

STATE OF SOUTH CAROLINA COURT OF COMMON PLEAS
COUNTY OF CHARLESTON

JACK POWELL,

CASE NO. 2013-CP-10-6567

Plaintiff(s),

-vs-

CAROLINA CENTER FOR
OCCUPATIONAL HEALTH,
Defendant(s).

RECEIVED

SEP 14 2015

SC Court of Appeals

THE VIDEOTAPED DEPOSITION OF JACK POWELL,
taken on behalf of the Defendant on Wednesday,
August 27, 2014, commencing at 10:05 a.m. at the
Law Offices of Wall, Templeton & Haldrup, P.A.,
145 King Street, Suite 300, Charleston, South
Carolina.

REPORTED BY: Nicole D. White

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Also Present:

19

Ed Bates, Videographer

20

21

22

23

24

25

1 there. I mean...

2 Q. Well, let's move on then. So you
3 think he intentionally -- you said -- revenge was
4 the word you used earlier, but you'll have to
5 agree with me, why would he -- he had no purpose
6 in seeking revenge since he didn't know you,
7 correct?

8 A. Incorrect. Whether he knew me or not
9 didn't have anything to do with it.

10 MR. MCLEOD: Okay. Let's mark
11 this as Exhibit 2.

12 (Defendant's Exhibit 2 was marked for
13 identification.)

14 Q. I've marked this document as
15 Exhibit 2. Do you recognize that? Let me give
16 you this (indicating). How about we do this.
17 You do recognize this?

18 A. Yes, sir.

19 Q. What is Exhibit 2?

20 A. What is Exhibit 2?

21 Q. Yes, sir. Can you identify it for me?

22 A. Well, it's pictures and stories on a
23 website about my injuries and the cable lines in
24 the middle of the right-a-way and where this
25 75-year-old lady got assaulted at MUSC?

1 people we knew. Then we left. Of course, then I
2 guess some people didn't like the fact that I was
3 there and they was going to get me.

4 Q. Who was the girl that called you over?

5 A. I have no idea. To be honest with
6 you, I didn't know any of them. All I know is
7 that they spent the next five minutes running.

8 Q. But you knew some people, because you
9 just said you knew people inside?

10 A. You just asked if I knew the girl.

11 Q. Yeah. But you said --

12 A. And I didn't know the three guys that
13 attacked me.

14 Q. And obviously, that guy got arrested?

15 A. Yeah.

16 Q. Did you get arrested that time?

17 A. No.

18 Q. And then these knee surgeries on the
19 second page, that's from your football injuries?

20 A. Yes, sir.

21 Q. This third page, it mentions a DVD.
22 What's that? What's the DVD of?

23 A. Oh, you're talking about the --

24 Q. It's right after pictures.

25 A. -- the DVD from the jail?

1 Q. So it's video footage from the jail?

2 A. Right.

3 Q. Where did you get that?

4 A. From the jail.

5 Q. What does it show?

6 A. It shows me being pulled into the jail
7 in a defective wheelchair, my foot dragging the
8 ground, I'm yelling in pain. The female jailer
9 stops briefly, kind of snickers about it and
10 said, "He'll get over it." And Nurse Thompson is
11 standing nearby not saying anything about it and
12 didn't really seem to care.

13 And then they brought me inside and
14 then conveniently the camera narrows down and
15 eliminates me and everybody else. Of course,
16 then all it was is showing me. And it showed
17 Mr. Thompson receiving the paperwork from MUSC
18 about my injuries and doctor reports and all that
19 and then, of course, the camera stopped right
20 before I was told to get out of it.

21 Q. And that's -- when you were told to
22 get out of the chair, that's when the alleged
23 assault occurred?

24 A. Yes. That's when the assault
25 occurred.

1 VIDEOPHOTOGRAPHER: This begins
2 videotape number three in the deposition of
3 Jack Powell. We are on the Record at
4 12:15 p.m.

5 BY MR. MCLEOD:

6 Q. All right. Mr. Powell, we had to take
7 a little brief break to change out the tapes. I
8 was asking you more specifically about what
9 transpired between you and Nurse Thompson and I
10 want to get into that, but I want to ask you
11 this, too. How long did it take between arriving
12 at the detention center and then making it all
13 the way back to that room to when Mr. -- or Nurse
14 Thompson asked you to get out of the wheelchair.
15 How long was that time?

16 A. Just a few minutes. Wasn't very long.

17 Q. Okay. Now, were the public safety
18 officers from MUSC still there with ya?

19 A. Right.

20 Q. Okay. So they were there when
21 Mr. Thompson or Nurse Thompson asked you to get
22 out of the wheelchair?

23 A. Well, I know at least one of them was.

24 Q. Okay. You --

25 A. They handed the paperwork.

1 Q. Okay. Was it Kyle Radford?

2 A. It may have been. I think it was.

3 Q. Okay. But one of the -- one of the
4 officers?

5 A. Right.

6 Q. Okay. All right. So then let's get
7 back. Nurse Thompson comes over to you and he
8 asked you to get out the wheelchair?

9 A. No. He told me to get out of the
10 wheelchair.

11 Q. Told you to get out of the wheelchair,
12 okay. And then you got out of the wheelchair?

13 A. Eventually.

14 Q. Okay. Did he ask you at first and
15 then you --

16 A. No.

17 Q. Okay.

18 A. Told me.

19 Q. He just said get out the wheelchair?

20 A. Right. He said that he had talked to
21 MUSC.

22 Q. Okay.

23 A. And basically that, you know, to get
24 out of the wheelchair, because I won't be needing
25 one here.