

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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APPEAL FROM GREENVILLE COUNTY
Honorable J. Derham Cole, Circuit Court Judge

SC Court of Appeals

Appellate Case No. 2014-001092

THE STATE,

Respondent,

vs.

NORMAN QUINTON HUNT,

Appellant.

CORRECTED RECORD ON APPEAL

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STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

COURT OF GENERAL SESSIONS

2012-GS-23-6500; 6502

2014-GS-23-0008A; 0009A

STATE OF SOUTH CAROLINA)

PLAINTIFF)

vs.)

NORMAN HUNT)

DEFENDANT)

ORIGINAL

TRANSCRIPT OF RECORD

May 12-14, 2014
Greenville, South Carolina

B E F O R E:

THE HONORABLE ROBIN B. STILWELL, Judge; and a Jury.

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

L. MARK MOYER, ESQ.
Attorney for the State

THOMAS J. QUINN, ESQ.
Attorney for the Defendant

APRIL HERRON
Official Court Reporter

1 THE COURT: Y'all ready?

2 MR. QUINN: Yes, sir, I guess I'll go first. The
3 Solicitor is, as I understand it, planning to call three
4 indictments for trial and we have a motion prior to
5 selecting the jury.

6 THE COURT: Do we have those?

7 MR. MOYER: Your Honor, actually, there are four.
8 There's a lewd act on a minor.

9 THE COURT: Who's got the originals? Okay, I have
10 them.

11 MR. QUINN: Thank you, Your Honor. The three that I
12 need to discuss with the Court are 2014-89 and 2012-65 --
13 I'm sorry, 2012-6500. I'm sure the Court can see at a
14 glance that we have two criminal sexual conduct with a
15 minor first degree charges and a criminal sexual conduct
16 with a minor, second degree. My concern is that in
17 Indictment 2012-6500, it is, apparently, the Solicitor's
18 intent to proceed under 16-3-655(A)(2). As the Court is
19 familiar, 16-3-655 is criminal sexual conduct with a minor
20 in the first degree and sets out two -- sub-one and
21 sub-two. Sub-one being that the child is less than 11
22 years of age.

23 The Solicitor has indicted Mr. Hunt in the other two
24 indictments with CSC first and CSC second. Those two
25 indictments together cover the time period March 25th,

1 2003, to March 3rd, 2011. The indictment alleging (A) (2)
2 where the Solicitor wants to introduce to the jury as
3 prior conviction covers the exact same dates, March 25th,
4 2003 to March 3rd, 2011. While I understand that, if
5 Mr. Hunt is convicted of either CSC first or second, the
6 Court may sentence him under 16-3-655(A) (2). I do not
7 believe that it is appropriate for the solicitor to be
8 able to -- I don't think it's legal for the solicitor to
9 be able to introduce his prior conviction in his case in
10 chief. When the truth is he couldn't use it even for
11 impeachment purposes if he testifies. I suspect the Court
12 would find it's too remote because it is 20 years old.
13 So, he couldn't even use it for impeachment purposes.
14 He's trying to get around that by indicting him in this
15 fashion. My position is that 16-3-655(A) (2) in this case
16 is solely for sentencing. And if the Court will permit,
17 the solicitor has prepared a memorandum. I do not know if
18 it's been submitted to the Court.

19 MR. MOYER: It has not been, Your Honor.

20 MR. QUINN: If the Court will permit, I will
21 anticipatorily address this. The solicitor analogizes it
22 to the burglary statute. And that analogy may be fair,
23 but the case he is citing, State v. Washington, was a
24 situation where the facts would have made the crime a
25 burglary second, but because of the prior convictions, it

1 was treated -- I mean, it was handled in court as a
2 burglary first. That's not the situation you have in this
3 case before you because you have the indictments that
4 cover the same periods of time. So, the solicitor is
5 still going to have the opportunity to convict Mr. Hunt of
6 CSC first or CSC second. In Washington that would not
7 have been possible. Without the prior convictions, there
8 could not have been a conviction for burglary first. The
9 facts didn't allow it.

10 So that case, in Washington, that was a necessary
11 element to make the burglary first conviction. It is not
12 a necessary element in this case with these indictments to
13 make it a CSC first degree when the solicitor has a
14 separate indictment for it. So my argument is that he
15 should not be allowed to introduce the prior conviction or
16 that Mr. Hunt was on the sex offender registry, that we
17 will stipulate for sentences purposes, if necessary, that
18 those exists so the Court will, if he's convicted,
19 sentence him under that code section. But I do not
20 believe the solicitor should be allowed to introduce that
21 to the jury in his case in chief.

22 THE COURT: All right.

23 MR. MOYER: May it please the Court, my response is
24 this, criminal sexual conduct first degree was initially
25 just (A)(1). Then the legislature passed a statute giving

1 a separate crime of criminal sexual conduct first degree.

2 (A) (1) and (A) (2) have -- well, there's some overlapping
3 elements as in it has to be a sexual battery, but other
4 than that, the elements are different. The punishments
5 are different. For (A) (1), it is 30 to life. For (A) (2),
6 it is 10 to 30. The elements for (A) (1) have to do with
7 the age of the child, the child has to be under the age
8 11. Then criminal sexual conduct second degree kicks it
9 for over the age of 11. Under (A) (2), the child just has
10 to be under age 16. So it goes all the way up until the
11 child reaches 16. But it adds the element of the
12 Defendant has to have been convicted of a sex crime or be
13 on the sexual registry.

14 So, the State has to prove that the Defendant is
15 either on the sex offender registry or has been convicted
16 of a crime in order to find the Defendant guilty of that
17 subsection. This is analogist to the burglary first
18 situation in that the State for burglary first degree has
19 to prove that the Defendant was convicted of two prior
20 burglaries in order to meet that element. The same thing
21 holds right here. So, Your Honor, our position is the
22 same conduct can often support many different charges.
23 For example, possession with intent to distribute crack
24 cocaine within a half mile of a school can encompass
25 several different charges.

1 Here, in fact, we have a third charge, lewd act on a
2 minor, which also covers the same conduct. So the fact
3 that there are multiple indictments covering the same
4 conduct should not sway into the analysis of the court.
5 So, for those reasons, because it is an element of the
6 crime, the State has to prove that element and does not
7 have to stipulate.

8 THE COURT: All right.

9 Mr. Quinn, let me ask you this, would you make the
10 same argument if this were a burglary case and the
11 solicitor had indicted the Defendant as a burglary first
12 degree because he entered the dwelling without consent and
13 with the intent to commit a crime therein and the burglary
14 occurred in the nighttime. Then you had a separate
15 indictment, same elements, but the fourth element was that
16 he had been convicted of two or more burglaries or
17 housebreaking, would you make the same argument you're
18 making now?

19 MR. QUINN: I probably would, Your Honor.

20 THE COURT: Okay. But are you recognizing that the
21 law is against that argument? I mean, that's not to say
22 the Supreme Court can't change some things, but would you
23 say the law is not in your favor?

24 MR. QUINN: No, sir. Because I think the underlying
25 facts in Washington never made it to burglary first. If

1 it had --

2 THE COURT: No, I'm not talking about Washington, I'm
3 talking about the example I just gave you.

4 MR. QUINN: Yes, sir.

5 THE COURT: In other words, the facts to be presented
6 by the State were that the evidence was he entered the
7 dwelling without consent with the intent to commit a crime
8 therein and it occurred in the nighttime. And there's a
9 separate indictment for the same burglary, but the fourth
10 element was that he had been convicted of two or more
11 prior burglaries. Would you argue then that those
12 shouldn't be admitted because they're too prejudicial and
13 they can prove it on the nighttime burglary?

14 MR. QUINN: I would, yes, sir.

15 THE COURT: Okay. Would you agree that the Judge
16 would -- it would be appropriate for the Judge to allow
17 the jury to consider both of those indictments because
18 they are separate and distinct elements?

19 MR. QUINN: Not the best judges would do that.

20 THE COURT: The best wouldn't do it?

21 MR. QUINN: No, sir. I don't think that factual
22 situation has been faced by the Supreme Court.

23 THE COURT: I'm not suggesting it has. Apparently,
24 this one has not either, is that true?

25 MR. QUINN: As far as I know, it has not been.

1 THE COURT: What else would y'all like to tell me?

2 MR. QUINN: I don't have any further enlightening
3 argument on that issue. You want us to go on to another
4 issue?

5 THE COURT: No, I'm just asking about this particular
6 issue.

7 MR. QUINN: No, sir, I don't have anything further to
8 add.

9 THE COURT: All right. I think the State is correct
10 in their assertion and I think it is analogous to the
11 burglary statute. I think the State can elect to proceed
12 on either or both of the elements which make it a criminal
13 sexual conduct with a minor in the first degree. In this
14 case, one of those elements is that he engaged in a sexual
15 battery with a victim who is less than 16, and he's
16 previously been convicted or pled guilty, or has been
17 ordered to be included on the sex offender registry. So
18 that appears to be an element of the offense. Just like
19 two or more crimes of burglaries appears to be an element
20 of burglary first if that exist as a fact. So under that
21 analogy, I find that it's appropriate and I'm going to
22 deny your motion to exclude it.

23 MR. QUINN: Only other motion that I have, Your
24 Honor, that you may want to take up at this point or you
25 may want to hold until the complaining witnesses testify,

1 MR. QUINN: No, sir, nothing else.

2 THE COURT: Well, right now, I don't see the
3 relevance of it, Mr. Quinn, and I'm going to disallow it.
4 But as the evidence in the case develops, if you perceive
5 that somehow it's become or been made relevant, I'll be
6 happy to reconsider what I've determined to this point.

7 MR. QUINN: Thank you, Judge.

8 THE COURT: Okay.

9 MR. QUINN: And that's the only motions I have.

10 THE COURT: All right.

11 Mr. Moyer.

12 MR. MOYER: Just a couple of issues. One is that the
13 Defendant -- I wanted to make the Court aware that the
14 Defendant did give a statement. However, at this time,
15 the State does not intend to introduce that in our case in
16 chief and that the Defendant denied the allegations. So,
17 I don't see at this point having a Jackson v. Denno
18 hearing, however, should the circumstances of the case
19 change in such a way that we feel that we would like to
20 put his statement into the record, we will certainly stop
21 and tell the Court and have a Jackson v. Denno hearing
22 before we do so.

23 THE COURT: Okay.

24 MR. MOYER: The only other matter I have, Your Honor,
25 is related to some 404(B) evidence that we would wish to

1 place into the record. The victim from the previous
2 conviction of the Defendant for criminal sexual conduct is
3 present and prepared to testify about the sexual abuse
4 that she was subject to. I understand we don't
5 necessarily have to have that whole issue vetted at this
6 point because the whole analysis comes down to the degree
7 of similarity and dissimilarity between what the victim
8 went through and what the previous victim went through,
9 the witness. So if Your Honor would want to wait until
10 after our victim testifies so you know what she has
11 testified to to then hear what the other previous victim
12 has to say about it so you can make that determining
13 factor, that would be fine. Or if you would like us to
14 give you summaries of that, we can do that as well.

15 THE COURT: Well, Mr. Quinn, does it suit you just as
16 well to wait until after the victim has testified?

17 MR. QUINN: Absolutely.

18 THE COURT: Okay. We'll reserve that.

19 MR. MOYER: Okay.

20 THE COURT: Any other matters we need to address
21 prior to selection?

22 MR. MOYER: Not from the State.

23 MR. QUINN: No, sir.

24 THE COURT: Okay. All right. The jury is coming
25 back at 2:30, so we'll select a jury at 2:30. I do have

1 the county.

2 THE COURT: Okay. That won't help me.

3 Good afternoon, ladies and gentlemen. We are ready
4 to begin with the jury selection in the first case. It's
5 going to require some of your participation. The title of
6 the case is The State vs. Norman Quinton Hunt. Mr. Hunt
7 has been charged in four separate and distinct indictments
8 with four separate and distinct offenses, although, they
9 allege to involve the same person who's alleged to be the
10 victim in each, but they occur over a period of time. So
11 there are four separate and distinct charges for which the
12 jury will be called upon to render four separate and
13 distinct decisions. Those decisions could be the same,
14 they may be different. That, obviously, will depend upon
15 a determination of fact and application of the law.

16 But Mr. Hunt is charged in four separate indictments.
17 Two of those indictments charge him with criminal sexual
18 conduct with a minor in the first degree. One indictment
19 charges Mr. Hunt with criminal sexual conduct with a minor
20 in the second degree. And the fourth indictment charges
21 Mr. Hunt with the commission of a lewd act upon a child.

22 The first indictment alleges that Mr. Hunt did here
23 in Spartanburg County -- excuse me, Greenville County,
24 between the dates of March 25th of 2003, and March the 3rd
25 of 2011, commit a sexual battery upon a child who is less

1 than 16 years of age.

2 The second indictment alleges that Mr. Hunt did here
3 in Greenville County between the dates of March 25th of
4 2003, and March the 24th of 2009, commit a sexual battery
5 upon a child who was under the age of 11 years.

6 The third indictment charges Mr. Hunt with criminal
7 sexual conduct with a minor in the second degree. And
8 this indictment alleges that Mr. Hunt did here in
9 Greenville County between the dates of March the 25th of
10 2009, and March the 3rd of 2011, commit a sexual battery
11 on a person who is 14 years of age or less, but who was,
12 at least, 11 years of age.

13 The remaining indictment charges Mr. Hunt with the
14 commission of a lewd act upon a child. And this
15 indictment alleges that Mr. Hunt did here in Greenville
16 County between March the 1st of 2004, and March the 31st
17 of 2011, he being over the age of 14 years, did willfully
18 and lewdly commit or attempt a lewd and lascivious act
19 upon or with the body of a child under the age of 16 years
20 with the intent of arousing, appealing to or gratifying
21 the lust, passions or sexual desires of himself or of the
22 child.

23 Now, as to those allegations and as to each of those
24 charges, the Defendant has entered a plea of not guilty.
25 A plea of not guilty places upon the State -- because they

1 each of you beyond a reasonable doubt. Apparently, we're
2 going to hear a lot tomorrow. Listen to see if you hear
3 any verification of these accusations, any verification of
4 her acting in conformity with what she claims happened.
5 Any proof or evidence other than her word. The answer is
6 no. Or if there's not verification from the expert who,
7 apparently, examined her or the doctor who examined her
8 that points to Norman Hunt, your verdicts will be not
9 guilty.

10 THE COURT: Mr. Moyer.

11 MR. MOYER: Thank you, Your Honor. May it please the
12 Court. The State would call Dawn Hurley.

13 THE CLERK: Ms. Hurley, please place your left hand
14 on the Bible and raise your right hand.

15 DAWN HURLEY, after being duly sworn, testified
16 as follows:

17 THE CLERK: Thank you, please be seated and state
18 your name for the record.

19 THE WITNESS: My name is Dawn, D-A-W-N, Hurley,
20 H-U-R-L-E-Y.

21 DIRECT EXAMINATION

22 BY MR. MOYER:

23 Q Ms. Hurley, will you tell the jury where you are
24 employed?

25 A I'm employed at Bank of America NA.

DAWN HURLEY-DIRECT BY MR. MOYER

1 Q What is Bank of America NA?

2 A It's a financial institution, it's a financial
3 institution, association.

4 Q Okay. And what is your position with Bank of
5 America?

6 A I'm a banking officer, operation analyst.

7 Q How long have you worked for Bank of America?

8 A Thirty-two years.

9 Q And what is your position currently?

10 A Banking officer, operational analyst.

11 Q How long have you had that position?

12 A Well, the titles change. What I have been doing, my
13 responsibilities, approximately 10 years.

14 Q Okay. What are your duties and responsibilities in
15 that role?

16 A For this role, it's to authenticate documents as well
17 as to speak about them at trials. I represent Bank of
18 America as the records custodian.

19 Q And you testify in courts?

20 A Yes, I do.

21 Q Regularly?

22 A Yes, sir.

23 Q Okay. Now, were you asked to bring some bank records
24 with you today?

25 A Yes, sir.

DAWN HURLEY-DIRECT BY MR. MOYER

- 1 Q For how many different accounts?
- 2 A Two.
- 3 Q Do you have those with you now?
- 4 A Yes, sir.
- 5 Q Would please hand them to me.
- 6 A Sure.
- 7 (WHEREUPON, State's Exhibits Nos. 1 & 2 were marked
- 8 for identification only.)
- 9 BY MR. MOYER:
- 10 Q Okay. Let me --
- 11 MR. QUINN: Judge, may we approach?
- 12 THE COURT: You may.
- 13 (WHEREUPON, an off-the-record bench conference was
- 14 held in the presence of the jury but out of the
- 15 hearing of the jury.)
- 16 BY MR. MOYER:
- 17 Q Okay. I want to hand you what has been marked as
- 18 State's Exhibits Nos. 1 and 2, can you just tell us what
- 19 is it that is depicted in those -- what is depicted in --
- 20 what is in those records?
- 21 A In Exhibit 1 is copies of bank statements for the
- 22 account ending in 8964 for the period of February 21st
- 23 through March 21, 2012. The account is in the name of
- 24 the alleged victim and Olivia M. Hunt.
- 25 Q Is that a checking or savings account?

DAWN HURLEY-DIRECT BY MR. MOYER

- 1 A This was a checking account.
- 2 Q Okay.
- 3 A And also is a copy of a deposit in the amount of \$25.
- 4 Exhibit No. 2 is also bank statements for the same time
- 5 period for the account ending in 6989 in the same name.
- 6 Q Same name, *the alleged victim* and Olivia Hunt?
- 7 A That is correct.
- 8 Q And is that a checking or savings account?
- 9 A That's a savings account.
- 10 Q Now, regarding those records, how are they kept and
- 11 preserved?
- 12 A All the bank records are electronically stored.
- 13 Q And what information -- well, are those records kept
- 14 in the course of regularly conducted business activity?
- 15 A Yes, sir.
- 16 Q Is it a regular practice of Bank of America to
- 17 maintain and keep those records?
- 18 A Yes, sir.
- 19 Q You have access to those documents and that
- 20 information as a regular and normal function of your job?
- 21 A That is correct.
- 22 Q Okay.
- 23 MR. MOYER: Your Honor, at this time, I would move to
- 24 have State Exhibit Nos. 1 and 2 entered into the record.
- 25 MR. QUINN: No objection.

DAWN HURLEY-DIRECT BY MR. MOYER

1 THE COURT: They're admitted.
2 (WHEREUPON, State's Exhibits Nos. 1 & 2 were admitted
3 into evidence.)
4 BY MR. MOYER:
5 Q Now, let me ask you just a couple of questions about
6 State's Exhibit No. 1, the account ending 8964?
7 A Okay.
8 Q Would you tell the jury when that account was opened?
9 A The account was opened on February 21st, 2012.
10 Q Many people had access to that account? How many
11 people's names are on the account?
12 A Two.
13 Q Okay. And who are they?
14 A *The alleged victim* and Olivia M. Hunt.
15 Q When was that account closed?
16 A The account closed on April 19th, 2012.
17 Q Okay. Now would you look at the other, State's
18 Exhibit No. 2?
19 A Okay.
20 Q I ask you the same question. Once again, are the
21 names on the account the same, *the alleged victim* and Olivia
22 Hunt?
23 A That's correct.
24 Q When was that account opened?
25 A February 21st, 2012.

DAWN HURLEY-DIRECT BY MR. MOYER

- 1 Q Okay. When was that account closed?
- 2 A February 19th, 2012.
- 3 Q February or April?
- 4 A April, I'm sorry.
- 5 Q So the same date, they're both opened and closed on
- 6 the same dates?
- 7 A That's correct.
- 8 Q Okay. Now, State Exhibit No. 2, is that a checking
- 9 or savings account?
- 10 A That's a savings account.
- 11 Q How many deposits were made into that account?
- 12 A Three.
- 13 Q And what was the date of the first deposit?
- 14 A February 21st.
- 15 Q How much money?
- 16 A Twenty-five dollars.
- 17 Q What was the date of the second deposit?
- 18 A February 22nd in the amount of 200.
- 19 Q What's the date of the third deposit?
- 20 A March 5th in the amount of 200.
- 21 Q Now, have there been deposits going from that
- 22 checking account into the savings account?
- 23 A Yes.
- 24 Q Okay. How many different transactions were made
- 25 transferring money from the checking account into the

DAWN HURLEY-DIRECT BY MR. MOYER

1 savings account?

2 A From the checking?

3 Q I'm sorry, from the savings account into the checking
4 account. I'm sorry.

5 A Okay. Seven.

6 Q Okay.

7 MR. MOYER: I have no further questions at this time.

8 CROSS-EXAMINATION

9 BY MR. QUINN:

10 Q Ms. Hurley, can you tell how many signature cards
11 there are for the checking account?

12 A One.

13 Q And whose name is it in?

14 A *The alleged victim* and Olivia M. Hunt.

15 Q So there's one card, but two signatures?

16 A That is correct.

17 Q Did you bring that with you today? Is that in the
18 records you submitted to the Court?

19 A Yes, sir.

20 Q And how many check cards were issued off of that
21 account?

22 A I don't know.

23 Q And can you tell us, do the bank records indicate
24 whether those -- I'm going to do it this way. Do the
25 records indicate whether the checking account was ever

1 used, were checks ever written?

2 A No. This account -- Exhibit No. 1 is an electronic
3 account, meaning only electronic transactions are done.

4 Q Cards?

5 A All the card, through a card, that's correct?

6 Q But you don't know how many cards were issued?

7 A No, I did not research that, no.

8 Q And more cards could be issued than people that were
9 on the signature cards?

10 A No, they are only issued to the signers on the
11 account.

12 Q So no more than two cards?

13 A If that's what was requested. Could have been one.
14 Could be two.

15 Q Could someone on the signature card request more than
16 one bank card?

17 A It's unusual. Only unless they lost a card is when
18 they'll ask for another card.

19 Q So if I've got an electronic account and I want a
20 second card so my wife can have access to it, will the
21 bank issue me a second card or not?

22 A If she's a signer on the account, yes.

23 Q But she has to come in and sign on the account? Even
24 though I'm the signature, I can't get more than one
25 electronic card, that's your testimony?

DAWN HURLEY-CROSS BY MR. QUINN

1 A If you want us to give you more than one card for
2 your account?

3 Q Right.

4 A As far as I know, all the account holders obtain one
5 card.

6 Q And is that your department?

7 A What do you mean is that my department?

8 Q Well, you say as far as I know. That makes me wonder
9 if you know, if that's something you deal with on a
10 day-to-day basis or if you believe that's what the bank's
11 policy is?

12 A If there's two signers on this account, more than
13 likely, there will be two cards.

14 Q One in each --

15 A More than likely, there's not going to be three or
16 four cards. I mean, you can get -- you can ask for one
17 card and only one card is admitted for the account. If
18 she wants two cards, you can get two. If you're asking me
19 if there's more than two on this account, it's not normal.

20 Q But don't know?

21 A I don't know because I didn't research it, no. I was
22 not asked in the subpoena.

23 Q And the records that you brought, do they list
24 transactions on that account by the bank card?

25 A Sure.

DAWN HURLEY-CROSS BY MR. QUINN

1 Q Have you researched who completed those transactions?

2 A No, that was not requested.

3 Q And what branch do you work at here in Greenville?

4 A I do not work in Greenville.

5 Q So do you know either of the people listed on this
6 account?

7 A No, not personally, no.

8 MR. QUINN: I don't have any other questions. Thank
9 you.

10 MR. MOYER: Nothing further. Thank you.

11 THE COURT: You may step down. Be sure you leave
12 those exhibits if you have them.

13 THE WITNESS: They're right there. Do you want me to
14 give them to you?

15 THE COURT: That's fine, you can leave them. Either
16 way. Thank you.

17 THE WITNESS: You're welcome.

18 THE COURT: All right. Ladies and gentlemen, we're
19 going to recess for the afternoon. Let me caution you
20 before you leave that during the overnight recess, you are
21 never permitted to talk about the case with a husband or
22 wife or friend, children or neighbors, nobody. You cannot
23 discuss this case with anyone until the case is concluded.
24 You can't even discuss it with your fellow jurors until
25 you've been instructed to begin jury deliberations. So

May 13, 2014

THE COURT: Any matters to address before the jury is brought in?

MR. MOYER: None from the State, Your Honor.

MR. QUINN: Nothing from the Defense. Thank you, Judge.

THE COURT: All right. Bring them on, please.

(WHEREUPON, the jury came into open court at approximately 9:55 a.m.)

THE COURT: Good morning, ladies and gentlemen. As you know, when we recessed yesterday, the State had begun with their presentation of evidence, so we will continue with that presentation this morning.

Mr. Moyer.

MR. MOYER: Thank you, Your Honor. May it please the Court. The State calls *the alleged victim*.

THE CLERK: *Alleged victim*, please come forward, put your left hand on the Bible and raise your right hand. Can you turn to face me, please? Thank you.

THE ALLEGED VICTIM, after being duly sworn, testified as follows:

THE CLERK: Please have a seat and state your name for the record.

THE WITNESS: *Alleged victim*.

DIRECT EXAMINATION

ALLEGED VICTIM-DIRECT BY MR. MOYER

1 BY MR. MOYER:

2 Q Okay, *alleged victim*. Can you pull that microphone down

3 just a little bit. There you go. Make sure you speak

4 into that microphone so we all can hear you. Would you

5 spell your first name?

6 A *the alleged victim*

7 Q How old are you, *alleged victim* ?

8 A Fifteen.

9 Q When do you turn 16?

10 A In a couple of weeks, May 25th.

11 Q So you're born in 1998 then?

12 A Yes.

13 Q Where do you live now?

14 A Orange, Virginia.

15 Q Who do you live with?

16 A My Aunt Tina.

17 Q Is that this lady seated right here?

18 A Yes.

19 Q What's her full name?

20 A Christina Bateman.

21 Q What is her relationship -- you said she's your aunt?

22 A (The witness nods.)

23 Q On which side, your mother's side or your father's

24 side?

25 A My mom's.

- 1 Q Okay. Who all lives there with you and your aunt?
- 2 A My aunt, her husband, my cousin and me.
- 3 Q Okay. And who are your parents?
- 4 A Olivia and Norman Hunt.
- 5 Q When's the last time you lived with them?
- 6 A Two years ago.
- 7 Q You were taken out of the home in May of 2012, is
- 8 that right?
- 9 A Yes.
- 10 Q And you were -- so you were 13 at that time?
- 11 A Yes.
- 12 Q Almost 14. And where did you go when you left the
- 13 home?
- 14 A Into a foster home.
- 15 Q How long did you stay there in that foster home?
- 16 A For a month.
- 17 Q Where did you go after the foster home?
- 18 A A group home.
- 19 Q Remember the name of the group home?
- 20 A Crossroads.
- 21 Q That's here in Greenville County?
- 22 A Yes.
- 23 Q How long did you stay there in the group home?
- 24 A Eight months.
- 25 Q Then where did you go after you left Crossroads?

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 A To Tennessee with my aunt.

2 Q Your Aunt Christina Bateman?

3 A Yes.

4 Q Okay. All right. How are you feeling this morning?

5 A Nervous.

6 Q Okay. What is the reason for being so nervous?

7 A I don't know.

8 Q Okay. Now, where do you -- let me ask you this,

9 when's the last time you saw the Defendant in this case,

10 Norman Hunt, Sr.?

11 A Two years ago.

12 Q Okay. So you live in Virginia now?

13 A Yes.

14 Q Where do you go to school?

15 A Orange County High School.

16 Q What grade are you in school?

17 A A tenth grader.

18 Q How do you do in school?

19 A I make straight A's.

20 Q Are you doing better in school now than you ever have

21 been?

22 A Yes.

23 Q Where were you born?

24 A Villa Rica, Georgia.

25 Q How old were you when you moved to Greenville?

- 1 A Four or five.
- 2 Q And you moved here with your family and your parents?
- 3 A Yes.
- 4 Q Do you remember where -- the address where you lived
- 5 when you moved to Greenville?
- 6 A 1432 Anderson Ridge Road.
- 7 Q You stayed there until you were moved out to the
- 8 foster home?
- 9 A Yes.
- 10 Q Do you have any brothers or sisters?
- 11 A Yes.
- 12 Q Which one, brothers or sisters?
- 13 A I have a brother and two sisters.
- 14 Q Okay. How old are your sisters?
- 15 A They're in their 20's.
- 16 Q Have they ever lived with you?
- 17 A No.
- 18 Q Do they have the same mother as you?
- 19 A No.
- 20 Q Where do they live?
- 21 A In Maryland.
- 22 Q And who -- so you have one -- how old is your
- 23 brother?
- 24 A Fourteen.
- 25 Q He's a year younger than you are?

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 A Yes.

2 Q Did he live with you as you grew up?

3 A Yes.

4 Q What's his name?

5 A C.H.

6 Q Where does he live now?

7 A In Maryland.

8 Q Who does he live with?

9 A His Aunt Gina.

10 Q Okay. So do you get to see him very often?

11 A Sometimes.

12 Q Does he live close to where you live?

13 A Now. We only live two hours away from him.

14 Q Okay. Now, you know what we're here to talk about

15 today?

16 A Yes.

17 Q And what is that?

18 A (There was no response.)

19 Q What are we here to talk about today?

20 A What my grandfather did to me.

21 Q What's his name?

22 A Norman.

23 Q What's his last name?

24 A Hunt.

25 Q Okay. So you said your father's name is also Norman

1 Hunt?

2 A He's a junior.

3 Q So he's the Defendant's son?

4 A Yes.

5 Q What did you call Norman Hunt, Sr?

6 A Pop.

7 Q All right. You said we're here to talk about what he

8 did to you. What did he do to you?

9 A He molested me.

10 Q How old were you the first time anything happened?

11 A Five.

12 Q And how old were you when it stopped?

13 A Twelve.

14 Q Okay. Where did it happen that first time?

15 A At his house.

16 Q Do you remember where he lived?

17 A Cherrydale Drive.

18 Q Okay. And that's in Greenville County?

19 A Yes.

20 Q Tell us what kind house did he have?

21 A A brick house.

22 Q Was it one story, two stories?

23 A One story.

24 Q Who did he live with?

25 A His wife.

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 Q What's her name?
2 A Kitty.
3 Q Why were you at his house the day this happened the
4 first time?
5 A We used to stay at his house every weekend.
6 Q We being?
7 A Me and my brother.
8 Q Okay. Excuse me. Okay. You mentioned you were four
9 or five years old when you moved here. Did you start
10 going to his house soon after you moved here?
11 A Yes.
12 Q Okay. And would you go to his house frequently?
13 A Yes.
14 Q About how often would you go to his house?
15 A Almost every weekend.
16 Q Okay. And when you would go on the weekends, do you
17 remember, did you go on Friday or Saturday?
18 A Fridays.
19 Q Okay. Like after school or?
20 A After he got off work.
21 Q Okay. Where would he come get you?
22 A At my house.
23 Q Okay. How often would the abuse happen?
24 A A lot.
25 Q Okay.

ALLEGED VICTIM -DIRECT BY MR. MOYER

- 1 A Almost every time I went there.
- 2 Q If it didn't happen, what would be the reasons it
- 3 wouldn't happen?
- 4 A I don't know.
- 5 Q Okay. Was his wife often around?
- 6 A No.
- 7 Q She would leave the house?
- 8 A She wasn't there a lot.
- 9 Q Okay. Did it affect things if she was around, was it
- 10 any different?
- 11 A Yes.
- 12 Q Would the abuse ever happen while she was there?
- 13 A Sometimes.
- 14 Q Where would she be?
- 15 A In her room or sleeping.
- 16 Q Okay. Now, the abuse that you mentioned, did it --
- 17 did it start soon after you started going over to his
- 18 house on the weekends or after a while?
- 19 A Soon after.
- 20 Q Was it the first time or do you remember?
- 21 A No, it wasn't the first time.
- 22 Q Okay. But it was soon?
- 23 A Yes.
- 24 Q Can you -- do you know about how soon?
- 25 A No.

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 Q Okay. Now, what kinds of sexual abuse would he do?

2 A He would touch me.

3 Q Okay. Where would he touch you?

4 A (There was no response.)

5 Q Where would he touch you?

6 A On my vagina.

7 Q On the outside of your clothes or under your clothes?

8 A Both.

9 Q What else did he do, if anything else?

10 A He would make me do things to him.

11 Q What would he make you do to him?

12 A He would make me put my mouth on his penis.

13 Q Okay. He make you do anything else to him?

14 A No.

15 Q Did he ever do any -- did he -- you said he touched

16 you both outside your clothes and underneath your clothes.

17 What did he touch you with?

18 A His hands.

19 Q Did he ever touch you with anything else, any other

20 part of his body?

21 A Yes.

22 Q What other part of his body?

23 A His penis.

24 Q Okay. Now, do you remember the first time this

25 happened?

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 A No.

2 Q Do you have any recollection of any of the -- the

3 first one that you can remember? Can you tell us about

4 the first time you remember?

5 A His house.

6 Q Okay. Happened at his house?

7 A Yes.

8 Q Okay. Where in his house?

9 A In his living room.

10 Q Where in his living room?

11 A On the couch.

12 Q And were clothes on or clothes off?

13 A I don't know. I don't remember.

14 Q Okay. What do you remember happening the first time?

15 A I was laying on him and I asked him what that was and

16 he told me what it was. And he --

17 Q And it, what was it that you're talking about?

18 A His penis.

19 Q Okay. When he told you what it was, did anything

20 else happen?

21 A I don't remember.

22 Q Okay. Now, the touching that you talked about, both

23 over the clothes and under the clothes, how did it -- how

24 did it start off with?

25 A Clothes on.

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 Q Okay. And how long did that go on?

2 A A couple years.

3 Q Okay. Did you ever talk to the Defendant about the

4 first time?

5 A Yes.

6 Q Did he tell you what happened the first time?

7 A Yes.

8 Q What did he tell you happened?

9 A That I was laying on him and I asked him what that

10 was and I started touching it.

11 Q Do you remember why -- how that conversation came up?

12 A No.

13 Q Okay. Was it while the abuse was still taking place?

14 A Yes.

15 Q Okay.

16 THE COURT: I'm going to need you to get a little bit

17 closer to that microphone, please. You can pull it down

18 if you need to.

19 BY MR. MOYER:

20 Q Okay. Now, you mentioned the first few years there

21 was touching on the outside of the clothes, what was --

22 would he touch you or would you touch him?

23 A Both.

24 Q Okay. And what would he have you touch of him?

25 A His penis.

ALLEGED VICTIM -DIRECT BY MR. MOYER

- 1 Q And what would he touch of you?
- 2 A My vagina.
- 3 Q And would he touch over your clothes or under your
- 4 clothes?
- 5 A Both.
- 6 Q And when you touched him on the outside of his
- 7 clothes, what part of your body would touch him?
- 8 A My vagina.
- 9 Q How would that happen?
- 10 A What do you mean?
- 11 Q Were you on top of him or was he on top of you or
- 12 what?
- 13 A I was on top of him.
- 14 Q Okay. Now, let's talk about you said there would be
- 15 touching when clothes came off. What would happen when
- 16 clothes came off?
- 17 A I would be on top of him.
- 18 Q Okay. Were your clothes off or were his clothes off?
- 19 A Both.
- 20 Q And how did your clothes come off?
- 21 A He would take them off.
- 22 Q Would he take off all your clothes or some of your
- 23 clothes?
- 24 A Some of my clothes.
- 25 Q What parts of -- what items of your clothes would he

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 take off?

2 A My pants and my underwear.

3 Q Would he take off all of his clothes?

4 A No.

5 Q What kind of clothes would he be wearing?

6 A Pants and underwear, shirt.

7 Q Okay. And would he always take off the same amount

8 of clothes or would he sometimes take off some clothes and

9 leave some on?

10 A I don't remember.

11 Q Okay. If he left on some of his clothes, what items

12 of clothes would he take off?

13 A His pants and his underwear.

14 Q Okay. And when clothes came off, what did he do to

15 you?

16 A He would touch me and make me touch him.

17 Q Touch his what?

18 A Penis.

19 Q Okay. And he would -- would he touch you?

20 A Yes.

21 Q What would he touch of you?

22 A My vagina.

23 Q What did he touch your vagina with?

24 A His hands or his penis.

25 Q Okay. What did he do with his penis when he touched

ALLEGED VICTIM --DIRECT BY MR. MOYER

- 1 you?
- 2 A He would rub it on my vagina.
- 3 Q Okay. Did he ever attempt or did he ever put his
- 4 penis inside of your vagina?
- 5 A He would try to.
- 6 Q What would happen when he would try to?
- 7 A It would hurt and I would cry.
- 8 Q What would he do then?
- 9 A Stop.
- 10 Q How old were you when that took place?
- 11 A I don't remember.
- 12 Q Did it happen one time or more than one time?
- 13 A More than one time.
- 14 Q Okay. Did it happen -- what places would this
- 15 happen?
- 16 A His work or his house.
- 17 Q Let's talk about his house. Where in his house would
- 18 it be that there would be touching with your clothes off?
- 19 A Clothes on?
- 20 Q With your clothes off, when you said he would touch
- 21 you and attempt to penetrate you?
- 22 A In his living room or his bedroom or the garage.
- 23 Q Okay. Where in the living room?
- 24 A On the couch.
- 25 Q And where in -- where else in the house?

ALLEGED VICTIM - DIRECT BY MR. MOYER

- 1 A In his bedroom or his garage.
- 2 Q In the bedroom, where would it be in the bedroom?
- 3 A On his bed.
- 4 Q Okay. Now, tell us about the garage. Tell us a
- 5 little bit about the garage. Is it attached to the house
- 6 or is it detached from the house?
- 7 A Detached.
- 8 Q Okay. What all is in the garage?
- 9 A His car and parts and tools.
- 10 Q Okay. And where in the garage would he attempt to do
- 11 these things to you?
- 12 A In the back where the TV was.
- 13 Q Was there any furniture there or was there anything
- 14 around that -- did you do it on the floor or on something
- 15 or where?
- 16 A On the floor or on the chair.
- 17 Q There was a chair there, too?
- 18 A (There was no response.)
- 19 Q Now, did he ever touch your privates with any other
- 20 part of his body other than his hand or his penis?
- 21 A No.
- 22 Q Did he ever touch any parts of your body?
- 23 A Yes.
- 24 Q What other parts of your body?
- 25 A My breasts.

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 Q Okay. Would it be on the outside of your clothes or
2 underneath your clothes?
3 A Underneath.
4 Q Okay. Now, you mentioned this happened at his work
5 as well. Where did he work?
6 A At Van Lines.
7 Q Do you know what kind of business that is?
8 A Deals with the parts of a dumpster truck.
9 Q Do you know where it is?
10 A No.
11 Q Would you go to his place of -- would you go to this
12 place very often?
13 A Yes.
14 Q When would you go to his --
15 A When I didn't have school in the summer and I'd go to
16 work with him.
17 Q Okay. And when things would happen at his job, would
18 there be other people around?
19 A No.
20 Q Where were other people?
21 A He'd wait until everyone got off work.
22 Q Okay. Do you know what time everybody got off work?
23 A Five.
24 Q So you would stay there after five?
25 A Yes.

ALLEGED VICTIM DIRECT BY MR. MOYER

- 1 Q Did he have an office or where did he --
- 2 A A cubicle.
- 3 Q He had a cubicle. Okay. Now, tell us about where --
- 4 about what would happen while you were at his place of
- 5 work and he would do these things to you? What would he
- 6 do?
- 7 A He would touch me and make me touch him.
- 8 Q And he would make you touch what?
- 9 A His penis.
- 10 Q With your clothes on or clothes off?
- 11 A Both.
- 12 Q What about his clothes, on or off?
- 13 A Both.
- 14 Q Okay. Would he do anything else beside touching?
- 15 A No.
- 16 Q Would it be touching with hands or with any other
- 17 parts of his body?
- 18 A His hands and his penis.
- 19 Q Were there any other places at his work where this
- 20 happened?
- 21 A No.
- 22 Q And all these -- do you know how old you were when
- 23 this would happen?
- 24 A Between five and 12.
- 25 Q Okay. Did it happen the whole time between age five

ALLEGED VICTIM:-DIRECT BY MR. MOYER

1 and 12 or?

2 A Yes.

3 Q Now, you said that he made you put your mouth on his

4 penis. Where did that -- what place or places did that

5 happen?

6 A Usually in his truck.

7 Q What other places did it happen, if any?

8 A His house.

9 Q Okay. Now, you mentioned it happened in some

10 vehicles as well. Tell us about what kind of vehicles he

11 had.

12 A A truck and a car.

13 Q What did the truck look like?

14 A It was white.

15 Q Did it have one seat or two seats or?

16 A Had front seats and back seats.

17 Q What was the front seat like, was it bucket seats

18 with a console in the middle or was it different than

19 that?

20 A It had three seats in the front.

21 Q Was there any kind of console or anything in the

22 middle?

23 A It was connected to the middle seat.

24 Q Okay. So where would you sit when you were in the

25 truck with him?

ALLEGED VICTIM-DIRECT BY MR. MOYER

- 1 A In the middle.
- 2 Q So there were like three seats in the front?
- 3 A Yes.
- 4 Q So you would be close to him then?
- 5 A Yes.
- 6 Q Be right next to him? When it happened in the truck,
- 7 would the truck be parked somewhere or would he be
- 8 driving?
- 9 A Both.
- 10 Q Let's talk when you were driving, not parked. What
- 11 sort of things would he do to you or have you do to him
- 12 while driving?
- 13 A He would touch my vagina and make me put my mouth on
- 14 his penis.
- 15 Q Would your brother ever be in the car when any of
- 16 this would happen?
- 17 A Yes.
- 18 Q In the truck, I mean. Where would your brother be?
- 19 A In the back seat.
- 20 Q And was anything done to ensure that he didn't see
- 21 what was happening?
- 22 A He would make him lay down.
- 23 Q Who would make who lay down? Who would make -- who
- 24 would do that?
- 25 A (There was no response.)

ALLEGED VICTIM -DIRECT BY MR. MOYER

- 1 Q You said he would make --
- 2 A C.H. lay down.
- 3 Q He would make C.H. lay down. Who would make C.H. lay
- 4 down?
- 5 A Norman.
- 6 Q I'm sorry?
- 7 A Norman.
- 8 Q Okay. And how would he make him lay down?
- 9 A He'd tell him he needs to lay down and not get up.
- 10 Q And would your brother do so?
- 11 A Yes.
- 12 Q Would sometimes this happen when your brother wasn't
- 13 in the truck?
- 14 A Yes.
- 15 Q Did this happen in the daytime or the nighttime?
- 16 A Both.
- 17 Q Did this happen here in Greenville?
- 18 A Yes.
- 19 Q Can you say where it would happen, what kind of
- 20 roads? Do you remember any of the roads that you were
- 21 ever on when this happened?
- 22 A Woodruff and -- all I remember is Woodruff.
- 23 Q But it happened on some other roads, too?
- 24 A Yes.
- 25 Q Would you ever sit -- were you always seated in that

ALLEGED VICTIM' DIRECT BY MR. MOYER

- 1 center seat or were you ever taken out of the seat?
- 2 A I was always in the middle.
- 3 Q Okay. Were you always strapped in?
- 4 A Sometimes.
- 5 Q Okay. What would happen if you weren't buckled in?
- 6 A I just wasn't buckled.
- 7 Q Did you ever get -- did you ever sit on his lap or
- 8 anything like that?
- 9 A Yes.
- 10 Q Tell us about that. Would this be while you were
- 11 driving or while you were parked?
- 12 A He would make me straddle him while he was driving
- 13 when he would pick us up.
- 14 Q Would your clothes be on or off?
- 15 A On.
- 16 Q Would his clothes be on, also?
- 17 A Yes.
- 18 Q Okay. Now, you said some things happened in the
- 19 vehicles when they were parked, also. Where would the
- 20 vehicles be parked when things would happen?
- 21 A At his work or in the Wal-Mart parking lot or at the
- 22 mall.
- 23 Q What Wal-Mart?
- 24 A The Woodruff Road Wal-Mart.
- 25 Q Okay. Would it just be that Wal-Mart or any other

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 places?

2 A There's another Wal-Mart, I just don't remember the
3 name of it.

4 Q Okay. But it would happen at the other Wal-Mart,
5 too?

6 A Yes.

7 Q Would it happen at any other locations that you can
8 remember?

9 A The mall.

10 Q The mall. What mall is that?

11 A Haywood.

12 Q Did he ever take you to Woodruff Road near Bloom?

13 A Yes.

14 Q What happened -- or what happened near that location,
15 if anything?

16 A Before we got home, he would -- he only stopped
17 there -- that's -- we only went there once and before we
18 got home, he parked there and made me do things.

19 Q What did he make you do?

20 A Hump his penis.

21 Q What do you mean by hump?

22 A Get on top of him and move on his penis.

23 Q Okay. Would your clothes be on or off?

24 A Both.

25 Q And was this -- what was this location on Woodruff

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 Road near Bloom, what did it look like?

2 A It was a garage, an old garage.

3 Q Was there other people in it?

4 A No.

5 Q Okay. Now, you mentioned this happened at Wal-Mart

6 and at the mall, would you ever go into these stores?

7 A Yes.

8 Q Was anything bought?

9 A Yes.

10 Q What kind -- what was bought for -- who were

11 purchases made for?

12 A Me.

13 Q Okay. What kind of things did he buy you?

14 A Clothes.

15 Q Did he buy you -- did you go to the stores a lot when

16 you used to go there on the weekends?

17 A Yes.

18 Q Did he start taking you to Wal-Mart and the mall from

19 when you were very young?

20 A Yes.

21 Q Did he continue to take you there up until the time

22 this stopped?

23 A Yes.

24 Q Would the things that happened in the parked cars at

25 the mall or Wal-Mart, did they happen before or after you

ALLEGED VICTIM - DIRECT BY MR. MOYER

1 went into the stores?

2 A Both.

3 Q Was it more one or the other?

4 A Usually after.

5 Q Okay. Did he ever say anything about the purchases

6 he had made?

7 A What do you mean?

8 Q As far as linking it to anything that was happening?

9 A No.

10 Q Now, what sort of things would happen in the vehicles

11 when they were parked at these -- in these parking lots?

12 A He would touch me and make me touch him.

13 Q Would he touch you on the outside of your clothes or

14 underneath your clothes?

15 A Both.

16 Q When he touched you, are you talking about your

17 privates, between your legs?

18 A Yes.

19 Q Did he touch on the outside or the inside or?

20 A Both.

21 Q So when -- the touching that you talked about that

22 happened at home and that happened at his work, same

23 question, did he touch you on the outside of your privates

24 or inside?

25 A Both.

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 Q So did his fingers actually go inside of you?
2 A Yes.
3 Q Now, did anything ever happen anywhere other than in
4 Greenville?
5 A Spartanburg Mall when we would go to Spartanburg.
6 Q Okay. Same sort of things would happen?
7 A Yes.
8 Q Did -- when these would -- these things would happen
9 in the parking lots, was it the daytime or the nighttime?
10 A Both.
11 Q Did he ever seem nervous or act concerned about being
12 seen?
13 A No.
14 Q Did he ever say anything about that?
15 A No.
16 Q What were the windows like in --
17 A They were tinted.
18 Q They were tinted?
19 A Yes.
20 Q Did he ever say anything about that?
21 A When we would be driving in the car doing something,
22 I said what if someone sees, he goes they won't, the
23 windows are tinted.
24 Q And when he -- it would be in a parking lot where
25 he -- would you be near other cars or would it be --

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 A No.

2 Q Okay. It would be near the front of the store or --

3 A Farther away.

4 Q Be farther away. Okay. You mentioned it happened in

5 Spartanburg Mall, too. Did you ever go on any trips with

6 him?

7 A Yes.

8 Q Where did you go?

9 A To go see his friend. I don't know who he is.

10 Q In Spartanburg?

11 A Yes.

12 Q Did you ever go on any trips anywhere farther away?

13 A Where his car was being fixed, but I don't remember

14 where it was.

15 Q Okay. How about on a vacation? Did you ever go to

16 Dollywood?

17 A Yes.

18 Q Did anything happen on the trip to Dollywood?

19 A Yes.

20 Q What happened on that trip?

21 A We were driving there and when it got dark and

22 everyone was asleep in the car, he made me put my mouth on

23 his penis. And when we were all in bed, my parents went

24 to go do laundry or something, and he made me do things to

25 him while they were gone.

ALLEGED VICTIM--DIRECT BY MR. MOYER

- 1 Q Okay. What sort of things did he make you do?
- 2 A He would make me hump his penis.
- 3 Q Okay. Now, when you were in the truck and everybody
- 4 was asleep, did -- you said he made you put your mouth on
- 5 his penis?
- 6 A Yes.
- 7 Q And how did that -- were his clothes on or his
- 8 clothes off?
- 9 A On.
- 10 Q And how did he make you --
- 11 A He pulled his shorts like up.
- 12 Q And were you sitting up or were you --
- 13 A Laying down.
- 14 Q And where were you laying?
- 15 A In the middle.
- 16 Q Okay. Were you on his lap?
- 17 A No.
- 18 Q He pulled his shorts up and that's when he exposed
- 19 himself to you?
- 20 A Yes.
- 21 Q Now, did he ever -- did he ever take any pictures of
- 22 you?
- 23 A Yes.
- 24 Q Okay. Tell us about the pictures that he took.
- 25 A He would take pictures of my vagina and my breasts.

ALLEGED VICTIM -DIRECT BY MR. MOYER

- 1 Q Where would this happen?
- 2 A In his truck.
- 3 Q And tell us what he would take pictures with?
- 4 A A camera.
- 5 Q What did the camera look like?
- 6 A It was a silver digital camera.
- 7 Q Did he do anything with the camera before he took the
- 8 pictures?
- 9 A He would put a different SD card in it.
- 10 Q And then after he finished taking pictures?
- 11 A He put his other one back in.
- 12 Q Did he ever say anything about the pictures that he
- 13 took?
- 14 A He told me one time that when you're not around,
- 15 these pictures come in handy.
- 16 Q So he took pictures just in the truck or did he take
- 17 pictures of you anywhere else?
- 18 A I just remember in the truck.
- 19 Q And what did -- when he took pictures of you, were
- 20 your clothes on or were your clothes off?
- 21 A Off.
- 22 Q And now, did it -- you mentioned it happened in the
- 23 truck, did it ever happen in any other vehicle?
- 24 A I don't remember.
- 25 Q Okay. Did he have any other vehicles?

ALLEGED VICTIM - DIRECT BY MR. MOYER

1 A Yes.

2 Q What did he have?

3 A A car.

4 Q What did the car look like?

5 A It was white.

6 Q Were you ever in his car?

7 A Yes.

8 Q You don't remember if anything happened in his car or

9 not?

10 A He would make me do things to him in the car.

11 Q You said he would?

12 A Yes.

13 Q And where would he make you do things to him in the

14 car?

15 A What do you mean?

16 Q Where would you be? Were you driving, parked

17 somewhere?

18 A I think both.

19 Q Okay. Was it -- did it happen more in the truck or

20 more in the car?

21 A More in the truck.

22 Q Did he ever touch any other parts of your body?

23 A No.

24 Q You mentioned your breasts and your privates?

25 A Yes.

1 Q Now, did he ever buy you things or do nice things for
2 you?
3 A Yes.
4 Q What nice -- what did he do for you?
5 A He would take me shopping and buy me clothes and
6 jewelry.
7 Q What kind of jewelry did he buy?
8 A He bought me rings and an anklet.
9 Q Rings and what now?
10 A An anklet.
11 Q An anklet. Would he buy you things a lot?
12 A Yes.
13 Q Did he buy you nice things?
14 A Yes.
15 Q At first, where would he take you shopping?
16 A Wal-Mart.
17 Q As you got older, did you go to other places?
18 A To the mall.
19 Q What sort of stores would you go to in the mall?
20 A J. C. Penney.
21 Q Any other stores?
22 A That's all I remember. Mostly, we went to J. C.
23 Penney.
24 Q And he bought you nice clothes?
25 A Yes.

~~ALLEGED~~ VICTIM -DIRECT BY MR. MOYER

- 1 Q Now, would you be with him when he bought you things
2 like clothes and jewelry or would he bring these things to
3 you?
- 4 A I would be with him when he bought me the clothes,
5 but when he bought me jewelry, I wouldn't be with him.
- 6 Q Okay. Now, would he buy things for your brother,
7 too?
- 8 A No.
- 9 Q Did he ever -- as far as you know, did you ever see
10 him buy things for your brother?
- 11 A Little things, like toy cars and stuff, but not very
12 often.
- 13 Q Now, when you would -- when you and your brother
14 would go to his house on the weekends, would the Defendant
15 spend much time with your brother?
- 16 A No.
- 17 Q Did you ever see him spend one-on-one time with your
18 brother?
- 19 A No.
- 20 Q Did he spend a lot -- did he spend time with you
21 one-on-one?
- 22 A Yes.
- 23 Q Now, how old were you when this stopped happening?
- 24 A Twelve.
- 25 Q What led to it ending?

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 A I started getting interested in boys and realizing
2 that that's nasty and he shouldn't be doing that to me.

3 Q Now, while you started realizing that he shouldn't be
4 doing anything to you, did you ever do anything or say
5 anything to try to discourage this?

6 A I would stop calling him and going over there. And
7 when I was over there, I'd tell him I was on my period or
8 something to stop him from trying to do something to me.

9 Q You remember about how old you were when you started
10 your period?

11 A Nine.

12 Q When you would say things like that, what would his
13 reaction be?

14 A He would get mad.

15 Q Would he do anything?

16 A He'd take me home.

17 Q Now, these things he did to you, were there any times
18 that any of the things he did to you hurt?

19 A Yes.

20 Q What would hurt?

21 A When he tried to put his penis inside me.

22 Q Did it ever hurt with his hands?

23 A Yes.

24 Q What would hurt about with his hands?

25 A It would hurt when he put his fingers in me.

ALLEGED VICTIM -DIRECT BY MR. MOYER

- 1 Q What would you do when it hurt?
- 2 A I would tell him that it hurt.
- 3 Q Okay. And did he keep -- did he stop?
- 4 A Sometimes.
- 5 Q Did he ever do anything to try to not make it hurt?
- 6 A He would put latex gloves on.
- 7 Q Did that help or did it still hurt?
- 8 A It would still hurt.
- 9 Q Now, did he ever put any objects in you that hurt?
- 10 A Yes.
- 11 Q What was that?
- 12 A One time I had a yeast infection and he put one of
- 13 those tubes in me with the medicine in it. And when he
- 14 put it in, it cut me.
- 15 Q Okay. And what happened when you were cut?
- 16 A I told him I was bleeding and he just told me -- he
- 17 gave me some napkins and told me to clean it up.
- 18 Q Do you remember how old you were when that happened?
- 19 A No.
- 20 Q Okay. But you were -- okay. Did you know what part
- 21 of your body was bleeding?
- 22 A The inside of my vagina.
- 23 Q Now, that you know of, did anybody ever see anything
- 24 happening between you two?
- 25 A My brother.

ALLEGED VICTIM-DIRECT BY MR. MOYER

- 1 Q And what do you remember about that?
- 2 A One time, I was in his room and I was on top of him
- 3 and my brother came in and he saw us.
- 4 Q What did -- did you all see him?
- 5 A I saw him.
- 6 Q Did the Defendant see him?
- 7 A Yes.
- 8 Q Did he say anything or do anything?
- 9 A He yelled at him and said, Get out. What are you
- 10 doing in here?
- 11 Q You said you were laying on top of him. Where in the
- 12 room were you?
- 13 A On his bed.
- 14 Q Okay. And was he sitting up or laying down?
- 15 A Laying down.
- 16 Q Okay. And you -- was he laying on his stomach or on
- 17 his back?
- 18 A On his back.
- 19 Q And you were -- where were you in relation to him?
- 20 A On top of him.
- 21 Q Okay. In what way were you on top of him?
- 22 A My legs were around him on top of his penis.
- 23 Q Okay. Was there -- did anything ever happen in the
- 24 bathrooms?
- 25 A In the bathtub.

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 Q In the bathtub? Tell us about what would happen in
2 the bathtub.

3 A He would get in the bath with me.

4 Q Okay.

5 A And do things to me.

6 Q What would he do to you in the bathtub?

7 A Put his fingers inside of me.

8 Q Was his wife at home when this would happen?

9 A No.

10 Q Was his wife ever at home -- was there ever any
11 instances where --

12 A We were in the bathtub once and Judy came home and
13 she went to go open the door and it was locked and she
14 started screaming and yelling.

15 Q Okay. So he locked the bathroom when he came in
16 there to get in the bathtub with you?

17 A Yes.

18 Q What happened when she started screaming and yelling?

19 A He hurried up and told me to put a towel around me.

20 Q When things -- did the Defendant ever show you any
21 pictures or any depictions in any way of. . .

22 A He would make me watch pornographic videos.

23 Q Where did that take place?

24 A In his living room or in his garage.

25 Q Do you remember what was on the videos?

ALLEGED VICTIM -DIRECT BY MR. MOYER

- 1 A People having sex.
- 2 Q And would he show these to you a lot?
- 3 A Sometimes.
- 4 Q Sometimes?
- 5 A Not often.
- 6 Q Would he do anything when showing you these videos?
- 7 A He would make me do things to him.
- 8 Q Okay. Same sort of things you were talking about?
- 9 A Yes.
- 10 Q Would his clothes be on or off?
- 11 A Both.
- 12 Q What sort of things would he make you do?
- 13 A Get on top of him and hump his penis and he would
- 14 finger me and make me put my mouth on his penis.
- 15 Q Okay. Where in the -- you said this would happen in
- 16 the garage or in the house. Would his wife be at home
- 17 when it happened in the house?
- 18 A Sometimes.
- 19 Q Where would she be?
- 20 A During the day, she would be gone, but at night, she
- 21 would be in her room.
- 22 Q Okay. In the garage, where did this happen inside
- 23 the garage?
- 24 A In the chair or on the floor.
- 25 Q Okay. Now, after what was taking place was

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 eventually reported to the police, do you remember going
2 for a medical examination at some point?

3 A When I went to Tennessee with my aunt.

4 Q Okay. Do you remember coming back to Greenville and
5 being examined?

6 A No.

7 Q You don't remember that?

8 A (There was no response.)

9 Q Okay. But you do remember once in Tennessee?

10 A Yes.

11 Q Now, at the time of this, you had -- and this is when
12 you were right about to turn 14 years old, is that right?

13 A When?

14 Q When this came out to the police and you were
15 examined?

16 A What came out to the police?

17 Q About what your grandfather had been doing to you and
18 when the police found out about it and there was an
19 investigation?

20 A It stopped at 12. Yeah, I was almost turning 14.

21 Q So this stopped when you were 12 and -- okay. By
22 that point, you had had consensual sexual intercourse by
23 that point, isn't that right?

24 A Yes.

25 Q And when you went to the medical examination, you

ALLEGED VICTIM -DIRECT BY MR. MOYER

1 told the doctor that?

2 A That I was having sex?

3 Q Yes.

4 A Yes.

5 Q Okay. Now, did you tell your parents about what your

6 grandfather had done to you?

7 A Yes.

8 Q And when did you do that?

9 A In March.

10 Q Of what year?

11 A 2011.

12 Q Okay. And how do you remember?

13 A Because my Uncle Marty was visiting us.

14 Q Okay. So this was a bit more than a year then before

15 the police were notified about this and started

16 questioning you?

17 A It was before -- a year before the police found out.

18 Q Okay. And who did you tell?

19 A My mom.

20 Q And what did she do when you told your mom?

21 A She told my dad.

22 Q Then what happened when she told your dad?

23 A He made me call him and tell him I told on him and

24 hung up.

25 Q Made you call who?

ALLEGED VICTIM - DIRECT BY MR. MOYER

1 A Norman.

2 Q What did you say? So you called his phone?

3 A Yes.

4 Q And who answered the phone?

5 A He did.

6 Q Did he speak to you?

7 A He said, Hello.

8 Q Then what did you say?

9 A I told on you.

10 Q Did you wait for a response?

11 A No, I hung up.

12 Q Have you seen him since that date?

13 A No.

14 Q Until today?

15 A Yes.

16 Q Is today the first time you've seen him since then?

17 A Yes.

18 Q Now, did you tell -- right before the police got
19 involved, did you go anywhere? Did you leave Greenville?

20 A I went to Tennessee.

21 Q Went to Tennessee. And who did you go to Tennessee
22 with?

23 A My aunt.

24 Q Who all went to Tennessee?

25 A Me, my mom and my brother.

ALLEGED VICTIM -DIRECT BY MR. MOYER

- 1 Q How did it end up you going to Tennessee?
- 2 A My mom and dad were arguing.
- 3 Q And this was in -- this was a year after you had told
- 4 your mom, correct?
- 5 A Yes.
- 6 Q April of 2012 sound right?
- 7 A Yes.
- 8 Q And did you talk about it to anyone at that time?
- 9 A My aunt.
- 10 Q You told your aunt?
- 11 A Yes.
- 12 Q Why did you tell her?
- 13 A Because I felt comfortable telling her.
- 14 Q Have you and she been close?
- 15 A Yes.
- 16 Q Your whole life or just recently?
- 17 A My whole life.
- 18 Q What did your aunt do when you told her?
- 19 A She told my mom that she had to call the police.
- 20 Q And did the police eventually get called?
- 21 A Yes.
- 22 Q Did you stay there with your aunt for a little while?
- 23 A Yes.
- 24 Q Did you come back to South Carolina then and talk to
- 25 the police about it?

ALLEGED VICTIM - DIRECT BY MR. MOYER

- 1 A Yes.
- 2 Q Who took you to the police?
- 3 A When my mom told my aunt I had to go make a
4 statement, my aunt and my mom drove halfway to meet
5 together and my mom took me.
- 6 Q Okay. Now, after you told your mom in March of 2011,
7 did you see him -- did you see the Defendant anymore over
8 that next year?
- 9 A No.
- 10 Q You didn't go to his house anymore?
- 11 A No.
- 12 Q Did he ever come over to your house that you know of?
- 13 A Yes.
- 14 Q How come you didn't see him?
- 15 A Because my parents always sent me to my room.
- 16 Q Did you want to see him?
- 17 A No.
- 18 Q Now -- so the last time you saw the Defendant before
19 you told your mom, do you know about how much time had
20 gone by?
- 21 A After I told my mom?
- 22 Q No, I'm sorry, before you told your mom, how much
23 time had gone by since the last time you saw him?
- 24 A A couple of weeks.
- 25 Q Did anything happen that last time you saw him?

- 1 A Yes.
- 2 Q Do you remember what happened then?
- 3 A Same things that always happened, he touched me or I
- 4 touched him.
- 5 Q Do you remember where it happened?
- 6 A No.
- 7 Q Now, do you remember getting access to a bank card
- 8 after you told your mom?
- 9 A Yes.
- 10 Q Okay. And was it a debit card?
- 11 A Yes.
- 12 Q Whose name was on the account?
- 13 A My mom's and mine.
- 14 Q You and your mom, okay. Were you around when that
- 15 account was opened?
- 16 A Yes.
- 17 Q You were. You and your mom went to the bank?
- 18 A Yes.
- 19 Q So this was after you told your mom and your dad had
- 20 found out about it?
- 21 A Yes.
- 22 Q How long did you have that card? How long did you
- 23 use that?
- 24 A A month or two.
- 25 Q Did you spend much money from it, do you remember?

1 A Did I spend money from it?

2 Q Yes. Do you remember what sort of purchases you

3 made?

4 A I went to the mall with my friends and got hats and

5 clothes.

6 Q Okay. When did you stop using the card?

7 A When we went to Tennessee with my aunt.

8 Q What happened then?

9 A My mom canceled it.

10 Q Okay. Now, do you remember back in about -- in May

11 of 2008, do you remember being spoken to by some police

12 officers about allegations about your grandfather?

13 A Yes.

14 Q Okay. Where were you when they spoke to you?

15 A Well, there was three different times.

16 Q Okay.

17 A At school and at my house.

18 Q Let's talk about at school. Were your parents around

19 when you were spoken to at school?

20 A No.

21 Q Did they ask you about things happening with your

22 grandfather?

23 A Yes.

24 Q What did you say?

25 A No.

ALLEGED VICTIM DIRECT BY MR. MOYER

- 1 Q Okay. How old were you then?
- 2 A I was in elementary school.
- 3 Q So this is May of 2008, you would have been nine
- 4 years old?
- 5 A Yeah.
- 6 Q Do you remember what grade you were in?
- 7 A No. Fourth, maybe.
- 8 Q Can you remember why you told them no, that nothing
- 9 had happened?
- 10 A Because when he first started doing things to me, he
- 11 always told me not to tell anybody, that it was our
- 12 secret.
- 13 Q Okay. Looking back to how you felt when you were
- 14 nine years old and even younger, how did you feel about
- 15 your grandfather?
- 16 A What do you mean?
- 17 Q What were your feelings -- just what were your
- 18 emotions and your feelings about your grandfather back
- 19 when you were nine years old and even younger?
- 20 A Well, since, I learned at such a young age that that
- 21 was okay, I didn't think anything was wrong, so I still
- 22 loved him.
- 23 Q Did you love him?
- 24 A Yes.
- 25 Q Would it surprise you to know -- did you ever send

ALLEGED VICTIM DIRECT BY MR. MOYER

- 1 him cards and letters telling him you loved him?
- 2 A Yes.
- 3 Q And you never tried to stop going over to his house
- 4 on the weekends?
- 5 A No.
- 6 Q And he did nice things for you?
- 7 A Yes.
- 8 Q Now, did your feelings start to change at all as time
- 9 went by?
- 10 A Yes.
- 11 Q What led to that?
- 12 A Me liking other boys and having boyfriends.
- 13 Q And so outside of the area of what he did to you,
- 14 abusing you, was he nice to you otherwise?
- 15 A Yes.
- 16 Q Did you trust him?
- 17 A Yes.
- 18 Q Did you trust him when he told you that it was your
- 19 secret and that you shouldn't tell anybody?
- 20 A Yes.
- 21 Q And you said you were also spoken to at home on, at
- 22 least, one or two occasions; right?
- 23 A Yes.
- 24 Q Did the same thing happen?
- 25 A I still said no, nothing happened.

ALLEGED VICTIM DIRECT BY MR. MOYER

1 Q And do you know what ejaculate means?

2 A Yes.

3 Q Did that happen when these things would happen to you
4 by the Defendant?

5 A Yes.

6 Q Did it happen every time or some time?

7 A Every time.

8 Q Is the Defendant, your grandfather, the man who did
9 these things to you, is he here in this courtroom?

10 A Yes.

11 Q Would you please identify him for the jury.

12 A (The witness points to the Defendant.)

13 Q You're pointing to defense counsel table. Is it the
14 man seated next to his lawyer, Tom Quinn?

15 A Yes.

16 Q Okay.

17 MR. MOYER: All right. Please answer any questions
18 the Defense attorney has.

19 CROSS-EXAMINATION

20 BY MR. QUINN:

21 Q May I call you *alleged victim*?

22 A Yes.

23 Q So at nine years old, the police come to your school;
24 is that right?

25 A Yes.

ALLEGED VICTIM -CROSS BY MR. QUINN

1 Q And you may have to speak up just a little bit for
2 me, okay? Did the police come to your school?

3 A Yes.

4 Q And when the police spoke with you, did they also
5 have teachers or guidance counselors or principal,
6 somebody from the school in the room with you?

7 A Yes.

8 Q And had you been taught your entire life to trust the
9 police?

10 A Yes.

11 Q And that they were safe, they would protect you and
12 help you?

13 A Yes.

14 Q And, in fact, you were also told that about school
15 personnel; isn't that right? That they would also protect
16 and help you?

17 A Yes.

18 Q And yet, you didn't tell the police or the school
19 personnel anything was going on at age nine?

20 A No.

21 Q Okay. Because, supposedly, Norman had said this was
22 our secret. And so you kept that secret even from the
23 police and school personnel, is that right?

24 A Yes.

25 Q Now, I'm certain that you had friends during ages

ALLEGED VICTIM -CROSS BY MR. QUINN

1 five to 12, is that fair to say?

2 A Yes.

3 Q And were, at least, one or more of them your best
4 friend during different periods of time?

5 A Yes.

6 Q And do best friends share secrets and tell each other
7 what's going on?

8 A Yes.

9 Q And so did you share this secret with any of your
10 best friends during that period of time?

11 A No.

12 Q You were living with your parents during ages five to
13 12, is that right?

14 A Yes.

15 Q And do you care for your parents?

16 A Yes.

17 Q Trust them?

18 A Yes.

19 Q Relied -- did you rely on them?

20 A Yes.

21 Q Okay. And yet, you didn't tell your parents any of
22 this was going on while, supposedly, it was happening;
23 isn't that right?

24 A Yes.

25 Q This, in fact, doesn't come to light until you're in

ALLEGED VICTIM CROSS BY MR. QUINN

1 Tennessee and don't want to go back home, isn't that
2 right?

3 A Yes.

4 Q Because you had had enough of dad, dad was becoming a
5 problem, so you didn't want to go back home, did you? You
6 wanted to stay in Tennessee with your aunt?

7 A This had nothing to do with my dad.

8 Q I'm sorry, say it again for me.

9 A This had nothing to do with my dad.

10 Q Had nothing to do with your dad?

11 A No.

12 Q I thought you said your mom and dad were arguing and
13 that's why y'all went to Tennessee to start with?

14 A Yes.

15 Q And didn't you tell people you didn't want to go back
16 home?

17 A I didn't want to go back home.

18 Q You, in fact, have stayed with your aunt since then,
19 isn't that right?

20 A For a couple of weeks.

21 Q Then you -- aren't you living with her now?

22 A Yes.

23 Q Okay. And you went through a group home and a foster
24 home, I think, as DSS took custody of you, isn't that
25 right?

1 A Yes.

2 Q And you talked to DSS personnel as well as the
3 police, isn't that right?

4 A Yes.

5 Q And didn't they tell you that if there's something
6 you're hiding, if there's a secret that now is the time to
7 tell people, to tell us?

8 A I guess, I don't know.

9 Q Okay. And you talked to DSS on more than one
10 occasion, isn't that right?

11 A Yes.

12 Q You talked to the police on more than one occasion,
13 isn't that right?

14 A Yes.

15 Q And the same thing with the school people, you talked
16 to them on more than one occasion, is that right?

17 A I never talked to the school people. They were just
18 in the room when the police were there.

19 Q Okay. But you knew that they knew about it and they
20 were available every day when you were in school, isn't
21 that right?

22 A Yes.

23 Q And you never went to any of them at the end of
24 school or during school and said something is going on, I
25 need help, I'm turning to you for help; isn't that right?

ALLEGED VICTIM - CROSS BY MR. QUINN

- 1 A Yes.
- 2 Q And your testimony is that some of these sex acts
3 occurred while Norman was driving his truck on Woodruff
4 Road and other parts of Greenville, is that correct?
- 5 A Yes.
- 6 Q And that, in fact, you would get in the car and
7 straddle him while he drove down the road, is that
8 correct?
- 9 A Yes.
- 10 Q Did any police officer ever pull the vehicle over and
11 say look, we've had a report? Did any police officer ever
12 do anything like that?
- 13 A No.
- 14 Q And your testimony is that that's because the windows
15 were tinted and nobody could ever see that, is that right?
- 16 A Yes.
- 17 Q C.H. was in the truck with you and you say he never
18 saw anything because he was told to lay down in the back,
19 that's your testimony?
- 20 A Yes.
- 21 Q No tinted glass between the front seat and back seat,
22 is that right?
- 23 A Yes.
- 24 Q Yes, there is?
- 25 A There is no tinted glass.

- 1 Q Okay. I just want to be sure we're right. You go to
2 Wal-Mart on Woodruff Road, another Wal-Mart -- and do you
3 know is it the one on White Horse Road, I know you said
4 another one?
- 5 A Yes.
- 6 Q It is the one on White Horse Road?
- 7 A Yes.
- 8 Q Okay. And to the mall?
- 9 A Yes.
- 10 Q And, supposedly, sex acts occurred in all three of
11 those locations in vehicles in the parking lot?
- 12 A Yes.
- 13 Q That's correct?
- 14 A (The witness nods.)
- 15 Q Okay. Are you aware -- let's start with the mall,
16 that there is security at the mall?
- 17 A Yes.
- 18 Q And that they drive around outside the mall in cars,
19 are you aware of that?
- 20 A Yes.
- 21 Q And that there are cameras that could show anything
22 that happened at Haywood Mall inside or outside, are you
23 aware of that?
- 24 A Yes.
- 25 Q Do you know that the same is true at Wal-Mart, that

ALLEGED VICTIM CROSS BY MR. QUINN

1 they have their own security team at Wal-Mart that
2 monitors inside and outside their store?

3 A Yes.

4 Q Did any of those people ever come to the vehicle and
5 express concern because they had seen some sexual act?

6 A No.

7 Q Did any person walking by ever stop and say anything?

8 A No.

9 Q When this happened the first time or earlier, when
10 you were five, did you not go to your parents or anybody
11 else and say, I just don't like this. This isn't right?
12 Did you ever approach anybody and tell them about this?

13 A How was I supposed to know that at age five?

14 Q So --

15 A How was I supposed to know that that's not okay at
16 age five? I was taught at a young age that that was okay
17 to do that. You really think a five year old knows that
18 is now okay?

19 Q But if a five year old didn't know it was okay,
20 didn't know what was being done to them, isn't it
21 reasonable -- and I'm asking whether you took what I
22 thought was a reasonable course, to go tell your parents?

23 A He told me that it was okay.

24 Q But you had never met him before, isn't that right?

25 A Yes.

1 Q There was no relationship between you and Norman
2 Hunt. He had not known you until you moved back here in
3 October of 2003, isn't that right?

4 A Yes.

5 Q Y'all didn't live here in Greenville, isn't that
6 right?

7 A Yes.

8 Q Because there was trouble between him and his son,
9 isn't that right?

10 A I don't know.

11 Q Okay. So when you first meet Norman Hunt, your
12 grandfather, you don't have that relationship, he hasn't
13 raised you, isn't that right?

14 A Yes.

15 Q Okay. So as far as you know, except for being called
16 granddad or Pop, he's a stranger to you, isn't that right?

17 A I didn't start going over to his house as soon as we
18 moved there.

19 Q But you say when you started going over to his house,
20 according to what you just testified to, that that's when
21 this began?

22 A Yes.

23 Q And it began fairly quickly is your testimony?

24 A Yes.

25 Q So with no relationship with this fellow, why would

~~Alleged~~ VICTIM -CROSS BY MR. QUINN

1 you suddenly keep this secret and not say -- when he was
2 making you do things that you didn't like, why wouldn't
3 you tell your parents about this?

4 A Because I thought it was okay.

5 Q When his wife comes home, according to your
6 testimony, and catches you all in the bathroom, and is, I
7 think you described it as yelling and screaming, I believe
8 those are the words you used, you knew then that it wasn't
9 right, isn't that right?

10 A Yes.

11 Q So why didn't you then say to her, this has been
12 ongoing, this is happening now, did you say anything to
13 Judy about it?

14 A No.

15 Q And your explanation to this jury is that it's
16 because he had magic words, This is our secret. And
17 that's why you never told anybody while this supposedly
18 was going on, is that right?

19 A Yes.

20 Q And nobody in Greenville County sees this while it
21 supposedly is going on on Woodruff Road or Haywood Road as
22 far as you know, is that right?

23 A Yes.

24 Q Your testimony today is that some of this happened at
25 Spartanburg Mall, is that correct?

ALLEGED VICTIM -CROSS BY MR. QUINN

- 1 A Yes.
- 2 Q Are you aware, are there charges against Mr. Hunt in
3 Spartanburg?
- 4 A No.
- 5 Q Your testimony is some of this happened in Tennessee
6 at Dollywood -- and I'm sorry, I don't know what city that
7 is in Tennessee, but it's in Tennessee. Do you know are
8 there any charges against Mr. Hunt in Tennessee?
- 9 A No.
- 10 Q And who was with you in Dollywood? Tell me again.
- 11 A My parents and my brother.
- 12 Q And Norman and anybody else?
- 13 A My parents and my brother.
- 14 Q But that's it. And supposedly this takes place
15 outside -- I assume you're saying in a hotel or a condo or
16 something, outside in the truck, is that right? Or is it
17 happening inside the condo?
- 18 A Inside the condo.
- 19 Q So the other people were there? Your brother and
20 your parents were there?
- 21 A My brother was sleeping, my parents were outside of
22 the hotel.
- 23 Q And when you say outside of the hotel, just outside
24 or had they left to go to another town?
- 25 A They left to go do laundry or something.

ALLEGED VICTIM - CROSS BY MR. QUINN

- 1 Q So they were in and out, there weren't far away?
- 2 A No.
- 3 Q And, supposedly, this sex act occurs then?
- 4 A Yes.
- 5 Q Okay. None of them witness it as far as you know?
- 6 A No.
- 7 Q Your testimony is that these sexual intrusions with
- 8 his fingers and with his penis hurt you, is that correct?
- 9 A Yes.
- 10 Q Yet, you didn't tell anybody that you were being
- 11 hurt?
- 12 A No.
- 13 Q You say C.H. one time comes in and sees you on top of
- 14 him and you're naked during that time, is that correct?
- 15 A Yes.
- 16 Q And did C.H. say anything or did you tell C.H. it was
- 17 a secret?
- 18 A C.H. told my parents.
- 19 Q So your parents then would have come to you and
- 20 asked. And did you lie to your parents and tell them no,
- 21 nothing was going on?
- 22 A Yes.
- 23 Q You say this happened at his work place and I believe
- 24 you said that's Baine, is that the name of it?
- 25 A Yes.

ALLEGED VICTIM - CROSS BY MR. QUINN

1 Q Can you tell me -- and I'm sorry, I'm not familiar
2 with it. Can you tell me how many people might have
3 worked there?

4 A A good amount, I don't know.

5 Q More than two or three?

6 A Yes.

7 Q When you say a good amount, 50 or 100, maybe that
8 many?

9 A I guess.

10 Q And you say he had a cubicle, not his own office, but
11 just a cubicle?

12 A Yes.

13 Q And was that open to people walking by where they
14 could look in?

15 A Yes.

16 Q And do you know that they have security at Baine?

17 A Yes.

18 Q And yet nobody ever saw anything at Baine, is that
19 correct?

20 A Yes.

21 Q And how often would you go to work with him?

22 A Whenever I didn't have school sometimes.

23 MR. QUINN: Beg the Court's indulgence. I don't have
24 any other questions, Your Honor. Thank you.

25 MR. MOYER: Just real briefly.

ALLEGED VICTIM REDIRECT BY MR. MOYER

REDIRECT EXAMINATION

BY MR. MOYER:

Q Do you have any idea how many people worked at Baine?

A Some people worked outside on the parts and some people worked inside.

Q But when he would do things to you, was there ever anybody around?

A No.

Q It was after five you said?

A Yes.

Q Everybody had left?

A Yes.

MR. MOYER: I have no further questions, Judge.

THE COURT: You may step down.

MR. MOYER: The State would call Christina Bateman.

THE CLERK: Please come forward and place your left hand on the Bible and raise your right hand.

CHRISTINA BATEMAN, after being duly sworn, testified as follows:

THE CLERK: Please be seated and state your name for the record.

THE WITNESS: Christina Bateman.

DIRECT EXAMINATION

BY MR. MOYER:

Q All right. Ms. Bateman, how old are you?

CHRISTINA BATEMEN-DIRECT BY MR. MOYER

- 1 A Thirty-six.
- 2 Q Where do you live?
- 3 A Orange, Tennessee -- I'm sorry, Orange, Virginia.
- 4 Q You used to live in Tennessee?
- 5 A I did.
- 6 Q How long did you live in Tennessee?
- 7 A Almost two years, I think.
- 8 Q And you are related to *the alleged victim*?
- 9 A Yes, her mom is my sister.
- 10 Q And what's her mom's name?
- 11 A Olivia Hunt.
- 12 Q Have you had a relationship with *the alleged victim* much of
- 13 your life?
- 14 A Since the day she was born.
- 15 Q Describe the relationship.
- 16 A Her and I, we're just close. It's like she can talk
- 17 to me when she can't talk to somebody else. She'll call
- 18 me up on the phone if I didn't live with her or come to my
- 19 house and visit.
- 20 Q Okay. Now, did you ever live here in Greenville?
- 21 A I did.
- 22 Q Do you remember about when that was?
- 23 A It was about four or five years ago. I've only lived
- 24 here for about nine months. My job transferred me here.
- 25 Q And then you -- who did you live with?

CHRISTINA BATEMEN-DIRECT BY MR. MOYER

1 A For the first month and a half, I actually stayed
2 with Olivia and her family and then I moved across the
3 street from them for about eight months.
4 Q Are you married?
5 A I am.
6 Q Do you have any children?
7 A No.
8 Q So who all lives in your home?
9 A My husband, myself, my nephew from another sister and
10 my niece.
11 Q So ~~the alleged victim~~ has been living with you now for?
12 A Since -- it's been -- December 2012, December 16th,
13 2012, is when I got her.
14 Q You got her from that group home?
15 A I got her from the group home.
16 Q How is it going? How is she doing?
17 A It's going good now. It wasn't at the beginning.
18 Q Do you like having her with you?
19 A I love having her with me.
20 Q Now, did ~~the alleged victim~~ come to your house in April of
21 2012?
22 A Yes.
23 Q How did that come about?
24 A My sister called me one night. Her and her parents
25 were arguing. I was on the phone with her. I heard

CHRISTINA BATEMEN-DIRECT BY MR. MOYER

- 1 Norman Hunt, Jr. screaming and yelling in the background,
2 calling the girls names and stuff like that. And then my
3 sister says, I'm going to tell you something, but you
4 can't say nothing. She says, the alleged victim told me her Pop
5 touched her.
- 6 Q And this was on the phone?
- 7 A This was on the phone.
- 8 Q And what did you do?
- 9 A I told her I was on my way to pick her and the kids
10 up.
- 11 Q Where were you living at this time?
- 12 A In Tennessee, it was about a three and a half hour
13 drive.
- 14 Q So you got in your -- you leave immediately?
- 15 A I called my cousin, who also lived in Tennessee, her
16 and I are about the same age, and I asked her to drive
17 with me. And we took her SUV.
- 18 Q When you got here, where did you go?
- 19 A We went right to Norman and Olivia's house. They had
20 their bags of clothes already sitting out on the front
21 lawn. We put them in the truck and we pulled away before
22 her father had got up.
- 23 Q So this was after he was asleep?
- 24 A Yes.
- 25 Q Did you go straight back to your house?

CHRISTINA BATEMEN-DIRECT BY MR. MOYER

- 1 A Yes.
- 2 Q So was it nighttime then?
- 3 A It was in the middle of the night.
- 4 Q Now, did *the alleged victim* make any disclosures to you?
- 5 A Not that very night because they went home and went
6 to sleep. But that next morning, my sister and I had got
7 up and she had said something to me. I started asking
8 questions, that's when *the alleged victim* had come in and she
9 started telling me a bunch of details. She told me most
10 of it --
- 11 Q Before you get to that, who did you say you were
12 speaking to the next morning, *the alleged victim* or her mother?
- 13 A Her mother in the morning.
- 14 Q Okay. Then you spoke to *the alleged victim*?
- 15 A Yes.
- 16 Q Now, I have to ask you some specific questions now.
17 So when you were speaking to *the alleged victim* about the
18 disclosure, did she tell you when any of these took place?
- 19 A What do you mean when?
- 20 Q A time frame?
- 21 A She said it -- when she told me, she said it started
22 happening when she was five because I had asked her.
- 23 Q And did she tell you how long it lasted?
- 24 A Until she was almost 12.
- 25 Q Okay. Did she tell you where the abuse took place?

CHRISTINA BATEMEN-DIRECT BY MR. MOYER

1 A Yes, she said it took place at different stores, a
2 lot in his truck, his house. That's when I was asking her
3 questions where and when it happened.

4 Q Okay. Now, were the -- what day of the week was it
5 that you picked them up?

6 A I'm pretty sure it was a Tuesday, Monday or Tuesday.
7 I'm pretty sure it was Tuesday.

8 Q And what day of the week was it that you called the
9 police?

10 A Friday.

11 Q Okay. Do you remember the date?

12 A I believe it was April 13th.

13 Q Okay. That is a Friday. So it was a Friday that you
14 called?

15 A It was a Friday.

16 Q Was it evening or morning or day?

17 A I got ahold of them -- I was on the phone for a
18 couple of hours waiting for someone to pick up, so I
19 believe it was around eight o'clock that evening when I
20 got ahold of someone.

21 Q So you were told -- you had the discussion with
22 the alleged victim Wednesday or Thursday?

23 A Wednesday and Thursday. We had been talking for two
24 days.

25 Q Is there a reason the police weren't called until

CHRISTINA BATEMEN-DIRECT BY MR. MOYER

- 1 Friday?
- 2 A Because I asked my sister if she would make the phone
- 3 call and I think she was scared and I told her --
- 4 Q So your sister didn't?
- 5 A Her mom, no. Not before Friday, no.
- 6 Q So who ended up calling them on that Friday?
- 7 A Well, we both did. She was on one phone and I was on
- 8 another. They just picked up my phone call before hers.
- 9 Q You took the initiative to make the call?
- 10 A I did.
- 11 Q Okay. And she did not over those few days?
- 12 A No.
- 13 Q All right. Did you take ~~the alleged victim~~ to Greenville to
- 14 speak to officers?
- 15 A I did.
- 16 Q Okay.
- 17 A I took her all the way the first time.
- 18 Q So there were several times you took --
- 19 A Twice.
- 20 Q And the first time, do you remember the date of that?
- 21 A It was a week after -- I believe a week after I
- 22 called it in, I don't remember the date.
- 23 Q So you brought her all the way to Greenville then?
- 24 A Yes.
- 25 Q Was anyone else with you?

CHRISTINA BATEMEN-DIRECT BY MR. MOYER

- 1 A Her mom had met us there.
- 2 Q Met you where?
- 3 A Met us where we made the statement. I don't remember
4 where we went because I'm not from here.
- 5 Q Was it a police station?
- 6 A I think so.
- 7 Q Okay. You met with some officers?
- 8 A I met with one where I made my statement, also.
- 9 Q Okay. Were you present when they talked to ~~the~~ alleged victim?
- 10 A No.
- 11 Q Okay. Was her mom?
- 12 A No. She was by herself.
- 13 Q All right. Then after that, did you leave her here
14 in Greenville or did you take ~~the~~ alleged victim back with you?
- 15 A No, I took her back home with me.
- 16 Q Did she stay with you for a little while?
- 17 A For almost a -- a couple days shy of a month.
- 18 Q Do you remember when you brought her back?
- 19 A About May 11th.
- 20 Q Okay. Sometime --
- 21 A May 11th, 12th, something like that.
- 22 Q Okay. And where did you take her when you brought
23 her back?
- 24 A I met my sister halfway and I dropped her off to her
25 mom.

CHRISTINA BATEMEN-DIRECT BY MR. MOYER

1 Q Okay. Now, did you ever know anything about this
2 bank account that was set up?

3 A The only thing I knew is what ~~the alleged victim~~ was telling
4 me. I didn't actually hear anything come out of Norman's
5 or Olivia's mouth personally.

6 Q Okay. Now, do you know the Defendant in this case?

7 A No, I don't.

8 Q Okay. Had you ever met him?

9 A Once.

10 Q Where was that?

11 A In Olivia and Norman's house, he had come in while I
12 was there.

13 Q While you were living with them for a period of time?

14 A No, that's when I was living across the street and I
15 just happened to be there.

16 Q That was the only time you ever met him?

17 A Yes.

18 MR. MOYER: One moment. Please answer any questions
19 the Defense may have.

20 CROSS-EXAMINATION

21 BY MR. QUINN:

22 Q Just a few. How long did you live with Olivia and
23 Norman?

24 A Just a few months.

25 Q And do you remember what year that was?

CHRISTINA BATEMAN-CROSS BY MR. QUINN

1 A I'm trying to think how long I've been away. It's
2 four or five years, I don't remember the year.

3 Q That's fine. And did the alleged victim ever come visit with
4 you between the ages of five -- when she was between the
5 ages of five and 12?

6 A No. I've always visited them.

7 Q How often would you say you visited with them?

8 A Maybe once, twice every year or two. It wasn't very
9 often because I lived too far away.

10 Q You said that the alleged victim would call you on the phone,
11 so, obviously, she had your phone number. Do you know,
12 did she also have your e-mail address?

13 A I never used my e-mail, so probably not.

14 MR. QUINN: I don't have any other questions. Thank
15 you.

16 MR. MOYER: Nothing further of this witness.

17 THE COURT: You may step down.

18 MR. MOYER: The State calls C.H.

19 THE CLERK: Mr. Hunt, please come forward. Place
20 your left hand on the Bible, raise your right hand.

21 C.H. , after being duly sworn, testified as
22 follows:

23 THE CLERK: Please have a seat and state your name
24 for the record.

25 THE WITNESS: C.H.

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C.H. -DIRECT BY MR. MOYER

- 1 A Verndale, Glenburg.
- 2 Q Does anyone else live with you and your aunt?
- 3 A Yes, sir.
- 4 Q Who else lives with you?
- 5 A My grandparents and my cousins.
- 6 Q Okay. Which side of the family, of your mother and
- 7 father, is your aunt?
- 8 A My dad.
- 9 Q Okay. She's your dad's sister?
- 10 A (The witness nods.)
- 11 Q Half sister?
- 12 A Yeah.
- 13 Q All right. Now, what grade are you in school?
- 14 A Eighth grade.
- 15 Q How do you like school?
- 16 A It's all right.
- 17 Q Okay. Do you do any extracurricular things in
- 18 school, anything out of classwork?
- 19 A Yeah, I play football.
- 20 Q You play football? How do you do in football?
- 21 A Good.
- 22 Q All right. Now, do you get to see your sister much
- 23 these days?
- 24 A Not too much.
- 25 Q You've been living with your aunt ever since you were

C.H. -DIRECT BY MR. MOYER

1 taken out of the house?

2 A Yes, sir.

3 Q Do you remember when you were taken out of the house?

4 A Sometime in May.

5 Q Of 2012?

6 A 2012, yeah.

7 Q It's been almost two years exactly.

8 A Yeah.

9 Q Did you go immediately and live with your aunt when

10 you were taken out of the home?

11 A Yes, sir.

12 Q Okay. So you're 14, so you're about a year younger

13 than Marliena?

14 A Yes, sir.

15 Q Do you remember when you were young ever going over

16 to your grandparents' home?

17 A Yes, sir.

18 Q Do you remember where they lived?

19 A No, sir.

20 Q Do you remember, did you used to go there often?

21 A Yes, sir.

22 Q What days of the week did you used to go over there?

23 A Like, usually, the weekends.

24 Q Okay. Did you like going over there?

25 A Sometimes.

1 Q Okay. Did you like it more when you were younger or
2 more when you were older?

3 A When I was younger.

4 Q Okay. Did anything ever happen that made you not
5 enjoy -- want to go over there?

6 A Some things, yeah.

7 Q Okay. Well, let's talk about that. Did you ever
8 witness something that you found troubling?

9 A I mean, what do you mean by that?

10 Q Did you ever see anything while you were over at your
11 grandparents' house?

12 A Yes, sir.

13 Q Let's talk a little bit about that.

14 A Yes, sir.

15 Q What did you see that you found troubling?

16 A One time I walked into my grandparents' room -- well,
17 him -- and he was kissing my sister on the bed.

18 Q Where were you before you walked into the room?

19 A I was watching TV.

20 Q In what room?

21 A I guess the living room.

22 Q Okay. Were you by yourself?

23 A Yeah.

24 Q Do you remember if your aunt was around?

25 A My aunt?

- 1 Q I'm sorry, I'm sorry, your grandmother? I apologize.
- 2 A No.
- 3 Q She wasn't around?
- 4 A (The witness shook his head.)
- 5 Q What made you go back to the bedroom?
- 6 A I was in there alone and I just went back there.
- 7 Q Okay. So what made you decide to go into the bedroom
- 8 as opposed to some other room?
- 9 A I can't remember.
- 10 Q And when you -- was it daytime or nighttime or do you
- 11 remember?
- 12 A Daytime.
- 13 Q Was the door shut or?
- 14 A It was cracked.
- 15 Q Okay. And you opened the door?
- 16 A Yes, sir.
- 17 Q Did you step inside the room?
- 18 A Yes, sir.
- 19 Q And where did you -- who did you see in the room?
- 20 A My sister and my grandfather.
- 21 Q Okay. Where were they?
- 22 A On the bed.
- 23 Q How were they positioned in the bed?
- 24 A Laying down.
- 25 Q And was -- what position were they to each other?

C.H. -DIRECT BY MR. MOYER

- 1 A She was laying on top of him, across him.
- 2 Q So was he on the bed then?
- 3 A Yes, sir.
- 4 Q Was he sitting or lying down or what?
- 5 A Laying down.
- 6 Q Was he laying down on his stomach or on his back?
- 7 A On his back.
- 8 Q And your sister was, you said, on top of him?
- 9 A Laying across him, yeah.
- 10 Q Was she face up or face down?
- 11 A Face down.
- 12 Q What did you see happening?
- 13 A He was kissing her.
- 14 Q Did you do anything?
- 15 A No.
- 16 Q Were you observed, were you seen?
- 17 A They saw me and I left.
- 18 Q Was anything said to you?
- 19 A No.
- 20 Q Did your grandfather say anything?
- 21 A I remember one time when we were in the garage, he
- 22 said something to me about it and I just went in the
- 23 house.
- 24 Q Do you remember when you walked into the room, do you
- 25 remember whether he said anything to you when he saw you?

C.H. -DIRECT BY MR. MOYER

1 A Told me to get out.

2 Q He told you to get out of the room?

3 A Yes, sir.

4 Q Was it in a -- did you do so?

5 A Yes, sir.

6 Q Where did you go?

7 A Back to the living room.

8 Q Do you remember how old you were when this happened?

9 A No, sir. I was young.

10 Q Do you remember about how old you were when you

11 stopped going over there?

12 A Eleven or 12, 10 or 11.

13 Q Okay. Did you tell anyone about what you saw?

14 A I told my dad's friend and then he told my parents.

15 And then she denied everything.

16 Q She being the alleged victim?

17 A Yes, sir.

18 Q Who was your dad's friend?

19 A Marty.

20 Q Was he at the house?

21 A Yeah, he was visiting.

22 Q He was visiting?

23 A Yes, sir.

24 Q Okay. So did you tell him -- you told him as soon as

25 you got back to the house or on another occasion?

C.H. -DIRECT BY MR. MOYER

1 A It was like -- I believe it was when I got back to
2 the house.

3 Q Okay. And do you know -- were you around when he
4 told your parents?

5 A I remember being in the living room.

6 Q Did your parents talk to you about it, did they ask
7 you about it?

8 A I can't remember.

9 Q But you said ~~the alleged victim~~ at that time denied that it
10 happened?

11 A Yes, sir.

12 Q How did that make -- how did that make you feel when
13 nothing was done and you weren't believed?

14 A Upset.

15 Q Now, looking back on that time of your life when you
16 used to go over to his house, was he nice to you, was the
17 Defendant nice to you, your grandfather?

18 A Yes.

19 Q What sort of nice things did he do? How was he nice
20 to you?

21 A I mean, he was just nice to me. He never really
22 treated me bad.

23 Q Okay. Did he ever buy you anything?

24 A He got me toys and stuff when I was younger, yeah.

25 Q Did he buy you much other than that?

C.H. -DIRECT BY MR. MOYER

- 1 A I mean, I really just got toys and stuff.
- 2 Q Did he buy things for your sister?
- 3 A Yes, sir.
- 4 Q Tell me about what he would buy for your sister.
- 5 A Like clothes and stuff.
- 6 Q Did he buy more things for her than for you?
- 7 A Yeah.
- 8 Q A lot more?
- 9 A I would say, yeah.
- 10 Q Did he ever buy you nice clothes?
- 11 A I can't really remember getting too many clothes, but
- 12 I know I got clothes.
- 13 Q Okay. Now, did you ever used to ride in his truck
- 14 with him and *the alleged victim?*
- 15 A Yes, sir.
- 16 Q Did anything ever happen while you were in the truck
- 17 that made you feel uncomfortable?
- 18 A Sometimes we were in the truck, he would make me lay
- 19 down in the back seat.
- 20 Q Where would *the alleged victim* be?
- 21 A Front seat.
- 22 Q Where in the front seat?
- 23 A I mean, I was laying down in the back.
- 24 Q Okay. You said he made you lay down, how did he make
- 25 you lay down?

1 A Just like made me lay my head down in the back.
2 Q And did you do what he said?
3 A Yes, sir.
4 Q Did you ever try to sit up and see what was going on?
5 A He just made me lay my head back down.
6 Q So what would happen if you tried to sit back up?
7 A He would tell me to lay back down.
8 Q Okay. Would he say in a -- what kind of a tone of
9 voice would he use?
10 A Like a stern voice.
11 Q What did you do while you were laying down?
12 A I mean, I just layed there. I cried, but it wasn't
13 loud. I just kept it to myself.
14 Q Why did you cry?
15 A Because I just felt like something was going on that
16 wasn't supposed to happen.
17 Q Was there one time, an occasion regarding some keys
18 that made you --
19 A I remember one time I lost the keys in the backyard
20 and I had to stay out there until I found them.
21 Q Okay. What kind of keys did you lose?
22 A I can't remember.
23 Q What did you do when you lost them?
24 A I was out back trying to find them.
25 Q And when you couldn't find them, what did you do?

C.H. -DIRECT BY MR. MOYER

1 A I started crying.

2 Q Did you go tell -- say something to your grandfather?

3 A I mean, I told him I couldn't find them, but he said

4 I had to find them.

5 Q Okay. Did you feel like it was -- where was he when

6 you told him?

7 A In the house.

8 Q Where was your sister?

9 A In the house.

10 Q Okay. Did you feel like it was a reason to keep you

11 out of the house?

12 A I'm not sure, but I think so.

13 Q Okay. Now, did you ever take baths when you were

14 over at his house?

15 A Yeah.

16 Q Would you always take a bath?

17 A Yeah, every time. We never took showers. We were in

18 the bath when we were over there.

19 Q Did anybody, even when you were little, go in and

20 take a bath with you that you remember?

21 A Nobody, it was just me.

22 Q Okay. And were you given any instructions by anybody

23 when you went to take a bath?

24 A I was -- just stay in there until he came and got me.

25

- 1 Q He being who? Your grandfather?
- 2 A Yeah.
- 3 Q Did you ever disobey him and come out without him
- 4 coming to get you?
- 5 A I remember one time I got out and said I was done and
- 6 him and my sister were in the living room. And he told me
- 7 to go back in.
- 8 Q Do you remember anything about what was going on?
- 9 A No, not really.
- 10 Q But he told -- had you already dried yourself off?
- 11 A Yeah.
- 12 Q And he told you to go back in the bathroom?
- 13 A Yes, sir.
- 14 Q Did you do so?
- 15 A Yes, sir.
- 16 Q How long, do you remember?
- 17 A I can't remember.
- 18 Q But you stayed in the bathroom until when?
- 19 A Until he came and got me.
- 20 Q Do you remember going on a trip to Dollywood?
- 21 A Yes, sir.
- 22 Q Do you remember on any occasion while driving that it
- 23 was nighttime?
- 24 A Yes, sir.
- 25 Q Do you remember on any occasion while driving at

1 nighttime whether your sister was in the front seat by
2 herself?
3 A Yes, sir.
4 Q And where was -- who all was on that trip?
5 A It was me, my father, my mother, my sister, my
6 grandfather.
7 Q Where were you and your mother and father?
8 A In the back seat asleep.
9 Q Y'all went to sleep?
10 A Yes, sir.
11 Q Okay. Was your grandmother on that trip?
12 A No, sir.
13 Q She didn't go on that trip?
14 A No, sir.
15 Q Would she ever leave the house while you were over at
16 her house?
17 A She wasn't there too much while we were there,
18 usually.
19 Q Do you have any idea where she was?
20 A No, sir.
21 Q But she would leave?
22 A Yes, sir.
23 Q What would you do, what sort of things would you do
24 when you would go over to your grandparents' house on the
25 weekends?

1 A Well, I would watch TV or go in the garage, work on
2 the car, look at the car. We had a go-cart there that we
3 would usually ride.

4 Q Okay. Would you spend a lot of time alone while you
5 there? Would you spend some time alone?

6 A Sometimes.

7 Q Okay. Did the Defendant ever spend time with just
8 you, like playing catch or?

9 A Yeah, sometimes.

10 Q Sometimes. Did he spend time alone with your sister?

11 A Sometimes.

12 Q Did he seem to spend more time with either one of
13 you?

14 A It went both ways.

15 Q But when he spent time alone with your sister, where
16 would they be?

17 A Sometimes they'd be in the bedroom or sometimes like
18 just be there in general.

19 Q But when -- they would be out of your sight?

20 A Sometimes.

21 Q Now, do you remember going to Tennessee with your
22 mother and sister to Christina Bateman's house?

23 A Yes, sir.

24 Q Do you remember -- what do you remember about why you
25 went there?

C.H. -DIRECT BY MR. MOYER

- 1 A My father was upset and we left.
- 2 Q And this was a short period of time before you were
- 3 taken out of the home?
- 4 A I can't remember. I'm pretty sure, though.
- 5 Q Okay. Now, were you ever given around that time or
- 6 shortly before, ever given a bank card, like a debit card
- 7 to use?
- 8 A No, sir.
- 9 Q Do you even know what I'm talking about?
- 10 A No, sir.
- 11 Q Okay. Just one minute, please.
- 12 MR. MOYER: Okay. Please answer any questions that
- 13 the Defense may have.
- 14 CROSS-EXAMINATION
- 15 BY MR. QUINN:
- 16 Q May I call you C.H.
- 17 A Yes, sir.
- 18 Q C.H., you say sometimes ~~the alleged victim~~ and Norman would be
- 19 out of your sight, did you go look for them?
- 20 A Usually not. I mean, that one time that I did is
- 21 what I saw and I usually didn't do anything after that.
- 22 Q And you were age five when that happened according to
- 23 your statement, is that right?
- 24 A I'm not sure, sir.
- 25 Q Okay. And you walked in and they were clothed laying

1 on the bed, is that right?

2 A Yeah, yes, sir.

3 Q And did it concern you enough that you told anybody

4 about it?

5 A I told my -- Marty that was visiting us.

6 Q Okay. And Marty told your parents, is that right?

7 A Yes, sir.

8 Q And they asked ~~the alleged victim~~ about it, is that right?

9 A Yes, sir.

10 Q And ~~the alleged victim~~ said it didn't happen, is that right?

11 A ~~The alleged victim~~ denied it all the time.

12 Q Okay. And you found out -- I believe the word you

13 used was troubling, this incident was troubling to you?

14 A I can't remember what I said.

15 Q Okay. You say he bought you toys and some other

16 things, including clothes. Did you ever ask for anything

17 he didn't buy you?

18 A I never -- I wasn't never the person who really asked

19 for things. I just never did really ask for too many

20 things.

21 Q And was ~~the alleged victim~~ a person that would ask for stuff?

22 A Yes, sir.

23 Q When you did ask, did he buy you what you asked for?

24 A Most of the time, yeah.

25 Q And in the truck when he would tell you to lay your

1 head down, I assume you could still hear, is that right?
2 A I can't remember. I just laid down --
3 Q Well, do you remember -- I'm sorry, I didn't mean to
4 interrupt you?
5 A Go ahead.
6 Q Did you -- do you remember ~~the alleged victim~~ ever saying she
7 was hurt?
8 A No, sir.
9 Q Ever saying to stop?
10 A No, sir. I mean, I just laid there and just like
11 cried. I didn't pay attention to anything else.
12 Q And every time you were in the truck, you had to lay
13 down in the back and cry?
14 A Not every time.
15 Q Okay.
16 A No.
17 Q Most times, you just rode in the truck like anybody
18 else would, right?
19 A Yes, sir.
20 Q And during the times you were in the truck, did you
21 ever notice anything that you raised a concern to your
22 parents about?
23 A No, sir.
24 Q Okay. Do you know how old you were when the keys
25 were lost?

C.H. -CROSS BY MR. QUINN

1 A I don't know, sir.

2 Q Or do you remember how old you were when this one
3 time about you got out of the bath and he told you to
4 finish taking a bath?

5 A I'm not sure, sir.

6 Q But on neither of those occasions did you see
7 anything that caused you to raise any concern to your
8 parents, isn't that right?

9 A No, sir.

10 MR. QUINN: I don't have any other questions. Thank
11 you.

12 MR. MOYER: Just a couple quick followups.

13 REDIRECT EXAMINATION

14 BY MR. MOYER:

15 Q When you were in the truck and you said the stuff
16 would happen that would upset you, was there a reason you
17 didn't tell your parents anymore about it?

18 A I just like thought if she denied it the first time,
19 she'd do it again.

20 Q Okay. And you weren't believed the first time you
21 said something about it, is that right?

22 A Because she said it didn't happen.

23 Q Right. That -- okay. And the person, your
24 grandfather, is he here in this courtroom?

25 A Yes, sir.

C-4. -REDIRECT BY MR. MOYER

1 Q Could you identify him?

2 MR. QUINN: Your Honor, I object, that's not

3 redirect.

4 THE COURT: Overruled.

5 BY MR. MOYER:

6 Q Would you identify him?

7 A (The witness points.)

8 Q You're pointing to the Defendant seated right over

9 here?

10 A Yes, sir.

11 MR. MOYER: Nothing further.

12 THE COURT: Based upon the additional testimony, do

13 you have something you'd like to ask?

14 MR. QUINN: No, Your Honor. Thank you.

15 THE COURT: You may step down.

16 We'll take a short break. I'll ask the jury to go to

17 your jury room. Do not discuss the case. I'll bring you

18 back after the break and continue.

19 (WHEREUPON, the jury left open court at approximately

20 11:30 a.m.)

21 THE COURT: We'll be in recess for 15 minutes.

22 (WHEREUPON, a short break was taken.)

23 THE COURT: All right. We ready for the jury?

24 MR. MOYER: Yes, sir.

25 MR. QUINN: Yes, sir.

1 THE COURT: Bring them in, please.
2 (WHEREUPON, the jury came into open court at
3 approximately 12:00 p.m.)
4 THE COURT: We'll continue with the State's
5 presentation.
6 Mr. Moyer.
7 MR. MOYER: Thank you, Your Honor. May it please the
8 Court. The State calls Olivia Hunt.
9 THE CLERK: Ms. Hunt, please come forward, place your
10 left hand on the Bible and raise your right hand.
11 OLIVIA HUNT, after being duly sworn, testified
12 as follows:
13 THE CLERK: Please have a seat.
14 THE COURT: Hopefully, you're going to speak up a
15 little bit louder than that while you're testifying.
16 THE WITNESS: Yes.
17 THE CLERK: State your name for the record.
18 THE WITNESS: Olivia Hunt.
19 DIRECT EXAMINATION
20 BY MR. MOYER:
21 Q Say it again into the microphone just to make sure we
22 can hear you.
23 A Olivia Hunt.
24 Q Okay. That's perfect. How old are you?
25 A Thirty-seven.

OLIVA HUNT-DIRECT BY MR. MOYER

1 Q Where do you live?
2 A 1432 Anderson Ridge Road, Greer, South Carolina.
3 Q How long have you been living there?
4 A Eleven years.
5 Q Okay. Who is your husband?
6 A Norman Hunt, Jr.
7 Q What is y'all -- are y'all related to the Defendant
8 in this case, Norman Hunt, Sr?
9 A Yes, sir.
10 Q In what way?
11 A Father-in-law.
12 Q So he's your husband's father?
13 A Yes.
14 Q Now, is his current wife your husband's mother?
15 A I'm sorry?
16 Q Is his current wife, Judy, is that your husband's
17 mother?
18 A Stepmother.
19 Q Stepmother?
20 A Uh-huh.
21 Q But not his biological mom?
22 A No.
23 Q Okay. Now, you have -- how many children do you
24 have?
25 A Two.

OLIVA HUNT-DIRECT BY MR. MOYER

- 1 Q And who are they?
- 2 A The alleged victim and C.H.
- 3 Q And they're not in the home right now, is that right?
- 4 A Yes, sir.
- 5 Q They were taken about two years ago?
- 6 A Yes, sir.
- 7 Q May of 2012, right? And you've actually been, along
8 with your husband, charged? You have some pending
9 charges, isn't that right?
- 10 A Yes, sir.
- 11 Q For unlawful conduct towards a child and extortion?
- 12 A Yes, sir.
- 13 Q You have been to court?
- 14 A No, sir.
- 15 Q Okay. There's cases still pending?
- 16 A Yes, sir.
- 17 Q Have you been promised anything about what the
18 outcome of your case is going to be?
- 19 A No, sir.
- 20 Q Okay. So you say you've been living here in
21 Greenville for about 11 years?
- 22 A Yes, sir.
- 23 Q What brought you here? Why did y'all move to
24 Greenville?
- 25 A My husband was in a car accident, which caused him to

OLIVA HUNT-DIRECT BY MR. MOYER

- 1 be put on disability.
- 2 Q Okay. Why did that -- how did that lead you to
- 3 moving to Greenville?
- 4 A His father lived here in Greenville.
- 5 Q Okay. So you wanted to be around his father because
- 6 of that disability?
- 7 A It was cheaper cost of living than it was in
- 8 Baltimore.
- 9 Q So that's where you're from?
- 10 A Yes, sir.
- 11 Q Is that where you met your husband?
- 12 A Yes, sir.
- 13 Q All right. Now, you say you work at Cosco, how long
- 14 have you been working there?
- 15 A Six years this past April.
- 16 Q Who all lives in the home with you right now?
- 17 A Just my husband and I.
- 18 Q Okay. Now, had your children ever met the Defendant
- 19 before you all moved down here to Greenville; ~~the alleged victim~~ or
- 20 C.H. ?
- 21 A No, sir.
- 22 Q They had never had -- had you ever met him before you
- 23 moved here?
- 24 A Yes, sir.
- 25 Q But the children had not?

OLIVA HUNT-DIRECT BY MR. MOYER

1 A No, sir.

2 Q Okay. I just have a few questions for you. I'm
3 going to show you -- about some evidence that's been put
4 into the record. And start off with State's -- put them
5 in front of you, State's Exhibit Nos. 1 and 2, some bank
6 records. Do they look familiar to you? Are you familiar
7 with what those records are?

8 A Yes.

9 Q What are they?

10 A An account ~~the alleged victim~~ and I had.

11 Q There are two accounts, correct? Exhibit 1 is a
12 checking account?

13 A Yes.

14 Q And Exhibit 2 is a savings account?

15 A Yes.

16 Q Who is -- whose name were those two accounts in?

17 A ~~The alleged victim~~ and Olivia Hunt.

18 Q So you two went to the bank then and opened those
19 accounts?

20 A Yes, sir.

21 Q Just you two were on the signature card?

22 A Yes, sir.

23 Q Let's take a moment to look at that savings account,
24 which would be Exhibit No. 2. And there's already
25 testimony that this account was opened on February the

OLIVA HUNT-DIRECT BY MR. MOYER

- 1 21st of 2012, okay? And I want you to take a look at the
2 deposits. What is the date of the first deposit into that
3 account?
- 4 A February 21st.
- 5 Q How much money?
- 6 A Twenty-five.
- 7 Q Is that when the account was opened?
- 8 A Yes, sir.
- 9 Q Did you put that money into the account?
- 10 A Yes, sir.
- 11 Q Now, what is the -- how many other deposits are
12 there?
- 13 A Two.
- 14 Q Okay. What are the dates of those other two
15 deposits?
- 16 A February 22nd and March the 5th.
- 17 Q Okay. And how much money went into the deposits on
18 those occasions?
- 19 A Two hundred and 200.
- 20 Q Who made those deposits?
- 21 A I would reckon Norman Hunt, Sr. did.
- 22 Q Was he made aware of this savings account? You told
23 him about the account being opened?
- 24 A Not that I recall.
- 25 Q You don't recall meeting him at a Cracker Barrel?

OLIVA HUNT-DIRECT BY MR. MOYER

- 1 A Yes, I do.
- 2 Q Okay. And that occasion, you talked about opening
3 this bank account?
- 4 A Yes, sir.
- 5 Q Is that correct?
- 6 A Yes, sir.
- 7 Q Now, there are -- below those deposits, there are
8 seven different phone transfers for money --
- 9 A Uh-huh.
- 10 Q -- right? You see those?
- 11 A Yes, sir.
- 12 Q That go into two different accounts. Who made those
13 transfers?
- 14 A I would think I did.
- 15 Q Okay.
- 16 A From one account to the other account.
- 17 Q Okay. And what accounts did they go into?
- 18 A Well, from what it looks like, they were put into the
19 savings and then transferred from the savings to the
20 checking.
- 21 Q Okay. Went from -- so the phone transfers went
22 into -- I'm sorry, from that savings account into the.
23 checking account?
- 24 A Yes. I'm thinking it was -- came from the savings to
25 the checking because you can't use -- you can't use the

OLIVA HUNT-DIRECT BY MR. MOYER

1 money in the savings, so you would have to put it into the
2 checking.

3 Q Okay. And if we take a look at this account, there
4 is a phone transfer to checking account that ends 8964.
5 And this checking account with ~~the alleged victim~~ ends with 8964?

6 A Uh-huh.

7 Q So that would be a transfer from this checking into
8 this -- I'm sorry, from this savings account into this
9 checking account?

10 A Yes, sir.

11 Q Then there's another account, that's 6838, so it's
12 different, so some money went into this other account.
13 What is the other account that money went into? Did you
14 have another checking account with your husband?

15 A Yes. That was our joint account.

16 Q Okay. So the other transfers would have been into
17 yours then? The ones that did not go into the one you
18 have with ~~the alleged victim~~?

19 A Right.

20 Q But those other transfers that --

21 MR. QUINN: Your Honor, I'm going to object to the
22 leading nature of the question.

23 MR. MOYER: Judge, this is a specific question. I
24 would argue it's not leading.

25 THE COURT: Let me hear the question, go ahead.

OLIVA HUNT-DIRECT BY MR. MOYER

1 BY MR. MOYER:

2 Q The other account, the one that ends 6838, not the
3 one that ends 8694, but the other account, 6838, whose
4 account was that?

5 A I would think that was mine and my husband's account
6 that we already had for a few years together.

7 Q So did you have any other accounts other than those?

8 A No, sir.

9 Q Okay. Now, how was money spent from those accounts,
10 from that checking account? Did you have check, did you
11 make cash withdrawals --

12 A Debit card.

13 Q You had debit cards. Who all had debit cards for
14 that account?

15 A Myself and my daughter, *the alleged victim.*

16 Q So all the spending then from that checking account
17 that we can see in the transactions would have been by
18 either you or your daughter, *the alleged victim?*

19 A Yes, sir.

20 Q Now, there's some larger transfers in the checking
21 account for the amount of \$700. Where did they come from?

22 A My paycheck.

23 Q Your paycheck. And they were in April of --
24 April 13th, April 16th, and April 19th of 2012, is that
25 correct?

OLIVA HUNT-DIRECT BY MR. MOYER

1 A Yes, sir.

2 Q Where were you when you made those transfers?

3 A Tennessee.

4 Q Where did you transfer that money from?

5 A I -- my check being transferred from mine and my

6 husband's account into mine and ~~the alleged victim's~~ account.

7 Q And that's when you were in Tennessee, you said?

8 A Yes, sir.

9 Q That's when things were -- you had a rocky

10 relationship with your husband?

11 A Yes, sir.

12 Q Is that why you transferred the money?

13 A Yes, sir.

14 Q Okay. And you closed the account on April the 19th

15 of 2012 --

16 A Yes, sir.

17 Q -- is that correct?

18 MR. MOYER: Okay. I have no further questions.

19 CROSS-EXAMINATION

20 BY MR. QUINN:

21 Q There are two \$200 deposits in the savings account,

22 is that correct?

23 A From what it looks like, yes, sir.

24 Q And I believe your testimony to the solicitor was you

25 would reckon that Norman, Sr. did that?

OLIVIA HUNT-CROSS BY MR. QUINN

- 1 A Yes, sir.
- 2 Q Were you with him when he did it?
- 3 A No, sir.
- 4 Q Do you know that he did it? Do you have any proof,
5 evidence that he did it?
- 6 A The evidence is that it was put in there. It wasn't
7 by me nor my husband.
- 8 Q And you also said that you did not tell Norman that
9 the account was opened. Then the solicitor reminded you
10 about some meeting at Cracker Barrel and you went, Oh,
11 yes, I did?
- 12 A Yes, sir.
- 13 Q You had forgotten 10 seconds before until the
14 solicitor was able to remind you?
- 15 A Well, he said I met him. Mr. -- Sr. had called me
16 and ask me to meet him.
- 17 Q Oh, and that was the difference?
- 18 A Yep.
- 19 Q About whether you told him the account was opened was
20 who made the first phone call, in your mind that was the
21 difference?
- 22 A There was no account opened at that point.
- 23 Q So this account is in yours and your daughter's name?
- 24 A Yes, sir.
- 25 Q You're making deposits to it, is that correct?

OLIVIA HUNT-CROSS BY MR. QUINN

- 1 A Yes, sir.
- 2 Q Okay. And Norman had helped out with the children
- 3 during the time he was in their lives, isn't that right?
- 4 A Yes, sir.
- 5 Q Bought them clothes?
- 6 A Yes, sir.
- 7 Q Toys, other items?
- 8 A Yes, sir.
- 9 Q Was it surprising that he would continue to try to
- 10 help the children out?
- 11 A Was it a surprise?
- 12 Q Yes, ma'am.
- 13 A No.
- 14 MR. QUINN: I don't have any other questions. Thank
- 15 you.
- 16 MR. MOYER: Just a few follow-up questions.
- 17 REDIRECT EXAMINATION
- 18 BY MR. MOYER:
- 19 Q So you did meet the Defendant at the Cracker Barrel?
- 20 A Yes, I told you that.
- 21 Q Okay. I just wanted to make --
- 22 A I --
- 23 Q Go ahead, I'm sorry.
- 24 A But it was said that I had called him. That's not
- 25 true, he had called me.

OLIVIA HUNT-REDIRECT BY MR. MOYER

1 Q Okay. For the purpose of meeting?

2 A Yes, sir.

3 Q Was this -- this was after the alleged victim had told y'all
4 about -- had made the disclosure about what he had done?

5 A Yes, sir.

6 Q Okay. And it was after the alleged victim had called him and
7 said she was telling?

8 A Yes, sir.

9 Q And when you met -- where was this Cracker Barrel
10 that you met at?

11 A On Woodruff Road.

12 Q And was it just you two?

13 A Yes, sir.

14 Q Did you talk about this account?

15 A No, sir.

16 Q You didn't talk about the account that was going to
17 open up?

18 MR. QUINN: Objection, asked and answered.

19 THE WITNESS: Actually, yes, if I can remember, he
20 was telling me he wanted to do it for the children and he
21 wanted to help with funds and stuff with the children.
22 And I think that's when it was brought up. I mean, it's
23 been a long time ago. I'm trying to remember as best of
24 my knowledge.

25

1 BY MR. MOYER:

2 Q So --

3 A I mean, nothing really much was said because at that

4 time I did not trust him and I didn't know if he was

5 trying to put me on the spot, you know, of anything,

6 trying to make me say things trying to turn it around on

7 us. So I was -- you know, I was more listening.

8 Q But as a result of that, you did go and open --

9 A Yes.

10 Q -- an account?

11 A Yes, sir. Because he said he wanted to help with the

12 children, things like that, so, yes.

13 Q And the account was just in the names of you and

14 *the alleged victim?*

15 A Yes, sir.

16 Q You said he was helping out or that he used to buy

17 things and help out with *the alleged victim?* Had that stopped after

18 the phone call to the Defendant?

19 A Between him and *the alleged victim?*

20 Q Yes.

21 A Yes, we made sure she did not see him.

22 Q So the gift giving had stopped as well?

23 A Yes, sir.

24 Q He used to give a lot of gifts?

25 A Yes, he did.

OLIVIA HUNT-REDIRECT BY MR. MOYER

- 1 Q What kind of gifts would he give?
- 2 A Jewelry, high dollar clothes, things like that.
- 3 Q What kind of jewelry?
- 4 A Rings, ankle -- gold ankle bracelets, some rings with
- 5 diamonds in them.
- 6 Q Did you ever see the diamonds?
- 7 A Yeah, they were small, you know, something for a
- 8 small child.
- 9 Q Did you ever do anything with the diamonds?
- 10 A Well, I think one of the ones was a little loose, so
- 11 it was given back to him and it was going to be fixed.
- 12 Q Did you ever take them to your job or your work
- 13 place, Cosco?
- 14 A Yeah, the one I did.
- 15 Q What did you do with it there?
- 16 A He had asked me to test it to see if it was real.
- 17 Q And how were you able to do that?
- 18 A I was working in membership and when we work in
- 19 membership, if any diamonds or anything are brought back
- 20 in, we have to test it to make sure it's real.
- 21 Q Okay. Did he buy as much -- did he ever buy fancy
- 22 jewelry for Cory?
- 23 A No.
- 24 Q Did he buy fancy clothes for Cory?
- 25 A No.

1 Q Did he buy some things for C.H.?

2 A He did.

3 Q Was there a discrepancy between the amount of things
4 he bought for C.H. and the amount of --

5 A In the beginning, there was not, but towards the end,
6 there was. C.H. started to notice a lot of difference in
7 between the gift giving.

8 Q Did you notice, too?

9 A Yes, sir. Because it would upset us because it would
10 upset our son, you know.

11 Q Okay. Thank you.

12 CROSS-EXAMINATION

13 BY MR. QUINN:

14 Q And because it was upsetting your son, you told
15 Norman don't buy them anymore things, isn't that right?

16 A Who, C.H.? To my son, C.H.?

17 Q Right. If I understand your testimony, you're saying
18 that C.H. was getting upset because ~~the alleged victim~~ was getting
19 more things?

20 A Uh-huh.

21 Q So you went to Mr. Hunt and said look, don't buy the
22 kids anything, they're getting upset about it. Is that
23 what happened?

24 A I said that?

25 Q That's what I'm asking, did you?

OLIVIA HUNT-CROSS BY MR. QUINN

1 A No, sir.

2 Q Okay.

3 A Not that I recall.

4 Q So you never told Mr. Hunt to stop buying either of

5 the children anything?

6 A No, sir.

7 Q And was ~~the alleged victim~~ a child that would ask for things?

8 A Well, all children ask for things.

9 Q What about C.H. , was C.H. the type that would ask for

10 things?

11 A Yes.

12 Q Did ~~the alleged victim~~ want more in terms of clothes or what

13 she might want from stores?

14 A Yes, she is a female.

15 Q So is it surprising that ~~the alleged victim~~ might have gotten

16 more things than C.H. if she was asking for more?

17 A I reckon, yeah.

18 Q Did you ever tell Mr. Hunt to stop buying the

19 children items?

20 A No, sir.

21 MR. QUINN: No further questions.

22 MR. MOYER: Nothing further.

23 THE COURT: You may step down.

24 MR. MOYER: The State calls Dr. Mary Croswell to the

25 stand.

OLIVIA HUNT-CROSS BY MR. QUINN

1 THE CLERK: Please place your left hand on the Bible
2 and raise your right.

3 MARY CROSWELL, after being duly sworn, testified
4 as follows:

5 THE CLERK: Please have a seat and state your name
6 for the record.

7 THE WITNESS: My name is Mary Fran Ratchford
8 Croswell.

9 DIRECT EXAMINATION

10 BY MR. MOYER:

11 Q What is your occupation?

12 A I'm a pediatrician.

13 Q Okay. How long have you been a pediatrician?

14 A I've been a pediatrician since 2003.

15 Q Excuse me for a moment, I'm just going to get these
16 other exhibits out of the way. What is your education?

17 A I graduated with a Bachelor's Degree from Wake Forest
18 University. I graduated from the University of Louisville
19 School of Medicine with a medical degree and then
20 completed a post-graduate pediatric residency.

21 Q And where was that?

22 A That was at the Greenville Hospital System.

23 Q Can you tell the jury of any licenses or Board
24 certifications that you have?

25 A Yes. I am licensed to practice medicine in the State

MARY CROSWELL-DIRECT BY MR. MOYER

1 of South Carolina. I hold Board certifications from the
2 American Board of Pediatrics in both general pediatrics
3 and in child abuse pediatrics.

4 Q Do you have any particular training in the field of
5 sexual assault and abuse?

6 A Because of my additional training, I was able to sit
7 for the Board certification in child abuse pediatrics
8 based on the amount of continuing medical education as
9 well as experience I have in the field.

10 Q Okay. Have you had occasion to perform examinations
11 on children where there's the concern of sexual abuse?

12 A Yes.

13 Q By whom are you employed?

14 A I'm employed by the Greenville Health System.

15 Q What facilities do you use for these examinations?

16 A For the sexual abuse examinations, I utilize the
17 Julie Valentine Center for those medical exams.

18 Q What is the Julie Valentine Center and why would you
19 utilize their facility?

20 A The Julie Valentine Center is a -- within the wall of
21 the Julie Valentine Center is a child advocacy center.
22 And the Greenville Health System contracts with the Julie
23 Valentine Center to have medical exam space in order to
24 conduct forensic medical exams.

25 Q Is there a reason to do it there as opposed to

MARY CROSWELL-DIRECT BY MR. MOYER

1 Greenville Memorial Hospital?

2 A To try to centralize the care for the children under
3 one roof for children are undergoing evaluation or
4 investigation for the possibility of abuse.

5 Q Now, are you the only person who does sexual assault
6 examinations on children?

7 A I have one partner, Dr. Nancy Henderson.

8 Q All right. And you -- do you have any idea how many
9 examinations you've done of children over the years?

10 A I think on average, it ranges from 150 to 175 a year.
11 I've been employed in this division of forensic pediatrics
12 since 2006, so --

13 Q Okay.

14 A Seven hundred, 800, roughly.

15 Q Have you testified in the courts of this state in the
16 areas of pediatrics and child sexual abuse?

17 A Yes, I have.

18 Q Do you know how many times you've testified?

19 A I would estimate 20 to 25 times.

20 Q Have you been qualified as an expert?

21 A Yes, I have.

22 MR. MOYER: At this time, I would move to have Dr.
23 Croswell admitted as an expert in the field of pediatrics
24 and child sexual assault.

25 MR. QUINN: I have no questions.

MARY CROSWELL-DIRECT BY MR. MOYER

1 THE COURT: She is so qualified.

2 BY MR. MOYER:

3 Q Okay. Now, did you perform an examination on
4 the alleged victim ?

5 A Yes, I did.

6 Q When did you perform that examination?

7 A June 7th, 2012.

8 Q How did the alleged victim get referred to you for an
9 examination?

10 A She was referred by the Greenville County Sheriff's
11 Office.

12 Q How old was the alleged victim on the day you performed the
13 examination?

14 A She was 14 at the time.

15 Q Do you know who brought the alleged victim to you for the
16 examination?

17 A Her foster mother.

18 Q Was anyone who -- either the foster mother or anyone
19 else present with the alleged victim during the examination?

20 A During the examination itself, the only other person
21 in the room was our child life specialist who works with
22 children to be able to undergo medical procedures.

23 Q Are there different kinds of examinations in sexual
24 assault cases?

25 A Yes, there are.

MARY CROSWELL-DIRECT BY MR. MOYER

1 Q Would you tell us what they are and what the
2 difference is between them?

3 A When a child discloses sexual abuse or assault,
4 within the first 72 hours, it's recommended that they go
5 to the emergency room for a forensic evidence kit. After
6 the 72 hours, medical studies have supported that there's
7 not that much forensic evidence on the person themselves,
8 so it's recommended that they be evaluated in the
9 outpatient setting. And we consider those chronic sexual
10 abuse exams at that point.

11 Q Now, is one type of those exams more common than that
12 other?

13 A Yes.

14 Q Which one?

15 A The chronic sexual abuse exams.

16 Q Okay. Is it -- first of all, why is that?

17 A Most children don't disclose abuse at the time of the
18 incident. Usually, it's weeks to months to even years
19 later before they will disclose the abuse.

20 Q So is it much more common then for the examination to
21 be chronic?

22 A Yes, it is.

23 Q And does that hold true for both single episode
24 assaults as well as multiple sexual assaults?

25 A Yes.

MARY CROSWELL-DIRECT BY MR. MOYER

1 Q Okay. Now, can you describe what is entailed in the
2 type of exam -- well, first off, what type of exam did you
3 do with the alleged victim ?

4 A It was a chronic sexual abuse exam.

5 Q Now, would you describe exactly what is entailed in
6 that type of exam?

7 A So the child is greeted by a specialist and brought
8 back to the exam room where the child life specialist
9 utilizes an anatomically correct doll to demonstrate
10 exactly what's going to be entailed in the exam. Once
11 that's completed, I take a medical history from any
12 caregiver that has brought the child to the center. Next,
13 I take additional history from the child, him or herself,
14 and then we conduct the physical exam.

15 Q Okay. During this exam, what specific areas of the
16 anatomy are you examining?

17 A Well, it's an entire head to toe physical exam. So
18 if you think about a general pediatric visit, listening to
19 the heart, the lungs, looking at the eyes, the ears, the
20 nose, mouth, all the way down to the feet. When we get to
21 the genital portion of the exam, we utilize a piece of
22 medical equipment called a colposcope that allows us to
23 have a magnification system as well as a good light source
24 and the ability to photo document any findings that we
25 might have.

MARY CROSWELL-DIRECT BY MR. MOYER

1 Q Now, how old did you say the alleged victim was when you did
2 the examination on her?

3 A She was 14.

4 Q Now, before we go any more into her exam, can you
5 explain to the jury in your experience conducting these
6 types of exams how often do you have exams come back
7 normal in cases where there's a history of sexual abuse?

8 A The majority of times, the physical exams are normal.
9 Medical studies have shown that 85 to 90 percent of sexual
10 abuse exams don't have specific findings of sexual abuse
11 on the exam.

12 Q So when an exam comes back normal, does that indicate
13 to you that no abuse has taken place?

14 A No, it does not.

15 Q Okay. Why is that?

16 A There are many reasons an exam can come back normal.
17 First, it depends on the type of abuse that's described.
18 Some types of sexual abuse don't leave any injuries or
19 scarring behind. Secondly, the types of tissue in the
20 genital area is mucosal tissue and that tissue can heal
21 very rapidly within a matter of days and it doesn't leave
22 any scarring behind. And thirdly, we know from medical
23 studies that even pregnant teenagers have had normal
24 genital exams and that's obvious that penetration has
25 occurred during those exams. So there's multiple reasons

MARY CROSWELL-DIRECT BY MR. MOYER

1 why the physical exam can be normal even in the study of
2 sexual abuse.

3 Q So you're saying the studies that have done of
4 children who are actually pregnant that will still show a
5 normal examine?

6 A Correct.

7 Q Okay. Now, would it help you to explain to the jury
8 how a child can have a history of abuse, including
9 penetration of the vagina and not have an indication on
10 the exam, would it help by using a flip chart to explain
11 that to the jury?

12 A I think that it would be helpful to understand the
13 anatomy of the area.

14 Q Okay. If I can just ask you to step down.

15 A (The witness complies.)

16 Q Is this good right here? Okay. Here are some magic
17 markers. I'm going to give them to you.

18 A So when you're looking at a female -- female
19 genitalia, the first layer of tissue that you're going to
20 get to are two large folds, primarily fatty-filled tissues
21 called the labia majora. Once those are separated, you
22 can visualize the clitoris. In this area, you have a
23 small opening that allow urine to pass, which is called
24 the urethra. And then underneath that, you have the
25 opening to the vagina. So this -- the vaginal opening is

MARY CROSWELL-DIRECT BY MR. MOYER

1 actually deep set underneath all these other layers of
2 tissue. The vagina is partially covered by another
3 membranous tissue that can take various forms, which is
4 called the hymen. So when we're assessing child sexual
5 abuse, we're looking at all of this area for any injury or
6 scarring that may still be present.

7 Q Okay. Now, does a penetrating injury to the vagina
8 necessarily leave scarring or tears?

9 A No. So once a child goes through puberty, the nature
10 of this hymenal tissue changes because of the effects of
11 hormones on the tissue. So it becomes much more elastic
12 and can allow objects or, you know, other anatomic parts
13 to enter the vagina without -- stretching and then
14 returning to its normal position without leaving any scars
15 or any tears or lacerations.

16 Q Now, if there would happen to be a tear or an injury
17 of some kind to the hymen, is that necessarily permanent?

18 A Not necessarily. There have been other studies that
19 have looked at children who have had acute injuries that
20 were documented and follow them over time. And there are
21 some cases where the hymen can have a laceration, but it
22 will heal so that -- you know, if you were looking at it
23 at another point and time down the road, it wouldn't leave
24 any indication on visible exam.

25 Q Okay. Now, what were your findings during the

MARY CROSWELL-DIRECT BY MR. MOYER

- 1 examination of the alleged victim?
- 2 A So this hymenal tissue can take various shapes from
3 girl to girl. And her hymenal tissue, there was a, what
4 we call a notch. And when we're describing the locations
5 of the notch, we put in the location as if you were
6 looking at a clock. So this would be 12 o'clock, six
7 o'clock, three o'clock and nine o'clock. So what I
8 described was that she had a moderate notch at the seven
9 to eight o'clock position.
- 10 Q Okay. And what is the cause of that notch?
- 11 A That I can't tell you. It is a nonspecific finding.
12 Could it have been the result of injury? Yes. Could it
13 have been a normal variant that she was born with? Yes.
14 So I can't tell you exactly what caused that notching of
15 her hymen.
- 16 Q Okay. But it could have been the result of an
17 injury?
- 18 A It could have been.
- 19 Q Or it could have been just the way she was born, is
20 that correct?
- 21 A Correct.
- 22 Q All right. Now -- okay. I think you can have a
23 seat. Thank you.
- 24 A (The witness complies.)
- 25 Q Now, were you aware at the time of your examination

MARY CROSWELL-DIRECT BY MR. MOYER

1 that ~~the alleged victim~~ had had consensual sexual intercourse by the
2 time of that examination?

3 A Yes, I was.

4 Q Were you also aware of the allegations that ~~the alleged victim~~
5 had made of a tube being placed into her vagina that
6 resulted in bleeding?

7 A Yes, I was.

8 Q In your opinion, can you tell us whether or not these
9 findings are consistent with the allegations she made,
10 including within that analysis, the consensual intercourse
11 and, also, the incident with the tube, which led to
12 bleeding?

13 A The history that she provided and that I was able to
14 review was consistent with her physical exam.

15 Q Okay. Can you -- is there any reason for that or can
16 you explain, particularly, with respect to the bleeding
17 incident that happened?

18 A Well, so -- you know, there was no clear scar, but I
19 can't tell you that notching that occurred may have
20 resulted from that incident where she described bleeding.
21 That would be very consistent with what was described,
22 that she had bleeding so that would have been an injury.
23 This could have been an injury. I just can't tell you
24 definitely that that is what caused it.

25 Q Okay. Could an injury have taken place and have

MARY CROSWELL-DIRECT BY MR. MOYER

1 healed?

2 A Yes, it could have.

3 Q And left no scar whatsoever?

4 A Correct.

5 Q And could the injury have been to another part of her
6 anatomy other than the hymen?

7 A It could have been, yes.

8 Q Okay. All right.

9 MR. MOYER: Please answer any questions the Defense
10 may have.

11 CROSS-EXAMINATION

12 BY MR. QUINN:

13 Q So the injury may never have occurred?

14 A There may not have been -- well, she describes in her
15 history an injury occurring, but there was no injury
16 evident on my examination.

17 Q And did you test to see if she had any sexually
18 transmitted diseases?

19 MR. MOYER: Your Honor, objection. May we approach?

20 THE COURT: Sure.

21 (WHEREUPON, an off-the-record bench conference was
22 held in the presence of the jury but out of the
23 hearing of the jury.)

24 THE COURT: Let me ask if you would please go to your
25 jury room. I've got one issue to address. Don't discuss

1 THE COURT: All right. Mr. Quinn.

2 CONTINUED CROSS-EXAMINATION

3 BY MR. QUINN:

4 Q Doctor, did you ever get DNA or any other samples
5 from Mr. Hunt for testing?

6 A No, I did not.

7 Q And I believe your testimony, and I'm going to
8 paraphrase it and if I paraphrase it inappropriately,
9 please tell me. I believe your testimony is that your
10 examination was, essentially, normal, that there was no
11 evidence of a healed injury?

12 A There were no specific findings of sexual abuse.

13 MR. QUINN: Thank you. I have no further questions.

14 MR. MOYER: Just real briefly.

15 REDIRECT EXAMINATION

16 BY MR. MOYER:

17 Q As to the DNA question, you didn't attempt to do any
18 swabs or collect any evidence from ~~the alleged victim~~, did you?

19 A No, that's not part of a chronic sexual abuse exam.

20 Q What kind of sexual abuse exam would incorporate
21 that?

22 A An acute sexual abuse exam.

23 Q One that happened within 72 hours?

24 A In the 72 hours, correct.

25 Q Okay. Thank you.

1 MR. MOYER: Nothing further.

2 THE COURT: You may step down.

3 MR. MOYER: The State calls Mike Brown to the stand.

4 THE CLERK: Please place your left hand on the Bible
5 and raise your right.

6 THE COURT: Before you do that, will this be a brief
7 witness?

8 MR. MOYER: What was the question, Your Honor?

9 THE COURT: Will this witness be brief?

10 MR. MOYER: No. I don't think he'll be lengthy, but
11 half an hour maybe.

12 THE COURT: We'll do that after lunch. We'll break
13 for lunch and come back.

14 MR. MOYER: Yes, sir.

15 THE COURT: Ladies and gentlemen, we're going to
16 recess for lunch. Keep in mind my caution previously
17 given, that is you're not to discuss the case with anyone,
18 even among yourselves. No research, no investigation, no
19 media exposure. Have a good lunch. Please report to your
20 jury room at 2:15, at 2:15 this afternoon.

21 (WHEREUPON, the jury left open court at approximately
22 12:44 p.m.)

23 THE COURT: Court is in recess until 2:15.

24 (WHEREUPON, a lunch break was taken.)

25 THE COURT: You ready for the jury?

1 MR. MOYER: Yes, sir.

2 MR. QUINN: Yes, sir.

3 THE COURT: All right. Bring them in, please.

4 (WHEREUPON, the jury came into open court at
5 approximately 2:20 p.m.)

6 THE COURT: Good afternoon, ladies and gentlemen.

7 We're going to continue the State's presentation.

8 Mr. Moyer.

9 MR. MOYER: May it please the Court. The State calls
10 Mike Brown.

11 THE CLERK: Mr. Brown, please place your left hand on
12 the Bible and raise your right hand.

13 MIKE BROWN, after being duly sworn, testified as
14 follows:

15 THE CLERK: Please have a seat and state your name
16 for the record.

17 THE WITNESS: Joe Michael Brown.

18 DIRECT EXAMINATION

19 BY MR. MOYER:

20 Q Okay. Where are you employed?

21 A I'm employed with the Greenville County Sheriff's
22 Office.

23 Q How long have you been in law enforcement?

24 A Approximately 21 years.

25 Q Has it all been with the sheriff's office?

MIKE BROWN-DIRECT BY MR. MOYER

1 A It has, yes, sir.

2 Q What is your position with the sheriff's office?

3 A I'm an investigator in the sex crimes unit in
4 criminal investigations.

5 Q Okay. How long have you been doing that?

6 A All total, either investigating or supervising,
7 approximately 12, 13 years.

8 Q What other departments and positions have you had in
9 the sheriff's office?

10 A I've been on uniform patrol, I've been in the warrant
11 division, I've been in administrative division as the PIO
12 for the sheriff's office, and I've been in investigations.

13 Q Okay. What are your duties and responsibilities in
14 your current position?

15 A I currently investigate sex crimes that have been
16 forwarded for followup by other officers that may have
17 taken an initial report or sometimes I even take the
18 initial report and do the followup investigation.

19 Q Okay. Now, were you assigned to work on the case
20 that is currently before this court?

21 A Yes, sir.

22 Q Involving *the alleged victim* and the Defendant, Norman
23 Hunt?

24 A Yes, sir.

25 Q How did that case originate with the sheriff's

MIKE BROWN-DIRECT BY MR. MOYER

1 office?

2 A I believe there was a front desk officer that took

3 the initial code five or the incident report from the

4 complainant, Christina Bateman.

5 Q What was the date?

6 A I believe the initial incident date listed on the

7 report is April 13th of 2012.

8 Q That's the date the call came in?

9 A That's my understanding, yes, sir.

10 Q Do you have the report with you?

11 A I have a copy of it, yes, sir.

12 Q Can you take a look at that just to know for sure.

13 A Yes, sir, that's correct.

14 Q So April 13th of 2012?

15 A Yes, sir.

16 Q By Christina Bateman. Okay. So that was just a

17 phone call report, is that correct?

18 A Yes, sir.

19 Q No interviews or anything like that done at that

20 time?

21 A Not at that time other than what the front desk

22 officer may have asked the complainant.

23 Q Now, when were you assigned the case?

24 A I believe it came to my office the following Monday.

25 I think the 13th was a Friday, and the report was signed

MIKE BROWN-DIRECT BY MR. MOYER

1 off on that Sunday and then came over to our office on the
2 following Monday.

3 Q Okay. And What did you do initially?

4 A My first initial action was to contact the
5 complainant by phone.

6 Q Okay. And that would have been Ms. Bateman?

7 A That would have been Ms. Bateman.

8 Q And what was the purpose of that phone call?

9 A The purpose primarily was to try to set up a
10 convenient time that she could bring the victim down to
11 our office since they were in Tennessee. And we could set
12 up an interview time for the victim and anyone else that
13 might have information.

14 Q Okay. And did you arrange for a meeting at that
15 time?

16 A We did, yes, sir.

17 Q What was the date of the meeting that you arrived at?

18 A Due to travel considerations and work schedules, we
19 came that May 2nd was going to be the most convenient time
20 to get together.

21 Q May 2nd of 2012?

22 A Yes, sir.

23 Q And where was this interview to take place?

24 A It was conducted at our offices, which are at County
25 Square, 301 University Ridge here in Greenville.

MIKE BROWN-DIRECT BY MR. MOYER

- 1 Q Okay. Who -- did ~~the~~ alleged victim show up on that date?
- 2 A Yes, sir.
- 3 Q Who brought her?
- 4 A I believe Ms. Bateman brought her at that time.
- 5 Q Did you speak to ~~the~~ alleged victim at that time?
- 6 A I did, yes, sir.
- 7 Q Was her mother or Christina Bateman or anyone present
- 8 while you interviewed her?
- 9 A Neither one of them were in the interview room.
- 10 They remained in the lobby area. I did have one of our
- 11 victim witness advocates, Julie Anna Christy, who sat in
- 12 on the interview. But that was as a convenience to the
- 13 victim in the possibility she may feel more comfortable
- 14 with a female in the room.
- 15 Q Do you do that standard practice for children and
- 16 female children?
- 17 A For pretty much a lot of children and, especially, if
- 18 an adult female would request it, we would, certainly, do
- 19 it as well.
- 20 Q Now, during your conversation with her during that
- 21 time, did she inform you of the place or places the
- 22 allegations happened?
- 23 A Yes, sir, she did.
- 24 Q And what place or places did she indicate?
- 25 A She indicated one of the places was the Defendant's

MIKE BROWN-DIRECT BY MR. MOYER

1 home, which she described as a single-level brick home.
2 She at that time gave the address as Cherrydale. It is
3 actually 21 Cherry Lane Drive, but it is that house or
4 that residence. She gave another incident location as
5 being the parking lots or the areas in proximity to the
6 Wal-Mart on White Horse Road and the Wal-Mart on Woodruff
7 Road. And she also gave the name of the business where
8 she said the Defendant worked, which she indicated was
9 Baine Thin Line.

10 Q Okay. What about vehicles, did she make any mention
11 of vehicles?

12 A She mentioned that things would occur at times in a
13 truck the Defendant had and, also, a car that he had.

14 Q Now, this business, Baine Thin Line, you said?

15 A Yes, sir.

16 Q Is that in Greenville County?

17 A It is. I believe the physical address is at 910 Fork
18 Shaws Road.

19 Q And what about the Defendant's residence?

20 A Yes, sir, it is. It's in the Greer area of
21 Greenville County.

22 Q Well, did she give you any information as to the time
23 or times of the abuse?

24 A I think she indicated that it began when she was
25 approximately five years of age. And the incidents

MIKE BROWN-DIRECT BY MR. MOYER

1 stopped or did not occur after she was approximately 12
2 years of age, I believe.

3 Q Okay. Now, did you interview C.H. ?

4 A I did, yes, sir.

5 Q When did you do that?

6 A I did that on May 7th of 2012.

7 Q Where did that interview take place?

8 A That interview took place at Riverside Middle School
9 here in Greenville County.

10 Q So two years ago, he would have been 12 years old at
11 that time?

12 A Approximately 12, yes, sir.

13 Q Who was present for that interview?

14 A Another investigator from our office, Investigator
15 Lorraine Henderson.

16 Q Did you tell C.H. ahead of time that you were coming
17 to talk to him?

18 A I did not, no, sir.

19 Q Why did you interview him at school as opposed to his
20 residence or some other location?

21 A During the course of the initial days of the
22 investigation, it appeared that the cooperation from the
23 parents may not be good. And so we decided not to try to
24 go to his home to do an interview because we did not know
25 whether we would get their cooperation. And also, to try

MIKE BROWN-DIRECT BY MR. MOYER

1 to eliminate distractions such as TV, pets, a lot of other
2 things that may be in a home environment.

3 Q After you finished interviewing C.H., did you notify
4 anybody that you had talked to him?

5 A I notified his mother that he had been interviewed,
6 yes.

7 Q What is the reason for that?

8 A It's just a protocol of our office. If we're
9 interviewing a child that the parent is not there, we
10 always make sure they're notified that the interview has
11 taken place.

12 Q Okay. One moment, please.

13 MR. MOYER: All right. Please answer any questions
14 the Defense may have.

15 CROSS-EXAMINATION

16 BY MR. QUINN:

17 Q Investigator Brown, did you search DMV records to
18 determine if Mr. Hunt, in fact, owned a truck?

19 A I had those records researched, I did not do it
20 physically myself.

21 Q But you say you obtained those records and they would
22 be part of the incident report?

23 A They were not part of the initial incident report,
24 no, sir.

25 Q Okay. What about a car with a license plate that

MIKE BROWN-CROSS BY MR. QUINN

1 says Hunt, did you check DMV records for that?

2 A I checked other documentation that was available at

3 the sheriff's office that confirmed that information.

4 Q And what people did you speak to at Baine Thin Line?

5 A I spoke to no one during the investigation.

6 Q And what about the Wal-Mart on either White Horse

7 Road or Woodruff Road, did you speak to anyone in security

8 at those locations?

9 A No, sir.

10 Q And did you check to see if the sheriff's office had

11 complaints or reports from any of those locations

12 concerning sexual activity?

13 A No, sir.

14 Q Did you speak with any of the neighbors around the

15 house?

16 A Around the Defendant's residence?

17 Q Yes, sir.

18 A No, sir.

19 Q Did you ever see the Defendant's truck?

20 A I was present when a search warrant was executed at

21 that location and there was a truck present in, I believe,

22 the back yard of the residence at that time.

23 Q Do you remember if it was white?

24 A I'm not positive. I don't know. I can't say for

25 sure. I didn't examine the truck or search the truck.

MIKE BROWN-CROSS BY MR. QUINN

1 Q Were there other officers there at the execution of
2 the search warrant?

3 A Yes, sir, there were.

4 Q Did some of them search the truck?

5 A I can't testify to their actions.

6 Q Did any, that you're aware of, mention that the
7 windows were illegally tinted or dark tinted?

8 A No one mentioned that to me, no, sir.

9 Q Did you observe that personally about the truck, that
10 you could not see inside the vehicle?

11 A I did not observe that.

12 Q And there were items seized pursuant to the search
13 warrant, is that fair to say?

14 A I believe so, yes, sir.

15 Q Do you know what the disposition of those items were?

16 A I did not. I was not the officer or deputy involved
17 in either drawing the search warrant or doing the return
18 for it.

19 MR. QUINN: Thank you, Investigator. I don't have
20 any other questions.

21 MR. MOYER: Nothing further for this witness.

22 THE COURT: You may step down.

23 MR. MOYER: The State calls Ricky Motes to the stand.

24 RICKY MOTES, after being duly sworn, testified
25 as follows:

MIKE BROWN-CROSS BY MR. QUINN

1 THE CLERK: Please have a seat and state your name
2 for the record.

3 THE WITNESS: Ricky Motes.

4 DIRECT EXAMINATION

5 BY MR. MOYER:

6 Q And where are you employed?

7 A The Greenville County Sheriff's Office.

8 Q How long have you been in law enforcement?

9 A Approximately 15 years.

10 Q Has that all been with the sheriff's office?

11 A It has.

12 Q What is your position with the sheriff's office now?

13 A I'm assigned to the criminal investigations division.

14 Q In what particular department or role?

15 A Right now, I'm currently assigned to violent crimes,
16 investigate armed robberies at the current time.

17 Q What were you investigating two years ago?

18 A I was assigned to Crimes Against Children Unit. We
19 did physical and sexual abuse cases of children.

20 Q How long were you in that unit?

21 A Two years.

22 Q What other units or departments have you --

23 A I've worked in uniform patrol, the warrants division.
24 I've investigated in CID, juveniles, arson, auto theft,
25 sex crimes, crimes against children and, currently, in

RICKY MOTES-DIRECT BY MR. MOYER

1 violent crimes.

2 Q Did you participate in this investigation involving
3 Norman Hunt, Sr.?

4 A Yes, sir, I did.

5 Q What date did you get involved?

6 A It was May the 7th, 2012.

7 Q Now, did you meet with the alleged victim?

8 A I did.

9 Q What was the date that you met with her?

10 A I contacted her mother, Olivia Hunt, the next day, I
11 think it was Tuesday, May the 8th. And they were -- I
12 think the alleged victim was still in Tennessee, so we made
13 arrangements for her to come down on Thursday, which would
14 have been the 10th; and I interviewed her at that point.

15 Q Did you arrange for an interview at the Julie
16 Valentine Center?

17 A I did for the following Friday, would have been May
18 the 18th.

19 Q What is the Julie Valentine Center?

20 A The Julie Valentine Center is our child advocacy
21 center where they conduct forensic interview of children.

22 Q Okay. Now, are you aware of the victim having been
23 taken into emergency protective custody?

24 A Yes, sir.

25 Q What is that?

RICKY MOTES-DIRECT BY MR. MOYER

1 A Emergency protective custody is whenever we as law
2 enforcement feel that a child is in risk of harm or
3 imminent danger, we contact the Department of Social
4 Services. They have paperwork that we fill out and
5 discuss the case and the reasons why we feel that child is
6 in danger.

7 Q Okay. Where did that take place?

8 A That took place at 1432 Anderson Ridge Road over in
9 Greer, which is in Greenville County, at the home of the
10 Hunt's.

11 Q Okay. All right. What was the date of that?

12 A That was Friday, May the 11th.

13 Q Now, did you attend the interview that the alleged victim had
14 at the Julie Valentine Center?

15 A Yes, sir, I did.

16 Q You said that was May 18th?

17 A Yes, sir, it was.

18 Q Were you present for the interview there?

19 A I was present, but not in the room. Only the
20 interviewer and the child is in the room. We were
21 watching and listening by closed circuit TV.

22 Q Okay. Who all was present for that interview? Not
23 where you were, but when the alleged victim was interviewed?

24 A It was the alleged victim and, I believe, it was Sara Davis.

25 Q During the interview, did the alleged victim disclose a time

RICKY MOTES-DIRECT BY MR. MOYER

- 1 and place of this abuse?
- 2 A Yes, she did.
- 3 Q And what did she say about the time and place?
- 4 A She said approximately from the age of five to 12
- 5 that she was abused by her grandfather at multiple
- 6 locations.
- 7 Q Do you recall the locations she mentioned?
- 8 A I do remember her talking about the Wal-Marts on
- 9 White Horse Road and Woodruff Road, at her grandfather's
- 10 residence at 21 Cherry Lane Drive, and, also, at his place
- 11 of business.
- 12 Q Okay. Did she mention the vehicles.
- 13 A She did. She mentioned that -- the incidents about
- 14 the oral sex while going to Dollywood and to the stores
- 15 and places like that.
- 16 Q So she mentioned both vehicles, the truck and the
- 17 car?
- 18 A She did.
- 19 Q Did she mention the mall?
- 20 A I do remember reading that. I can't recall,
- 21 specifically, which mall.
- 22 Q But she did mention the mall?
- 23 A She did.
- 24 Q And the garage on Woodruff Road?
- 25 A I do remember reading something about that.

RICKY MOTES-DIRECT BY MR. MOYER

1 Q Okay. Are those locations in Greenville County?

2 A Yes, sir.

3 Q Other than Dollywood, obviously?

4 A Obviously, yeah.

5 Q Okay. Now, did you conduct a search of the

6 Defendant's residence pursuant to the search warrant?

7 A I did.

8 Q When was that done?

9 A The search warrant was executed on Monday, May the

10 21st, 2012.

11 Q Where did that take place?

12 A At 21 Cherry Lane Drive in Greenville County.

13 Q Was the Defendant home?

14 A No, he wasn't.

15 Q Okay. Would you describe that location?

16 A It's a single-level, brick, ranch-style home, had

17 mint green shutters, detached garage in the back yard. I

18 think it was a single carport. That's what I remember.

19 Q And that is in Greenville County, you said?

20 A Yes, sir, it is.

21 Q Okay. Now, was any property seized?

22 A Yes, sir.

23 Q What was seized? And if you would tell us what

24 different items were seized and where on the property

25 those items were seized?

RICKY NOTES-DIRECT BY MR. MOYER

1 A Okay. The first item on the return here is a -- says
2 HP, it was a laptop, which was found in the living room on
3 the coffee table; a Sony camera, which was found on the
4 kitchen table; a Sony adapter memory stick in a bedroom;
5 three rolls of film, which were located in a Dodge pickup
6 truck, white in color; two small glamor shot photo books
7 located in a Dodge pickup truck, white in color; one
8 Motorola cell phone located in a Dodge pickup truck, white
9 in color; two Bank of America checkbooks with the name
10 Norman Hunt on them located in that Dodge pickup truck; a
11 Memorex travel drive two gigabyte memory stick, which was
12 also located in the Dodge pickup truck; a Facebook entry
13 from *the alleged victim*, two pages, that were found in a black
14 purse in a bedroom; a Dell Dimension XPS T500, located in
15 the office of the house; four floppy-type computer disks
16 located in the office desk; 33 VHS tapes located in the
17 office between the desk and the closet; a notebook
18 wire-type notebook located in the Dodge pickup truck; an
19 unmarked prescription bottle with miscellaneous pills
20 inside located in the Dodge pickup truck; and a printed
21 monthly calendar from May to November of 2007 located in a
22 bedroom; one VHS tape located outside in the two-car
23 garage; one Napa calendar located outside in the two-car
24 garage; and one plastic bin.

25 Q And what was done with the property that was taken?

RICKY MOTES-DIRECT BY MR. MOYER

1 A All this property was turned over to our data
2 recovery lab who do the forensic exams on those type
3 devices.

4 Q Okay. So this was May 21st, you said, of 2012?

5 A Yes, sir.

6 Q What was, ultimately, done with the property?

7 A The property was examined by our forensic computer
8 guys. The laptop and a memory stick was processed.

9 Q Okay.

10 A And then, the rest of these items were -- I think it
11 was August the 2nd, were turned back over to the
12 Defendant.

13 Q Now, you just said what you believed to have been
14 examined by the data recovery department. Do you know who
15 it was that did that examination?

16 A Investigator Jim Perry.

17 Q Okay. Would it refresh your memory if you had a
18 chance to look at this report as to what exactly was --

19 A Yes, it would.

20 Q Okay. Take a moment to look at that.

21 A (The witness complies.) It says on May the 21st,
22 2012, he conducted a forensic examination on a Motorola
23 T720 cellphone that was seized using the cellphone
24 forensic tool Cell Bright.

25 Q Okay. So it was a cellphone?

RICKY MOTES-DIRECT BY MR. MOYER

- 1 A Yes, sir.
- 2 Q And what were the other items?
- 3 A The other item was a Sony memory stick Produo.
- 4 Q Okay. Now, at the time the property -- the property
- 5 was returned to the Defendant when?
- 6 A On August the 2nd, 2012.
- 7 Q Okay. Now, have you found out subsequently that
- 8 mistakes have been made?
- 9 A Yes, sir.
- 10 Q What is that?
- 11 A I found out about that all this evidence was turned
- 12 over, but only two things that, actually, got processed
- 13 was that memory stick and that cellphone.
- 14 Q So was there just miscommunication?
- 15 A Yes, sir. When I received notification from the lab,
- 16 I assumed that all these things had been processed and
- 17 then, in fact, about a week ago, I learned that only the
- 18 cellphone and the memory stick had been processed.
- 19 Q And examined, looked at?
- 20 A That's correct.
- 21 Q One moment. So the truck then was white, is that
- 22 correct?
- 23 A Yes, sir.
- 24 Q The pickup truck that some of that property was taken
- 25 from?

RICKY NOTES-DIRECT BY MR. MOYER

1 A Yes, sir.

2 Q All right.

3 MR. MOYER: Okay. Please answer any questions the
4 Defense may have.

5 MR. QUINN: Beg the Court's indulgence.

6 CROSS-EXAMINATION

7 BY MR. QUINN:

8 Q And when you saw the truck, did you observe the
9 windows?

10 A I did.

11 Q Were they illegally tinted?

12 A No, sir.

13 Q Were you able to see into the vehicle?

14 A Up close, you could look in the windows, it appears,
15 and see what was inside.

16 Q From what distance?

17 A Maybe five foot.

18 Q And through the front windshield, somebody sitting
19 inside could only see through the edge of the car, they
20 could only see five feet?

21 A I was assuming from the side because, normally, it's
22 illegal to have your front windshield tinted at all, so I
23 was assuming you were speaking of the tinted windows.

24 Q And you're saying that the side windows were legally
25 tinted?

RICKY MOTES-CROSS BY MR. QUINN

- 1 A Yes, sir.
- 2 Q You could only see into it from five feet away?
- 3 A Just about, yeah, I would say.
- 4 Q And did you have your lab test that to see how far
- 5 you could see into these windows?
- 6 A No, sir, I didn't.
- 7 Q When you determined that there was a mistake, that
- 8 things weren't processed, did you contact Mr. Hunt or
- 9 myself to ask to be able to see any of the documents or
- 10 the material?
- 11 A No, sir, I didn't.
- 12 Q Did you seek another search warrant to go back and
- 13 reseize the documents?
- 14 A No, sir, I didn't.
- 15 Q Whatever was examined, there was no incriminating
- 16 evidence found and it was returned to Mr. Hunt, is that
- 17 correct?
- 18 A That's correct.
- 19 Q And in the locations -- when you were asked about
- 20 whether ~~the alleged victim~~ told you about these locations -- and I
- 21 was trying to catch it and if I say it wrong, forgive me.
- 22 I believe you said you think you read something about the
- 23 mall at Haywood Mall or maybe in Spartanburg. Did she
- 24 tell you those things?
- 25 A Well, you have to understand, I interviewed her for a

RICKY MOTES-CROSS BY MR. QUINN

1 very short while the first day that I met her and then I
2 observed the forensic interview. So she didn't actually
3 tell me that information, I was watching. That's what I
4 was referring to.

5 Q But still, as I understand your testimony, when you
6 observed, she said his home, although the address might
7 have been wrong, but his home?

8 A That's right.

9 Q And Wal-Mart on White Horse Road and Wal-Mart on
10 Woodruff Road?

11 A That's correct.

12 Q She said those three locations?

13 A She did.

14 Q But she did not say Haywood Mall or Spartanburg Mall,
15 did she?

16 A I don't recall her saying that.

17 Q Okay.

18 MR. QUINN: I don't have any other questions. Thank
19 you.

20 THE COURT: You may step down.

21 MR. MOYER: The State calls Shauna Galloway.

22 THE CLERK: Ms. Galloway, please place your left hand
23 on the Bible and raise your right hand.

24 SHAUNA GALLOWAY-WILLIAMS, after being duly
25 sworn, testified as follows:

RICKY MOTES-CROSS BY MR. QUINN

1 THE CLERK: Please be seated, state your name for the
2 record.

3 THE WITNESS: Shauna Galloway-Williams.

4 DIRECT EXAMINATION

5 BY MR. MOYER:

6 Q What is your occupation?

7 A I am the executive director of the Julie Valentine
8 Center.

9 Q What is the Julie Valentine Center?

10 A The Julie Valentine Center is the child abuse and
11 sexual assault recovery center that serves Greenville and
12 Pickens County. We provide -- we have a nationally
13 accredited child advocacy center. We also provide rape
14 crisis services, education and training to the community.

15 Q How long have you been with the Julie Valentine
16 Center?

17 A I've been the executive director since 2009. I've
18 worked with the center since 2007.

19 Q Now, what is your education and training?

20 A I have a Bachelor's Degree in psychology, a Master's
21 Degree in counseling, and I'm a licensed professional
22 counselor in the State of South Carolina.

23 Q What did you do prior to working for the Julie
24 Valentine Center?

25 A I've been working in the field of mental health,

SHAUNA GALLOWAY-WILLIAMS-DIRECT BY MR. MOYER

1 beginning with the Department of Mental Health about 17
2 years ago. I worked, specifically, with children and
3 adolescents beginning in 2001, and specialize in working
4 with children who have been abused or may have been
5 suspected of being abused.

6 Q Are you licensed?

7 A I'm licensed in South Carolina as a professional
8 counselor.

9 Q Okay. Are you a member of any professional
10 organizations or affiliations?

11 A I am. I am the immediate past Board chair of the
12 South Carolina Network of Child Advocacy Center. I've
13 served on that Board as the chair, vice-chair, secretary.
14 I, also, am part of the Silent Tears Task Force, which is
15 a South Carolina initiative that specifically addresses
16 child sexual abuse and how to respond to it. I, also,
17 have served on the South Carolina Association related to
18 child abuse, SCIPAC is the acronym for that. And I also
19 am an adjunct faculty member at the USC Upstate Child
20 Advocacy Studies Program.

21 Q Now, are you required or do you do continuing
22 education, attend courses and seminars and the like?

23 A I do. It's required by my licensure, but I also do
24 it in conjunction with my role as a forensic interviewer
25 and just in general. I've been trained as a forensic

SHAUNA GALLOWAY-WILLIAMS-DIRECT BY MR. MOYER

1 interviewer and attended and received more than 175 hours
2 of skills base training directly related to that. And
3 within that training, certainly, we discuss the dynamics
4 related to child abuse, sexual abuse, neglect and those
5 issues. And I've also conducted training for others.

6 Q What kind of training have you conducted?

7 A I've provided training, specifically, related to
8 mandated reporting, recognizing and responding to child
9 sexual abuse in youth serving organizations. I've
10 provided training related to working with nonoffending
11 caregivers. Those will be caregivers of children who have
12 been abused. And, as I said, I teach child advocacy
13 studies courses at USC Upstate.

14 Q How many years experience have you had with
15 counseling child victims of sexual assault or abuse?

16 A Since 2001, so about 13 years.

17 Q Do you know how many children you have seen for those
18 purposes over those years?

19 A I don't know exactly how many children that I've
20 worked with. I've conducted more than 750 forensic
21 interviews and have provided counseling or assessment
22 services probably to more than 800 children throughout
23 those years.

24 Q How many children does the Julie Valentine Center
25 service a year, if you know?

SHAUNA GALLOWAY-WILLIAMS-DIRECT BY MR. MOYER

1 A Last year, we served over 800 children. In total, we
2 provided services to 2200 individuals and more than 800 of
3 those were children.

4 Q Have you been qualified as an expert in child sexual
5 abuse and treatment?

6 A I have.

7 Q Do you know how many times and in what courts?

8 A Eighteen times in General Sessions, and that would
9 have been both in Greenville and Pickens County. And I've
10 also been qualified in Family Court both in Greenville and
11 Pickens County more than 25 times in Family Court.

12 Q Now, do you know the victim in this case, *the alleged*
13 *victim?*

14 A I do not.

15 Q Have you ever seen her in any capacity?

16 A I've not seen her face to face, no.

17 Q So you don't have any personal knowledge of her
18 situation yourself?

19 A No.

20 Q All right. Now, can you tell the jury what you
21 understand your purpose for testifying in this case?

22 A To provide information in an educational capacity
23 around the dynamics associated with child sexual abuse.

24 Q Okay. Are these matters of child sexual trauma and
25 abuse that you have testified about in the past and

SHAUNA GALLOWAY-WILLIAMS-DIRECT BY MR. MOYER

1 prepared to testify to today, including how children
2 react, delay disclosure, how family relationships come
3 into play and other dynamics, have they been published in
4 professional journals and trade publications and the like?

5 A Yes.

6 Q Okay. Have these principles been subject to peer
7 review?

8 A Yes.

9 Q Are these principles uniformly accepted and
10 recognized within the field of sexual abuse counselors and
11 professionals?

12 A Yes.

13 Q Are they reasonably relied upon by professionals in
14 the field of child sexual abuse, assessment and treatment?

15 A Yes.

16 Q Have counselors and child abuse professionals relied
17 on these principles when treating children who have been
18 sexually abused?

19 A Yes.

20 Q Do you apply these principles in your treatment and
21 assessment of child victims of sexual assault?

22 A Yes, I do.

23 MR. MOYER: Your Honor, at this time, I would move to
24 have Shauna Galloway-Williams qualified as an expert in
25 child sexual abuse and treatment.

SHAUNA GALLOWAY-WILLIAMS-DIRECT BY MR. MOYER

1 MR. QUINN: I object to that qualification. I don't
2 have any problem with her being qualified as a
3 professional counselor, which is my understanding of what
4 her licensure is, or as a forensic interviewer, if that's
5 what the solicitor is trying to get to because of her
6 experience in that; but I don't think she's an expert in
7 child sexual abuse. I've not heard the basis for that.
8 So I object to that qualification.

9 THE COURT: All right. Would you like the
10 opportunity to present some more foundation?

11 MR. MOYER: Well, Your Honor, I believe the
12 foundation has been laid.

13 THE COURT: Well, let me see y'all just a minute,
14 then.

15 (WHEREUPON, an off-the-record bench conference was
16 held in the presence of the jury but out of the
17 hearing of the jury.)

18 BY MR. MOYER:

19 Q Let me ask you a few more questions along these
20 lines. Have you provided therapy for children?

21 A I have.

22 Q Tell us a little bit about the therapy that you have
23 conducted.

24 A Well, currently, I don't provide therapy to children.
25 I provide forensic interviews and I facilitate a group for

SHAUNA GALLOWAY-WILLIAMS-DIRECT BY MR. MOYER

1 non-offending caregivers of children who have been
2 sexually abused. But previously, I did provide therapy to
3 children, individual and family therapy, trauma focus,
4 behavior therapy, which is primarily what I use with
5 children. I have also attended numerous trainings on play
6 therapy and expressive therapy techniques in my work with
7 children. My work at the Department of Mental Health,
8 which was 2001 until 2007, was working exclusively in the
9 child and adolescent unit. And most of the children that
10 I've worked with there, the vast majority of them had a
11 diagnosis of some type of abuse or neglect, whether that
12 be physical abuse, sexual abuse or neglect of some kind.

13 Q And do you know how many children you have treated
14 and provided therapy for?

15 A I don't know an exact number. Again, when I was at
16 the Department of Mental Health, I carried a case load of
17 anywhere from 80 to sometimes 120 children at one time or
18 another. And some of those would have been only for an
19 assessment or one-time visit, some of them would have
20 completed therapy, some of them would have been long-term
21 clients over a period of time.

22 Q Now, you have been qualified as an expert in what
23 areas in the past in courts?

24 A I've been qualified as an expert as a licensed
25 professional counselor and an expert in, I guess, the

SHAUNA GALLOWAY-WILLIAMS-DIRECT BY MR. MOYER

1 dynamics of child abuse. I'm not sure if it has,
2 specifically, been sexual abuse or if it has been child
3 abuse in general. When we think of child maltreatment,
4 that includes all of those things.

5 Q Okay. And have you been --

6 A So I'm not exactly sure, but I have been qualified 18
7 times in general sessions as either a -- there have been
8 times when I've been qualified as a forensic interviewer
9 previously and then, also, as a licensed professional
10 counselor, I guess, specializing in the area of child
11 abuse.

12 Q Okay. And has your role, both in your education and
13 in your treatment of children, has that included both the
14 study of -- well, has it included the study of the
15 dynamics of child sexual abuse?

16 A Yeah, I mean, the vast majority of my work has
17 focused on child sexual abuse. Again, in many of the
18 trainings I've attended, we have talked about physical
19 abuse, sexual abuse and neglect. But my specialization,
20 what I have tended to focus on and develop my skills in
21 the area are specifically related to sexual abuse. Many
22 of the interviews that are referred to us that I've
23 conducted have been for allegations of sexual abuse,
24 although we also assess for physical abuse and neglect as
25 well and, also, interviewing children who have witnessed a

SHAUNA GALLOWAY-WILLIAMS-DIRECT BY MR. MOYER

1 crime or have experienced trauma.

2 Q When you have testified as an expert in the courts of
3 South Carolina, what different areas of the dynamics of
4 sexual abuse have you testified about?

5 A Generally, I have testified about disclosure, delayed
6 disclosure, the dynamics of sexual abuse, which relate to
7 the relationship between the child who has been abused and
8 the person that is -- may have committed the offense,
9 also, the relationship between the child and other members
10 of the family or the community. I have talked about how
11 children do tell, how they disclose, some of the
12 developmental issues related to that, just, in general,
13 the dynamics of child sexual abuse. Because it's an area
14 that we don't really -- it's an area that's really hard to
15 wrap our minds around. It's not something that's
16 incredibly easy to understand.

17 Q How did you develop your expertise in those areas?

18 A Well, a lot of it has been through my work in the
19 area, but many trainings, attending training. Again, the
20 175 or 178 hours of training that I've attend that has
21 been skills based has been related to forensic
22 interviewing, which a lot of times focuses on the dynamics
23 of how children disclose abuse, relationship dynamics, all
24 of those things that could relate to physical abuse and
25 neglect as well, but a lot of times, we're applying that

SHAUNA GALLOWAY-WILLIAMS-DIRECT BY MR. MOYER

1 to the issue of sexual abuse.

2 Q And do all those areas you just talked about that you
3 have testified about in courts before, do they come into
4 play in the forensic interviewing that you do?

5 A They do, yes. I mean, a lot of that is related to
6 the background information that we're gathering about
7 families, how we're asking questions of children, and how
8 we really can centralize what they have told us during the
9 interview.

10 MR. MOYER: Your Honor, at this time, I would move
11 again to have Shauna Galloway-Williams called as an expert
12 in child sexual abuse.

13 MR. QUINN: May I inquire?

14 THE COURT: Yes, sir.

15 VOIR DIRE EXAMINATION

16 BY MR. QUINN:

17 Q Have you written in the field?

18 A I don't have anything published, no.

19 Q Have you taught in the field?

20 A I do. I teach child maltreatment at USC Upstate in
21 the child advocacy studies minor program.

22 Q Have you taught other professionals? You talked
23 about all the training, have you led or taught any of this
24 training?

25 A Yes, I have. I presented at the National Children

SHAUNA GALLOWAY-WILLIAMS-VOIR DIRE BY MR. QUINN

1 Symposium in 2011. That's the National Children's
2 Advocacy Symposium. I presented on working with
3 non-offending caregivers, that's specifically related to
4 the area of child sexual abuse. I also presented at the
5 Children's Law Conference in 2011. I recently presented
6 at the Sara Schuh Conference, which is attended by
7 professionals in South Carolina. That was in Charleston
8 in April. I also presented at the --

9 Q And I'm going to interrupt you, I'm sorry, and I'm
10 going to let you finish your answer. But if you'll be
11 good enough to tell me what you presented.

12 A Okay.

13 Q Did you present the same speech four different times?

14 A No, I presented -- most recently, I presented on the
15 topic of Silent Tears, recognizing and responding to child
16 sexual abuse. That's what I presented on at the SCCADVASA
17 conference, the South Carolina Coalition Against Domestic
18 Violence and Sexual Assaults annual sexual assault
19 awareness conference on April 28th. I also presented that
20 presentation at Sara Schuh, which is recognizing and
21 responding to child sexual abuse. I presented on the
22 dynamics of child sexual abuse and mandated reporting at
23 the Open Your Eyes conference, which was a faith based
24 conference by -- was cohosted by North Hills Community
25 Church Gundersen National Child Protection Training

SHAUNA GALLOWAY-WILLIAMS-VOIR DIRE BY MR. QUINN

1 Center, Darkness to Light at the Julie Valentine Center.
2 That was in March of 2013. I also presented on conducting
3 minimal facts interviews. I've presented that
4 presentation a number of times. Expert testimony related
5 to the effects of trauma, and then, as I said, working
6 with non-offending caregivers.

7 Q And the 175 hours of training that you've referred
8 to, is that for your forensic interviewing?

9 A It was more related to forensic interviewing. And
10 within that interviewing training, we're learning about
11 the dynamics and latest research related to the work that
12 we're doing, which is all about abuse, dynamics. We learn
13 about the latest research on how children disclose, any
14 new research related to anything that has to do with
15 understanding, recognizing and responding to child abuse
16 and, oftentimes, child sexual abuse.

17 Q So the 175 hours was in forensic interviewing, was
18 that a yes?

19 A Well, some of it, yes. I can list them specifically
20 if that would be helpful.

21 Q I hope you can tell me how many hours were in
22 forensic interviewing, that would be helpful.

23 A Okay. So, most recently, there were 12 hours of
24 advanced child first training, which is directly related
25 to forensic interviewing. That was a protocol update for

SHAUNA GALLOWAY-WILLIAMS-VOIR DIRE BY MR. QUINN

1 child advocacy interviewers. The -- excuse me. From
2 Crime Scene to Trial was a 22-hour training that focused
3 directly to forensic interviewing. It related to the
4 entire investigative process and all the roles of the
5 multidisciplinary team members and working a case
6 together. When Words Matters is specifically related to
7 forensic interviewing. That was a 28-hour course. Not
8 all of these are forensic interview or skills based.
9 There are a number of other trainings that I didn't list
10 in that 178 hours because they're not skills based
11 training, they're more educational trainings where you're
12 not actually hands on providing -- doing the work. So the
13 176 hours.

14 Q And that's a good point I'd like to ask you about.
15 You talk about this training, has it been since 2009 that
16 these trainings have taken place?

17 A Yes.

18 Q That you --

19 A That I've attended --

20 Q I'm sorry?

21 A That I have attended or that I have -- the trainings
22 that I have attended or conducted?

23 Q I'm sorry, you said yes. The trainings -- the 175
24 hours of training that you've attended -- the 178 hours,
25 I'm sorry, that you -- the training that you state that

SHAUNA GALLOWAY-WILLIAMS-VOIR DIRE BY MR. QUINN

1 you have, have they been since 2009?

2 A Yes, some of them have.

3 Q And you have been the executive director, which I
4 assume is an administrative position, since 2009?

5 A It's both administrative and clinical. That was one
6 of the -- I've continued to provide clinical service as
7 well as clinical oversight, training and education, as
8 well as overseeing the physical management of our
9 organization and the general operations of the center.

10 Q So how many children that have suffered sexual abuse
11 are you currently counseling?

12 A As I said, I don't provide counseling currently. I
13 co-facilitate a group for non-offending caregivers of
14 children who've been sexually abused and I conduct
15 forensic interviews.

16 Q Have you been personally involved in or conducted any
17 studies in the field since 2009 or before?

18 A The only study I've been involved in has been the
19 Silent Tears research. The Silent Tears study was a study
20 that was conducted here in South Carolina. It was a needs
21 assessment that specifically looked at how South Carolina
22 is responding to the issue of child sexual abuse. And
23 I've been on the team since the implementation and reports
24 delivery and now presentation of that report, which
25 started around 2011.

SHAUNA GALLOWAY-WILLIAMS-VOIR DIRE BY MR. QUINN

1 Q And it's fair to say that that is a political effort?

2 A No, it's not a political effort at all. It was
3 initiated by -- I mean, it was paid for by a private
4 individual. The research was conducted by the National
5 Child Protection Training Center. And the information
6 that was conducted and solicited came directly from front
7 line professionals who are engaged in the work of child
8 protection in South Carolina.

9 Q Who are you providing that to?

10 A Who are we providing the information to?

11 Q Yes, ma'am.

12 A Anyone who will read it and use it. It is currently
13 viewed as our strategic plan, more or less, for the State
14 of South Carolina, the South Carolina Network of Children
15 Advocacy Centers, the South Carolina Children's Justice
16 Task Force as well as the -- I always forget the name of
17 this committee. The committee on children that Mike Fair
18 is the chairman of. I can't remember. All of those
19 committees and organizations endorse the report. The task
20 force is currently made up of members, leadership members
21 of different service agencies in South Carolina. I'm one
22 of those members, Candice Lively from the Children's Law
23 Center, Kim Hamm from the South Carolina Network of Child
24 Advocacy Centers, Jessica Hanniculer from South Carolina
25 Department of Social Services, Kelly Hall from the South

SHAUNA GALLOWAY-WILLIAMS-VOIR DIRE BY MR. QUINN

1 Carolina Attorney General's Office.

2 Q And Mike Fair you referenced, is that Senator Mike
3 Fair from Greenville County?

4 A Yes, sir.

5 Q But that's not a political --

6 A It's not a political effort at all. It's an effort
7 to -- and there's really -- it's not political at all in
8 the sense that it's aligned with any particular party or
9 campaign or anything like that.

10 MR. QUINN: I don't have any other questions, Your
11 Honor. Thank you.

12 MR. MOYER: I don't have any further questions on
13 that area. And I move to have her qualified as an expert
14 in sexual abuse, child sexual abuse.

15 THE COURT: Any further objection?

16 MR. QUINN: No further objection. I maintain my
17 earlier objection. Now, she's saying it's her belief that
18 she's never even been qualified as an expert in sex abuse
19 in the State of South Carolina, so I point that out to the
20 Court. Otherwise, no, I stand on my earlier objection.

21 THE COURT: All right. I find based upon her
22 testimony relating to her education, training and
23 experience she is to be so qualified.

24 CONTINUED DIRECT EXAMINATION

25

SHAUNA GALLOWAY-WILLIAMS-CONTINUED DIRECT BY MR. MOYER

1 BY MR. MOYER:

2 Q Just to clarify that point, you have been qualified
3 as an expert in child sexual abuse?

4 A I have been. I'm not exactly sure each time that
5 I've been qualified what the qualifications was. I've
6 been qualified 18 times in General Sessions. Over the
7 course of those times, I've been qualified as either a
8 forensic interviewer and/or a licensed professional
9 counselor in the field of child abuse, child sexual abuse.
10 There's been a variety of different qualifications. I
11 don't think it's been the same thing every time I've been
12 qualified.

13 Q So sometimes just different terminology is used?

14 A Right.

15 Q But have you testified, essentially, to the same
16 types of issues --

17 A Yes.

18 Q -- as far as dynamics and such --

19 A Yes.

20 Q -- in those cases?

21 A Yes.

22 Q Okay. Would you tell the jury what is the definition
23 of child sexual abuse?

24 A Sexual abuse involves any act or exposure to sexual
25 behavior with a child. That can be fondling, it can be

1 intercourse, it can involve oral, genital contact, it can
2 involve showing children pornographic pictures, exposing
3 them to sexual material. It can include a variety of
4 difference acts.

5 Q Okay. Now, speaking about children who have been
6 sexually abused or assaulted, is it common or uncommon for
7 them to feel emotions such as embarrassment, guilt, shame
8 as a result of being assaulted?

9 A Most children and adults do feel shame and
10 embarrassment about just even the topic of sexual abuse,
11 in particular, related to sexual assault. It's not the
12 kind of thing that most of us generally have conversations
13 about and it's the same for the children. When talking
14 about sexual behavior, in particular, when you're asking
15 them to talk about their own experiences, they are often
16 very uncomfortable with that subject.

17 Q It is common or uncommon for children to feel like
18 they may have get in trouble for the abuse or assault?

19 A Children often believe they're going to get in
20 trouble just because they fear that all the time. And I
21 do believe -- or children do believe that they are going
22 to get in trouble or feel some sort of responsibility for
23 abuse. Often, because, you know, they -- they feel like
24 sometimes that maybe there's something they should have
25 done to stop it. But children also are very egocentric,

SHAUNA GALLOWAY-WILLIAMS-CONTINUED DIRECT BY MR. MOYER

1 meaning that they think they are the center of the
2 universe and everything that happens happens related to
3 something that they have done or not done. So children
4 often believe that they have a role in something even if
5 they don't have a direct role in that, if that makes
6 sense.

7 Q Yes. Does that play into any reluctance that the
8 child may have to tell people in positions of authority?

9 A You know, children are taught to respect adults and
10 children generally trust that adults have their best
11 interest in mind. And a lot of times, children won't tell
12 us or won't give us information unless we ask. A lot of
13 times, kids will have information about things and they
14 just don't know that you want to know that. A prime
15 example is, you know, when my kids get in the car at the
16 end of the day, I ask them how their day was. And what I
17 want to know is -- and then I say, What did you do, and I
18 want to know what they did that day. And they'll just
19 say, Oh, nothing, the same thing. And unless I
20 specifically ask them well, what did you do in math class,
21 then they might tell me a little bit more about that. And
22 if I said what did you do in science class, they might
23 tell me a little bit more about that. But if I don't ask
24 them those specific questions, it's likely that they're
25 just going to give me that, you know, whatever answer.

SHAUNA GALLOWAY-WILLIAMS-CONTINUED DIRECT BY MR. MOYER

1 And it's any kind of topic like that with children.

2 Q Now, is it common or uncommon for the perpetrator of
3 child sexual abuse to be a family member?

4 A Most children who are abused, whether it be sexual
5 abuse or physical abuse, are abused by someone that they
6 know, they love and they trust. It's someone either
7 within their family, within their family friends, within
8 their church, their community. It's rare that abuse is
9 committed by someone that's not known to the child.

10 Q Is a child's disclosure or reluctance to disclose at
11 all -- in any way affected by the perpetrator being
12 somebody close like this?

13 A You know, that's one of the reasons why children
14 delay disclosure or they don't tell right away. A lot of
15 times, children -- if the person that's abusing them is
16 someone that they know, they love and they trust, a lot of
17 times, there are things that they like about that person,
18 that they still want to be a part of. They just want the
19 abuse to stop. And so, a lot of times, the closer the
20 relationship the child has with that person, the less
21 likely they are to tell. Children are also very aware of
22 the relationships that people have with each other. So if
23 this is someone within their family that they know other
24 people love and care about and appreciate, that may
25 inhibit them from telling. If it's somebody in the

SHAUNA GALLOWAY-WILLIAMS-CONTINUED DIRECT BY MR. MOYER

1 community that has a high status or reputation, it's
2 someone within the church or within the school, sometimes
3 that will keep a child from telling.

4 Q Now, can you explain the family dynamics that may
5 affect the child's delay in reporting physical or sexual
6 abuse when the perpetrator is someone -- well, you,
7 actually, already talked about this, well liked and
8 admired by other family members?

9 A Right. Well, again, just as I said before, a lot of
10 times, the relationship that a child has with the person
11 that may be doing this is much more than just that one
12 act, the sexual abuse act. There are lots of other
13 things going on. This person maybe someone that is a
14 primary caregiver in the family. This may be the person
15 who takes care of the child and the family financially or
16 otherwise. And children know that they may be risking
17 giving something up or losing something if they tell.
18 Particularly, children, you know, as they get older, they
19 have a better understanding of that, too. And, again,
20 they may just want the abuse to stop, but not necessarily
21 want to stop the relationship they have with that person.
22 You know, the way I tend to describe this and not to
23 minimize the experience of abuse at all, but all of us
24 have a friend or family member that has one thing that we
25 just absolutely can't stand about them. Probably, you

SHAUNA GALLOWAY-WILLIAMS-CONTINUED DIRECT BY MR. MOYER

1 know, there's one thing that just drives us nuts that they
2 do that we wish they'd stop doing, but we continue to have
3 that relationship with them because there's all these
4 other things that we appreciate and enjoy about that
5 person. And it's very similar to those dynamics with a
6 child who's being abused. There may be so many other
7 things that are okay or that this person is doing well or
8 helping out with or giving them that overshadow that one
9 aspect, that dark abuse.

10 Q Now, what about children's belief in adults and
11 whether or not the adult has their best interest in mind?

12 A Again, like I said, a lot of times, children just
13 inherently think that all adults have their best interest
14 in mind, so they're very trusting of adults. You know,
15 they look to adults to teach them, to instruct them, to be
16 their role models. So a lot of times with younger
17 children or even with older children, that influence can
18 confuse a child into thinking that things that are going
19 on are okay or acceptable or, you know, this person may
20 not necessarily be hurting me even though something about
21 it may not feel good or right to the child.

22 Q Okay. Now, does a child's age at the time the abuse
23 begins and maybe continues, does that factor into
24 disclosure of the sexual abuse?

25 A Well, it, certainly, can. You know, the younger a

1 child is, the less sexual knowledge they have, so they
2 don't have the words to describe a lot of times what's
3 happening to them. A lot of times with younger children,
4 their disclosures or discovery of them being abused comes
5 about because they're engaging in some kind of behavior
6 that's concerning. They're sexually acting out with
7 another child or doing something or saying something that
8 we just know a three or four or five-year-old shouldn't
9 know about. You know, as children get older, they begin
10 learning about their bodies. They're in school, they're
11 learning. In health education, they're learning about sex
12 education. They have a greater vocabulary and
13 understanding about sexuality. And so they might develop
14 a better understanding of what happened to them or is
15 happening to them and be able to articulate that better.

16 Q Now, what is meant by the term delayed disclosure or
17 delayed reporting?

18 A Delayed disclosure is when a child doesn't tell right
19 away, meaning that they don't immediately -- there's not
20 an immediate outcry to someone that something has
21 happened. And that may be days, weeks, years. And what
22 we find is that many times, children never tell. A number
23 of the adults that we work with at our center are telling
24 for the first time when they walk through our doors.

25 Q And what are some reasons for a child who's

1 experienced sexual abuse to either not tell or tell much
2 later?

3 A One of the main reasons that children don't tell is
4 because of fear. They fear what's going to happen is they
5 tell. They fear not being believed. You know, a lot of
6 times, children just believe that we're not going to
7 believe what they tell us. A lot of times, the first
8 thing that comes out of our mouths when a child says
9 something is really, did that really happen? So children
10 just, you know, worry that they're not going to be
11 believed. They may fear the consequences of something
12 happening to themselves or their family member or they may
13 fear what's going to happen to the perpetrator, the person
14 that is committing the offense. Those fears may be
15 triggered by threats that have been made. Sometimes
16 children have been threatened. Sometimes the threats have
17 been direct, whereas it's been said to them this will
18 happen to you if. And sometimes those threats are
19 indirect. If a child's abused by someone who they have
20 witnessed being violent or aggressive with another person
21 or an animal or in some other capacity, sometimes that
22 creates a sense of fear for children and they internalize
23 that that may happen to me if I do something I shouldn't
24 be doing.

25 The other -- going back to the relationship dynamics,

SHAUNA GALLOWAY-WILLIAMS-CONTINUED DIRECT BY MR. MOYER

1 a lot of that impacts as to whether a child will tell
2 right away as well. You know, how will this impact my
3 relationship with this person, this person's relationship
4 with my family, the community and all those other things.

5 And then I'll say to bring it back to the abuse and
6 shame of -- or the shame and embarrassment of abuse, that
7 in and of itself a lot of times keeps children from saying
8 anything about it. It's just embarrassing to talk about
9 sex in general, much less unwanted abuse.

10 Q So it's common for children to feel shame about what
11 has taken place as if they had been responsible?

12 A Yeah. I mean, a lot of times children feel
13 responsible. Sometimes they feel responsible because
14 they've been told that they're responsible. You know,
15 sometimes a perpetrator will make a child believe that
16 they are responsible for it. They may have told them
17 that. You know, if a child's body responds to it in a way
18 that is natural for a body to respond to sexual touch, the
19 perpetrator may interpret that or point that out to the
20 child. The child may just come to know or feel like
21 they're responsible because they responded that way, even
22 if it wasn't something they wanted to happen, they had no
23 control of it. And sometimes, family members or others
24 may directly or indirectly make children feel responsible
25 for it. You know, the way that they were dressed, the way

1 that they behave around the offender, the things that they
2 have said or not said.

3 Q What do you mean by non-offending caregiver?

4 A A non-offending caregiver is a caregiver who did not
5 commit the offense, did not sexually abuse the child or
6 physically abuse the child.

7 Q How can support or lack of support in that setting
8 from a non-offending caregiver affect a child,
9 particularly, the disclosure?

10 A Well, one of the most helpful things for a child when
11 they disclose abuse is to have someone who does believe
12 them. As I've talked about, there are many, many reasons
13 why children don't tell. Once they've finally worked up
14 the courage to tell, they fair much better if someone is
15 supporting them and believing them. So having that
16 supportive caregiver often speeds up the therapeutic
17 process. It encourages the child to continue to share
18 information if they choose to do that. It's just overall
19 therapeutic for the child.

20 Not believing the child and not supporting the child,
21 we can see lots of different things happen. Sometimes
22 children will take their statements back, or they'll take
23 certain pieces of their statement back or will say oh,
24 this didn't happen if their family's not supportive or if
25 things happen to them that they didn't want to happen, you

SHAUNA GALLOWAY-WILLIAMS-CONTINUED DIRECT BY MR. MOYER

1 know, if they're removed from their home, they have to go
2 live somewhere else, they have to change schools. We
3 anticipate that sometimes, but the children will take
4 their statements back or change parts of their statements.

5 And it also makes it very difficult, again, when
6 we're talking about all their relationship dynamics and
7 how much courage it takes for them to actually tell
8 someone, when family members don't believe them and don't
9 support them, then it does sometimes increase that guilt
10 or responsibility of shame or what's happened. You know,
11 if a family member no longer talks to them or sort of
12 disengages with them, that can intensify that sense of
13 responsibility, like they've done something wrong.

14 Q What does grooming mean?

15 A Grooming in reference to abuse of children,
16 particularly, sexual abuse refers to sort of preparing a
17 child for abuse or sort of testing the waters with a
18 child. It can mean -- you know, sometimes offenders will
19 give children special attention, will give them gifts in
20 order to engage them in the act of abuse. They may work
21 on really developing a close relationship with the child.

22 Grooming can also involve getting children used to
23 difference kinds of touches. Sometimes grooming would
24 involve getting children used to sort of ambiguous touch,
25 you know, slap on the bottom or rub on the leg, kind of

SHAUNA GALLOWAY-WILLIAMS-CONTINUED DIRECT BY MR. MOYER

1 testing to see how the child responds to that, moving on
2 to different types of touches. But, basically, it's a way
3 of engaging the child in the act of abuse.

4 Q And how does grooming behavior impact or affect the
5 child's disclosure and dynamics of the relationship?

6 A Again, that's another reason why it makes it
7 difficult for children to disclose. You know, this may be
8 the only person or one of the people that gives them the
9 most attention and they want that attention from that
10 person. This may be a person who has given them lots of
11 gifts. They're giving them money, they're buying them
12 toys, they're taking them places in exchange for what's
13 going on.

14 Q Now, is it common or uncommon for a child victim of
15 sexual abuse to maintain a good relationship with the
16 perpetrator to even like the person, especially a close
17 family member?

18 A Certainly, a child can still like the person that's
19 abusing them. They oftentimes loves this person, but do
20 not like the things that they're doing to them. So that's
21 one of the things that adults are confused about a lot.
22 If a child is being abused, how can they still want to be
23 around this person. But, again, that relationship that
24 they have with the person, there are so many other things
25 to that other than just the abuse as we talked about

1 earlier.

2 Q And is it possible for some children to actually
3 appear to be or even be cooperating with the abuser in
4 ways that, perhaps, even cover up for what the accuser has
5 done -- I mean, for what the perpetrator has done?

6 A Well, you know, the fact that a child hasn't told can
7 sometimes be interpreted as a child cooperating with the
8 abuser. You know, they haven't told anyone and yet, this
9 continues to happen. So sometimes that is confused for
10 cooperation. And, you know, certainly, again, we're
11 talking about relationship dynamics between children who
12 may have a very strong bonded loving relationship with
13 someone who's hurting them. And so, yes.

14 Q Okay. One moment, please.

15 MR. MOYER: Okay. Please answer any questions the
16 Defense may have.

17 CROSS-EXAMINATION

18 BY MR. QUINN:

19 Q Ms. Galloway-Williams, I assume you haven't done a
20 report in this case?

21 A No, I have not made a report in this case.

22 Q And I believe you've already testified you've not met
23 the alleged victim .?

24 A I have not met the alleged victim .

25 Q Have you met any of her family members?

SHAUNA GALLOWAY-WILLIAMS CROSS BY MR. QUINN

- 1 A I have not met any of her family members.
- 2 Q And was any information about this case provided to
- 3 you before your testimony today?
- 4 A General information about the case.
- 5 Q Who provided that to you and what was that general
- 6 information?
- 7 A Well, I met with the solicitor prior to the case.
- 8 And then I know that the case was seen at our center.
- 9 Q So you did have some information about the case
- 10 before you testified here today?
- 11 A Yeah, I had some information about the case, yes.
- 12 Q Let me be sure I understand. You talk about delayed
- 13 reporting, you're not saying that if the child makes an
- 14 immediate report that that child's not telling the truth?
- 15 A No, no, no. Children could tell right away and be
- 16 telling the truth or they could delay reporting and be
- 17 telling the truth.
- 18 Q Or they could be lying? Is that a possibility?
- 19 A It is a possibility they could be lying.
- 20 Q No matter if he's reported immediately or delayed?
- 21 A It could be a possibility.
- 22 Q And would you look at in investigating that
- 23 possibility whether there was some benefit to the child by
- 24 lying or telling a story?
- 25 A When we're conducting forensic interviews, we look

SHAUNA GALLOWAY-WILLIAMS CROSS BY MR. QUINN

1 for hypothesis of why a child would disclose.

2 Q So some of the things you've listed, just if in
3 another case or even in this case it was a different fact
4 situation, you wouldn't say that automatically would make
5 any child a liar, right?

6 A Can you repeat the question, please?

7 Q Sure. Let me try to make more sense of it. And
8 let's stick with the reporting question. My belief is
9 that you're not saying that a six year old should
10 automatically report within two weeks to four weeks and
11 that if they don't, the report is not valid?

12 A No, what I'm saying is that the vast majority of
13 children, whatever age, whether they're two, 10, 12, 16,
14 the vast majority of children and adults don't report
15 right away, whether that be a day later, a week later,
16 months later, years later. Most children don't tell right
17 away.

18 Q But the ones --

19 A And --

20 Q Go ahead.

21 A And the time period or the delay has no bearing or
22 weight on the -- whether that statement is true or false.
23 Is that what you're asking me, if I'm making a connection
24 between the two?

25 Q No, what I'm trying to ask you is, no matter when the

SHAUNA GALLOWAY-WILLIAMS CROSS BY MR. QUINN

1 child reported it, you're not going to make a decision
2 based simply on the delay in reporting or the recency of
3 the report, is that correct?

4 A Maybe a decision meaning?

5 Q As to whether the report is truthful or not?

6 A Well, we're never really determining whether the
7 statement is true or not. What we are doing as
8 interviewers is reporting the information that the child
9 has given us and we generally render --

10 Q But that --

11 MR. MOYER: Object to him interrupting the witness.

12 THE COURT: All right. Let her finish.

13 THE WITNESS: We do render an assessment of the
14 statements that were said, but we never say whether a
15 child is telling the truth or lying as interviewers. We
16 provide the information that they've shared with us.

17 BY MR. QUINN:

18 Q I thought that the qualification that was asked for
19 by the State is not that you be qualified as a forensic
20 interviewer, but as an expert in sexual abuse, is that
21 correct?

22 A Yes.

23 Q So as an expert in sexual abuse, all these criteria
24 you're talking about, whether the child suffered shame and
25 embarrassment, you say that that may be some evidence that

SHAUNA GALLOWAY-WILLIAMS CROSS BY MR. QUINN

1 the child was sexually abused, that children often feel
2 uncomfortable. That was your word about making a report?

3 A What I'm not saying that that's evidence that a child
4 has been abused. What I'm saying is those are
5 characteristics that we see in children who have been
6 abused. It's not evidence -- when we're looking at
7 whether a child's been abused or not, we're not going
8 through a checklist to diagnosis and see if they have
9 these symptoms. Those are not symptoms. They're things
10 that we see that are common among children who've been
11 abused. And understanding that helps us to understand,
12 you know, why a child might not tell right away and why a
13 child might continue to have a relationship with someone
14 in spite of the fact that they're doing something that
15 they don't like. So it's not for us to use as,
16 necessarily, evidence in my particular field.

17 Q But children that don't want a future relationship
18 aren't lying, right?

19 A No, I'm not saying that at all.

20 Q So you're saying if they make an immediate report,
21 they may be telling the truth, if they delay the report,
22 they may be telling the truth?

23 A I'm saying a child could be telling the truth whether
24 they tell us right after it happened or whether they tell
25 us 20 years later, they could still be telling the truth.

SHAUNA GALLOWAY-WILLIAMS CROSS BY MR. QUINN

1 Q If they want to continue to have a relationship with
2 the person or don't, they could still be telling the
3 truth, isn't that correct?

4 A Yes. I mean, whether or not they want a relationship
5 with the person would not determine whether or not they're
6 telling the truth.

7 Q If they felt shame and embarrassment or did not in
8 making the report, it's not determinative of whether
9 they're telling the truth, isn't that right?

10 A No, that would not determine whether they're telling
11 the truth or not.

12 Q And you've never Miss Hunt, you've never spoken with
13 her, is that correct?

14 A The child in this case?

15 Q Yes.

16 A No, I've not.

17 MR. QUINN: I don't have any other questions.

18 MR. MOYER: Nothing further for the witness.

19 THE COURT: You may step down.

20 MR. MOYER: May we approach, Your Honor?

21 THE COURT: You may.

22 (WHEREUPON, an off-the-records bench conference was
23 held in the presence of the jury but out of the
24 hearing of the jury.)

25 THE COURT: Ladies and gentlemen, we're going to take

1 a short break before we go further, but there was a
2 witness that's being called that was not on the witness
3 list that I recited for your benefit yesterday. And her
4 name is Sara Davis. She's employed as a forensic
5 interviewer at the Julie Valentine Center, the children's
6 advocacy center group that's been mentioned earlier. Does
7 anybody know Sara Davis, who's employed at the Julie
8 Valentine Center?

9 (There was no response.)

10 THE COURT: All right. All the jurors have responded
11 in the negative.

12 All right. We'll take a short break and resume.
13 Please go to your jury room. Do not discuss the case.

14 (WHEREUPON, the jury left open court at approximately
15 3:36 p.m.)

16 MR. MOYER: May we approach again for just a minute?

17 THE COURT: Yes, sir.

18 (WHEREUPON, an off-the-record bench conference was
19 held in the presence of the jury but out of the
20 hearing of the jury.)

21 THE COURT: All right. We'll take 15 minutes.

22 (WHEREUPON, a short break was taken.)

23 THE COURT: Any matters to take up before the jury is
24 brought in?

25 MR. MOYER: I have two relatively short witnesses and

1 then one other witness I think we'll probably have to
2 proffer some testimony outside the presence of the jury.
3 We talked about it yesterday before we started the trial,
4 a witness who was the victim of the Defendant's previous
5 conviction. And we would seek under Rule 404(b) to have
6 her evidence admitted into the record. So that may
7 require us taking some testimony outside the presence of
8 the jury for you to make a determination as to whether
9 it's admissible.

10 THE COURT: Okay. How long will that take?

11 MR. MOYER: Probably about 10 or 15 minutes worth of
12 questioning by me.

13 THE COURT: Okay. Bring the jury in, please.

14 (WHEREUPON, the jury came into open court at
15 approximately 3:55 p.m.)

16 THE COURT: Mr. Moyer.

17 MR. MOYER: Thank you, Your Honor. The State calls
18 Sara Davis.

19 THE CLERK: Ms. Davis, please place your left hand on
20 the Bible and raise your right hand.

21 SARA DAVIS, after being duly sworn, testified as
22 follows:

23 THE CLERK: Please have a seat and state your name
24 for the record.

25 THE WITNESS: Sara Davis.

SARA DAVIS-DIRECT BY MR. MOYER

DIRECT EXAMINATION

BY MR. MOYER:

Q Where are you employed?

A The Julie Valentine Center.

Q What is your position at the Julie Valentine Center?

A I'm the clinical coordinator, which means that I supervise the forensic interview department as well as conduct forensic interviews and conduct child and adolescent therapy.

Q How long have you been working for the Julie Valentine Center?

A Since July of 2011.

Q Okay. So as part of your role, do you do forensic interviews?

A I do.

Q Did you do an interview of *the alleged victim* ?

A I did.

Q What date did you do that interview?

A That was on May 18th, 2012.

Q Okay. How do you go about doing the interview?

Where were you in the facility and who all was present?

A I conducted the interview in the forensic interview room at the Julie Valentine Center and just myself and *the alleged victim* were present in the interview room.

Q So the others who were there, like the police

SARA DAVIS-DIRECT BY MR. MOYER

1 officer, Ricky Motes, and the -- anybody -- who else was
2 watching, where would they be watching or listening from?

3 A They're in an observation room that we have on the
4 other side of the building.

5 Q Okay. So address two issues with you about your
6 interview with *the alleged victim*. Did she disclose to you the
7 time and place or places of the abuse?

8 A Yes.

9 Q Okay. What did she reveal as to the time?

10 A She said that it happened from ages five until 12.

11 Q And what did she tell you as far as place or places?

12 A She told me that it happened at her grandfather's
13 house, her grandfather's work, on a trip to Dollywood,
14 that it happened in the vehicle and, also, in a hotel, and
15 that it happened in her grandmother's car and her
16 grandfather's truck while they were -- while driving. And
17 then it happened in the parking lots of the Spartanburg
18 Mall, Haywood Mall, Wal-Mart on White Horse Road, Wal-Mart
19 on Woodruff Road, a garage next to the balloons on
20 Woodruff Road, the McDonald's on Woodruff Road and the
21 Burger King on Woodruff Road.

22 MR. MOYER: Thank you, nothing further.

23 CROSS-EXAMINATION

24 BY MR. QUINN:

25 Q And I'm sorry, I tried to get all those down, but

SARA DAVIS-CROSS BY MR. QUINN

1 there's a couple I just need to be certain on. The
2 McDonald's on Woodruff Road?

3 A Yes.

4 Q Did she tell you what time of day that might have
5 been?

6 A She did not.

7 Q The Burger King on Woodruff Road?

8 A Yes.

9 Q Same question, did she tell you what time of day that
10 may have been?

11 A She did not.

12 Q And can you --

13 A I'm sorry, she said that it would be when it was dark
14 outside.

15 Q And did she say summer or winter?

16 A She did not.

17 Q And was she able to give you the name of or describe
18 in any greater detail the hotel that this supposedly
19 occurred at?

20 A She did not.

21 Q Did she say one hotel or multiple?

22 A She told me about one hotel.

23 MR. QUINN: I don't have any other questions.

24 REDIRECT EXAMINATION

25

SARA DAVIS-REDIRECT BY MR. MOYER

1 BY MR. MOYER:

2 Q And the hotel was on the Dollywood trip?

3 A Yes.

4 MR. MOYER: Nothing further.

5 THE COURT: You may step down.

6 MR. MOYER: The State calls Christy Diachenko.

7 THE CLERK: Please place your left hand on the Bible
8 and raise your right hand.

9 CHRISTY DIACHENKO, after being duly sworn,
10 testified as follows:

11 THE CLERK: Please be seated and state your name for
12 the record.

13 THE WITNESS: Christy Diachenko.

14 DIRECT EXAMINATION

15 BY MR. MOYER:

16 Q Where are you employed?

17 A In the Greenville County Clerk of Court's office
18 criminal records division.

19 Q What is your position?

20 A I'm the administrative coordinator.

21 Q What are your duties in that position?

22 A Keeping the records of -- criminal records of
23 Greenville County.

24 Q Now, did you bring with you a document from the
25 clerk's office?

CHRISTY DIACHENKO-DIRECT BY MR. MOYER

1 A I did.

2 (WHEREUPON, State's Exhibit No. 3 was marked for

3 identification only.)

4 MR. QUINN: Your Honor, I have a matter we need to

5 take up about the document, please. Would like us to

6 approach?

7 THE COURT: Please.

8 (WHEREUPON, an off-the-record bench conference was

9 held in the presence of the jury but out of the

10 hearing of the jury.)

11 BY MR. MOYER:

12 Q Okay. I'm going to hand you what's been marked as

13 State's Exhibit No. 3. Can you take a look at that and

14 tell us what that document is?

15 A This is an indictment and sentencing sheet.

16 Q Okay. And where does it come from?

17 A It came from the clerk of court's office records.

18 Q Okay. Is that a public record?

19 A Yes, it is.

20 Q Has it been recorded and filed with your office?

21 A It has.

22 Q And the document under seal?

23 A No.

24 Q Okay. Is it signed?

25 A By the Judge, yes..

CHRISTY DIACHENKO-DIRECT BY MR. MOYER

1 Q But you did not place it under seal?

2 A Do you mean filed under seal by a Judge or do you
3 mean certified copy?

4 Q Certified copy.

5 A It is a certified copy, yes.

6 Q Okay, it is a certified copy. And has it been
7 signed?

8 A Yes, it has.

9 Q By whom?

10 A [Indiscernable].

11 MR. MOYER: Your Honor, at this time, I would move
12 State's Exhibit No. 3 into evidence.

13 MR. QUINN: Pursuant to your ruling at the bench, I
14 have no objection.

15 THE COURT: It's admitted.

16 (WHEREUPON, State's Exhibit No. 3 was admitted into
17 evidence.)

18 BY MR. MOYER:

19 Q That document is what now?

20 A It's an indictment and sentencing sheet.

21 Q Okay. And it is -- does it show a conviction for a
22 crime?

23 A It does.

24 Q What is the crime?

25 A Criminal sexual conduct with a minor second degree.

CHRISTY DIACHENKO-DIRECT BY MR. MOYER

1 Q And who is the person convicted of that crime?

2 A Norman Quinton Hunt.

3 Q Okay.

4 MR. MOYER: I have no further questions at this time.

5 MR. QUINN: I have no questions. Thank you.

6 THE COURT: All right. You may step down.

7 MR. MOYER: Your Honor, at this time, the matter that
8 I mentioned earlier needs to be addressed.

9 THE COURT: Ladies and gentlemen, I've got one matter
10 I need to address and it doesn't require your presence.
11 I'm not sure how long it's going to take, so we're going
12 to go ahead and excuse you for the balance of the
13 afternoon. We'll resume in the morning at 9:45, just as
14 we did this morning. So keep in mind as you leave for the
15 afternoon no discussions, no research, no investigation,
16 no exposure to any type of media coverage. Do have a good
17 afternoon. Please report to your jury room at 9:45 in the
18 morning, 9:45 in the morning.

19 (WHEREUPON, the jury left open court at approximately
20 4:10 p.m.)

21 MR. MOYER: May it please the Court, I would like to
22 proffer some testimony by Telena Burrow.

23 THE COURT: Okay.

24 THE CLERK: Ms. Burrow, please place your left hand
25 on the Bible and raise your right hand.

1 TELENA BURROW, after being duly sworn, testified
2 as follows:

3 THE CLERK: Please be seated and state your name for
4 the record.

5 THE WITNESS: Telena Annette Burrow.

6 DIRECT EXAMINATION

7 BY MR. MOYER:

8 Q What is your maiden name?

9 A Telena Annette Hunt.

10 Q Okay. So are you the person with the initials TAH,
11 are those your initials?

12 A Yes, sir.

13 Q Were you the victim of the conviction for criminal
14 sexual conduct with a minor second degree that took place
15 back -- conviction took place back in 1988?

16 A Yes, sir.

17 Q Okay. Are you related to the Defendant in this case?

18 A By blood, yes.

19 Q Okay. What is your relation?

20 A He's my biological father.

21 Q Okay. Were you -- up until age nine, were you raised
22 by him?

23 A No.

24 Q By whom were you raised?

25 A My mother.

TELENA BURROW-DIRECT BY MR. MOYER (IC)

- 1 Q What was your mother's name?
- 2 A Frances, Frances Annette.
- 3 Q Did you live with the Defendant before age nine?
- 4 A No.
- 5 Q Did you ever meet him before age nine?
- 6 A I did not know who he was.
- 7 Q You did not even know who he was?
- 8 A No.
- 9 Q Now, what happened at age nine that transpired in
10 your meeting him?
- 11 A My mother died of cancer.
- 12 Q What happened when your -- were you raised just by
13 your mother?
- 14 A I lived with my mother and who I thought was my
15 father.
- 16 Q So you thought the man who was raising you was your
17 father?
- 18 A Yes.
- 19 Q What happened when your mother died as far as your
20 custody status?
- 21 A Norman, Sr. fought for custody and he won.
- 22 Q Who did he fight for custody with?
- 23 A Willie Kouko.
- 24 Q Was that the man you thought was your father?
- 25 A Yes, sir.

TELENA BURROW-DIRECT BY MR. MOYER (IC)

- 1 Q So where had you been living up until age nine?
- 2 A Texas and Louisiana.
- 3 Q When custody was granted to Norman Hunt, where did
- 4 you move?
- 5 A To Greenville, South Carolina.
- 6 Q Had you ever been here before?
- 7 A I was born here.
- 8 Q But did you -- other than that, you never visited
- 9 here or been here as far as you know?
- 10 A No.
- 11 Q Okay. And by Norman Hunt, are you referring to the
- 12 Defendant in this case?
- 13 A Yes, sir.
- 14 Q So you were nine years old, you said, when you came
- 15 to live here. You're how old now?
- 16 A I am 40.
- 17 Q Okay. So that would have been, doing the math, about
- 18 1983, about 31 years ago?
- 19 A Right about, yeah.
- 20 Q How did you get along with Norman Hunt, the
- 21 Defendant?
- 22 A Good.
- 23 Q Got along good with him, you said?
- 24 A Yeah.
- 25 Q Did it stay good?

TELENA BURROW-DIRECT BY MR. MOYER (IC)

1 A No.

2 Q Okay. What happened?

3 A He started abusing me.

4 Q Okay. How old were you when that started?

5 A Around 11.

6 Q What kind of abuse did he do to you?

7 A He would touch me in private areas and force me to

8 have sex with him.

9 Q Did he force you to have sex with him right away?

10 A I would say it probably wasn't long after the

11 touching started.

12 Q Okay. Now, you said you were -- when is your

13 birthday?

14 A August.

15 Q Okay. You were nine when you moved in, you say?

16 A Nine, almost 10.

17 Q You were almost 10 years old?

18 A Uh-huh.

19 Q And the abuse happened when you turned what age?

20 A Eleven.

21 Q Was it -- do you remember if it was shortly after you

22 turned 11 or a while after?

23 A I'm not sure.

24 Q Okay. And what -- how did the abuse start? What

25 sort of abuse took place?

TELENA BURROW-DIRECT BY MR. MOYER (IC)

- 1 A He would touch my breasts or touch my private area.
- 2 Q On the outside of your clothes or under your clothes?
- 3 A Outside.
- 4 Q And did that go on that way for a period of time?
- 5 A I don't know exactly how long it went on.
- 6 Q What did it progress to?
- 7 A Touching in the clothes.
- 8 Q Touching in -- what do you mean by touching in the
- 9 clothes?
- 10 A He would pretty much put his hands in my pants.
- 11 Q Where would he touch?
- 12 A My private areas.
- 13 Q Okay. Private areas?
- 14 A Uh-huh.
- 15 Q Okay. And did it go on from there?
- 16 A Yes.
- 17 Q What did that lead to?
- 18 A He would take my clothes off and pretty much force me
- 19 to have sex with him.
- 20 Q Okay. What -- did anything happen before the
- 21 abuse -- well, let me ask you this, before the abuse
- 22 started, who all lived in the home?
- 23 A It was Norman, his wife, and my stepbrother, and then
- 24 me.
- 25 Q How old was your stepbrother? Was he older or

TELENA BURROW-DIRECT BY MR. MOYER (IC)

- 1 younger than you?
- 2 A I want to say he was older.
- 3 Q Did anything happen to the family dynamic before the
- 4 abuse started?
- 5 A His wife left him.
- 6 Q Okay. And when his wife left him, what about your
- 7 half brother?
- 8 A He went with her.
- 9 Q Okay. So when they left, who all was in the home?
- 10 A Just me and him.
- 11 Q Is that when the abuse started?
- 12 A Yes.
- 13 Q Did his wife and son move back into the home?
- 14 A Yes.
- 15 Q Do you remember about how long they were gone?
- 16 A I don't remember.
- 17 Q Okay. When they moved back in the house, did the
- 18 abuse stop?
- 19 A It stopped for a little while.
- 20 Q Then what happened?
- 21 A Then it would start again when she would go to work.
- 22 Q When she was out of the house?
- 23 A Uh-huh.
- 24 Q Okay. How long did the abuse go on until it stopped?
- 25 A I was 13, almost 14.

TELENA BURROW-DIRECT BY MR. MOYER (IC)

- 1 Q Okay. What caused it to end or what led to it
2 ending?
- 3 A I had a girlfriend spend the night and I told her.
- 4 Q Okay. And then what happened after you told your
5 girlfriend?
- 6 A She told her mom, then she called the law.
- 7 Q Okay. What all place or places did the abuse take --
8 happen?
- 9 A At the house -- at the house, at his work, in a
10 motel. Those are the places that I remember.
- 11 Q Do you remember where he worked?
- 12 A At the time, I think it was called South Carolina
13 Tractor and Equipment. It was on Laurens Road.
- 14 Q Okay. And when it happened at his work, what time of
15 the day was it? Do you remember if there were other
16 people around or what the circumstances were?
- 17 A I want to say it was on a weekend and there was no
18 one there.
- 19 Q Okay. How often would the abuse take place?
- 20 A I don't know exactly. I know it was a lot.
- 21 Q Okay. Would it happen -- would it vary as far as the
22 frequency goes?
- 23 A Yeah.
- 24 Q Was it ever more than one time a week?
- 25 A Yes.

TELENA BURROW-DIRECT BY MR. MOYER (IC)

- 1 Q Was it ever more than two times a week?
- 2 A Maybe.
- 3 Q Okay.
- 4 A It would probably depend on whether or not she had
- 5 left him or not.
- 6 Q What places in the house would it happen?
- 7 A His bedroom or my bedroom.
- 8 Q Would it be daytime or nighttime?
- 9 A Both.
- 10 Q Other than that, other than what he did to you in
- 11 that way, the abuse, how did he treat you?
- 12 A Good.
- 13 Q In what ways?
- 14 A He would buy me things.
- 15 Q What sort of things would he buy you?
- 16 A Anything that I wanted for my room, clothes.
- 17 Q Was he generous in the gifts that he would give you?
- 18 A Yes.
- 19 Q Would you ask him for things?
- 20 A Sometimes. Usually, didn't have to.
- 21 Q He'd just buy it?
- 22 A Yeah.
- 23 Q So you said it actually led to intercourse?
- 24 A Yes, sir.
- 25 Q Okay. Do you recall whether he was successful the

TELENA BURROW-DIRECT BY MR. MOYER (IC)

1 first time he tried or is that something you don't
2 remember?

3 A I don't remember if he was successful the first time.
4 I remember him trying and it hurt.

5 Q Okay.

6 A I don't remember if he went all the way the first
7 time, but I do know that he did go all the way and it
8 hurt, and I cried and I bled.

9 Q Okay.

10 MR. MOYER: That's all the questions I have at this
11 time.

12 THE COURT: Okay. You may step down.

13 MR. MOYER: May it please the Court, that is all the
14 testimony I wish to offer on that particular topic. And
15 the reason for proffering that evidence is that I would
16 move to -- make a motion in limine to have Your Honor
17 allow her to be called as a witness in my case in chief
18 under Rule 404(b) South Carolina Rules of Evidence as
19 evidence of common scheme or plan.

20 Your Honor, it is to make a determination based --
21 whether prior evidence like this is admissible based on
22 weighing the similarities between the crime charged and
23 bad act evidence to determine whether there's a close
24 degree of similarity or not. And when the similarities
25 outweigh the dissimilarities, as I understand the cases,

1 the bad act evidence is admissible also pursuant to a Rule
2 403 analysis.

3 Looking at the cases of State v. Taylor and State vs.
4 Wallace, it said the Court should consider all relevant
5 factors in determining the degree of similarity, including
6 the age of the victims when the abuse occurred, the
7 relationship between the victims and the perpetrator, the
8 location of where the abuse occurred, the use of coercion
9 or threats and the manner of the occurrence. Those
10 examples and those factors the Court noted are merely for
11 guidance and that other factors may be relevant in
12 weighing the similarities and dissimilarities between the
13 evidence -- between the crime charged and the bad act
14 evidence.

15 I would argue to, Your Honor, that the similarities
16 do outweigh evidence -- I'm sorry, do outweigh the
17 dissimilarities and should be admitted. I would also note
18 that as a 403 analysis is conducted, that there already is
19 entered into evidence the prior conviction. So, usually,
20 in these kind of cases, the analysis about weighing
21 whether there's unfair prejudice or not is bringing out
22 before the jury that the Defendant has this prior
23 conviction or has done this before. That factor is
24 removed in our case since there already is evidence in the
25 record that the Defendant has committed this crime before.

1 So I think for that reason, the 403 analysis would take on
2 a different tenure than it would in the other cases where
3 a prior conviction has not been entered into the record.
4 So, Your Honor, we would move at this time for her to
5 testify.

6 THE COURT: Mr. Quinn.

7 MR. QUINN: Your Honor, I'll start with the 403,
8 although I don't think it's admissible under 404(b)
9 either. I think the solicitor's argument is incorrect in
10 that it makes this -- that the prior conviction has been
11 admitted under the statute makes this testimony even more
12 prejudicial. Because any probative value is gathered by
13 having the prior conviction under the statute, which has
14 been admitted. Now, he wants to go behind that
15 conviction.

16 And for a 404(b) analysis, let's start there. The
17 black letter law is a conviction speaks for itself.
18 Generally, neither the State nor the Defense is permitted
19 to go back behind the conviction and try to explain it or
20 justify it or in any way explain it to the jury. The
21 conviction stands. That's pretty much black letter law
22 for impeachment purposes and it's the same analysis here.

23 The Supreme Court -- while I agree with Mr. Moyer's
24 analysis that the Supreme Court has said one of the things
25 the Court considers is similarities versus

1 dissimilarities, the Court has also said that the State
2 has to provide argument to overcome the fact that the
3 incidents are remote in time in addition to a compelling
4 argument of similarities.

5 What the State is asking you to do in this case under
6 404(b) is say that a common scheme or plan was in place in
7 19 -- or prior to 1988, when the conviction occurred, with
8 a child who was not even born for 10 years after that,
9 until 1998. And I don't believe that that's a reasonable
10 argument as to common scheme or plan.

11 As to the similarities and dissimilarities, the
12 Supreme Court has said -- or the courts have said, both
13 Court of Appeals and Supreme Court, one of the things,
14 particularly, in a criminal sexual conduct case, is to
15 consider the ages. The age of Miss Hunt, the complaining
16 witness in this case, according to her testimony, the
17 abuse began at age five and occurred until age 12. Ms.
18 Burrow testifies that her abuse, apparently, may have
19 begun while she was still 11, but according to conviction,
20 she was age 12 to 14. So even if it was age 11, the
21 overlap of similarities in ages is very limited. The
22 locations are not similar at all. There is no allegation
23 by Ms. Burrow in her testimony here that any sex took
24 place in any vehicle, whether it was moving or not moving
25 at the time, or parked in any public place.

1 As to the acts, essentially, they are both saying,
2 both victims allege that there was improper touching. But
3 Ms. Burrow talks about intercourse and although I did not
4 inquire, it appears that that was a fairly -- that that
5 was -- the method of abuse was not only touching, but also
6 intercourse with her by Mr. Hunt. That is not the
7 testimony of ~~the alleged victim~~. The alleged victim's testimony is
8 primarily inappropriate touching and oral sex. Ms. Burrow
9 did not testify, I do not believe, as to oral sex at all,
10 any of those acts. So I do not believe the acts are
11 similar.

12 Considering the prejudicial value of the testimony --
13 and that may be the second part of the analysis, but I'd
14 ask the Court to consider that. That the conviction
15 speaks for itself, there are not similarities between the
16 proffered testimony and the testimony in this case. That
17 to have a common scheme or plan they could not have
18 existed because the parties did not exist, I would ask the
19 Court to find this testimony is not admissible under
20 404(b). If you do find it's admissible, I'd ask the Court
21 to find it's not admissible under Rule 403 analysis of
22 prejudicial impact versus probative impact.

23 MR. MOYER: May I respond, Your Honor? As for the
24 time frame, Your Honor, I would just refer to State V.
25 Hallman, which I believe the abuse was 31 years prior, as

1 I understand the case. And as for the factors that are to
2 be waived, I would argue that as far as the age of the
3 victims goes, that is, certainly -- the Defendant did not
4 have access to Ms. Burrow until she was age nine. And
5 there, certainly, was overlap from her age 11 through 14,
6 whereas for ~~the alleged victim~~ it was ages five through 12.

7 As far as the relationship of the parties, I would
8 say there's a strong similarity in that regard in that the
9 Defendant by nature of his familial relationship to these
10 children had access to the children in ways that allowed
11 him to prey on them in this way. Ms. Burrow was his
12 daughter, whom he got into the home, whereas ~~the alleged victim~~ :
13 was a grandchild he got access to on the weekends.

14 As far as the locations go, Your Honor, I think
15 what's very important is the fact that it occurred at his
16 place of business as well. The fact it didn't happen in
17 cars in this particular instance, well, it didn't have to.
18 It appears he had access to her alone while his wife was
19 out of the home. And plus, Ms. Burrow lived in the home,
20 so he had access to her at all times.

21 As far as the actual acts, the sex acts that took
22 place, I think this is where's the strongest similarity in
23 that there was a lead up to the sexual intercourse. With
24 both of them, it began with fondling on the outside of the
25 clothing, leading to fondling underneath the clothing.

1 And then with Ms. Burrow, it led to actual intercourse,
2 whereas with ~~the alleged victim~~ with whom the acts ended at an
3 earlier age, it was leading to intercourse. And she
4 testified that he would try to have intercourse with her
5 and then stop because it hurt.

6 And then, finally, Your Honor, another factor would
7 be use of coercion and threats. I think that, also,
8 there's a great similarity here in that there's an absence
9 of coercion or threats. The Defendant's means of gaining
10 acquiescence from both victims was just simply through
11 force of his personality. It did not require threats in
12 either situation. And Your Honor, for those reasons, I
13 would argue that the similarities do outweigh the
14 dissimilarities.

15 MR. QUINN: Does Your Honor wish to hear from me any
16 further?

17 THE COURT: Are you giving me that option or would
18 you have something you'd like to tell me?

19 MR. QUINN: I'm afraid we can do similarities,
20 dissimilarities all day. Ms. Burrow testifies that he
21 forced her and, in fact, she bled and he still had
22 intercourse with her. Yet, the solicitor says that you
23 should somehow use that as a similarity because with
24 ~~the alleged victim~~, he stopped when she said it hurt and he did not
25 force intercourse upon her. So I don't know how that is a

1 similarity. One lived in the house, one did not. I don't
2 know how that's a similarity. One, supposedly, has sex
3 with him at his workplace on the weekend. The other,
4 supposedly, has sex with him at his workplace after hours.
5 I don't know how those are similarities unless you're just
6 going to say because it was in Greenville County at his
7 workplace, that's good enough. That's the only similarity
8 we need. And that's why we can do this all day, but I do
9 not believe the similarities outweigh the dissimilarities
10 in this case to where it is clear that this should be
11 admitted under 404(b). And, again, under 403, I think
12 it's prejudicial.

13 THE COURT: In order to save me a little bit of
14 research time, do y'all have copies of cases there in
15 front of you that you're relying upon to support your
16 position?

17 MR. QUINN: I do, Your Honor. I do not have State V.
18 Hallman, which I'm trying to run and my computer won't
19 sync up. Now, I will tell the Court and tell the
20 solicitor before I hand anything up. I have highlighted
21 these cases, so if the solicitor objects to that, I --

22 THE COURT: Well, that doesn't make any difference.
23 I'm going to read the case anyway.

24 MR. QUINN: I have three cases I would hand up then,
25 State vs. Feekman [ph], from the Court of Appeals in 2013.

1 State vs. Cope from the Supreme Court in 2013. And State
2 vs. Fonseca from the Court of Appeals from 2009.

3 MR. MOYER: Your Honor, I have State V. Wallace,
4 2009. State V. Caleb, 2011. And State V. Klasby [ph].
5 And I've written all over my copy as well.

6 THE COURT: That's fine unless y'all prefer to go
7 back and make some more copies and bring them to me.

8 MR. MOYER: No, I don't care.

9 THE COURT: All right. Anything further?

10 MR. MOYER: No, Your Honor.

11 THE COURT: Okay. I'll review these cases and then
12 provide a ruling in the morning. All right?

13 MR. MOYER: Yes, sir..

14 THE COURT: The Court is in recess until 9:45 a.m.

15 (WHEREUPON, the proceedings were concluded for the
16 day to be reconvened on May 14, 2014.)

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1 May 14, 2014

2 THE COURT: All right. During the overnight recess,
3 I've had opportunity to digest the cases that were
4 provided by counsel and I have made a review of the record
5 in accordance with the requirements of those cases to
6 determine the admissibility of the testimony of Telena
7 Burrow constituting prior bad acts alleged to have been
8 committed by the Defendant, which did in this case result
9 in a conviction on an indictment which has now been
10 admitted into the record.

11 I have reviewed those cases. The State is offering
12 the testimony of Ms. Burrow as a prior bad act pursuant to
13 Rule 404(b). And before such evidence can be admitted, it
14 must be -- according to the case law must be proven by
15 clear and convincing evidence. In this case, it's the
16 subject of a conviction, which does not necessitate clear
17 and convincing evidence. But if the argument is that the
18 specific facts that Ms. Burrow will testify to must be
19 proven by clear and convincing, it does appear from my
20 observation of her testimony and the fact that the
21 Defendant has pled guilty that those allegations are -- do
22 meet the clear and convincing test.

23 To be admitted pursuant to 404(b), it also requires a
24 close degree of similarity of those allegations as to the
25 crime that is presently charged. And in that regard, the

1 Court has an obligation to review the record and in the
2 specific context of a sexual abuse case must consider
3 certain pertinent factors, which includes the age of the
4 victims, the relationship between the victims and the
5 perpetrator, the location where the abuse is alleged to
6 have occurred, the use of coercion or threats or, in this
7 case, the State could argue and the evidence does reveal
8 that there were certain promises or certain rewards
9 provided. And an additional pertinent factor is the
10 manner of the occurrence. And I think that would also
11 include the frequency of the occurrence as well as the
12 continuous nature of the occurrences.

13 So I have considered the record in that respect and I
14 do find that there is a substantial and significant and
15 close degree of similarity between the allegations made by
16 Ms. Burrow that resulted in a conviction of Mr. Hunt as
17 well as the allegations and testimony provided by the alleged
18 victim, who is the alleged victim in this particular case.
19 Because there is that close degree of similarity, I do
20 find that the evidence proffered by the State is
21 admissible.

22 Then becomes the question of whether or not the
23 evidence is too -- or the probative value of that evidence
24 is substantially outweighed by the danger of unfair
25 prejudice. In that regard, I think the Defense has

1 requested that I consider the fact that the allegations
2 made by Ms. Burrow are too remote in time in relation to
3 the allegations made by the alleged victim in this particular case.
4 Remoteness is sometimes relative. And in this particular
5 case, if you accept the allegations made by the alleged victim as
6 being true and you accept the fact the Defendant has
7 previously been convicted of a crime with a close degree
8 of similarity in those allegations, then the remoteness
9 question is not as -- doesn't have the same degree of
10 prejudice as it would ordinarily where you have a
11 significant period of time passing between two unrelated
12 events of abuse.

13 But in this particular case, when you take into
14 account all of the relevant factors and the close degree
15 of similarity, and if you accept the allegations made as
16 being true, then it would appear and the evidence does
17 tend to show that the Defendant took the opportunity that
18 he had to commit these incidents of abuse. And if you
19 only have two opportunities and you take those
20 opportunities to commit that abuse, then the fact that
21 there's some period of time passing between one particular
22 course of events or occurrences and another particular
23 course of events or occurrences, then that remoteness
24 factor is of -- has little bearing on the admissibility of
25 that particular evidence.

1 So I have considered the close degree of similarity
2 and allegations and I have considered the fact that there
3 was a passage of time in between the events of abuse as
4 alleged. But I do find that the probative value of the
5 admission of that evidence of Ms. Burrow's testimony is
6 not substantially outweighed by the danger of unfair
7 prejudice. So therefore, I find the testimony and
8 evidence proffered by the State is admissible pursuant to
9 404(b) and 403.

10 All right. Any other matter we need to address
11 before we resume?

12 MR. MOYER: Judge, two quick things. First off, I
13 have redacted the documents that show the conviction of
14 the Defendant for criminal sexual conduct with a minor
15 second degree using another copy, which I would suggest
16 maybe we substitute or have marked as maybe Exhibit No. 4
17 to have sent back to the jury.

18 THE COURT: Have you shown that to Mr. Quinn?

19 MR. MOYER: I have.

20 MR. QUINN: And I've not -- well, the Court doesn't
21 have it before it, but I've got a problem with it.

22 THE COURT: Okay.

23 MR. QUINN: I'll just tell you, Judge, it's three
24 pages, the second page is what I'm going to have
25 difficulty with. Pages one and three, I have no

1 difficulty with. I don't think page two is necessary at
2 all. If the Court disagrees with me and believes it's
3 necessary, I would ask that the assault with the intent to
4 commit criminal sexual conduct count two, which is listed
5 at the top, be redacted. That was the intent, was that we
6 were going to redact it all the way through.

7 THE COURT: Yeah, that was one of the -- at least,
8 the primary purpose. Well, I don't know if that was the
9 primary purpose, but, certainly, one of the reasons that
10 the document was to be redacted was to redact any
11 reference to any other crimes alleged in that indictment.

12 MR. MOYER: Okay. I thought we are trying to redact
13 count number two?

14 THE COURT: We are, but it's still reflective on page
15 two at the top.

16 MR. MOYER: Oh, I'm sorry. I just missed that. We
17 can, certainly, have that --

18 THE COURT: Well, let me ask you this, what is the
19 need for page two anyway?

20 MR. MOYER: I guess it's not needed.

21 THE COURT: Okay.

22 MR. MOYER: I don't see a problem.

23 THE COURT: We'll just take page two out.

24 MR. MOYER: Okay.

25 THE COURT: Is this the -- is the one I have the one

1 you intend to introduce or do you have another?

2 MR. MOYER: They're all the same, so that will be
3 fine.

4 Judge, the other matter, I just realized I left some
5 notes in my office. Can you give me two minutes to run
6 back to my office?

7 THE COURT: Yes, sir.

8 MR. MOYER: Thank you, Judge.

9 (WHEREUPON, State's Exhibit No. 4 was marked for
10 identification and received into evidence.)

11 THE COURT: Are we ready for the jury now?

12 MR. MOYER: Yes, sir.

13 THE COURT: All right. Bring them in, please.

14 (WHEREUPON, the jury came into open court at
15 approximately 10:10 a.m.)

16 THE COURT: Good morning, ladies and gentlemen. As
17 you know, we recessed yesterday, the State was still in
18 the midst of their presentation of evidence, so we'll
19 continue with that presentation this morning.

20 MR. MOYER: Thank you, Your Honor. May it please the
21 Court. The State calls Telen Burrow.

22 THE CLERK: Ms. Burrow, please place your left hand
23 on the Bible and raise your right hand.

24 TELENA BURROW, after being duly sworn, testified
25 as follows:

1 THE CLERK: Please have a seat and state your name
2 for the record.

3 THE WITNESS: Telenia Annette Burrow.

4 DIRECT EXAMINATION

5 BY MR. MOYER:

6 Q How do you spell your first name?

7 A It's T-E-L-E-N-A.

8 Q And your last name?

9 A Burrow, B-U-R-R-O-W.

10 Q Okay. How old are you?

11 A Forty, I'll be 41 in August.

12 Q Do you live here in Greenville?

13 A Yes, sir.

14 Q Okay. Are you married?

15 A No.

16 Q You ever been married?

17 A Yes.

18 Q Do you have children?

19 A Yes.

20 Q How many children do you have?

21 A I have two girls.

22 Q Okay. How old are your girls?

23 A Twenty-four and 21.

24 Q Okay. Do you work anywhere right now?

25 A Yes.

TELENA BURROW-DIRECT BY MR. MOYER

- 1 Q Where do you work?
- 2 A Subway.
- 3 Q Here in Greenville?
- 4 A Yes.
- 5 Q Okay. Now, what is your maiden name?
- 6 A Hunt.
- 7 Q Are you related to the Defendant in this case, Norman
- 8 Hunt?
- 9 A Yes.
- 10 Q In what way?
- 11 A He's my biological father.
- 12 Q Who is your mother?
- 13 A Frances Annette Kouko.
- 14 Q Start with age nine, were you raised by the Defendant
- 15 before age nine?
- 16 A No, sir.
- 17 Q When did y'all move out of that home, how old were
- 18 you?
- 19 A I believe three.
- 20 Q Okay. And did you move out of the state?
- 21 A Yes.
- 22 Q Were you born here in Greenville?
- 23 A Yes, sir.
- 24 Q Where did y'all move?
- 25 A We moved all over.

TELENA BURROW-DIRECT BY MR. MOYER

- 1 Q Okay. Where was the last place you lived before you
2 moved back to Greenville?
- 3 A Texas and Louisiana.
- 4 Q Okay. Okay. Did you ever have any contact with the
5 Defendant before age nine?
- 6 A No, sir.
- 7 Q Did you even know he was your father?
- 8 A Did not know he existed.
- 9 Q Okay. You had a -- was your mother married?
- 10 A Yes.
- 11 Q Okay. And did you think he was your father?
- 12 A Yes. He had adopted me.
- 13 Q Okay. What happened when you turned nine?
- 14 A My mother died of cancer.
- 15 Q Okay. And did you remain living with your mother's
16 husband?
- 17 A Yes.
- 18 Q Okay. For a long period of time?
- 19 A No. Norman found out what happened and fought for
20 custody and he won.
- 21 Q Okay. And when that happened, did you -- did you
22 move here to Greenville?
- 23 A Yes, sir.
- 24 Q Did you live with him?
- 25 A I was forced to live with Norman, yes.

TELENA BURROW-DIRECT BY MR. MOYER

- 1 Q And who all was in that home?
- 2 A His wife at the time and her son.
- 3 Q Do you remember if her son was older or younger than
- 4 you?
- 5 A I think the son was older.
- 6 Q Was it Norman Hunt, Jr., was that the son?
- 7 A No.
- 8 Q Do you know Norman Hunt, Jr.?
- 9 A Yes.
- 10 Q When did you get to know him?
- 11 A I met him one time when I lived with Norman and once
- 12 as an adult.
- 13 Q Okay. So you've only met him two times?
- 14 A That I remember, yes.
- 15 Q Okay. So you didn't grow up with him then?
- 16 A No.
- 17 Q You're younger than he is?
- 18 A Yes.
- 19 Q Do you know *the alleged victim* ?
- 20 A No.
- 21 Q Had you ever met her before this court proceeding?
- 22 A No.
- 23 Q Now, do you remember where you lived with Norman
- 24 Hunt, Sr., the Defendant?
- 25 A On 21 Cherry Lane Drive in Greenville.

TELENA BURROW-DIRECT BY MR. MOYER

- 1 Q Okay. And you say you're 40 now?
- 2 A Yes, sir.
- 3 Q How old were you when you moved into that home?
- 4 A Nine, almost 10.
- 5 Q So that would have been about 31 years ago?
- 6 A Uh-huh.
- 7 Q About 1983, is that roughly the time?
- 8 A Sounds about right.
- 9 Q Okay. How did you get along with the Defendant to
- 10 start off with when you first moved in?
- 11 A Good.
- 12 Q Can you elaborate or explain?
- 13 A He was good to me. It was like getting to know
- 14 somebody that was supposed to be my dad.
- 15 Q Okay. Did it stay good?
- 16 A No.
- 17 Q Okay. What happened to cause it -- what changed?
- 18 A He started touching me inappropriately.
- 19 Q Okay. How old were you when that started?
- 20 A If I remember correctly, it was around 11.
- 21 Q So you had been in the home for a year or so?
- 22 A Yes, sir.
- 23 Q Okay. Do you remember how close you were to being 10
- 24 years old when you moved into his home?
- 25 A It wasn't long because I remember not long after I

TELENA BURROW-DIRECT BY MR. MOYER

- 1 moved in, I had a skating party for my 10th birthday.
- 2 Q Okay. Now, did anything happen to precipitate what
- 3 you call -- talked about as touching? Did anything happen
- 4 in the home?
- 5 A Yes.
- 6 Q What happened?
- 7 A He would touch my breasts and my private.
- 8 Q Okay. Well, did anything happen with his wife? Was
- 9 she still in the home?
- 10 A She left.
- 11 Q Okay. What about her son?
- 12 A He went with her.
- 13 Q Okay. So for a period of time, it was just the two
- 14 of y'all in the home?
- 15 A Yes, sir.
- 16 Q You and the Defendant. Did his wife and son move
- 17 back into the home?
- 18 A Yes.
- 19 Q Okay. Did the abuse continue after she moved back in
- 20 the home?
- 21 A Not at first.
- 22 Q But then what?
- 23 A Then it started happening again.
- 24 Q Okay. Well, talk a little bit more about when it
- 25 first happened. What sort of touching would take place?

TELENA BURROW-DIRECT BY MR. MOYER

- 1 A He would touch my breasts and my private on the
2 outside of my clothes.
- 3 Q Okay. Did it progress from there? Did it change,
4 the abuse?
- 5 A Yes.
- 6 Q How did it change?
- 7 A He would go inside of my clothes.
- 8 Q With what?
- 9 A His hand.
- 10 Q Okay. And touch your privates?
- 11 A My privates and my breasts.
- 12 Q Okay. Did it go -- develop past there?
- 13 A Yes.
- 14 Q What did it lead to?
- 15 A He would take my clothes off and fondle me and try
16 to put his penis in.
- 17 Q Okay. Did it stop with trying to put his penis in?
- 18 A The first time, he tried and it hurt really bad and I
19 bled. And I don't know how long after the first time that
20 he, actually, just went ahead and penetrated anyway.
- 21 Q Did that happen one time or more than one happen?
- 22 A A lot.
- 23 Q A lot. Tell us how frequently the abuse would take
24 place. The best -- I know we're looking back a number of
25 years, but as you remember.

TELENA BURROW-DIRECT BY MR. MOYER

- 1 A Once, twice, three times a week. I'm not sure.
- 2 Q Was it always the same every week or would it vary?
- 3 A It would vary, whether or not his wife was there, or
- 4 if we were out alone.
- 5 Q Okay. So this would happen -- what places would this
- 6 happen?
- 7 A At the home and his work. I remember going on an
- 8 overnight trip, just me and him, and it happening in the
- 9 motel.
- 10 Q Okay. Do you remember where he worked at that time?
- 11 A I think it was called South Carolina Tractor and
- 12 Equipment. It was on Laurens Road.
- 13 Q Was there anybody else there?
- 14 A No. There was no one there.
- 15 Q Okay. What places in the home -- where in the house
- 16 would this take place?
- 17 A His bedroom or mine.
- 18 Q What times of days would it take place?
- 19 A It would vary.
- 20 Q Okay. Can you tell us different times of the day it
- 21 would take place?
- 22 A It could happen early in the morning after his wife
- 23 would go to work. He would unlock my door and come in.
- 24 Or if she was not there at all, had left and it could
- 25 happen in his room.

TELENA BURROW-DIRECT BY MR. MOYER

- 1 Q When did it stop?
- 2 A I was 13, close to 14. I had one of my best friends
- 3 spend the night. And I just told her, I said, I have
- 4 something to tell you, and I started crying. And I told
- 5 her.
- 6 Q Okay. And then what happened after you told her?
- 7 A She went home and told her mom. And then her mom
- 8 called the cops.
- 9 Q Okay. Before that time, where did you go to school,
- 10 do you remember?
- 11 A Berea.
- 12 Q Okay. Did you ever tell a teacher or somebody at
- 13 school about it?
- 14 A No.
- 15 Q Did you ever tell his wife about it?
- 16 A No.
- 17 Q Did you ever -- during the years that this took
- 18 place, did you ever think about telling anybody?
- 19 A No.
- 20 Q Can you say what maybe kept you from talking about
- 21 it?
- 22 A I was scared and ashamed. And I was told that it was
- 23 being done for my own good.
- 24 Q Who told you that?
- 25 A Norman.

TELENA BURROW-DIRECT BY MR. MOYER

- 1 Q How did he treat you outside of the abuse?
- 2 A Good.
- 3 Q Was he generous to you?
- 4 A Yes.
- 5 Q In what ways?
- 6 A He would buy me things. Pretty much anything that I
- 7 wanted or needed was there.
- 8 Q Can you tell -- can you think of things that he
- 9 bought you?
- 10 A Clothes, shoes, things for my bedroom.
- 11 Q And he would always buy you things when you asked?
- 12 A Uh-huh.
- 13 MR. MOYER: One moment, please. Please answer any
- 14 questions the Defense may have.
- 15 CROSS-EXAMINATION
- 16 BY MR. QUINN:
- 17 Q Ms. Burrow, when you were approached by the police
- 18 about this, did you discuss it with them?
- 19 A Yes.
- 20 Q Tell them the truth?
- 21 A Yes.
- 22 Q Were you ever approached by representatives of the
- 23 Department of Social Services?
- 24 A Yes.
- 25 Q And did you discuss it with them?

TELENA BURROW-CROSS BY MR. QUINN

1 A Yes.

2 Q And tell them the truth?

3 A Yes.

4 Q And you say that Norman is your biological father and
5 you were living at home and he was buying you clothes and
6 shoes?

7 A Yes.

8 Q Do you find that particularly surprising that a
9 parent would buy a child clothes and shoes?

10 A No.

11 MR. QUINN: I have no further questions. Thank you.

12 MR. MOYER: Nothing further, Your Honor.

13 THE COURT: You may step down.

14 MR. MOYER: Your Honor, at this time, the State would
15 rest.

16 THE COURT: All right. Ladies and gentlemen, that is
17 all the testimony or other evidence to be offered by the
18 State, at least, in their case in chief. Before we go
19 further, I've got some legal matters I need to address
20 with the lawyers. It shouldn't take very long, but I have
21 to address those matters first. I'll do that and then
22 we'll come back to continue with the trial.

23 So in the meantime, I'll ask you to please go to your
24 jury room. Do not yet discuss the case. I'll bring you
25 back shortly.

NORMAN HUNT-EXAMINATION BY THE COURT

1 earlier.

2 THE COURT: All right. You will rest on the record
3 and I will reserve the right to make those motions -- or
4 show that they've been marked and heard.

5 MR. QUINN: Thank you.

6 (WHEREUPON, the jury came into open court at
7 approximately 11:00 a.m.)

8 THE COURT: All right. Ladies and gentlemen, as you
9 know, all of the evidence from the State has been
10 presented. We'll now proceed with any additional to be
11 offered by the Defense, if any.

12 Mr. Quinn.

13 MR. QUINN: Your Honor, the Defense rests.

14 THE COURT: All right. That is all of the testimony
15 or other evidence to be offered in the trial of the case.
16 And therefore, what remains to be done are the lawyers
17 final summations, after which I'll instruct you on the law
18 that's applicable and then you can go back to begin with
19 your deliberations. So, please, give the lawyers your
20 attention now as they give you their final summations.

21 Mr. Moyer.

22 MR. MOYER: Thank you, Your Honor. May it please the
23 Court.

24 THE COURT: Yes, sir.

25 CLOSING STATEMENT

1 2011. And we know that nothing happened from March 2011
2 until April 2012 when the alleged victim told her aunt. We also
3 know that the Defendant knew that the alleged victim had told her
4 parents. And we know her parents did not go to the
5 police. We can use our common sense to figure out what is
6 going on here. When they opened that account and they
7 told the Defendant to start putting money in that account,
8 it was if not explicit, at least, in implicit
9 communication to him that this is going to stay quiet if
10 you keep putting money in this account. When did that
11 account close? A couple of days after the alleged victim told her
12 aunt and the aunt went to the police. Why all of a sudden
13 is it closed now? Because it's linked directly to the
14 sex, linked directly to the extortion. They were trying
15 to cover their tracks and close that account so that could
16 not be used against them. Use your common sense.

17 The third point of corroboration that we have is a
18 witness who just testified this morning, Telena Burrow.
19 She testified about what happened to her when she was in
20 this Defendant's home. And it was eerily similar to what
21 happened to the alleged victim. It was around the same age. It
22 didn't start as young because Telena was not in the home
23 until she turned nine. And it went longer because
24 the alleged victim told before Telena did. But there was overlap.
25 And it started the same way. It started with grooming.

1 is, but he's going to tell you that the law is it's got to
2 be beyond a reasonable doubt. If there's a real
3 possibility that Mr. Hunt is innocent, you must find him
4 innocent. He's going to say consider all the evidence
5 that the solicitor has put up. And when you do, when you
6 talk about what verification, if any, there is in
7 ~~the alleged victim's~~ account, whether she acted in conformity with
8 the accusation, and all the witnesses that don't tell us
9 anything. The normal examination, expert, who has never
10 seen the child in this case, your verdict in this case
11 should be not guilty. Not guilty in this case is the
12 correct verdict. You are being asked to make a legal
13 decision even though you're a jury and you're laypersons.
14 The Judge is going to tell you the decision you have to
15 make, which is is there proof in this case, evidence that
16 convinces you beyond a reasonable doubt? Your answer
17 should be no and your verdict should be not guilty.

18 THE COURT: Mr. Foreman, ladies and gentlemen of the
19 jury, you, of course, have heard and seen all the
20 evidence. You now have heard the final summations of all
21 the lawyers. And, therefore, it now becomes my duty and
22 obligation to instruct you on the law that's applicable in
23 this case. And then you will take that law and you'll
24 apply it to the facts that you 12 jurors determine those
25 facts to be in order to arrive at your fair and just

1 decision in the case. It is your exclusive duty to
2 determine what the facts are. You do that through your
3 own common sense, examination and evaluation of all of the
4 testimony and other evidence received during the course of
5 this trial. And you 12 jurors alone will decide what
6 weight, value and effect to give any particular witness's
7 testimony or even a portion of that testimony. Your sole
8 objective is to decide the facts, apply the law and arrive
9 at a fair and just decision, whatever that decision may
10 be.

11 Now, in this case, as you know, the State, through
12 the circuit solicitor's office, has accused the Defendant
13 with four separate and distinct criminal offenses. And
14 those four separate and distinct criminal offenses are set
15 forth in those indictments that I referred to prior to and
16 after your selection as jurors in the case. But the four
17 indictments charge the Defendant in one indictment with
18 the crime of criminal sexual conduct with a minor in the
19 first degree under a particular code section, that being
20 16-3-655(A)(1). A second indictment charges the Defendant
21 with criminal sexual conduct with a minor in the first
22 degree under a separate section of that same code section,
23 but it's 16-3-655(A)(2). A third indictment charges the
24 Defendant with criminal sexual conduct with a minor in the
25 second degree in violation of 16-3-655(B)(1). And the

1 fourth and remaining indictment charges the Defendant with
2 the commission of a lewd act upon a child in violation of
3 16-15-140 of the code of laws of South Carolina.

4 Now, as to those allegations and as I have told you,
5 the Defendant has entered a plea of not guilty. A plea of
6 not guilty has placed upon the State the burden of proving
7 the allegations that they have made in each of those
8 indictments. The burden of proving each of the essential
9 elements that constitute the crimes they have alleged
10 against the Defendant. And therefore, the burden is upon
11 the State to establish the Defendant's guilt to the
12 satisfaction of you 12 jurors beyond a reasonable doubt
13 before a verdict of guilty could be returned as to any of
14 the separate indictments. The burden is never upon a
15 defendant to prove that he or she is innocent or to prove
16 that he or she is not guilty because in some cases that
17 might not be possible. The burden is always upon the
18 State because they made the accusation, they brought the
19 charge against the Defendant to prove the Defendant's
20 guilt beyond a reasonable doubt.

21 You are further instructed that it is a vital,
22 important and cardinal rule of law that every defendant in
23 a criminal trial, no matter how great or how serious the
24 offense might be for which that person stands charge, that
25 person shall always be presumed innocent of that charge.

1 That presumption of innocence remains with any defendant,
2 as it does with this Defendant, from the time he is placed
3 under arrest and throughout the course of the criminal
4 process and even throughout the course of the actual trial
5 in the case. As I've told you, that presumption of
6 innocence will be with Mr. Hunt even as you go back to
7 begin with your deliberations in this case. And that
8 presumption of innocence will be with him in that jury
9 room and it will be with him forever unless you 12 jurors
10 determine that he's no longer entitled to that presumption
11 of innocence as it relates to a particular charge. In
12 other words, after you've carefully considered all the
13 evidence in the case and after considering that evidence,
14 you have determined what you believe to be the facts that
15 relate to these allegations. And after you decide those
16 facts, you apply the law that I have provided you as it
17 rates to that particular charge, if you 12 jurors
18 unanimously determine that his guilt as to that charge has
19 been proven beyond a reasonable doubt, then he would no
20 longer be entitled to that presumption of innocence. But
21 it is only if unless and until you are satisfied of his
22 guilt beyond a reasonable doubt that the presumption of
23 innocence would no longer be applicable.

24 Now, while the State does have the burden of proving
25 the Defendant's guilt beyond a reasonable doubt, that

1 doesn't mean that the State has to prove his guilt beyond
2 all doubt or beyond any possible doubt, but it does
3 require the State to prove his guilt to your satisfaction
4 beyond a reasonable doubt. The term reasonable doubt
5 should be given its plain and ordinary meaning. A
6 reasonable doubt is the kind of doubt that would cause a
7 reasonable person to hesitate to act upon the information
8 provided. And a defendant is entitled to any reasonable
9 doubt that arises from the evidence or lack of evidence in
10 the case. And if upon any factual issue essential to a
11 finding of a verdict of guilty, you have some reasonable
12 doubt as to how that issue should be resolved, it would be
13 your duty to resolve that reasonable doubt in favor of the
14 Defendant. And therefore, if upon your consideration of
15 the whole case, you have a reasonable doubt as to the
16 Defendant's guilt as it relates to particular charge, you
17 must resolve that reasonable doubt in his favor as to that
18 charge and to return a verdict of not guilty. And on the
19 other hand, if you have no reasonable doubt as to the
20 Defendant's guilt as to a particular charge, then you
21 should find the Defendant guilty of that charge where you
22 have been satisfied by proof establishing his guilt beyond
23 a reasonable doubt.

24 The same law that provides that you are the judges of
25 the facts also provides that I am the judge of the law.

1 And that simply means that nobody is going to tell you how
2 to arrive at your determination of fact in this case. You
3 do that, as I think I've already stated, through the
4 exercise of good judgment and common sense,
5 conscientiously applied to the testimony and evidence
6 received during the course of the trial. You must,
7 however, under your oath as a juror, accept the law as I
8 provide it to you as being the law that you are to apply
9 in the case. In other words, you're not to concern
10 yourself with what you thought the law was before you came
11 to serve as a juror this week or what you think the law
12 ought to be. You must under your oath as a juror accept
13 the law as I provide it to you as being the law that you
14 are to apply in this case. You then simply take that law
15 and you apply it to the facts as you 12 jurors determine
16 those facts to be based upon your common sense,
17 examination and evaluation of the evidence in the case.

18 Now, as I've told you, you are the sole judges of the
19 facts in this case. You are, therefore, necessarily, the
20 sole judges of the credibility and the believability of
21 each witness that has testified during the course of this
22 trial. You 12 jurors alone will decide what weight, value
23 and effect to give any particular witness' testimony or
24 even a portion of that testimony. But there are a number
25 of factors which you should take into account and consider

1 in order to arrive at your particular evaluation or
2 assessment of a witness' credibility. And I'm going to
3 list those factors for you.

4 But you should consider the demeanor of the witness,
5 that is how the witness appeared to you when the witness
6 testified from that witness stand. Was the witness
7 straightforward in responding to questions? Or was the
8 witness hesitant or evasive in responding to questions
9 that were asked of that particular witness? Simply put,
10 did the witness appear to you to be telling the truth and
11 to have knowledge of the facts to which that witness has
12 testified? You should also consider whether or not the
13 testimony of a witness is consistent or is it inconsistent
14 with that witness' own testimony and whether it be
15 consistent or inconsistent with statements made by that
16 witness, whether they be out of court or in court?

17 And you should also consider whether or not the
18 testimony of a witness is consistent or is it inconsistent
19 with other witnesses testimony or other evidence received
20 during the course of the trial. You should also consider
21 how the witness came to know the facts to which a witness
22 has testified. In other words, what was that particular
23 witness' opportunity and ability to perceive the existence
24 of those facts to which that witness has testified by
25 having previously used his or her senses. And then what

1 is the ability of that witness to be able to come into
2 court and to accurately recollect to you what they have
3 previously perceived.

4 You should also consider any bias or prejudice or
5 interest that a witness might have with regard to a case.
6 In other words, do you find some reason that a particular
7 witness would come into court and would testify one way or
8 another to help or hurt one side or the other? And you
9 should also consider whether or not the testimony of a
10 witness was strengthened or was it weakened by other
11 testimony or other evidence received during the course of
12 the trial.

13 Now, during the course of this trial, you have heard
14 testimony that has been received from certain witnesses
15 that have been qualified by the Court as an expert in a
16 particular field. Although, lay witnesses are generally
17 limited to testifying about facts within their own
18 knowledge or experience, and are not ordinarily allowed to
19 render opinions with regard to a particular matter,
20 certain witnesses, who because they have special
21 education, training or experience are considered as
22 experts in a particular field, may give testimony in an
23 opinion form based upon the facts of the matter. And
24 their conclusions and their opinions constitute evidence
25 to be considered by the jury in connection with all of the

1 testimony and all of the other evidence received during
2 the course of the trial.

3 But please understand that the fact that a witness
4 has been qualified by the Court as an expert in a
5 particular field should not be taken by you as any
6 indication by me as to how you should consider that
7 witness' testimony or what weight or value you should be
8 giving to it. I simply have to determine whether or not a
9 person is allowed to testify in an opinion form. But the
10 weight or value to be given that testimony is still for
11 the jury's determination.

12 So, if you should determine that the opinion of the
13 expert testimony -- excuse me, the testimony of an expert
14 witness is not based upon sufficient qualifications or
15 education or training or skill or knowledge or experience
16 or proper consideration of the facts that relate to this
17 particular case, then you may disregard that testimony in
18 its entirety. Or you may chose to believe some portion of
19 it and to reject some other portion of it. You simply
20 judge the credibility of expert testimony just as you do
21 any other witness' testimony. Because you are the finders
22 of the fact and because you are the judges of the
23 credibility of each witness that has testified during the
24 course of this trial, you are permitted to believe as much
25 or as little of what a witness has testified to as you

1 deem appropriate.

2 And therefore, you may believe everything that a
3 witness testified to, you may chose to believe none of it.
4 You may believe some portion of a witness' testimony and
5 reject some other portion of that same witness' testimony.
6 You could believe -- in a given case believe one witness
7 as opposed to several or several as opposed to one. But
8 whatever your good judgment and common sense tells you is
9 the most believable and credible testimony is the
10 testimony you should accept. And you should reject any
11 testimony or other evidence that you find not to be
12 credible or believable.

13 Now, in this case, as you know, the Defendant is
14 charged in four separate indictments. They charge four
15 separate and distinct offenses. Each of those offenses
16 have separate elements that have to be established in
17 order for that offense to be proven beyond a reasonable
18 doubt. And so I'm going to instruct you on the law as it
19 relates to each of the separate charges contained in each
20 of the separate indictments. And as I think I've
21 previously told you, in a case where there's more than one
22 charge, more than one indictment, your decisions may be
23 the same as they relate to all the indictments. They may
24 be different as they relate to the indictments. That, of
25 course, depends on your determination of fact and then

1 your application to the law and the elements as I will
2 have provided those to you.

3 Three of the charges are brought under Section
4 16-3-655. And under that statute, one charge is brought
5 under subsection (A) (1), one is brought under Subsection
6 (A) (2), and one is brought under Subsection (B) (1). But
7 there are certain definitions provided in another code
8 section that's applicable to charges brought pursuant to
9 Section 655. And I'm going to read for you those
10 definitions. Those definitions would be applicable to
11 each of the charges brought pursuant to Section
12 16-3-655(A) (1, (A) (2) and (B) (1).

13 The definitions include the definition of actor.
14 Actor is defined as a person accused of criminal sexual
15 conduct.

16 All right. Don't make it hard on the bailiff. If
17 you can't exhibit proper decorum, please remove yourself
18 from the courtroom. If you need some help, I'll be happy
19 to provide it.

20 Actor is defined as a person accused of criminal
21 sexual conduct. Victim is defined as a person alleged to
22 have been subjected to criminal sexual conduct. Sexual
23 battery is defined as sexual intercourse, cunnilingus,
24 fellatio, and intercourse, or any other intrusion, however
25 slight, of any part of a person's body or of any object

1 into the genital or anal openings of another person's
2 body, except when accomplished for medically recognized
3 treatment or diagnostic purposes. And fellatio is defined
4 as oral stimulation of the male genitalia.

5 You are further instructed that in this case consent
6 is not an issue in the trial of this case. Under the law,
7 a minor under the age of 16 years is not legally capable
8 of voluntarily consenting to a sexual battery committed by
9 an adult.

10 And now, with regard to Section 16-3-655(A)(1),
11 that's criminal sexual conduct with a minor in the first
12 degree. That statute provides that a person is guilty of
13 criminal sexual conduct with a minor in the first degree
14 if the actor, the Defendant, Norman Hunt, engages in a
15 sexual battery, as I've defined it for you, with a victim,
16 in this case, *the alleged victim*, and the victim is less than
17 11 years of age. So the elements of that offense are
18 number one, that the actor, the Defendant, did engage in a
19 sexual battery with the victim, *the alleged victim*, and that at
20 the time that sexual battery was committed, she was under
21 the age of 11 years.

22 The second indictment charges criminal sexual conduct
23 with a minor in the first degree in violation of 16-3-655
24 (A)(2). 655 (A)(2) provides that a person is guilty of
25 criminal sexual conduct with a minor in the first degree

1 if the actor engages in a sexual battery with a victim who
2 is less than 16 years of age and the actor has previously
3 been convicted of or pled guilty to an offense listed in
4 Section 23-3-430, Subsection C of the Code of Laws. And
5 you are instructed that the crime of criminal sexual
6 conduct with a minor in the second degree is such a crime
7 listed in Section 23-3-430, Subsection C. So in order to
8 be found guilty of a violation of this particular section,
9 it would be necessary that three essential elements be
10 established. First of all, the Defendant has to be proven
11 to have committed a sexual battery against the victim,
12 *the alleged victim*, that at the time that sexual battery was
13 committed, she was less than 16 years of age, and that the
14 Defendant had previously been convicted of a crime listed
15 in 23-3-430. And as I've stated, the crime of criminal
16 sexual conduct with a minor in the second degree is listed
17 as a crime in that particular section.

18 The third indictment charges the Defendant with the
19 crime of criminal sexual conduct with a minor in the
20 second degree. Criminal sexual conduct with a minor in
21 the second degree is set forth in 16-3-655, subsection
22 (B) (1). And that particular section provides that a
23 person is guilty of criminal sexual conduct with a minor
24 in the second degree if the actor, the Defendant, Norman
25 Hunt, engages in a sexual battery as that has been defined

1 with a victim, in this case, *the alleged victim*, and the victim
2 was 14 years of age or less, but was, at least, 11 years
3 of age.

4 And the remaining indictment charges the Defendant
5 with commission of a lewd act upon a child. Commission of
6 lewd act upon a child is a statutory criminal offense that
7 is set forth in Section 16-15-140 of the Code of Laws of
8 South Carolina. And that particular code section provides
9 as follows: It is unlawful for a person over the age of
10 14 years to willfully and lewdly commit or attempt to
11 commit a lewd or lascivious act upon or with the body or
12 its parts of a child under the age of 16 years with the
13 intent of arousing, appealing to, or gratifying the lust
14 or passions or sexual desires of that person or of the
15 child.

16 Before the Defendant can be found guilty of a
17 violation of this particular section, it would be
18 necessary that the evidence in this case establishes to
19 your satisfaction beyond a reasonable doubt the following
20 four essential elements. First of all, it must be
21 established that the Defendant did willfully and lewdly
22 commit or attempt a lewd or lascivious act upon the body
23 of a child under the age of 16 years. The term willfully
24 means an act done knowingly and intentionally and
25 purposefully and not by accident, mistake or inadvertence.

1 The term lewdly refers to the commission of an act of a
2 sexual nature in an outrageously offensive and indecent
3 manner. The terms lewd or lascivious refer to obscene or
4 indecent acts of a sexual nature which are extremely
5 offensive under contemporary community standards of
6 morality and decency and grossly repugnant to generally
7 accepted notions of what is considered appropriate
8 conduct.

9 Secondly, it must be established that the Defendant
10 was over the age of 14 years at the time the act was
11 committed or attempted. Thirdly, it must be established
12 that the child was under the age of 16 years at the time
13 the act was committed or attempted. And fourthly, it must
14 be established that the act was committed or attempted by
15 the Defendant with the intent of arousing, appealing to or
16 gratifying the lust or passions or sexual desires of the
17 Defendant or of the child. And the term intent refers to
18 the state of a person's mind that direct his actions
19 toward a specific object or goal. And in this case, that
20 refers to the satisfaction of some sexual urge or desire.

21 Now, I instruct you further and I emphasize to you
22 that the fact a Defendant does not testify during the
23 course of a criminal trial is not a circumstance that may
24 be considered by the jury in any way whatsoever in your
25 deliberations or in your determination as to whether or

1 not the Defendant has been proven guilty of the crimes
2 alleged against him. You may not weigh -- you may not
3 allow such circumstance to weigh in the slightest degree
4 against a defendant. And that's because, as I've told
5 you, the burden is always upon the State because they
6 brought the charge against the Defendant to prove his
7 guilt beyond a reasonable doubt. There is no burden upon
8 a defendant to prove that he or she is not guilty or to
9 prove that he or she is innocent because in some cases
10 that might not be possible. And, therefore, you are not
11 to permit such a fact to weigh in the slightest degree
12 against the Defendant. You are not to draw any inference
13 nor reach any conclusion from the fact that a defendant
14 does not testify during the course of a trial. Nor may
15 you allow that fact to enter into your discussions nor may
16 you even discuss that fact while you are engaged in your
17 deliberations.

18 Now, Mr. Foreman and ladies and gentlemen of the
19 jury, I am not in any way concerned with what your
20 decisions are. That is simply a decision that you have to
21 make based upon your own common sense, examination of the
22 evidence, your determination of fact, your application of
23 the law. But you are instructed that any decision that
24 you make must be unanimous. All 12 jurors must be in
25 agreement in order for a decision to be reached with

1 respect to a particular indictment.

2 As you know, you have four separate decisions that
3 you are to make. You have four separate and distinct
4 charges that require a decision. As I've told you, those
5 decisions may be the same, they may be different, that
6 will depend upon your determination of fact and then your
7 application of the law as it relates to that particular
8 charge. But with respect to each of the separate
9 indictments, you have two potential verdict forms. And
10 those two potential verdict forms are guilty and not
11 guilty.

12 Mr. Foreman, as you know, you are going to be
13 presiding over the deliberations in the jury room. In
14 addition to any exhibits which have been introduced into
15 evidence, you will also have the indictments which will
16 serve as the verdict forms. I think I've already shown
17 you, but on the back of each indictment, there is the word
18 verdict and it is beneath that word that you will indicate
19 the jury's unanimous decision as it relates to that
20 particular charge. You will sign your name as the
21 foreperson and place the appropriate date on it. The
22 foreperson is the only juror that needs to sign the
23 indictment in the place where the verdict is inserted.
24 And as I say, with respect to each indictment, the verdict
25 forms are -- potential verdict forms are guilty and not

1 guilty. So with respect to each indictment, whatever that
2 decision is, insert it in the space provided, sign your
3 name as the foreperson, place the appropriate date on it.
4 Once you have arrived at decisions on all four
5 indictments, you can notify the bailiff by knocking on the
6 jury room door, tell him that you have reached your
7 decisions. And then he'll notify the Court and we'll
8 bring you back into the courtroom to receive that
9 decision.

10 Mr. Foreman, when you notify the bailiff that you
11 have reached your decision, do not give him the verdict
12 forms. You may give him the exhibits, but don't give him
13 the verdict forms. You will hold onto those and I will
14 receive those from you after you and your fellow jurors
15 return to the courtroom and for us to receive your
16 verdicts.

17 Now, during the course of your deliberations, there
18 may come a time where you have a question about the
19 testimony or evidence in the case. You may even wonder if
20 you can have something else that you think might be of
21 benefit to you in arriving at your decision. No
22 additional evidence can be received now that the case has
23 been closed and you are going to be going back to begin
24 your deliberations. So don't inquire or ask about any
25 other evidence that you think might help you if you could

1 have it because if it has not already been introduced, you
2 cannot have it. Even if it exist, it's not to be
3 submitted for your benefit.

4 If at any time you have a question about a witness'
5 testimony and you think that that question can be answered
6 by having a witness' testimony replayed in whole or in
7 part, we can bring you back into the courtroom to have
8 that testimony replayed. I don't have transcripts of
9 witnesses testimony, so I cannot provide you with a
10 transcript, but if you want to hear a witness' testimony,
11 knock on the door and let the bailiff know that you need
12 to hear testimony and we will bring you back to allow you
13 to hear that witness' testimony in whole or in part.

14 Mr. Foreman, I said let the bailiff know, but don't
15 tell the bailiff you need to hear testimony. If you ever
16 need to direct something to me, if you'll write it on a
17 piece of paper, knock on the door, let the bailiff know
18 you have an inquiry, give him the paper with the inquiry,
19 he'll provide it to me and then I'll respond as I need to
20 to your question or to your inquiry or any issue that you
21 might have.

22 If at any time you need a reinstruction on the law or
23 you need a clarification of the law that I've provided or
24 you need an additional explanation, I am permitted to
25 provide an additional instruction or a clarification or an

1 additional explanation. If you need me to provide you a
2 reinstruction; I'm happy to do that. I recognize this is
3 the first time, likely, that you've ever heard an
4 instruction like this on the law. So should you need
5 reinstruction, additional explanation, or clarification,
6 please let me know. I'll be happy to provide you with
7 that additional instruction or clarification.

8 Smokers, I don't know if we have any smokers on the
9 jury, but if you want to smoke, you are permitted to
10 smoke, but you can't smoke in the courthouse. You have to
11 go outside to accomplish that purpose. So if anybody
12 needs to smoke and be taken outside for that purpose, the
13 deliberations have to stop. Deliberations may not be
14 engaged in unless all 12 jurors are present so that all 12
15 may participate. So if at any time a juror is absent
16 because of some authorized purpose, the deliberations have
17 to stop. They may only resume when all jurors are present
18 so that all may participate.

19 I know that you have ordered your lunches. And if
20 they're not here now, they should be here shortly. I'll
21 leave that up to you as to how you want to engage in your
22 deliberations and have your lunch. You can eat lunch and
23 then start or resume deliberations or you can deliberate
24 while you're having lunch. I'll just leave it up to you.
25 I have no preference either way. That's simply a

1 prerogative that you have, also.

2 I think that covers everything, but if it doesn't,
3 I'm sure one of these lawyers will remind me that I failed
4 to include something in my instruction to you. And if I
5 have failed to do that, I'll be happy to bring you back to
6 provide you with that additional information. If I do not
7 need to bring you back for any reason, then I'll send word
8 by way of the bailiff that you may begin with your
9 deliberations. In that event, he will bring to the jury
10 room all of the exhibits which have been introduced during
11 the trial.

12 And to you, Mr. Foreman, he will also bring the
13 indictments, which serve as the verdict forms.

14 I'm going to ask the 12 primary jurors to please go
15 with the bailiff to the jury room.

16 I'm going to ask the two alternate jurors to remain
17 with me for the moment.

18 (WHEREUPON, the jury left open court at approximately
19 12:44 p.m.)

20 THE COURT: For the two alternate jurors, as you
21 know, you can't participate with the jury in their
22 deliberations because all 12 are able to do that, but
23 something could happen during the course of deliberations
24 that would require one or both of your participation,
25 so -- you did order your lunches, too, did you not?

1 ALTERNATE JUROR: Yes, sir.

2 THE COURT: The bailiff will take you to a separate
3 jury room. You will have your lunches brought there and
4 you're to remain there until we determine whether or not
5 you are needed in the future. You are not, however, to
6 discuss the case. You're only permitted to discuss the
7 case if you are engaged in deliberations with the other
8 jurors. So don't talk about the case until we determine
9 if you're needed further, okay. Please go with the
10 bailiff to a separate room.

11 (WHEREUPON, the alternate jurors left open court at
12 approximately 12:45 p.m.)

13 THE COURT: Are there any exceptions taken to the
14 instruction or request for additions to the instruction by
15 the State?

16 MR. MOYER: Judge, unless I missed it, you did not
17 charge anything about corroboration. I thought when we
18 were talking yesterday, you said you had fashioned a --

19 THE COURT: Well, I have such a thing, but I
20 thought -- maybe I misunderstand. I thought you kind of
21 agreed that that wasn't necessary.

22 MR. MOYER: Well, the corroboration charge by statute
23 I agreed doesn't necessarily have to be charged. But then
24 again, maybe I misunderstood yesterday when we were
25 speaking, but I thought that's what you were saying.

1 THE COURT: Maybe I didn't make myself very clear,
2 perhaps. I did say that I had an instruction that I had
3 crafted, but based on our conversation, I thought that you
4 weren't necessarily requesting it. Did I misunderstand
5 that?

6 MR. MOYER: Yes, sir. If I didn't make myself clear
7 --

8 THE COURT: The reading of the statute, I think, is
9 not appropriate, although, the substance of it might be
10 appropriate. It certainly hasn't been declared to be
11 inappropriate by our appellate court. It's certainly
12 proper argument. And I think you made the point to the
13 jury. So at this stage, I think it's probably --

14 What's the Defense's position?

15 MR. QUINN: I would object to a charge on
16 corroboration.

17 THE COURT: Well, at this point, I think it's more
18 appropriate not to provide any additional instruction.
19 However, should the jury inquire about or be concerned
20 about the issue of corroboration, I'll be happy to
21 supplement the charge. How about that?

22 MR. MOYER: Okay.

23 THE COURT: Any other exceptions or requests for
24 additional?

25 MR. MOYER: No, Your Honor.

1 THE COURT: From the Defense?

2 MR. QUINN: No exceptions or request for additional.

3 THE COURT: All right. Let me ask y'all to verify
4 the exhibits before they go back, please.

5 MR. QUINN: They're right.

6 THE COURT: All right. And now that deliberations
7 have begun, I'm going to require that the Defendant remain
8 in the courtroom unless he is accompanied by his lawyer to
9 the restroom or whatever.

10 Are y'all going to order lunch or going somewhere?

11 MR. QUINN: Probably not. There's a conference room
12 just outside, we'll wait there, at least, for a few
13 minutes to see where we're at.

14 THE COURT: Yeah, let's let the jury settle in first
15 and see if they have a question from the outset. If not,
16 then we can discuss arrangements for lunch.

17 All of the exhibits are in order. Please take the
18 exhibits and the verdict forms and tell the jury they may
19 begin their deliberations and notify us when they have
20 concluded.

21 BAILIFF: All right, sir.

22 THE COURT: We'll be at ease while the jury is
23 deliberating.

24 (WHEREUPON, deliberations began at approximately
25 12:47 p.m.)

1 (WHEREUPON, court was in recess awaiting a verdict.)

2 THE COURT: I'm told the jury has reached a decision.

3 Are we ready to receive it?

4 MR. MOYER: Yes, sir.

5 MR. QUINN: Yes, sir.

6 THE COURT: Okay. Bring them in, please.

7 (WHEREUPON, the jury came into open court at
8 approximately 2:30 p.m.)

9 THE COURT: Mr. Foreman, have you and your fellow
10 jurors reached a unanimous decision as to each of the
11 separate indictments?

12 THE FOREPERSON: Yes, Your Honor.

13 THE COURT: Have you reflected those decisions on the
14 back of the indictment as requested?

15 THE FOREPERSON: Yes, Your Honor.

16 THE COURT: And have you signed your name as the
17 foreperson and dated it?

18 THE FOREPERSON: I have.

19 THE COURT: If you'll please hand those up by way of
20 the bailiff.

21 You may publish the verdicts.

22 VERDICT

23 THE CLERK: Your Honor, in the case of
24 2014-GS-23-00008A, The State vs. Norman Quinton, indicted
25 for criminal sexual conduct with a minor, first degree,

1 the verdict is guilty. Indictment 2012-GS-23-06500,
2 indicted for criminal sexual conduct with a minor, first
3 degree, the verdict is guilty. 2014-GS-23-00009A,
4 indicted for criminal sexual conduct with a minor, second
5 degree, the verdict is guilty. 2012-GS-23-06502, indicted
6 for lewd act upon a child, the verdict is guilty.

7 Ladies and gentlemen of the jury, if you agree that
8 this is your verdict that you reached in the deliberation
9 room, please raise your right hand.

10 (WHEREUPON, all jurors raised their right hand.)

11 THE CLERK: Thank you.

12 THE COURT: Does the Defendant wish to have the jury
13 polled?

14 MR. QUINN: No, Your Honor. Thank you.

15 THE COURT: All right. All jurors did respond in the
16 affirmative by raising their right hand as to the
17 verdicts.

18 Are there any other matters we need to address with
19 the jury present?

20 MR. MOYER: None from the State.

21 MR. QUINN: None from the Defense.

22 THE COURT: All right. Thank you, ladies and
23 gentlemen, for your participation in this case. You're
24 going to be excused for the balance of the afternoon and
25 you are asked to call back to the number that you have to

1 letting me address the Court. *The alleged victim* has been through a
2 lot in the last 12 years. Seven years was most of her
3 childhood and she can't get that back. She just needs to
4 put this behind her and look to the future and what she
5 can accomplish and realize that she got justice today.
6 That's all I have to say.

7 THE COURT: Okay. Thank you, Ms. Bateman.

8 MS. BURROW: Judge, I just want to thank you for
9 listening to me. When it happened to me, I felt like he
10 just got a slap on the wrist and he's done it again. I
11 would hope that you will take that into account so you
12 don't let it happen again to any other children.

13 THE COURT: Okay. Thank you, ma'am.

14 All right. On indictments 2012-6502, indictment for
15 a lewd act on a child, wherein you have been found guilty
16 by the jury for that offense, the sentence of the Court is
17 that you, Norman Hunt, be confined to the South Carolina
18 Department of Corrections for a period of 15 years.
19 Indictment 2014, number nine, an indictment for criminal
20 sexual conduct with a minor in the second degree, wherein
21 you have been found guilty by the jury for that offense,
22 the sentence of the Court is you, Norman Hunt, be confined
23 to the South Carolina Department of Corrections for a
24 period of 20 years. Indictment 2012-6500, an indictment
25 for criminal sexual conduct with a minor in the first

1 degree, pursuant to Section 655(A)(2), the sentence of the
2 Court is you, Norman Hunt, be confined to the South
3 Carolina Department of Corrections for a period of 30
4 years. Indictment 2014, number 8, an indictment for
5 criminal sexual conduct with a minor in the first degree,
6 pursuant to Section 655 (A)(1), the sentence of the Court
7 is you, Norman Hunt, be confined to the South Carolina
8 Department of Corrections for the period of your natural
9 life.

10 Mr. Hunt, you have a right to appeal the decisions of
11 the jury and the sentence of the Court. You must file any
12 notice of your intent to appeal those decisions within 10
13 days of today's date. Mr. Quinn will be happy to provide
14 you with that instruction, information and advice.

15 If nothing further, this matter is in recess.

16 (WHEREUPON, the proceedings were concluded.)
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WITNESSES

Thomas Motes



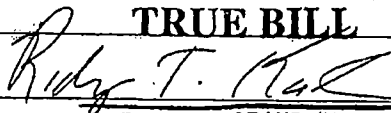
Greenville County Sheriffs Office

5/21/2012

ARREST WARRANT NUMBER
DIRECT PRESENTMENT

DOB: 3/5/1946 W/M SSN: 248-76-4126

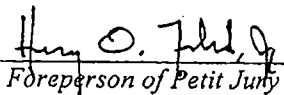
ACTION OF GRAND JURY

TRUE BILL

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Guilty

Foreperson of Petit Jury

Date: May 14, 2014

DOCKET NO. 2014-GS-23- 000008A
LMM

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

January TERM 2014

THE STATE

vs.

NORMAN QUINTON HUNT

Indictment for

0385

CRIMINAL SEXUAL CONDUCT WITH A MINOR
FIRST DEGREE

VIOLATION § 16-03-0655(A)(1)

Certified Copy
Paul B. Williams
Clerk of Court C.P. & G.S.
Greenville County, SC
Dated: 6/2/2015

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
CRIMINAL SEXUAL CONDUCT WITH A MINOR FIRST DEGREE

At a Court of General Sessions, convened on **JAN 07 2014** the Grand Jurors of Greenville
County present upon their oath:

That NORMAN QUINTON HUNT did in Greenville County, between the dates of March 25, 2003 and March 24, 2009, commit a sexual battery on ^{the alleged victim} ↑., who was less than eleven years of age. This is in violation of §16-03-0655(A)(1) of the South Carolina Code of Laws (1976) as amended.

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

J. Mark Young
SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
 STATE VS.
Norman Quinton Hunt

AKA:

Race: Sex: M Age: 68

DOB: SS#:

Address:

City, State, Zip:

DL#: SID#:

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
 TO: Criminal sexual conduct with minor first degree

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS2300008AA/W#: 2014GS2300008ADate of Offense: 3/25/2003S.C. Code §: 16-03-0655(A)(1)CDR Code #: 0385

SENTENCE SHEET

☒ CONVICTED OF or ☒ PLEADS

in violation of § 16-03-0655(A)(1) of the S.C. Code of Laws, bearing CDR Code # 0385

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC) ☐ §17-25-45

w/minor 1st or Lewd Act)

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Mayer, Mark 64155 Norman Q Hunt Thomas J. Dine Hall
 SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,
 for a determinate term of life days/months/years or ☐ under the Youthful Offender Act not to exceed — years
 and/or to pay a fine of \$ —; provided that upon the service of — days/months/years and/or payment
 of \$ —; plus costs and assessments as applicable*; the balance is suspended with probation for —

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
 probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied

by the State Department of Corrections.

☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
 Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUPTotal: \$ — plus 20% fee: \$ —

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine: \$
 § 14-1-206 (Assessments 107.5 %) \$
 § 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100
 § 14-1-211(A)(2) (DUI Surcharge) \$100 \$
 § 56-5-2995 (DUI Assessment) \$12 \$
 § 56-1-286 (DUI Breath Test) \$25 \$
 Proviso 47.9 (Public Def/Prob) \$500 \$
 § 14-1-212 (Law Enforce. Funding) \$25 \$ 25
 § 14-1-213 (Drug Court Surcharge) \$150 \$
 § 50-21-114 (BUI Breath Test Fee) \$50 \$
 § 56-5-2942(J) (Vehicle Assessment) \$40/ea \$
 Proviso 90.5 (SCJA Surcharge) \$5 \$ 5
 2% to County (if paid in installments) \$
 TOTAL \$

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date:

A Certified Copy
 Paul B. Wickens
 Clerk of Court C.P. & G.S.
 Greenville County, SC
 Dated 10/2/2015

WITNESSES

Thomas Motes

(P)

Greenville County Sheriffs Office

5/21/2012

ARREST WARRANT NUMBER

DIRECT PRESENTMENT

DOB: 3/5/1946 W/M SSN: 248-76-4126

ACTION OF GRAND JURY

TRUE BILL

Ricky T. Neal

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

Guilty

Henry O. Fitch, Jr.
Foreperson of Petit Jury

Date: May 14, 2014

DOCKET NO. 2014-GS-23-

LMM

000009A

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

January

TERM 2014

THE STATE

vs.

NORMAN QUINTON HUNT

Indictment for

0396

CRIMINAL SEXUAL CONDUCT WITH A MINOR
SECOND DEGREE

VIOLATION § 16-03-0655(B)(1)

A Certified Copy
Paul B. W. Williams
Clerk of Court C.P. & G.S.
Greenville County, SC
Dated 6/2/2015

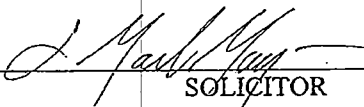
STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
CRIMINAL SEXUAL CONDUCT WITH A MINOR SECOND
DEGREE

At a Court of General Sessions, convened on **JAN 07 2014** the Grand Jurors of Greenville
County present upon their oath:

That NORMAN QUINTON HUNT did in Greenville County, between the dates of March 25, 2009, and
March 3, 2011, commit a sexual battery on ^{the alleged victim} ↑, who was fourteen years of age or less but who was at
least eleven years of age. This is in violation of §16-03-0655(B)(1) of the South Carolina Code of Laws
(1976) as amended.

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


SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
 STATE VS.
Norman Quinton Hunt

AKA:

Face: Sex: M Age: 68

DOB: SSN:

Address:

City, State, Zip:

DL#: SID#:

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
 TO: Criminal sexual conduct with minor second deg.

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS2300009A

A/W#: 2014GS2300009A

Date of Offense: 1/7/2014

S.C. Code § : 16-03-0655(B)

CDR Code #: 0396

SENTENCE SHEET

☒ CONVICTED OF or ☒ PLEADS

in violation of § 16-03-0655(B) of the S.C. Code of Laws, bearing CDR Code # 0396

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)

The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Moyer, Mark

SC Bar#

Defendant

Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,

for a determinate term of 20 days/months/years or ☐ under the Youthful Offender Act not to exceed — years

and/or to pay a fine of \$ —; provided that upon the service of — days/months/years and/or payment

of \$ —; plus costs and assessments as applicable*; the balance is suspended with probation for —

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:

☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied

the State Department of Corrections.

☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUP

Total: \$ — plus 20% fee: \$ —

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:

§ 14-1-206 (Assessments 107.5 %)

§ 14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100

§ 14-1-211(A)(2) (DUI Surcharge) \$100 \$

§ 56-5-2995 (DUI Assessment) \$12 \$

§ 56-1-286 (DUI Breath Test) \$25 \$

Proviso 47.9 (Public Def/Prob) \$500 \$

§ 14-1-212 (Law Enforce. Funding) \$25 \$ 25

§ 14-1-213 (Drug Court Surcharge) \$150 \$

§ 50-21-114(BUI Breath Test Fee) \$50 \$

§ 56-5-2942(J) (Vehicle Assessment) \$40/ea \$ 5

Proviso 90.5 (SCCJA Surcharge) \$5 \$

2% to County (if paid in installments) \$

TOTAL \$

— days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. —

May serve W/E beginning —

Substance Abuse Counseling ☐

Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ — beginning —

\$ — paid to Public Defender Fund

Other: —

☐ Appointed PD or appointed other counsel,
 § 47.12 requires \$500 be paid to Clerk
 during probation.

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date:

A Certified Copy
 Paul B. Wickens
 Clerk of Court C.P. & G.S.
 Greenville County, SC
 Dated 6/2/2015

WITNESSES

Thomas Motes *(initials)*

Greenville County Sheriffs Office

5/21/2012

ARREST WARRANT NUMBER
N200789

ACTION OF GRAND JURY

TRUE BILL*Ricky T. Hall*

FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

*Guilty**Henry O. Philp*

Foreperson of Petit Jury

Date: May 14, 2014

DOCKET NO. 2012-GS-23-006500
AMENDED INDICTMENT

LMM

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

January

TERM 2014

THE STATE

vs.

NORMAN QUINTON HUNT

0385
3022

Indictment for

CRIMINAL SEXUAL CONDUCT WITH A MINOR
FIRST DEGREE

VIOLATION § 16-03-0655(A)(2)

Enlightened Copy
Paul B. W. Benjamin
 Clerk of Court C.P. & G.S.
 Greenville County, SC
 Dated *6/2/2014*

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

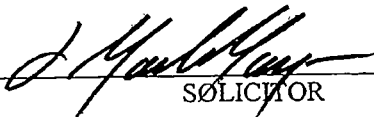
AMENDED INDICTMENT FOR
CRIMINAL SEXUAL CONDUCT WITH A MINOR FIRST DEGREE

JAN 07 2014

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

That NORMAN QUINTON HUNT did in Greenville County, between the dates of March 25, 2003 and
March 3, 2011, commit a sexual battery on ^{the alleged victim} ↑, who was less than 16 years of age and that NORMAN
QUINTON HUNT had previously been convicted, pled guilty or nolo contendere to, or has been
adjudicated delinquent for an offense listed in Section§ 23-3-430(C), and/or had been ordered to be on a
sex offender registry. This is in violation of §16-03-0655(A)(2) of the South Carolina Code of Laws
(1976) as amended.

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


SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
STATE VS.
Norman Quinton Hunt

AKA:

Race: Sex: M Age: 68

DOB: SS#:

Address:

City, State, Zip:

DL#: SLL#:

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was
TO: Criminal sexual conduct with a minor first degree

IN THE COURT OF GENERAL SESSIONS *gail*

INDICTMENT/CASE#: 2012GS2306500

A/W#: N200789

Date of Offense: 3/1/2004

S.C. Code §: 16-03-0655(A)(1)

CDR Code #: 0385

SENTENCE SHEET

☒ CONVICTED OF or ☐ PLEADS

in violation of § 16-03-0655(A)(1) of the S.C. Code of Laws, bearing CDR Code # 0385

☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45

The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Moyer, Mark

SC Bar#

Defendant

Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,for a determinate term of 30 days/months/years or ☐ under the Youthful Offender Act not to exceed yearsand/or to pay a fine of \$; provided that upon the service of days/months/years and/or paymentof \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied

by the State Department of Corrections.

☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUPTotal: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:		\$
§ 14-1-206 (Assessments 107.5 %)		\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ <u>100</u>
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25</u>
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ea	\$ <u>5</u>
Proviso 90.5 (SCCJA Surcharge)	\$5	\$
7% to County (if paid in installments)		\$
TOTAL		\$

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date:

A Certified Copy

Paul B. W. Wickens
Clerk of Court C.P. & G.S.
Greenville County, SC

Dated 6/16/2015

WITNESSES

Thomas Motes *(Signature)*

Greenville County Sheriffs Office

5/21/2012

ARREST WARRANT NUMBER

N200790

ACTION OF GRAND JURY

TRUE BILL*(Signature)*
FOREMAN GRAND JURY

Foreperson of Grand Jury

VERDICT

*Guilty**Henry O. J. J. J.*
Foreperson of Petit JuryDate: *May 14, 2014*

DOCKET NO. 2012-GS-23-

LMM

006592

The State of South Carolina

County of Greenville

COURT OF GENERAL SESSIONS

February TERM 2012 *2013*

THE STATE

vs.

NORMAN QUINTON HUNT

✓
2468

Indictment for

LEWD ACT UPON A CHILD

VIOLATION § 16-15-140

A Certified Copy
Paul B. Williams
Clerk of Court C.P. & G.S.
Greenville County, SC
Dated 6/2/2015**RECEIVED**

AUG 30 2012

Clerk of Court
Greenville County

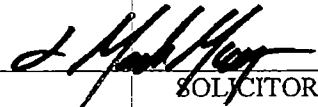
STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

INDICTMENT FOR
LEWD ACT UPON A CHILD

At a Court of General Sessions, convened on **FEB 19 2013** the Grand Jurors of Greenville
County present upon their oath:

That NORMAN QUINTON HUNT did in Greenville County, between March 1, 2004 and March 31, 2011, being
over the age of fourteen years, willfully and lewdly commit or attempt a lewd and lascivious act upon or with the
body, or its parts, of ^{the alleged victim} a child under the age of sixteen years, with the intent of arousing, appealing to, or
gratifying the lust, passions, or sexual desires of himself or such child. This is in violation of §16-15-140 of the
South Carolina Code of Laws (1976) as amended.

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


SOLICITOR

STATE OF SOUTH CAROLINA

COUNTY OF Greenville
STATE VS.

Norman Quinton Hunt

AKA:

Race: Sex: M Age: 68

DOB: SS#:

Address:

City, Stat

DL#:

SID#:

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐In disposition of the said indictment comes now the Defendant who was
TO: Lewd Act upon child

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2012GS2306502

A/W#: N200790

Date of Offense: 3/1/2004

S.C. Code § : 16-15-140

CDR Code #: 2468

SENTENCE SHEET

☒ CONVICTED OF or ☐ PLEADS

in violation of § 16-15-140 of the S.C. Code of Laws, bearing CDR Code # 2468

☒ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☒ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Moyer, Mark

SC Bar#

Defendant

Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,for a determinate term of 15 days/months/years or ☐ under the Youthful Offender Act not to exceed years

and/or to pay a fine of \$; provided that upon the service of days/months/years and/or payment

of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied

by the State Department of Corrections.

☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

PTUP

Total: \$ plus 20% fee: \$

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:

§ 14-1-206 (Assessments 107.5 %)

§ 14-1-211(A)(1) (Conv. Surcharge)

§ 14-1-211(A)(2) (DUI Surcharge)

§ 56-5-2995 (DUI Assessment)

§ 56-1-286 (DUI Breath Test)

Proviso 47.9 (Public Def/Prob)

§ 14-1-212 (Law Enforce. Funding)

§ 14-1-213 (Drug Court Surcharge)

§ 50-21-114(BUI Breath Test Fee)

§ 56-5-2942(J) (Vehicle Assessment)

Proviso 90.5 (SCCJA Surcharge)

3% to County (if paid in installments)

TOTAL

Clerk of Court/ Deputy Clerk

Court Reporter:

SCCA/217 (03/2011)

Presiding Judge

Judge Code:

Sentence Date:

A Certified Copy

Paul B. Wickens
Clerk of Court C.P. & G.S.
Greenville County, SC
Dated 6/2/2015

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

JUL 01 2015

Appeal from Greenville County
Honorable J. Derham Cole, Circuit Court Judge
Appellate Case No. 2014-001092

SC Court of Appeals

THE STATE,

Respondent,

vs.

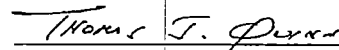
NORMAN QUINTON HUNT,

Appellant.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

June 4, 2015


Thomas J. Quinn
109 Laurens Road
Building 4, Suite D
Greenville, South Carolina 29607
(864)232-9590
Attorney for Appellant

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

JUL 01 2015

Appeal from Greenville County
Honorable J. Derham Cole, Circuit Court Judge
Appellate Case No. 2014-001092

SC Court of Appeals

THE STATE,

Respondent,

vs.

NORMAN QUINTON HUNT,

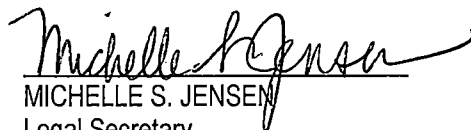
Appellant.

PROOF OF SERVICE

I, Michelle S. Jensen, certify that I have served the within Record on Appeal redacted to comply with the April 15, 2014 Order of the South Carolina Supreme Court, by depositing two copies of the same in the United States Mail, postage prepaid, addressed to:

Mark R. Farthing, Assistant Attorney General
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211-1549

I also certify that all parties required by Rule to be served have been served.
This 29 day of June 2015.


MICHELLE S. JENSEN
Legal Secretary
Thomas J. Quinn
109 Laurens Road
Building 4 Suite D
Greenville, SC 29607
864-232-9590

FORM 21
CONFIDENTIAL REFERENCE LIST OF REDACTED IDENTIFIERS

The State of South Carolina
In the Court of Appeals
[In the Supreme Court]

RECEIVED

APPEAL FROM GREENVILLE COUNTY JUL 01 2015
Court of General Sessions SC Court of Appeals

Honorable J. Derham Cole, Circuit Court Judge

Case No.: 2014-001092

THE STATE,

Respondent,

v.

NORMAN QUINTON HUNT,

Appellant.

LIST OF REDACTED IDENTIFIERS

**THE INFORMATION ON THIS FORM IS CONFIDENTIAL AND MUST NOT BE
PLACED IN A PUBLICLY ACCESSIBLE PORTION OF A FILE OR CASE
MANAGEMENT SYSTEM.**

DOCUMENT	UNREDACTED IDENTIFIER	SUBSTITUTED IDENTIFIER
Record on Appeal	Marliena Hunt, M.H.	the alleged victim
Record on Appeal	Cory Hunt	C.H.

CONFIDENTIAL

Date: June 26, 2015

s/Thomas J. Quinn

Name: Thomas J. Quinn
Address: 109 Laurens Road, Building 4 Suite D
Greenville, SC 29607
Phone: 864-232-9590
Attorney for Appellant



Thomas J. Quinn
Attorney at Law

DEFENDING YOUR FUTURE

109 Laurens Road
Building 4, Suite D
Greenville, SC 29607
Phone: 864-232-9590
tq@TomQuinnAttorney.com
www.TomQuinnAttorney.com

June , 2015

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

RECEIVED

JUL 01 2015

SC Court of Appeals

RE: State v. Norman Quinton Hunt – Appellate Case 2014-001092

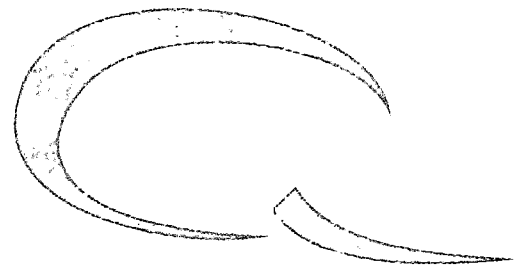
Dear Ms. Kitchings,

Enclosed please find the original and 14 copies of the Record on Appeal redacted to comply with the April 15, 2014 Order of the South Carolina Supreme Court, along with proof of service, for filing in the above-referenced appeal.

Very Truly Yours,

Thomas J. Quinn
Attorney at Law

TJQ/msj
Enclosures



Laurens Rd.
Building 4, Suite D
Columbia, SC 29607

The Honorable Jenny Abbott Kitchings
Clerk of South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211



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