/29/2007

Ticket Paid: 05/18/2009

ACD: D56 **Court Name:** CENTRAL TRAFFIC COURT

Court Address: PO BOX 9000

City: ORANGEBURG

Phone No: 803-533-5848

State: SC

Zip: 29116

Ticket#: C846639

Suspension End: 05/18/2009

Post: 01/14/2008

Compliance Received: 05/18/2009

VIOL: 560 - Failure to Pay Traffic Ticket or Appear

Violation: 08/19/2007

Conviction: 09/25/2007

ACD: D56 **Conviction Loc Ref:** 509

Conviction State: SC

Ticket#: Z535350

Recd: 12/31/2007

Post: 12/31/2007

Conviction Reference:

Court Type: UNK

SUSP: 097 - Failure to Pay Traffic Ticket

Suspension Beg: 01/20/2008

Causal: 08/19/2007

Ticket Paid: 05/18/2009

ACD: D56 **Court Name:** CENTRAL TRAFFIC CRT

Court Address: PO BOX 9000

City: ORANGEBURG

Phone No: 803-533-5848

State: SC

Zip: 29116

Ticket#: Z535350

Suspension End: 05/18/2009

Post: 12/31/2007

Compliance Received: 05/18/2009

VIOL: 560 - Failure to Pay Traffic Ticket or Appear

Violation: 08/19/2007

Conviction: 09/25/2007

ACD: D56 **Conviction Loc Ref:** 589

Conviction State: SC

Ticket#: Z535352

Recd: 11/14/2007

Post: 11/14/2007

Conviction Reference:

Court Type: UNK

SUSP: 097 - Failure to Pay Traffic Ticket

Suspension Beg: 12/04/2007

Causal: 08/19/2007

Ticket Paid: 05/18/2009

ACD: D56 **Court Name:** CENTRAL TRAFFIC CRT

Court Address: POB 9000

City: ORANGEBURG

Phone No: 803-533-5848

State: SC

Zip: 29116

Ticket#: Z535352

Suspension End: 05/18/2009

Post: 11/14/2007

Compliance Received: 05/18/2009

VIOL: 560 - Failure to Pay Traffic Ticket or Appear

Violation: 08/19/2007

Conviction: 09/25/2007

ACD: D56 **Conviction Loc Ref:** 509

Conviction State: SC

Ticket#: Z535351

Recd: 11/14/2007

Post: 11/14/2007

Conviction Reference:

Court Type: UNK

SUSP: 097 - Failure to Pay Traffic Ticket

Suspension Beg: 12/04/2007

Causal: 08/19/2007

Ticket Paid: 05/18/2009

ACD: D56 **Court Name:** CENTRAL TRAFFIC CRT

Court Address: POB 9000

City: ORANGEBURG

Phone No: 803-533-5848

State: SC

Zip: 29116

Ticket#: Z535351

Suspension End: 05/18/2009

Post: 11/14/2007

Compliance Received: 05/18/2009

3 YEAR DRIVER RECORD

Customer No:
Name: JAMES, EUGENE

Driver License No:

SUSP: 097 - Failure to Pay Traffic Ticket
Suspension Beg: 04/29/2007
Causal: 01/09/2007
Ticket Paid: 04/27/2007

Ticket#: Z276038

Suspension End: 05/18/2009
Post: 04/09/2007
Compliance Received: 05/18/2009

ACD: D56 **Court Name:** CENTRAL TRAFFIC CRT
Court Address: P O BOX 9000
City: ORANGEBURG
Phone No: 803 533 5848

State: SC

Zip: 29116

SUSP: 097 - Failure to Pay Traffic Ticket
Suspension Beg: 11/22/2006
Causal: 09/16/2006
Ticket Paid: 05/18/2009

Ticket#: 96026DN

Suspension End: 05/18/2009
Post: 11/02/2006
Compliance Received: 05/18/2009

ACD: D56 **Court Name:** CITY OF ORANGEBURG
Court Address: 1320 MIDDLETON STREET
City: ORANGEBURG
Phone No: 803 533 5921

State: SC

Zip: 29116

SUSP: 097 - Failure to Pay Traffic Ticket
Suspension Beg: 10/29/2006
Causal: 07/19/2006
Ticket Paid: 10/27/2006

Ticket#: C734485

Suspension End: 05/18/2009
Post: 10/09/2006
Compliance Received: 05/18/2009

ACD: D56 **Court Name:** CENTRAL TRAFFIC COURT
Court Address: P O BOX 9000
City: ORANGEBURG
Phone No: 803 533 5848

State: SC

Zip: 29116

End of Report



Current Plate

VIN: 1FTHF25H4MNA34723
Empty Weight: 4200

Year: 1991

Make: FORD

Model: COFF25

Body: TK

Title Number: 770380167138714B
Status: CURRENT TITLE

Issue Date: 10/30/2006

Dup: N

Owner Number: 200000000
Owner Name: JAMES, DAVID JAMES
Owner Address:

HOLLY HILL SC, 290590000

Last Transaction: COUNTY REG RENEWAL

Plate Number: I
Date of Issue: 05/28/2009
GVW: 5000
County: 38 - ORANGEBURG
Vehicle Housed Address:

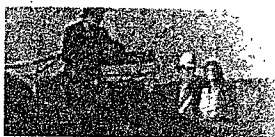
Plate Class: GT IN GOD WE TRUST
Plate Exp Date: 10/31/2010
Empty Weight: 4200
Municipality: 0
HOLLY HILL SC, 290590000

Vehicle Type: 5
Decal Exp Date: 10/31/2010
Equip Number:
School District: 00

Annual Fee: \$40.00

End of Report

ROA 434



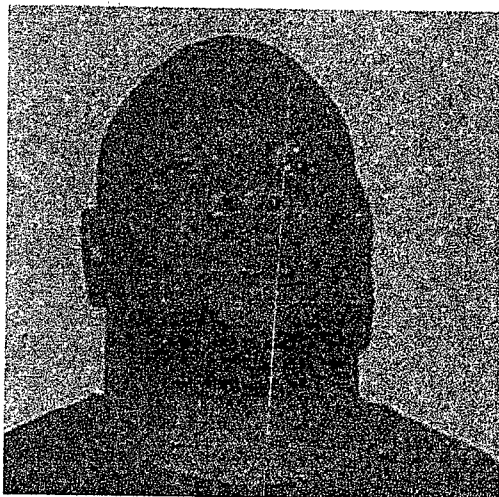
South Carolina
Department of Motor Vehicles

SCDMV

[DMV Home](#) > [Member Services Menu](#) > Driver Photograph

3139: Account number not authorized for data requested.

Step 2: Transaction Complete



EUGENE JAMES

ORANGEBURG, SC 29115-3414

DL:
SSN:
DOB: 12/19/1973

Eugene James

South Carolina Department of Motor Vehicles
6/3/2010 10:49:36 AM

Agency I.D.
SCO 380000

INCIDENT REPORT

INFORMATION
ONLY

CASE NUMBER

NCIC
INQ. ENT

20100005803

INCIDENT TYPE		COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
1. Trespassing		☒ YES ☐ NO	☐ YES ☐ NO	Parking		☐ Individual ☐ Business ☐ Financial Ins ☐ Government ☐ Relig. Orgn. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.
2. Burglary		☐ YES ☐ NO	☐ YES ☐ NO			
3.		☐ YES ☐ NO	☐ YES ☐ NO			

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)						ZIP CODE	WEAPON TYPE
8381 North Rd North SC						29112	
INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME	24 HR. CLOCK	LOCATION NO.
5-16-10	2130		5-16-10	2247	5-16-10	2201	04
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)			RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX
Rushon, Charles			#1		☒ JSOU	W	M
ADDRESS			CITY	STATE	ZIP CODE	DAYTIME PHONE	EVENING PHONE
8381 North Rd			North	SC	29112	803-247-2121	803-247-2121
VICTIM'S NAME (LAST, FIRST, MIDDLE)			RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX
Aiken Electric			#1				
HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.			

ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.
8381 North Rd		North	SC	29112	04
VISIBLE INJURY (VICT. 1) ☐ YES ☐ NO ☐ EXPLAIN					
VISIBLE (NO. 1) USING: ALCOHOL ☐ YES ☐ NO ☐ UNK. ☐ DRUGS: ☐ YES ☐ NO ☐ UNK. ☐ TYPE					
COMPLAINT OF ANY NON-VISIBLE INJURIES: ☐ YES ☐ NO					

TWO-MAN VEH. ☐		ONE-MAN VEH. ☐		DETECTIVE/SPL. ASMT. ☐		OTHER ☐		ALONE ☐		ASSISTED ☐		J-This Jurisdiction, S-State, O-Out of State, U-Unknown.	
☒ SUSPECT		NAME (LAST, FIRST, MIDDLE)											
☐ RUNAWAY		Unknown											
☐ WANTED		FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.											
☐ WARRANT													
☐ ARREST		ADDRESS											
☐ JAIL		Unknown											
☐ SUMMONS		CITY											
		Unknown											
		STATE											
		U											
		ZIP CODE											
		Unknown											
		LOCATION NO.											
		SUBJECT (NO. 1) USING: ALCOHOL ☐ YES ☐ NO ☐ UNK. ☐ DRUGS: ☐ YES ☐ NO ☐ UNK. ☐ TYPE											
		ARRESTED NEAR OFFENSE SCENE ☐ YES ☐ NO ☐											
		TOTAL # ARRESTED											
		DATE/TIME OF OFFENSE											
		DATE/TIME OF ARREST											

On 5-16-10 This deputy responded to the above incident type. Upon arrival I spoke to the Complainant (Charles Rushon) and he stated that the security camera showed a unknown subject on the premise At the incident location. This unit conducted a security check of the incident location and did not locate the subject. Complainant stated that it is unknown if any items were taken.

I HAVE RECEIVED A COPY OF THE 1997 VICTIMS AND WITNESS SERVICES STATUTE.

Signature		Jurisdiction Of Theft Law Enforcement Agency		Jurisdiction Of Recovery Law Enforcement Agency	
TYPE (GROUP)					
STOLEN					
DAMAGED					
BURNED					
RECOVERED					
SEIZED					
SUBJECT IDENTIFIED ☐ YES ☐ NO		SUBJECT LOCATED ☐ YES ☐ NO		TOTAL VALUE	
REASON FOR EXCEPTIONAL CLEARANCE		1. ☐ OFFENDER DEATH		2. ☐ NO PROSECUTION	
3. ☐ EXTRADITION DENIED		4. ☐ VICTIM DECLINES COOPERATION		5. ☐ JUVENILE-NO CUSTODY	
Officer		Date		Time	
Huggins, M		5-16-10		123	
Appointed Officer		Date		Time	
Sgt Hunter		5-16-10		CIDP	
Follow-up Officer		Date		Time	
Investigation ☐ YES ☐ NO		5-17-10			

AGENCY I.D.
SC0 380000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

2010005803

INQ.

☐ ORIGINAL REPORT	☒ SUPPLEMENTAL REPORT	☐ ADDITIONAL VICTIMS	☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL	☐ CASE STATUS CHANGE	☐ ADDITIONAL OFFENDERS	☐ ADDITIONAL RECOVERED PROPERTY

VICT./SUBJ. I.D. OVERFLOW	☒ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.	
	☐ VICTIM #	Goss, Mark		#1	#2	#3	0	S	W	M	47	5-5-6
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
	☐ RUNAWAY	511	200	BRO	BRO							
	☐ WANTED	ADDRESS										
☐ WARRANT	8381 North Rd		CITY		STATE	ZIP CODE	LOCATION NO.	DAY PHONE		EVENING PH		
☐ ARREST	VICTIM NO.		VISIBLE INJURY		COMPLAINT OF NON-VISIBLE INJURIES:		VICTIM USING ALCOHOL:		TWO-MAN VEHICLE		DETECTIVE/SPLASMT.	
☐ JAIL	EXPLAIN:		NO		YES		NO		YES		TYPE:	
☐ SUMMONS	SUBJECT NO.		USING ALCOHOL		NO		YES		ONE-MAN VEHICLE		OTHER	
☐	USING DRUGS:		NO		YES		TYPE:		UNK.			

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.	
	☒ SUBJECT #	Unknown		#1	#2	#3	J	S	U	U	U	U
	☐ RUNAWAY	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
	☐ WANTED	U	U	U	U							
	☐ WARRANT	ADDRESS										
☐ ARREST	Unknown		CITY		STATE	ZIP CODE	LOCATION NO.	DAY PHONE		EVENING PHC		
☐ JAIL	VICTIM NO.		VISIBLE INJURY		COMPLAINT OF NON-VISIBLE INJURIES:		VICTIM USING ALCOHOL:		TWO-MAN VEHICLE		DETECTIVE/SPLASMT.	
☐ SUMMONS	EXPLAIN:		NO		YES		NO		YES		TYPE:	
☐	SUBJECT NO.		USING ALCOHOL		NO		YES		ONE-MAN VEHICLE		OTHER	
☐	USING DRUGS:		NO		YES		TYPE:		UNK.			

NARRATIVE

On 05-17-10 This deputy spoke to the above complainant (Mark Goss) in reference to case #2010005803. Complainant stated that an unknown subject stole the following items from the inside location. (1) boat cooper, (2) #6 cooper, (1) roll of Alumin. Estimated value of items taken are \$330.00. Complainant stated that a white ford F-150 was seen on the security camera at the incident location. This incident type has been change to Burglary.

VEH. / GUN / ETC. 1	STATUS		TYPE	VIN AND/OR LICENSE NO.		BOAT HULL NO. AND/OR REG. NO.		
	☐ STOLEN	☐ RECOVERED	☐ VEHICLE					
	☐ FOUND	☐ TOWED	☐ GUN	SERIAL AND/OR OWNER APPLIED NO.		STATE		
	☐ SUSPECT	☐ VICTIM	☐ BOAT	YEAR OF REGISTRATION		YEAR OF EXPIRATION		
	☐	☐	☐ LICENSE PLATE	MODEL		STYLE		
VEH. / GUN / ETC. 1	SECURITIES/BONDS, STOCKS		NIC NO.		DENOMINATION		COLOR	
	☐ ARTICLE						BRAND NAME	
	MISCELLANEOUS						ISSUER	
							SECURITIES DATE	

PROPERTY EST.	TYPE (GROUP)	Cooper	Alumini							TOTAL VALUE
	STOLEN	300	30							330
	DAMAGED									
	BURNED									
	RECOVERED									
PROPERTY EST.	SEIZED									

SUBJECT IDENTIFIED		SUBJECT LOCATED		ACTIVE		ADM. CLOSED		ARRESTED UNDER 18		EX-CLEAR UNDER 18	
☒ YES		☒ YES		☒ UNFOUNDED		☒ UNFOUNDED		☐ ARRESTED 18 AND OVER		☐ EX-CLEAR 18 AND OVER	
REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION.				3. ☐ EXTRADITION DENIED.				4. ☐ VICTIM DECLINES COOPERATION.			
REPORTING OFFICER(S)				DATE				UNIT NUMBER			
Aug 9, 2010, M				5-17-10				123			
APPROVING OFFICER				DATE				UNIT NUMBER			
Sgt. Heister				5-17-10				CLO			
FOLLOW-UP INVESTIGATION				OFFICER							
☐ YES				☐ NO							

WHITE - RECORDS

YELLOW - SLED.

Victim Name: Aiken Electric
Case Number: 2010005803
Date Contacted: 5/18/10
Time Contacted: 10:15
Person Spoken to: Charles Rushton
Reporting officer: Huggins

NOTES:

I talked to Mr. Rushton on 5/18/10. Mr. Rushton stated that Mark Goss spotted their wine at Sunshine. They have the identity of the woman who sold it.

Quality Assurance Check List was followed and everything was great. ~~ED~~ MR. Rushton stated that you need (3) officers to cover that station.

CASE FORWARDED TO: _____

ISO # 2147-000



Sunshine Recycling
1105 Southland Road
Orangeburg, S.C. 29115
803-531-4408

91776

Purchased / Sold Eugen James

Vehicle Plate 608 7CM

ID # 004355797 Date _____

Item	Price	Amount	Quantity
Bare/Bright	51.00	391.20	100 lb
No. 1 Copper			
No. 2 Copper			
Light Copper	2.30	39.10	100 lb
Insulated # 1			
Insulated # 2			
Yellow Brass			
Red Brass			
Plumber Brass			
Hard Brass			
Auto Rad.			
Irony Auto Rad.			
A/C Rad.			
Irony A/C			
Aluminum (O.S.)	40	50.00	100 lb
Aluminum (N.S.)			
Aluminum (ext.)			
Aluminum (MLC)			
Aluminum (Cast)			
Aluminum (Painted)			
Aluminum (L. Irony)			
Aluminum (H. Irony)			
Aluminum Cans			
Stainless Steel (304)			
Stainless Steel (316)			
Heater Coils			
TOTAL			

WEIGHED BY males

PRINT NAME _____

SIGNATURE Eugen James

I acknowledge that
I have read and understand the terms and
conditions on the back of this form.

SAFEGUARD LITHO USA Form No. 35-3/W09CS000701 4/10



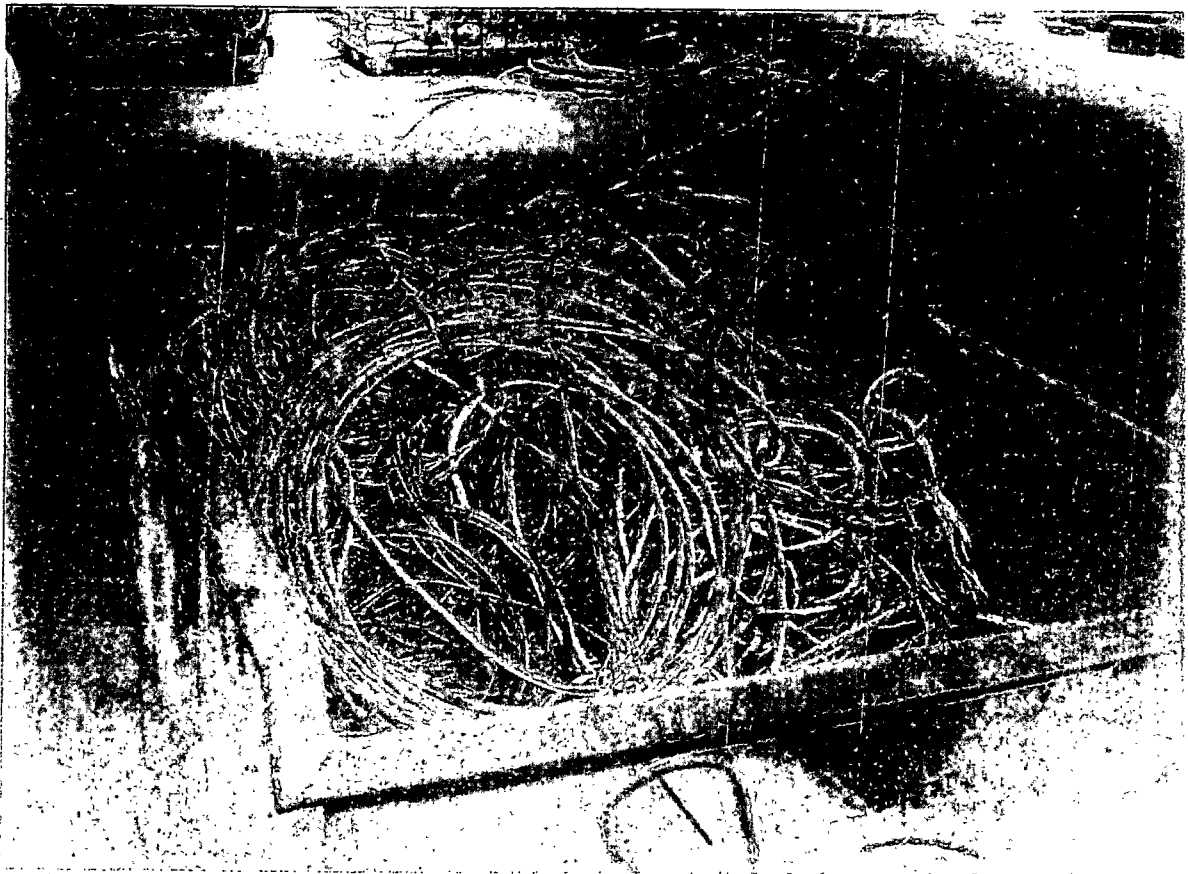
DSCN2013.JPG 2009/06/02 16:27:41



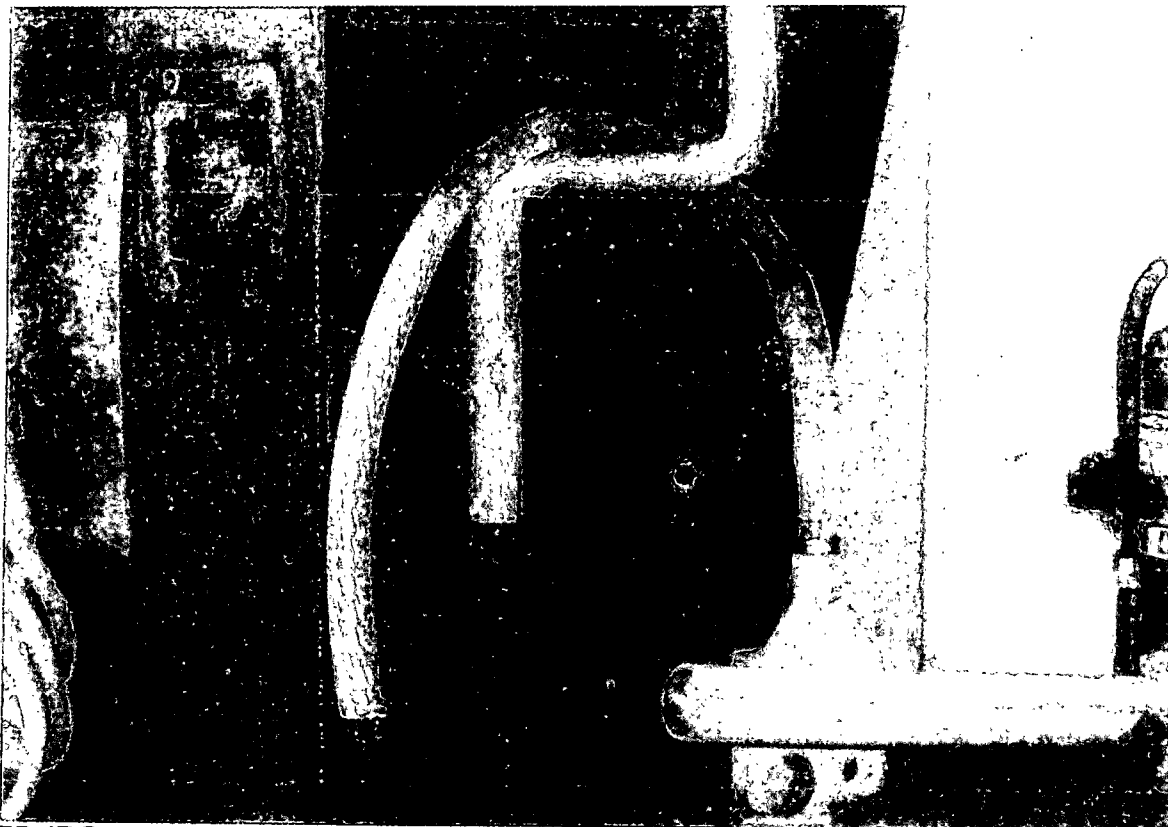
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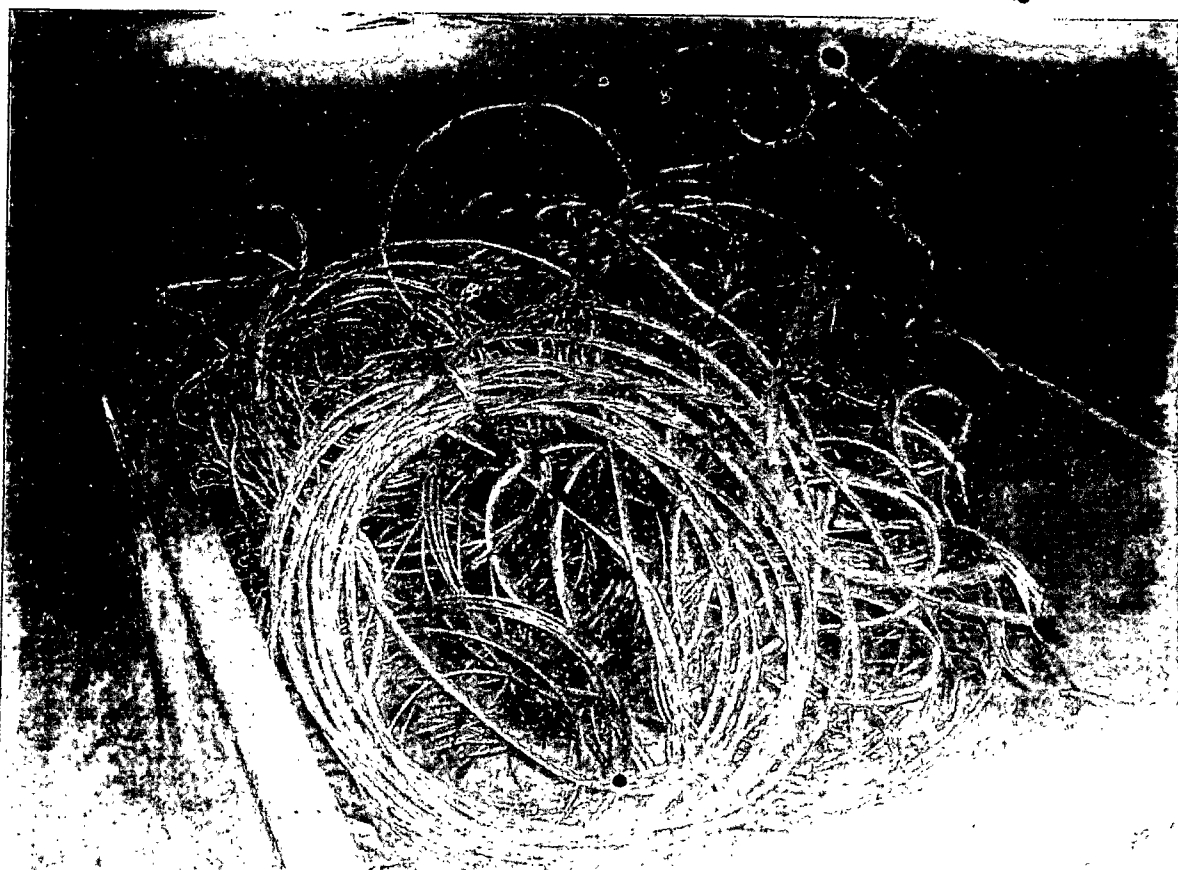
DSCN1977.JPG 2009/05/18 13:22:01



DSCN1978.JPG 2009/05/18 13:22:09



DSCN1975.JPG 2009/05/17 07:44:39



DSCN1976.JPG 2009/05/18 13:21:53

	Pounds	Price / Pounds	Total
1/0 CU Bare Stranded	8	\$ 4.68	\$ 37.44
#6 Solid Copper	50	\$ 4.82	\$ 241.00
Aluminum Tie Wire	50	\$ 2.34	\$ 117.00
Truck Ground	24		\$ 200.00

Total			\$ 595.44

Recycling
2147-000



Sunshine Recycling
1105 Southland Road
Orangeburg, S.C. 29115
803-531-4408

91776

Purchased / Sold Eugene James

Vehicle Plate 608 7CM
ID # 004355797 Date _____

Item	Price	Amount	Quantity
Bare/Bright	31.00	591.20	12.10
No. 1 Copper			
No. 2 Copper			
Light Copper	2.30	39.10	17.00
Insulated # 1			
Insulated # 2			
Yellow Brass			
Red Brass			
Plumber Brass			
Hard Brass			
Auto Rad.			
Irony Auto Rad.			
A/C Rad.			
Irony A/C			
Aluminum (O.S.)	40	50.00	12.50
Aluminum (N.S.)			
Aluminum (ext.)			
Aluminum (MLC)			
Aluminum (Cast)			
Aluminum (Painted)			
Aluminum (L. Irony)			
Aluminum (H. Irony)			
Aluminum Cans			
Stainless Steel (304)			
Stainless Steel (316)			
Heater Coils			
TOTAL			

WEIGHED BY males

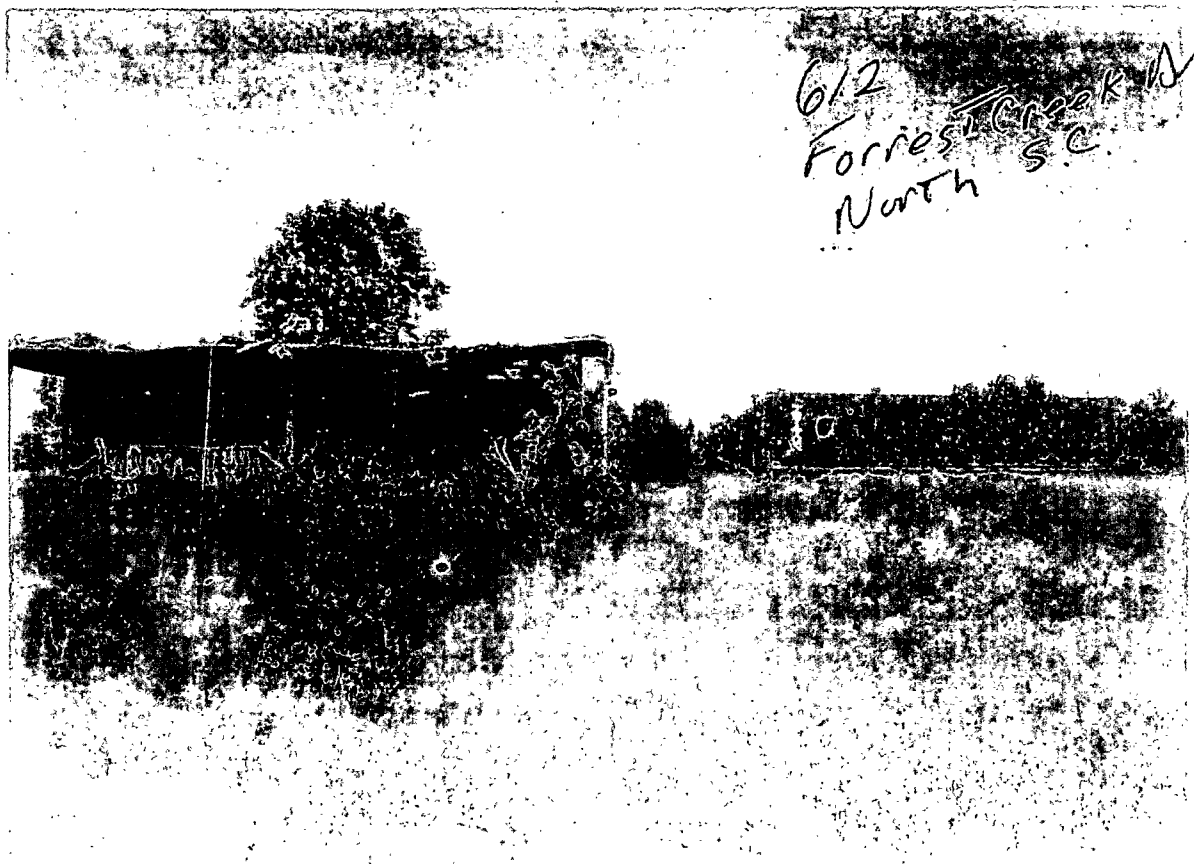
PRINT NAME _____

SIGNATURE Eugene James

I acknowledge that
I have read and understand the terms and
conditions on the back of this form.



DSCN2013.JPG 2009/06/02 16:27:41



DSCN2016.JPG 2009/06/03 11:09:33

AGENCY I.D.
SC0 380000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

NCIC

2010005803

INO. E

☐ ORIGINAL REPORT	☒ SUPPLEMENTAL REPORT	☐ ADDITIONAL VICTIMS	☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL	☐ CASE STATUS CHANGE	☒ ADDITIONAL OFFENDERS	☐ ADDITIONAL RECOVERED PROPERTY

PAGE 1 of 2

VICT/SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.	
	☐ VICTIM # 1	AIKEN ELECTRIC		ST			O S O U					
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
	☐ RUNAWAY	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE	EVENING PHONE			
	☐ WANTED	8381 NORTH RD		ORANGE	SC	29						

VICT/SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.	
	☒ VICTIM # 2	JAMES EUGENE					O S O U	B	M	36	12-19-78	
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
	☐ RUNAWAY	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE	EVENING PHONE			
	☐ WANTED	509 290		OK	MO							

THIS UNIT MET WITH MR GOSS OF AIKEN ELECTRIC ON 6-11-10, AT SUNSHINE RECYCLING, IN REFERENCE TO A SUBTERT INVOLVED IN A LARVARY OF COPPER. MR GOSS PROVIDED THIS UNIT WITH PHOTOGRAPHIC EVIDENCE OF THE SUBTERT AND SUBTERT VEHICLE AT SUNSHINE SELLING THE COPPER. THE VEHICLE WAS A WHITE IN COLOR TRUCK, SC TAG 60B 70M. MR. GOSS ADVISED HE CAN IDENTIFY THE COPPER BY THE AMOUNT OF WIRE STRANDS. MR GOSS IDENTIFIED THE WIRE BELONGING TO AIKEN ELECTRIC. THIS UNIT ALSO RECEIVED VIDEO SURVEILLANCE FROM SUNSHINE OF THE INCIDENT.

VEH. / GUN / ETC. 1	STATUS	TYPE	VIN AND/OR LICENSE NO.	BOAT HULL NO AND/OR REG. NO.
	☐ STOLEN	☐ VEHICLE		
	☐ RECOVERED	☐ GUN	SERIAL AND/OR OWNER APPLIED NO.	STATE
	☐ FOUND	☐ BOAT	YEAR OF REGISTRATION	YEAR OF EXPIRATION
	☐ TOWED	☐ LICENSE PLATE	MODEL	STYLE
	☐ SUSPECT	☐ SECURITIES/BONDS, STOCKS	COLOR	BRAND NAME
	☐ VICTIM	☐ ARTICLE	ISSUER	SECURITIES DATE
	MISCELLANEOUS			

PROPERTY EST.	TYPE (GROUP)					TOTAL VALUE
	STOLEN					
	DAMAGED					
	BURNED					
	RECOVERED					
	SEIZED					

ADMINISTRATIVE	SUBJECT IDENTIFIED	SUBJECT LOCATED	☐ ACTIVE	☐ ADM. CLOSED	☐ ARRESTED UNDER 18	☐ EX-CLEAR UNDER 18
	☒ YES	☒ YES	☐ UNFOUNDED		☐ ARRESTED 18 AND OVER	☐ EX-CLEAR 18 AND OVER
	REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY					
	REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UP NUM
	A. ACDRIOLLE	6-11-10	CIAC			

WHITE - RECORDS

YELLOW - S.L.E.D.

AGENCY I.D.
SC0 380000

SUPPLEMENTARY REPORT

CASE NUMBER

NCIC

INQ. ENT

2010005803

☐ ORIGINAL
REPORT

☐ MODIFIES
ORIGINAL

☐ SUPPLEMENTAL
REPORT

☐ CASE STATUS
CHANGE

☐ ADDITIONAL
VICTIMS

☐ ADDITIONAL
OFFENDERS

☐ ADDITIONAL
STOLEN PROPERTY

☐ ADDITIONAL
RECOVERED PROPERTY

PAGE 2 of 2 PAGE:

THIS UNIT AT THIS POINT HAS NOT BEEN ABLE TO CLARIFY THE VIDEO.
THIS UNIT WILL FORWARD THIS INFORMATION TO CED FOR FURTHER
INVESTIGATION. THE SUBJECT HAS BEEN KNOWN TO WORK AT CLUB
ZODIAC AS A MGR.

NARRATIVE

ADMINISTRATIVE

SUBJECT IDENTIFIED
☒ YES ☐ NO

SUBJECT LOCATED
☒ YES ☐ NO

☐ ACTIVE ☐ ADM. CLOSED
☐ UNFOUNDED

☐ ARRESTED UNDER 18
☐ ARRESTED 18 AND OVER

☐ EX-CLEAR UNDER 18
☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)

DATE

UNIT
NUMBER

APPROVING OFFICER

DATE

UNIT
NUMBER

14. ADDIDGE

6-11-10

1120

FOLLOW-UP
INVESTIGATION ☐ YES ☐ NO OFFICER

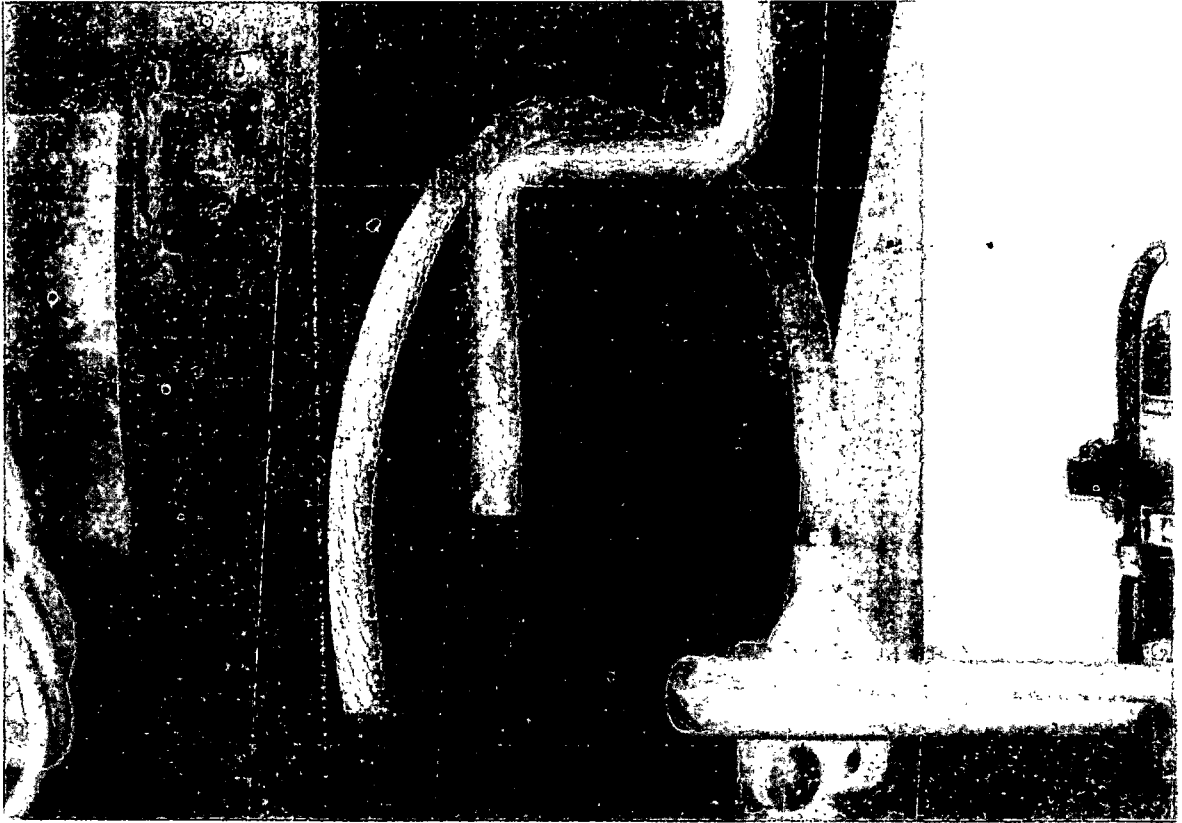
ROA 447



DSCN1977.JPG 2009/05/18 13:22:01



DSCN1978.JPG 2009/05/18 13:22:09



DSCN1975.JPG 2009/05/17 07:44:39



DSCN1976.JPG 2009/05/18 13:21:53

	Pounds	Price / Pounds	Total
1/0 CU Bare Stranded	8	\$ 4.68	\$ 37.44
#6 Solid Copper	50	\$ 4.82	\$ 241.00
Aluminum Tie Wire	50	\$ 2.34	\$ 117.00
Truck Ground	24		\$ 200.00
 Total			 \$ 595.44

Weigh Master
License # Z147-003

Sunshine Recycling
1105 Southland Road
Orangeburg, S.C. 29115
803-531-4408

91775



Purchased / Sold Meredith Huffman

Vehicle Plate NEB / 06
ID # 007248484 Date _____

Item	Price	Amount	Quantity
Bare/Bright	2600	2080	
No. 1 Copper			
No. 2 Copper			
Light Copper			
Insulated # 1			
Insulated # 2			
Yellow Brass			
Red Brass			
Plumber Brass			
Hard Brass			
Auto Rad.			
Irony Auto Rad.			
A/C Rad.			
Irony A/C			
Aluminum (O.S.)	354	3220	
Aluminum (N.S.)			
Aluminum (ext.)			
Aluminum (MLC)			
Aluminum (Cast)			
Aluminum (Painted)			
Aluminum (L. Irony)			
Aluminum (H. Irony)			
Aluminum Cans			
Stainless Steel (304)			
Stainless Steel (316)			
Heater Coils			
	TOTAL	~~68~~	53.00

WEIGHED BY miles

PRINT NAME

SIGNATURE Meredith Huffman

I acknowledge that
I have read and understand the terms
conditions on the back of this form.

On May 16, 2010 I was returning
to my home in North from Orangeburg around
9 to 10 o'clock. Upon approaching the truck
entrance to Aiken Electric I noticed a white
F150 pickup truck turn out of the drive and
head towards Orangeburg. The truck was an older
model long bed pickup.

Charles J. Spivey Jr.

June 3 2010

Mark Spivey

June 3 2010

Agency I.D. SCO 350000		INCIDENT REPORT		INFORMATION ONLY 		CASE NUMBER 2010101058031		NCIC INQ/ENT	
INCIDENT TYPE				COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM	
1. <u>Trespassing</u>				☒ YES ☐ NO	☐ YES ☐ NO	<u>Parking</u>		☐ Individual ☐ Business ☐ Financial Inst. ☐ Government ☐ Relig. Orgn. ☐ Soc. Public ☐ Other ☐ Unknown ☐ Police Off.	
2.				☐ YES ☐ NO	☐ YES ☐ NO				
3.				☐ YES ☐ NO	☐ YES ☐ NO				
INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)						ZIP CODE		WEAPON TYPE	
<u>8381 North Rd North SC</u>						<u>29112</u>			
INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISP. DATE	DISP. TIME	TIME ARRIVED	LOCATION NO.	
<u>5-16-10</u>	<u>2130</u>		<u>5-16-10</u>	<u>2247</u>	<u>5-16-10</u>	<u>2201</u>	<u>2217</u>	<u>04</u>	
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)			RELATIONSHIP TO SUBJECT			RESIDENT	RACE	SEX	AGE
<u>Rushon, Charles</u>						☒ SOU	<u>W</u>	<u>M</u>	<u>4</u>
ADDRESS			CITY			STATE	ZIP CODE	LOCATION NO.	
<u>8381 North Rd</u>			<u>North</u>			<u>SC</u>	<u>29112</u>	<u>04</u>	
VICTIM'S NAME (LAST, FIRST, MIDDLE)			RELATIONSHIP TO SUBJECT			RESIDENT	RACE	SEX	AGE
<u>Aiken Electric</u>						☒ SOU			
HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.					
ADDRESS			CITY			STATE	ZIP CODE	LOCATION NO.	
<u>8381 North Rd</u>			<u>North</u>			<u>SC</u>	<u>29112</u>	<u>04</u>	
VISIBLE INJURY (VICT. 1) ☐ YES ☐ NO ☐ EXPLAIN				COMPLAINT OF ANY NON-VISIBLE INJURIES: ☐ YES ☐ NO ☐					
VISIBLE (NO. 1) USING: ALCOHOL ☐ YES ☐ NO ☐ UNK. ☐				DRUGS: ☐ YES ☐ NO ☐ UNK. ☐ TYPE:					
TWO-MAN VEH. ☐				ONE-MAN VEH. ☐ DETECTIVE/SPL. ASMT. ☐ OTHER ☐ ALONE ☐ ASSISTED ☐ *J-This Jurisdiction, S-State, O-Out of State, U-Unknown.					
SUSPECT				NAME (LAST, FIRST, MIDDLE)			RACE	SEX	AGE
☐ RUNAWAY				<u>Unknown</u>			<u>U</u>	<u>U</u>	<u>4</u>
☐ WANTED				FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.					
☐ WARRANT									
☐ ARREST				ADDRESS			CITY	STATE	ZIP CODE
☐ JAIL				<u>Unknown</u>			<u>Unknown</u>	<u>U</u>	<u>Unknown</u>
☐ SUMMONS				SUBJECT (NO. 1) USING: ALCOHOL ☐ YES ☐ NO ☐ UNK. ☐			ARRESTED NEAR OFFENSE SCENE ☐ YES ☐ NO ☐		
				DRUGS: ☐ YES ☐ NO ☐ UNK. ☐ TYPE:			DATE/TIME OF OFFENSE		
				TOTAL # ARRESTED			DATE/TIME OF ARREST		
On 5-16-10 This deputy responded to the above incident type. Upon arrival I spoke to the complainant (Charles Rushon) and he stated that the security camera showed a unknown subject on the premise at the incident location. This unit conducted a security check of the incident location and did not locate the subject. Complainant stated that it is unknown if any items were taken.									
I HAVE RECEIVED A COPY OF THE 1997 VICTIMS AND WITNESS SERVICES STATUTE.									
Signature				Jurisdiction Of Theft Law Enforcement Agency			Jurisdiction Of Recovery Law Enforcement Agency		
TYPE (GROUP)								TOTAL VALUE	
STOLEN									
DAMAGED									
BURNED									
RECOVERED									
SEIZED									
SUBJECT IDENTIFIED ☐ YES ☐ NO ☐		SUBJECT LOCATED ☐ YES ☐ NO ☐		ACTIVE ☐ UNFOUNDED ☐		ADM. CLOSED ☒		ARRESTED UNDER 18 ☐ EX-CLEAR UNDER 18 ☐	
								ARRESTED 18 AND OVER ☐ EX-CLEAR 18 AND OVER ☐	
REASON FOR EXCEPTIONAL CLEARANCE 1. ☐ OFFENDER DEATH 2. ☐ NO PROSECUTION 3. ☐ EXTRADITION DENIED 4. ☐ VICTIM DECLINES COOPERATION 5. ☐ JUVENILE-NO CUSTODY									
Officer		Date		Unit Number		Arrested Officer		Date	
<u>Huggins, M</u>		<u>5-16-10</u>		<u>123</u>		<u>Sgt Hunter</u>		<u>5-16-10</u>	
						FOLLOW-UP OFFICER		Unit Number	
						INVESTIGATION ☐ YES ☐ NO ☐			

AGENCY I.D.
SC0 380000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

2010005803

NCIC

INQ. ☒

☐ ORIGINAL REPORT ☒ SUPPLEMENTAL REPORT ☐ ADDITIONAL VICTIMS ☐ ADDITIONAL STOLEN PROPERTY ☐ ADDITIONAL RECOVERED PROPERTY

☐ MODIFIES ORIGINAL ☐ CASE STATUS CHANGE ☐ ADDITIONAL OFFENDERS

PAGE 1 of 1 PAG

VICT./SUBJ. I.D. OVERFLOW

☒ COMPLAINANT NAME (LAST, FIRST, MIDDLE) Goss, Mark VICTIM RELATIONSHIP TO SUBJECT: #1 2u #2 u #3 u RESIDENT JSOU RACE W SEX M AGE 47 D.O.B. 5-5-68

☐ VICTIM #

☐ SUBJECT # HEIGHT 511 WEIGHT 200 HAIR BRO EYES BRO FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

☐ RUNAWAY

☐ WANTED ADDRESS 8381 North Rd CITY North STATE SC ZIP CODE 29133 LOCATION NO. 893 DAY PHONE 221-3590 EVENING PHONE 221-3590

☐ WARRANT

☐ ARREST ☐ VICTIM NO. u VISIBLE INJURY ☐ NO ☐ YES COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASMT. ☐ ALON

☐ JAIL EXPLAIN: ☐ NO ☐ YES DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASS

☐ SUMMONS ☐ SUBJECT NO. u: USING ALCOHOL ☐ NO ☐ YES USING DRUGS: ☐ NO ☐ YES ☐ UNK. TYPE: ☐ UNK.

VICT./SUBJ. I.D. OVERFLOW

☐ COMPLAINANT NAME (LAST, FIRST, MIDDLE) Unknown VICTIM RELATIONSHIP TO SUBJECT: #1 u #2 u #3 u RESIDENT JSOU RACE W SEX U AGE u D.O.B. u

☐ VICTIM #

☒ SUBJECT # HEIGHT u WEIGHT u HAIR u EYES u FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.

☐ RUNAWAY

☐ WANTED ADDRESS Unknown CITY Unknown STATE u ZIP CODE u LOCATION NO. u DAY PHONE Unknown EVENING PHONE Unknown

☐ WARRANT

☐ ARREST ☐ VICTIM NO. u VISIBLE INJURY ☐ NO ☐ YES COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK. ☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASMT. ☐ ALON

☐ JAIL EXPLAIN: ☐ NO ☐ YES DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK. ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASS

☐ SUMMONS ☐ SUBJECT NO. u: USING ALCOHOL ☐ NO ☐ YES USING DRUGS: ☐ NO ☐ YES ☐ UNK. TYPE: ☐ UNK.

NARRATIVE

On 05-17-10 This deputy spoke to the above complainant (Mark Goss) in reference to case #2010005803. Complainant stated that an unknown subject stole the following items from the private location. (1) boat cooper, (2) #6 cooper, (1) roll of Alumi. Estimated value of items taken are \$330.00. Complainant stated that a white ford F-150 was seen on the security camera at the incident location. This incident type has been change to Burglary.

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY OC50 JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

VEH. / GUN / ETC. 1

STATUS ☐ STOLEN ☐ RECOVERED ☐ FOUND ☐ TOWED ☐ SUSPECT ☐ VICTIM TYPE ☐ VEHICLE ☐ GUN ☐ BOAT ☐ LICENSE PLATE ☐ SECURITIES/BONDS, STOCKS ☐ ARTICLE VIN AND/OR LICENSE NO. u BOAT HULL NO. AND/OR REG. NO. u SERIAL AND/OR OWNER APPLIED NO. u STATE u YEAR OF REGISTRATION u YEAR OF EXPIRATION u YEAR u MAKE u TYPE u MODEL u STYLE u COLOR u BRAND NAME u CALIBE u NIC NO. u DENOMINATION u ISSUER u SECURITIES DATE u MISCELLANEOUS u

PROPERTY EST.

TYPE (GROUP)	Cooper	Alumi	TOTAL VALUE
STOLEN	300	30	330
DAMAGED			
BURNED			
RECOVERED			
SEIZED			

ADMINISTRATIVE

SUBJECT IDENTIFIED ☐ YES ☒ NO SUBJECT LOCATED ☐ YES ☒ NO ☐ UNFOUNDED ☒ ADM. CLOSED ☐ ARRESTED UNDER 18 ☐ EX-CLEAR UNDER 18 ☐ ARRESTED 18 AND OVER ☐ EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTO

REPORTING OFFICER(S) Ingersoll, M DATE 5-17-10 UNIT NUMBER 123 APPROVING OFFICER Sgt Hunter DATE 5-17-10 U N I

FOLLOW-UP INVESTIGATION ☐ YES ☐ NO OFFICER u

WHITE - RECORDS

YELLOW - S.L.E.D.

AGENCY I.D.
SC0 380000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

NCIC

2010005803

INQ. E

☐ ORIGINAL REPORT	☒ SUPPLEMENTAL REPORT	☐ ADDITIONAL VICTIMS	☐ ADDITIONAL STOLEN PROPERTY	PAGE 1 of 1
☐ MODIFIES ORIGINAL	☐ CASE STATUS CHANGE	☒ ADDITIONAL OFFENDERS	☐ ADDITIONAL RECOVERED PROPERTY	

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.	
	☒ VICTIM # 1	AIKEN ELECTRIC		#1	#2	#3	☒ O U					
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
	☐ RUNAWAY	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE		EVENING PHONE		
	☐ WANTED	8381 NORTH RD		ORANJENBURG	SC	29115	0					
☐ WARRANT	☐ VICTIM NO. _____ VISIBLE INJURY ☐ NO ☐ YES		☐ COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		☐ VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASMT. ☐ ALON					
☐ ARREST	EXPLAIN:		☐ NO ☐ YES		☐ DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.		☐ ONE-MAN VEHICLE ☐ OTHER		☐ ASSI			
☐ JAIL	☐ SUBJECT NO. _____ USING ALCOHOL ☐ NO ☐ YES		☐ USING DRUGS: ☐ NO ☐ YES ☐ TYPE: ☐ UNK.									
☐ SUMMONS												

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.	
	☒ VICTIM # 1	HUEFFMAN, MEREDITH		#1	#2	#3	☒ O U	W F	40	10-8-71		
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
	☐ RUNAWAY	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE		EVENING PHONE		
	☐ WANTED	506 190 SAN		ST MATTHEWS	SC	29135	8					
☐ WARRANT	☐ VICTIM NO. _____ VISIBLE INJURY ☐ NO ☐ YES		☐ COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		☐ VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPLASMT. ☐ ALON					
☐ ARREST	EXPLAIN:		☐ NO ☐ YES		☐ DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.		☐ ONE-MAN VEHICLE ☐ OTHER		☐ ASSI			
☐ JAIL	☒ SUBJECT NO. 1 USING ALCOHOL ☐ NO ☐ YES		☐ USING DRUGS: ☐ NO ☐ YES ☐ TYPE: ☒ UNK.									
☐ SUMMONS												

NARRATIVE

THIS UNIT MET WITH JOSEPH RICH, OWNER OF SCUSHENE RECYCLING, IN REFERENCE TO THE SUBJECT BRIDGEMAN 6 IN METAL THAT HAD BEEN IDENTIFIED AS STOLEN FROM THE VICTIM. THIS UNIT MET WITH MARK CROSS OF AIKEN ELECTRIC, VERLEY THAT THE METALS AT SCUSHENE MATCHED SAMPLES THAT HE HAD BROUGHT. THIS UNIT OBSERVED THE SUBJECT ON VIDEO AT THE PAYMENT (KINDLY), AND THIS UNIT WAS ALSO PROVIDED WITH A COPY OF THE RECEIPT. MR RICH ADVISED THAT HE WOULD PROVIDE CCSO WITH A COPY OF THE VIDEO. THE SUBJECT WAS DRIVING A BLACK DODGE PICK-UP TRUCK SC TAG: AFB 106. THIS UNIT WILL FORWARD THIS TO JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

R/O DEP HARRIS.

VEH. / GUN / ETC. 1	STATUS	TYPE	VIN AND/OR LICENSE NO.	BOAT HULL NO. AND/OR REG. NO.	
	☐ STOLEN	☐ VEHICLE	SERIAL AND/OR OWNER APPLIED NO.		STATE
	☐ RECOVERED	☐ GUN	YEAR OF REGISTRATION	YEAR OF EXPIRATION	YEAR
	☐ FOUND	☐ BOAT	MODEL	STYLE	COLOR
	☐ TOWED	☐ LICENSE PLATE	NIC NO.	DENOMINATION	ISSUER
☐ SUSPECT	☐ SECURITIES/BONDS, STOCKS	SECURITIES DATE			
☐ VICTIM	☐ ARTICLE	MISCELLANEOUS			

PROPERTY EST.	TYPE (GROUP)					TOTAL VALUE
	STOLEN					
	DAMAGED					
	BURNED					
	RECOVERED					
SEIZED						

ADMINISTRATIVE	SUBJECT IDENTIFIED	SUBJECT LOCATED	☐ ACTIVE ☐ ADM. CLOSED	☐ ARRESTED UNDER 18	☐ EX-CLEAR UNDER 18
	☒ YES ☐ NO	☐ YES ☒ NO	☐ UNFOUNDED	☐ ARRESTED 18 AND OVER	☐ EX-CLEAR 18 AND OVER
	REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTC				
	REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE
	A. ALDRIDGE	5-17-10	C120	Sgt. S. S. S.	5/17/10
		FOLLOW-UP INVESTIGATION ☐ YES ☐ NO			

WHITE - RECORDS

YELLOW - S.I.E.D.

ROA 455

AGENCY I.D.
SC0 380000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

NCI

2010005803

INO.

☐ ORIGINAL REPORT	☒ SUPPLEMENTAL REPORT	☐ ADDITIONAL VICTIMS	☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL	☐ CASE STATUS CHANGE	☒ ADDITIONAL OFFENDERS	☐ ADDITIONAL RECOVERED PROPERTY

PAGE 1 of 2

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.	
	☒ VICTIM # 1	AIKEN, ELECTRIC		#1	#2	#3	0	O	U			
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
	☐ RUNAWAY	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE		EVENING PHON		
☐ WANTED	8381 NORTH RD		ORANGE	SC	29							
☐ WARRANT	☐ VICTIM NO. _____		☐ VISIBLE INJURY ☐ NO ☐ YES		☐ COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		☐ VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPASMT. ☐ ALC			
☐ ARREST	EXPLAIN:		☐ NO ☐ YES		DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.		☐ ONE-MAN VEHICLE ☐ OTHER		☐ AS			
☐ JAIL	☐ SUBJECT NO. _____		☐ USING ALCOHOL ☐ NO ☐ YES		☐ USING DRUGS: ☐ NO ☐ YES ☐ TYPE: ☐ UNK.							
☐ SUMMONS												

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.	
	☒ VICTIM # 2	JAMES, EUGENE		#1	#2	#3	0	B	M	36	12-19-7	
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
	☐ RUNAWAY	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE		EVENING PHON		
☐ WANTED	509 290		BLK	BRO								
☐ WARRANT	☐ VICTIM NO. _____		☐ VISIBLE INJURY ☐ NO ☐ YES		☐ COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		☐ VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPASMT. ☐ ALC			
☐ ARREST	EXPLAIN:		☐ NO ☐ YES		DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.		☐ ONE-MAN VEHICLE ☐ OTHER		☐ AS			
☐ JAIL	☐ SUBJECT NO. 1		☐ USING ALCOHOL ☐ NO ☐ YES		☐ USING DRUGS: ☐ NO ☐ YES ☐ TYPE: ☒ UNK.							
☐ SUMMONS												

THIS CASE MET WITH MR GOSS OF AIKEN ELECTRIC ON 6-11-10, AT SUNSHINE RECYCLING IN REFERENCE TO A SUBJECT INVOLVED IN A LARCENY OF COPPER. MR GOSS PROVIDED THIS CASE WITH PHOTOGRAPHIC EVIDENCE OF THE SUBJECT AND SUBJECT VEHICLE AT SUNSHINE SELLING THE COPPER. THE VEHICLE WAS A WHITE IN COLOR TRUCK, SC TAG 6CB 7CM. MR. GOSS ADVISED HE CAN IDENTIFY THE COPPER BY THE AMOUNT OF WIRE STRANDS. MR GOSS IDENTIFIED THE WIRE BELONGING TO AIKEN ELECTRIC. THIS CASE ALSO RECEIVED VIDEO SURVEILLANCE FROM SUNSHINE OF THE INCIDENT.

VEH. / GUN / ETC. 1	STATUS	TYPE	VIN AND/OR LICENSE NO.	BOAT HULL NO. AND/OR REG. NO.	
	☐ STOLEN	☐ VEHICLE	SERIAL AND/OR OWNER APPLIED NO.		STATE
	☐ RECOVERED	☐ GUN	YEAR OF REGISTRATION	YEAR OF EXPIRATION	YEAR
	☐ FOUND	☐ BOAT	MODEL	STYLE	COLOR
	☐ TOWED	☐ LICENSE PLATE	NIC NO.	DENOMINATION	ISSUER
	☐ SUSPECT	☐ SECURITIES/BONDS, STOCKS	SECURITIES DATE		
	☐ VICTIM	☐ ARTICLE	MISCELLANEOUS		

PROPERTY EST.	TYPE (GROUP)	STOLEN	DAMAGED	BURNED	RECOVERED	SEIZED	TOTAL VALUE

ADMINISTRATIVE	SUBJECT IDENTIFIED	SUBJECT LOCATED	☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED	☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER	☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OVI
	☒ YES ☐ NO	☒ YES ☐ NO			
	REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTC				
	REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE
	A. AEDRIDGE	6-11-10	6100	Cpl K. Wainwright	6-11-10
				FOLLOW-UP INVESTIGATION ☒ YES ☐ NO	

WHITE - RECORDS

YELLOW - S.L.E.D.

AGENCY I.D.
SC0 380000

SUPPLEMENTARY REPORT

CASE NUMBER

2010005803

NCIC

INQ. EM

☐ ORIGINAL
REPORT

☐ MODIFIES
ORIGINAL

☐ SUPPLEMENTAL
REPORT

☐ CASE STATUS
CHANGE

☐ ADDITIONAL
VICTIMS

☐ ADDITIONAL
OFFENDERS

☐ ADDITIONAL
STOLEN PROPERTY

☐ ADDITIONAL
RECOVERED PROPERTY

PAGE 2 of 2 PAGE:

NARRATIVE

THIS UNIT AT THIS POINT HAS NOT BEEN ABLE TO WATCH THE VIDEO.
THIS UNIT WILL FORWARD THIS INFORMATION TO CED FOR FURTHER
INVESTIGATION. THE SUBJECT HAS BEEN KNOWN TO WORK AT CLUB
ZORAC AS A : MGR.

ADMINISTRATIVE

SUBJECT IDENTIFIED
☒ YES NO ☐

SUBJECT LOCATED
☒ YES NO ☐

☒ ACTIVE ☐ ADM. CLOSED
☐ UNFOUNDED

☐ ARRESTED UNDER 18
☐ ARRESTED 18 AND OVER

☐ EX-CLEAR UNDER 18
☐ EX-CLEAR 18 AND OV

REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY

REPORTING OFFICER(S)

DATE

UNIT
NUMBER

APPROVING OFFICER

DATE

UN
NUM

A. AEDRIDGE

6-11-10

C180

Cpl R Winningham

6-11-10

C111

FOLLOW-UP
INVESTIGATION ☒ YES NO ☐ OFFICER

AGENCY I.D.
SC0 380000

SUPPLEMENTAL INCIDENT REPORT

CASE NUMBER

NCI

INQ.

2010005803

☐ ORIGINAL REPORT	☒ SUPPLEMENTAL REPORT	☐ ADDITIONAL VICTIMS	☐ ADDITIONAL STOLEN PROPERTY
☐ MODIFIES ORIGINAL	☐ CASE STATUS CHANGE	☐ ADDITIONAL OFFENDERS	☐ ADDITIONAL RECOVERED PROPERTY

PAGE 1 of 2

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.	
	☐ VICTIM #	James, Eugene		#1	#2	#3	0	B	M	36	12/19/73	
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
	☐ RUNAWAY	509	300	Blk	Bro							
	☐ WANTED	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.	803 DAY PHONE	803 EVENING PHONE			
	☐ WARRANT	Orangeburg		SC	29115	0		803	2			
	☐ ARREST	☐ VICTIM NO. ☐ VISIBLE INJURY ☐ NO ☐ YES		☐ COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		☐ VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPASMT. ☐ ALC				
	☐ JAIL	EXPLAIN:		☐ NO ☐ YES		☐ DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.		☐ ONE-MAN VEHICLE ☐ OTHER		☐ AS		
	☐ SUMMONS	☒ SUBJECT NO. 1: USING ALCOHOL ☐ NO ☐ YES		☐ USING DRUGS: ☐ NO ☐ YES ☐ TYPE: ☐ UNK.								

VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINANT	NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT:			RESIDENT	RACE	SEX	AGE	D.O.B.	
	☒ VICTIM # 1	Aiken Electric		#1	#2	#3	0	U				
	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.						
	☐ RUNAWAY	ADDRESS		CITY	STATE	ZIP CODE	LOCATION NO.	803 DAY PHONE	803 EVENING PHONE			
	☐ WARRANT	North Rd		North	SC	29112	05	803	221-3590	803	221-3590	
	☐ ARREST	☒ VICTIM NO. 1 VISIBLE INJURY ☐ NO ☐ YES		☐ COMPLAINT OF NON-VISIBLE INJURIES: ☐ NO ☐ YES		☐ VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.		☐ TWO-MAN VEHICLE ☐ DETECTIVE/SPASMT. ☐ ALC				
	☐ JAIL	EXPLAIN:		☐ NO ☐ YES		☐ DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK.		☐ ONE-MAN VEHICLE ☐ OTHER		☐ AS		
	☐ SUMMONS	☐ SUBJECT NO. ☐ USING ALCOHOL ☐ NO ☐ YES		☐ USING DRUGS: ☐ NO ☐ YES ☐ TYPE: ☐ UNK.								

NARRATIVE

On 06-21-10 This deputy responded to Sunshine Recycling in referer to the above subject (Eugene James) have stolen property in his possess. Subject had attempted to sell items from a local plant in Orangeburg (Antler's), that Sgt. Hunter responded to early this day (6-21-10). After further investigation this deputy recieved information that subject had sold some items from Aiken Electric Case# 2010005803. This deputy met with Aiken Electric security director (Mark Goss), who provided the deputy with security camera footage and picture of a subject matching the description of the above subject, bringing copper wiring.

OCSD

VEH. / GUN / ETC. 1	STATUS		TYPE		VIN AND/OR LICENSE NO.		BOAT HULL NO. AND/OR REG. NO.	
	☐ STOLEN	☐ VEHICLE						
	☐ RECOVERED	☐ GUN						
	☐ FOUND	☐ BOAT						
	☐ TOWED	☐ LICENSE PLATE						
	☐ SUSPECT	☐ SECURITIES/BONDS, STOCKS						
	☐ VICTIM	☐ ARTICLE						

PROPERTY EST.	TYPE (GROUP)	Copper Wiring						TOTAL VALUE
	STOLEN	600						600
	DAMAGED							
	BURNED							
	RECOVERED							
	SEIZED							

ADMINISTRATIVE	SUBJECT IDENTIFIED		SUBJECT LOCATED		☒ ACTIVE	☐ ADM. CLOSED	☐ ARRESTED UNDER 18	☐ EX-CLEAR UNDER 18
	☒ YES	☐ NO	☒ YES	☐ NO	☐ UNFOUNDED	☐ ARRESTED 18 AND OVER	☐ EX-CLEAR 18 AND OVER	
	REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY							
	REPORTING OFFICER(S)		DATE	UNIT NUMBER	APPROVING OFFICER		DATE	UI NUA
	Muggins, M		6-21-10	10	Sgt Hunter, A		6-21-10	U

WHITE - RECORDS

YELLOW - S.I.E.D.

AGENCY I.D.
SCO 389000

SUPPLEMENTARY REPORT

CASE NUMBER

2010005803

INQ. EN

☐ ORIGINAL
REPORT

☐ MODIFIES
ORIGINAL

☒ SUPPLEMENTAL
REPORT

☐ CASE STATUS
CHANGE

☐ ADDITIONAL
VICTIMS

☐ ADDITIONAL
OFFENDERS

☐ ADDITIONAL
STOLEN PROPERTY

☐ ADDITIONAL
RECOVERED PROPERTY

PAGE 21 of 21 PAGE

NARRATIVE

To Sunshine Recycling. This incident occurred on 5-16-10 it is in reference to case # 2010005803. After speaking to subject about this incident, he admitted and wrote a statement, stating that he (subject) entered Aiken Electric and stole copper wiring from that location. Subject was detained and transported to OCRDC. This deputy will speak to a magistrate judge to obtain arrest warrant.

ADMINISTRATIVE

SUBJECT IDENTIFIED ☒ YES ☐ NO		SUBJECT LOCATED ☒ YES ☐ NO		☒ ACTIVE ☐ ADM. CLOSED ☐ UNFOUNDED		☐ ARRESTED UNDER 18 ☐ ARRESTED 18 AND OVER		☐ EX-CLEAR UNDER 18 ☐ EX-CLEAR 18 AND OV	
REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY									
REPORTING OFFICER(S) Huggins, M		DATE 6-21-10		UNIT NUMBER 121		APPROVING OFFICER Sgt H L A		DATE 6-21-10	
						FOLLOW-UP INVESTIGATION ☐ YES ☐ NO		UN NUM C104	

AGENCY I.D. SC0 380000	DATE/TIME OF ARREST 06-21-10/1400

BOOKING REPORT

CASE NUMBER 2010005803

PERSONAL DATA	DEFENDANT NAME (LAST, FIRST, MIDDLE) James, Eugene										RACE B	SEX M	DATE OF BIRTH 12-19-73	DOCKET NO.
	AGE 36	ETH. N	HEIGHT 509	WEIGHT 300	HAIR Blk	EYES Brown	SOCIAL SECURITY NUMBER		VISIBLE SCARS AND MARKS		NCIC	I.D. NO.		
	ADDRESS (NUMBER AND STREET)						CITY Orangetburg	STATE SC	ZIP CODE 29115	RESIDENT O U	PHONE NUMBER			
	ALIASES		PLACE OF BIRTH Orangetburg				DRIVERS LICENSE NUMBER							
	EMPLOYER OR OCCUPATION				NEXT OF KIN		ADDRESS (CITY AND STATE)							
	BOOKING OFFICER'S NAME M. Huggins				NUMBER 123	ARRESTING OFFICER M. Huggins		AGENCY OCSO	NUMBER 38000					
	ARRESTEE ARMED ☐ YES ☐ NO WEAPON TYPE: ☐ SEMI-AUTO ☐ FULL-AUTO ☐ ON VIEW ARREST ☐ SUMMONED ☐ CUS													
	JUVENILE DISPOSITION: 1. ☐ HANDLED, RELEASED 2. ☐ REFERRED TO OTHER AUTHORITY *J - This Jurisdiction. S - State. O - Out of State. U - Un													
	ADDITIONAL CASE NUMBERS										MORE IN REMARKS			
	BOND	IF HOLDING FOR ANOTHER AGENCY, CIRCLE CHARGE - A, B, C												
CHARGE I.D.		A				B				C				
STATUTE														
BOND TYPE														
DISPOSITION														
		DAYS		AMOUNT		DAYS		AMOUNT		DAYS		AMOUNT		
TIME SERVED														
BALANCE														
RECEIPT NUMBER														
RELEASE DATE		TIME		RELEASING OFFICER				NUMBER		AGENCY RELEASED TO				

SIGNATURE OF RECEIVING OFFICIAL X LIST ANY REMARKS BEI

REMARKS:

DEFENDANTS PERSONAL PROPERTY RECEIPT				TOTAL CASH AT TIME OF ARREST → \$			
QUANTITY	ITEM			QUANTITY	ITEM		

I HEREBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X

DEFENDANT'S SIGNATURE AT TIME OF ARREST

OFFICER

I HEREBY STATE, ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY MY PERSON AT THE TIME OF MY ARREST.

X

COUNTY OF ORANGEBURG

Meredith Huffman

Plaintiff(s)

vs.

Orangeburg County Sheriff's Department and
Sunshine Recycling

Defendant(s)

Submitted By: J. Todd Rutherford

Address: P.O. Box 1452, Columbia, SC, 29202

SC Bar #: 12097
Telephone #: (803) 256-3003
Fax #: (803) 256-9698
Other:
E-mail: TRutherford@sc.rr.com

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

- ☒ **JURY TRIAL** demanded in complaint. ☐ **NON-JURY TRIAL** demanded in complaint.
☐ This case is subject to **ARBITRATION** pursuant to the Court Annexed Alternative Dispute Resolution Rules.
☐ This case is subject to **MEDIATION** pursuant to the Court Annexed Alternative Dispute Resolution Rules.
☐ This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

Contracts ☐ Constructions (100) ☐ Debt Collection (110) ☐ Employment (120) ☐ General (130) ☐ Breach of Contract (140) ☐ Other (199)	Torts - Professional Malpractice ☐ Dental Malpractice (200) ☐ Legal Malpractice (210) ☐ Medical Malpractice (220) Previous Notice of Intent Case # 20-CP- ☐ Notice/ File Med Mal (230) ☐ Other (299)	Torts - Personal Injury ☐ Assault/Slander/Libel (300) ☐ Conversion (310) ☐ Motor Vehicle Accident (320) ☐ Premises Liability (330) ☐ Products Liability (340) ☐ Personal Injury (350) ☐ Wrongful Death (360) ☒ Other (399) False Arrest & False Imprisonment	Real Property ☐ Claim & Delivery (400) ☐ Condemnation (410) ☐ Foreclosure (420) ☐ Mechanic's Lien (430) ☐ Partition (440) ☐ Possession (450) ☐ Building Code Violation (460) ☐ Other (499)
Inmate Petitions ☐ PCR (500) ☐ Mandamus (520) ☐ Habeas Corpus (530) ☐ Other (599)	Administrative Law/Relief ☐ Reinstate Drv. License (800) ☐ Judicial Review (810) ☐ Relief (820) ☐ Permanent Injunction (830) ☐ Forfeiture-Petition (840) ☐ Forfeiture-Consent Order ☐ Other (899)	Judgments/Settlements ☐ Death Settlement (700) ☐ Foreign Judgment (710) ☐ Magistrate's Judgment (720) ☐ Minor Settlement (730) ☐ Transcript Judgment (740) ☐ Lis Pendens (750) ☐ Transfer of Structured Settlement Payment Rights Application (760) ☐ Confession of Judgment (770) ☐ Petition for Workers Compensation Settlement Approval (780) ☐ Other (799)	Appeals ☐ Arbitration (900) ☐ Magistrate-Civil (910) ☐ Magistrate-Criminal (920) ☐ Municipal (930) ☐ Probate Court (940) ☐ SCDOT (950) ☐ Worker's Comp (960) ☐ Zoning Board (970) ☐ Public Service Comm. (990) ☐ Employment Security Comm (991) ☐ Other (999)
Special/Complex /Other ☐ Environmental (600) ☐ Automobile Arb. (610) ☐ Medical (620) ☐ Other (699)	☐ Pharmaceuticals (630) ☐ Unfair Trade Practices (640) ☐ Out-of State Depositions (650) ☐ Motion to Quash Subpoena in an Out-of-County Action (660) ☐ Sexual Predator (510)		

Submitting Party Signature: _____

Date: 4/27/12

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCF, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)

Meredith Huffman,)
Plaintiff,)

v.)

Orangeburg County Sheriff's)
Department and Sunshine Recycling,)

Defendants.)

IN THE COURT OF COMMON PLEAS
FOR THE FIRST JUDICIAL

C/A No. 2012CP-3800672

SUMMONS
(Negligence, False Arrest)

Jury Trial Demanded

FILED FOR RECORD
WINNIE B. CLARK
CLERK OF COURT
ORANGEBURG, SC

2012 MAY -9 PM 1:58

TO: THE DEFENDANT ABOVE-NAMED: The Orangeburg County Sheriff's Department:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to said Complaint upon the subscriber at his office, 2113 Park Street, Post Office Box 1452, Columbia, South Carolina, 29202, within thirty (30) days after service hereof, exclusive of the day of such service. If you fail to answer the complaint within the time aforesaid, the Plaintiff will apply to the Court for the relief demanded therein, and judgment by default will be rendered against you for the relief demanded in the Complaint.

THE RUTHERFORD LAW FIRM, LLC

By: 

J. Todd Rutherford
South Carolina Bar Number 12097
2113 Park Street
Columbia, South Carolina 29202
(803) 256-3003 Telephone
(803) 256-9698 Fax
Toddrutherford@hotmail.com

Attorney for the Plaintiff Meredith Huffman

This 26 day of April, 2012

Columbia, South Carolina.

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

Meredith Huffman,
Plaintiff,

v.

Orangeburg County Sheriff's
Department,
Sunshine Recycling,

Defendants.

IN THE COURT OF COMMON PLEAS
FOR THE FIRST JUDICIAL CIRCUIT

C/A No.: 2012CP-38-00672

VERIFIED COMPLAINT
(Negligence, False Arrest,
Malicious Prosecution)

Jury Trial Demanded

FILED FOR RECORD
WINNIE B. CLARK
CLERK OF COURT
ORANGEBURG, SC

2012 MAY -9 PM 1:58

COMES NOW the Plaintiff, Meredith Huffman, (hereinafter referred to as "Plaintiff"), complaining of the Defendants, the Orangeburg County Sheriff's Department, and Sunshine Recycling (hereinafter referred to as "Defendants") herein who would respectfully allege and show unto this Honorable Court:

1. Plaintiff, at the time of the occurrence herein mentioned, was a citizen and resident of Calhoun County, State of South Carolina.

2. Upon information and belief, Defendant Orangeburg County Sheriff's Department is a duly constituted law enforcement agency providing law enforcement services in Orangeburg County South Carolina, created and existing pursuant to the laws of the State of South Carolina with its principal place of business located at 1520 Ellis Avenue, Orangeburg, South Carolina, and is within the jurisdiction of this Court.

3. Upon information and belief, Defendant Sunshine Recycling is a duly constituted business providing recycling services in Orangeburg County, South Carolina, created and existing pursuant to the laws of the State of South Carolina with

its principal place of business located at 1105 Southland Road in Orangeburg, South Carolina, and is within the jurisdiction of this Court.

4. On or about May 16, 2010, the following items were stolen from Aiken Electric Cooperative, Inc. and were the focus of the subsequent investigation and Plaintiff's subsequent arrest: sixty feet of copper, #6 copper, and a roll of Alumini.

5. On or about June 2, 2010, at approximately 9:15 a.m., the Plaintiff was arrested by Defendant Orangeburg County Sheriff's Department and charged with Receiving Stolen Goods valued at less than \$1,000.00. Plaintiff remained in Defendant Orangeburg County Sheriff's Department's custody until approximately 3:30 p.m. when a bond hearing was held and Plaintiff was subsequently released on bond. During this time, the Plaintiff was denied food, water, and use of a telephone to call and inquire about the wellbeing of her children. She was also forced to remove her undergarments and dress in an issued jumpsuit.

6. Defendant Orangeburg County Sheriff's Department did restrain the Plaintiff, the restraint was intentional, and the restraint was unlawful. *Law vs. South Carolina Dep't of Corrections*, 368 S.C. 424, 629 S.E.2d 642 (S.C. 2006). The restraint was unlawful as Defendant Orangeburg County Sheriff's Department lacked probable cause to arrest and detain the Plaintiff.

7. Prior to Plaintiff's arrest, on or about May 17, 2010, Officer M. Huggins, an employee of Defendant Orangeburg County Sheriff's Department, went to Aiken Electric Cooperative, Inc., the incident location, and documented in his

Supplemental Incident Report that a white Ford F-150 was seen on the security camera at the incident location.

8. Prior to Plaintiff's arrest, on or about May 17, 2010, Officer M. Huggins filled out another Supplemental Incident Report while at Aiken Electric Cooperative, Inc. and documented that the subject of the incident was driving a black Dodge pick-up truck with SC Tag AFB 106 and was recorded on video at the incident location.

9. Plaintiff drives a red 2005 Dodge Ram Hemi pick-up truck which in no way resembles the descriptions of the vehicles included in either of Officer M. Huggins' Supplemental Incident Reports.

10. There is no information contained in any of Officer Huggins' Incident Reports to link the Plaintiff to the incident. Nor has any information been provided by the Defendant Orangeburg County that provides probable cause for Plaintiff's arrest. Therefore, Plaintiff alleges she was arrested without probable cause.

11. As a result of this arrest, Plaintiff suffered injuries and damages in one or more of the following particulars:

- a. Plaintiff was forced to cancel two family trips: to Greenville, Tennessee and Reedsville, Georgia, because she was told she could not leave the state.
- b. Plaintiff was denied food, water, and the use of a telephone to call and inquire about the wellbeing of her children.
- c. Plaintiff suffered humiliation during her arrest when she was forced to remove her undergarments and change into an issued jumpsuit.

- d. Plaintiff suffered continued humiliation after the dismissal of her criminal charges when the charges and arrest appeared on her SLED report even after the court-ordered expungement.

**For a First Cause of Action
(NEGLIGENCE)**

12. Plaintiff re-alleges Paragraphs one through eleven of this Complaint as if fully restated herein.

13. Defendants had knowledge prior to Plaintiff's arrest that Plaintiff's car did not match the description(s) of the suspect vehicles in this incident. Even with that information, Defendant Sunshine Recycling continued to pursue a case against Plaintiff by repeatedly telling law enforcement that she was responsible for the incident, and Defendant Orangeburg County Sheriff's Department did arrest Plaintiff and hold her against her will for at least seven and a half hours.

14. The conduct of the Defendants was negligent, careless, reckless, grossly negligent, willful and wanton to wit, in one or more of the following particulars:

- a. Ignoring information suggesting Plaintiff was not the suspect in this case, in particular, the description of the suspect vehicle(s) contained in Incident Reports and video surveillance footage in the possession of the Defendants.

15. As a result of the Defendants' negligence, Plaintiff suffered injuries and damages in one or more of the following particulars:

- a. Plaintiff was forced to cancel two family trips, to Greenville, Tennessee and Reedsville, Georgia, because she was told she could not leave the state.
 - b. Plaintiff was denied food, water, and the use of a telephone to call and inquire about the wellbeing of her children.
 - c. Plaintiff suffered humiliation during her arrest when she was forced to remove her undergarments and change into an issued jumpsuit.
 - d. Plaintiff suffered continued humiliation after the dismissal of her criminal charges when the charges and arrest appeared on her SLED report even after the court-ordered expungement.
15. Any and all of which were the direct and proximate cause of injuries and damages suffered by Plaintiff for which she is entitled to relief in the form of judgment against the Defendants including but not limited to financial loss incurred by the Plaintiff as a result of her cancelled trips and pain and suffering.

**For a Second Cause of Action
(FALSE IMPRISONMENT)**

16. Plaintiff re-alleges Paragraphs one through fifteen of this Complaint as if fully restated herein.

17. On or about June 2, 2010, at approximately 9:15 a.m., the Plaintiff was arrested and charged by Defendant Orangeburg County Sheriff's Department with Receiving Stolen Goods valued at less than \$1,000.00. Plaintiff remained in Defendant Orangeburg County Sheriff's Department's custody until approximately 3:30 p.m. when a bond hearing was held and Plaintiff was subsequently released on

bond. During this time, the Plaintiff was denied food, water and use of a telephone to call and inquire about the wellbeing of her children.

18. Defendant Orangeburg County Sheriff's Department did restrain the Plaintiff, the restraint was intentional, and the restraint was unlawful. *Law vs. South Carolina Dep't of Corrections*, 368 S.C. 424, 629 S.E.2d 642 (S.C. 2006). The restraint was unlawful because Defendant Orangeburg County Sheriff's Department lacked probable cause to arrest and detain the Plaintiff. The Defendant Orangeburg County Sheriff's Department had no evidence linking the Plaintiff to the incident and had been given descriptions of two vehicles seen at the incident location that did not match Plaintiff's car.

19. The conduct of the Defendants was the direct and proximate cause of injuries and damages suffered by the Plaintiff for which she is entitled to relief in the form of judgment against the Defendants including but not limited to financial loss incurred by the Plaintiff as a result of her cancelled trips and pain and suffering.

**For a Third Cause of Action
(MALICIOUS PROSECUTION)**

20. Plaintiff re-alleges Paragraphs 1-19 of this Complaint as if fully restated herein.

21. On or about June 2, 2010, at approximately 9:15 a.m., the Plaintiff was arrested and charged by Defendant Orangeburg County Sheriff's Department with Receiving Stolen Goods valued at less than \$1,000.00. Plaintiff was subsequently released on bond.

22. Plaintiff was arrested and charged based on information provided by Defendant Sunshine Recycling implicating her in the crime.

23. Plaintiff's Receiving Stolen Goods charge (Warrant #: M213746) was later dismissed *nolle prosequi* by the Orangeburg County Solicitor's Office.

24. Defendant Sunshine Recycling's conduct was malicious, willful and wanton to wit, in one or more of the following particulars:

- a. Ignoring readily available information suggesting Plaintiff was not the suspect in this case, in particular, the description of the suspect vehicle(s) contained in Incident Reports;
- b. Repeatedly suggesting to law enforcement that Plaintiff was the suspect in this case, despite video surveillance evidence and other evidence to the contrary.

25. Defendant Sunshine Recycling lacked probable cause to institute prosecutorial proceedings against Plaintiff who clearly did not match the description of the suspect responsible for the crime.

26. As a result of the Defendant's Malicious Prosecution, Plaintiff suffered injuries and damages in one or more of the following particulars:

- a. Plaintiff was forced to cancel two family trips, to Greenville, Tennessee and Reedsville, Georgia, because she was forbidden to leave the State of South Carolina while on bond;
- b. Plaintiff suffered humiliation as a result of her arrest for a crime that she did not commit;
- c. Plaintiff was forced to post bond in the amount of \$1,000;

- d. Plaintiff suffered humiliation while attending mandatory court dates at the Orangeburg County Courthouse for her charge.
- e. Plaintiff suffered continued humiliation after the dismissal of her criminal charges when the charges and arrest appeared on her SLED report even after the court-ordered expungement.

27. The conduct of the Defendant Sunshine Recycling was the direct and proximate cause of injuries and damages suffered by the Plaintiff for which she is entitled to relief in the form of judgment against the Defendants including but not limited to financial loss incurred by the Plaintiff as a result of her cancelled trips, humiliation, pain and suffering.

WHEREFORE, Plaintiff is informed and believes that she is entitled to judgment against the Defendants for actual and punitive damages, for the costs of this action, and for such other and further relief as the Court may deem just and proper.

THE RUTHERFORD LAW FIRM, LLC

By: _____

J. Todd Rutherford
South Carolina Bar Number 12097
2113 Park Street
Columbia, South Carolina 29202
(803) 256-3003 Telephone
(803) 256-9698 Fax
Toddrutherford@hotmail.com

Attorney for the Plaintiff Meredith Huffman

This 26th day of April, 2012

Columbia, South Carolina.

STATE OF SOUTH CAROLINA
COUNTY OF ORANGEBURG

Meredith Huffman,
Plaintiff,

v.

Orangeburg County Sheriff's
Department,
Sunshine Recycling,
Defendants.

IN THE COURT OF COMMON PLEAS
FOR THE FIRST JUDICIAL CIRCUIT

C/A No.: 2012-CP-38-00672

VERIFICATION OF COMPLAINT

(Negligence, False Arrest,
Malicious Prosecution)

Jury Trial Demand

FILED FOR RECORD
WINNIE B. CLARK
CLERK OF COURT
ORANGEBURG, SC

2012 MAY -9 PM 1:58

Under penalty of perjury, I, Meredith Huffman, the Plaintiff in this action, do declare
that I have read the foregoing and the facts alleged therein are true and correct to the
best of my knowledge and belief.

Meredith Huffman
Meredith Huffman, Plaintiff

STATE OF SOUTH CAROLINA

COUNTY OF Richland

The foregoing instrument was sworn to or affirmed and subscribed before me on this
the 26th day of ~~March~~ April, 2012.

Stephanie A. Jones

Name: Stephanie A. Jones
Notary Public for South Carolina

My Commission Expires: August 25, 2015

TRUE COPY

STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG

Meredith Huffman,

Plaintiff,

vs.

Orangeburg County Sheriff's Department,
Sunshine Recycling, LLC and Aiken
Electric Cooperative, Inc.,

Defendants.

IN THE COURT OF COMMON PLEAS

FIRST JUDICIAL CIRCUIT

CIVIL ACTION No.: 2012-CP-38-672

**NOTICE OF TAKING THE DEPOSITION
OF ASHLEY ALDRIDGE**

YOU WILL PLEASE TAKE NOTICE that the Defendant, by and through its undersigned counsel, will take the deposition at the time and location specified of the individual listed below:

DEPONENT: Ashley Aldridge

DATE/TIME: September 25, 2013 at 9:00 a.m.

**PLACE: Williams & Williams, Attorneys at Law
1281 Russell Street
Orangeburg, SC 29115**

COURT REPORTER: Verbatim, Inc.

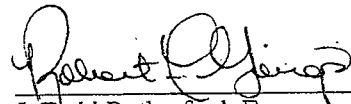
Further, the undersigned hereby identifies any and all documents or other material that have been produced or otherwise identified by the parties in discovery may be shown to the deponent or otherwise used during the course of the deposition.

This deposition will be taken before some officer authorized by law to take depositions and will continue from day to day until completed. The deposition may be conducted via videoconferencing or telephonic means, and may be recorded on videotape in addition to stenographic transcription.

This deposition is being taken for the purpose of discovery, for use at trial, and for all other purposes as may be permitted under the rules of this Court and all applicable statutes and laws.

Respectfully submitted,

By:



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Attorneys for Plaintiff

July 2, 2013
Columbia, South Carolina

CERTIFICATE OF SERVICE

The undersigned does hereby certify that the following named individual(s) were served with a copy of the pleading(s) indicated below by mailing a copy of same to said person(s) in the United States Postal Service, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

COUNSEL SERVED:

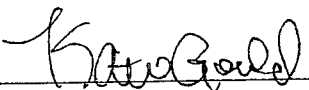
Norma T. Jett, Esquire
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Attorney for Defendant Orangeburg County Sheriff's Department

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Columbia, SC 29211-1209
Attorney for Aiken Electric Cooperative, Inc.

PLEADINGS:

- NOTICE OF TAKING THE DEPOSITION OF ASHLEY ALDRIDGE



Columbia, South Carolina
July 2, 2013