

STATE OF SOUTH CAROLINA

Volume I of II

IN THE SUPREME COURT

Appeal from Georgetown County

Thomas A. Russo, Circuit Court Judge

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S.C. Supreme Court

RONNIE W. WILSON,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-000521

APPENDIX

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INDEX

INDEX.....	i
TRIAL TRANSCRIPT DATED NOVEMBER 26-29, 2007	1
FINAL BRIEF OF APPELLANT	409
FINAL BRIEF OF RESPONDENT.....	420
<u>STATE V. WILSON</u> 4723 (FILED AUGUST 11, 2010)	434
REMITTITUR.....	438
APPLICATION FOR POST-CONVICTION RELIEF (2011-CP-22-00614).....	439
RETURN	445
POST-CONVICTION RELIEF HEARING TRANSCRIPT DATED AUGUST 27, 2012	450
ORDER OF DISMISSAL	549
SENTENCING SHEETS AND INDICTMENTS.....	556
APPLICATION FOR POST-CONVICTION RELIEF (2014-CP-22-00137).....	562
RETURN AND MOTION TO DISMISS.....	571
POST-CONVICTION RELIEF HEARING TRANSCRIPT DATED FEBRUARY 5, 2015	579
ORDER GRANTING APPEAL PURSUANT TO <u>AUSTIN V. STATE</u>	600
SENTENCING SHEETS AND INDICTMENTS.....	606

STATE OF SOUTH CAROLINA
COUNTY OF HORRY

IN THE COURT OF COMMON PLEAS
07-GS-22-737/738/740

STATE OF SOUTH CAROLINA,)
)
 PLAINTIFF,)
 vs.)
)
 RONNIE W. WILSON,)
)
 DEFENDANT.)
 _____)

TRANSCRIPT OF RECORD

NOVEMBER 26-29
GEORGETOWN, SOUTH CAROLINA

BEFORE:

THE HONORABLE, PAUL M. BURCH, JUDGE; AND A JURY

APPEARANCES:

BY: ROBERT H. BRYAN, ESQ.
ATTORNEY FOR STATE

BY: C. REUBEN GOUDE, ESQ.
ATTORNEY FOR RONNIE W. WILSON

BRENDA R. BABB
Circuit Court Reporter

INDEX				
<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
QUEEN GRANT				
MR. BRYAN	54			
MR. GOUDE		57		
FELITA GRAHAM				
MR. BRYAN	58		131	
MR. GOUDE		97		
OFFICER BRYAN PICARD				
MR. BRYAN	95		136	
MR. GOUDE		106		137
DEPUTY TIFFANY KINLOCH				
MR. BRYAN	140		156	
MR. GOUDE		146		158
DR. JOSEPH GAMMEL				
MR. BRYAN	164			
MR. GOUDE		171		
JOSEPH CROSBY				
MR. BRYAN	171			
MR. GOUDE		174		
ALMINA WILSON				
MR. GOUDE	182			
MR. BRYAN		189		
OMEGA WILSON				
MR. GOUDE	197			255
MR. BRYAN		221		256

INDEX (CONTINUED)

<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RE CROSS</u>
ROGER STEWART				
MR. GOUDE	261			
MR. BRYAN		26		
CLARA DALE DAVIS				
MR. GOUDE	197			248
MR. BRYAN		221		252
LAHOMA WILSON				
MR. GOUDE	261			
MR. BRYAN		26		
VOIR DIRE				5
JURY SELECTION				14
DEFENSE MOTION TO DISCLOSE PROSECUTION				23
WITNESS STATEMENTS				23
DEFENSE MOTION TO PRODUCE CRIMINAL RECORDS				23
OF PROSECUTION WITNESSES				24
DEFENSE MOTION IN LIMINE				24
DEFENSE MOTION TO DISMISS KIDNAPPING, POSSESSION OF				24
WEAPON DURING A VIOLENT CRIME, CRIMINAL DOMESTIC				
VIOLENCE, BURGLARY				
DEFENDANT'S MOTION TO RELIEVE ATTORNEY				27
OPENING STATEMENT BY STATE				48
OPENING STATEMENT BY DEFENSE				53
DEFENSE MOTION FOR MISTRIAL				67
DEFENSE MOTION FOR DIRECTED VERDICT				175/304
CLOSING ARGUMENT BY DEFENSE				305
CLOSING ARGUMENT BY STATE				355
JURY CHARGE				371
ALLEN CHARGE				392
VERDICT				392
DEFENSE MOTION FOR NEW TRIAL				397
SENTENCE				397
CERTIFICATE OF REPORTER				407

<u>NO.</u>	<u>DESCRIPTION</u>	<u>EXHIBITS</u>	<u>ID.</u>	<u>EV.</u>
S-1	PHOTOGRAPH OF VICTIM'S FACE		23	95
S-2	PHOTOGRAPH OF VICTIM'S FACE		22	95
S-3	PHOTOGRAPH OF VICTIM'S FACE		22	95
S-4	PHOTOGRAPH OF LEFT NECK		22	96
S-5	PHOTOGRAPH OF RIGHT NECK		22	97
S-6	PHOTOGRAPH OF VEHICLE		23	82
S-7	PHOTOGRAPH (ENTERED AS DEF. EXHIBIT 3)		23	
S-8	KNIFE IN SEALED CLEAR EVIDENCE BAG		78	284
D-1	CALENDAR		97	98
D-2	GEORGETOWN CITY MAP		98	99
D-3	PHOTOGRAPH OF VEHICLE		99	99
D-4	SIX COLOR PHOTOGRAPHS ON BOARD IDENTIFIED AS A, B, C, D, E, F		99	107
D-5	PHOTOGRAPH ON BOARD		99	107
D-6	FILE INQUIRY AUDITOR'S OFFICE		107	118
D-7	FOUR PHOTOGRAPH'S ON BOARD IDENTIFIED AS A, B, C, D		117	118
D-8	THREE PHOTOGRAPHS ON BOARD IDENTIFIED AS A, B, C		117	118
C-1	QUESTION FROM JURY: WE WOULD LIKE A COPY OF THE STATUTES, PLEASE		391	
C-2	NOTE FROM JURY: NEVER MIND PREVIOUS REQUEST		391	
C-3	NOTE FROM JURY: WE WOULD LIKE A COPY OF THE STATUE FOR KIDNAPPING		391	
C-4	COPY OF KIDNAPPING STATUTE 16-3-910		391	
C-5	NOTE FROM JURY: WE CANNOT COME TO A DECISION ON THE KIDNAPPING CHARGE. WHAT DO WE DO?		395	

VOIR DIRE

5

1 THE COURT: CALL OUR FIRST CASE FOR TRIAL.
2 MR. BRYAN: THANK YOU, YOUR HONOR, IF IT PLEASE
3 THE COURT THE STATE CALLS STATE V. ROBERT WILSON INDICTMENT
4 07-GS-22-739 FOR BURGLARY IN THE FIRST DEGREE,
5 740 KIDNAPPING,
6 737 FOR AGGRAVATED CRIMINAL DOMESTIC VIOLENCE,
7 AND 07-GS-22-738 CHARGING RONNIE WILSON WITH
8 POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT
9 CRIME.

10 THOSE INDICTMENTS WERE ALL TRUE BILLED BY THE
11 GEORGETOWN COUNTY GRAND JURY ON JULY THE 18TH, 2007.

12 THE COURT: ALL RIGHT, LADIES AND GENTLEMEN, IF
13 I COULD HAVE YOUR ATTENTION, PLEASE, WE HAVE SOME
14 ADDITIONAL QUESTIONS TO POSE TO YOU AT THIS TIME AND MORE
15 CASE SPECIFIC.

16 ANYBODY ON THE PANEL RELATED BY BLOOD, CONNECTED
17 BY MARRIAGE, OR HAVE ANY BUSINESS, SOCIAL, RELIGIOUS OR
18 PATERNAL RELATIONSHIP OR AFFILIATION WITH ANY OF THE
19 FOLLOWING INDIVIDUALS:

20 RONNIE WILSON;
21 OFFICER WILLIE TISDALE;
22 OFFICE BRYAN PICARD;
23 INVESTIGATOR GLEN KUFEN, THAT'S K-U-F-E-N;
24 DEPUTY TIFFANY KINLOCH;
25 DEPUTY DARRYL WASHINGTON;
26 FELITA GRAHAM;

VOIR DIRE

6

1 QUEEN GRANT;
2 DR. JOSEPH GAMMEL;
3 JOE CROSBY.
4 YOU MAY HAVE TO HELP ME ON THIS, IS THAT ALMITA
5 WILSON?
6 MR. GOUDE: ALMINA, YOUR HONOR.
7 THE COURT: ALMINA WILSON;
8 OMEGA WILSON;
9 ROGER STEWART;
10 THE RECORDS CUSTODIAN OUT AT THE GEORGETOWN
11 HOUSING AUTHORITY;
12 THE RECORDS CUSTODIAN AT THE DEPARTMENT OF MOTOR
13 VEHICLES;
14 THE RECORDS CUSTODIAN AT THE GEORGETOWN AUDITORS
15 OFFICE;
16 THE RECORDS CUSTODIAN AT WEDDING AND THINGS OF
17 GEORGETOWN, SOUTH CAROLINA;
18 IS THAT CLARA?
19 MR. GOUDE: YES, YOUR HONOR.
20 THE COURT: CLARA DALE DAVIS, IF SO WE NEED YOU
21 TO STAND AT THIS TIME AND EXPLAIN WHAT THAT RELATIONSHIP
22 MAY BE?
23 JURY PANEL MEMBER: I'M JUROR 46, I'M RELATED TO
24 QUEEN GRANT AND ALSO A CHURCH MEMBER, I GO TO CHURCH WITH
25 THE MOTHER ALMINA WILSON.

VOIR DIRE

7

1 THE COURT: ALL RIGHT, THANK YOU, MA'AM.

2 MR. BRYAN: YOUR HONOR, DR. GAMMEL.

3 THE COURT: ALL RIGHT, DR. GAMMEL WILL BE
4 PROTECTED ON THIS CASE.

5 JURY PANEL MEMBER: I'M JUROR 32 AND THAT'S MY
6 FAMILY SITTING OVER THERE.

7 THE COURT: ALL RIGHT, WHO ARE YOU RELATED TO?

8 JURY PANEL MEMBER: THE WILSON'S.

9 THE COURT: ALL RIGHT, THANK YOU, ANYONE ELSE?

10 (NO RESPONSE.)

11 ANYBODY ON THE PANEL HAVE ANY PERSONAL KNOWLEDGE
12 OR FORMED ANY OPINION ABOUT THIS CASE OR ANY FACTS, ALLEGED
13 FACTS IN THE CASE, IF SO WE NEED YOU TO STAND AT THIS TIME
14 AND DON'T MAKE ANY COMMENT?

15 (NO RESPONSE.)

16 ANY MEMBER OF THE VENIRE, THAT MEANS THE PANEL,
17 OR ANY MEMBER OF YOUR FAMILY NOW OR FORMERLY A LAW
18 ENFORCEMENT OFFICER OR SECURITY GUARD?

19 JURY PANEL MEMBER: JUROR 107. MY SON'S A
20 SERGEANT IN WINSTON SALEM, NORTH CAROLINA, POLICE
21 DEPARTMENT.

22 THE COURT: THANK YOU, SIR.

23 JURY PANEL MEMBER: JUROR NUMBER 11. MY BROTHER
24 IS A DEPUTY SHERIFF.

25 THE COURT: FOR?

VOIR DIRE

8

1 JURY PANEL MEMBER: THE STATE OF MICHIGAN.

2 THE COURT: MICHIGAN, THANK YOU, SIR.

3 JURY PANEL MEMBER: JUROR NUMBER 30 MIRIAM

4 DANIELS, MY SON IN LAW IS A DEPUTY SHERIFF IN NORTH

5 CAROLINA, WADE COUNTY.

6 THE COURT: THANK YOU -- YES, SIR?

7 JURY PANEL MEMBER: JUROR 36, MY BROTHER IN LAW

8 IS A NEW YORK STATE TROOPER.

9 THE COURT: THANK YOU, SIR.

10 JURY PANEL MEMBER: JUROR 116, MY SON IN LAW IS

11 A DETECTIVE WITH THE MOUNT PLEASANT POLICE DEPARTMENT.

12 THE COURT: THANK YOU.

13 JURY PANEL MEMBER: JUROR NUMBER 55, I HAVE SIX

14 COUSINS WHO WORK IN LAW ENFORCEMENT IN NEW JERSEY AND MY

15 HUSBAND'S COUSIN IS A NEW YORK STATE TROOPER.

16 MR. GOUDE: WHAT'S THE JUROR'S NUMBER?

17 THE COURT: WE NEED YOUR NUMBER, PLEASE MA'AM?

18 JURY PANEL MEMBER: 55.

19 THE COURT: 55. YES, MA'AM?

20 JURY PANEL MEMBER: JUROR NUMBER 52, MY HUSBAND

21 IS A LIEUTENANT WITH THE SHERIFF'S DEPARTMENT IN GEORGETOWN

22 COUNTY.

23 THE COURT: WHAT IS HIS NAME?

24 JURY PANEL MEMBER: MATTHEW GRAYSON.

25 THE COURT: IS HE INVOLVED IN THIS CASE,

VOIR DIRE

9

1 SOLICITOR?

2 MR. BRYAN: NO, SIR, YOUR HONOR.

3 THE COURT: ALL RIGHT, THANK YOU. YES, SIR?

4 JURY PANEL MEMBER: JUROR NUMBER 41, MY BROTHER
5 IN LAW IS WITH THE ATF.

6 MR. BRYAN: GOT ONE MORE, YOUR HONOR.

7 THE COURT: YES, MA'AM?

8 JURY PANEL MEMBER: I'M JUROR 5, FORMERLY WAS
9 COMMISSIONED FOR THE STATE OF MISSOURI.

10 THE COURT: THANK YOU.

11 MADAM CLERK: WE NEED THE JUROR NUMBER FOR THE
12 COURT REPORTER.

13 THE COURT: WE NEED YOUR NUMBER, PLEASE?

14 JURY PANEL MEMBER: 5.

15 THE COURT: AND WHAT RELATIONSHIP WAS HE TO YOU
16 OR IS HE TO YOU?

17 JURY PANEL MEMBER: I'M SORRY, THE QUESTION WAS,
18 WAS ANYONE EVER A COMMISSIONED OFFICER --

19 THE COURT: WHO DID YOU SAY IT WAS, MA'AM?

20 JURY PANEL MEMBER: I WAS, I'M SORRY, MAYBE I
21 MISUNDERSTOOD.

22 THE COURT: THE PART YOU SAID SOMETHING ABOUT A
23 PARTNER?

24 JURY PANEL MEMBER: I'M SORRY, I THOUGHT YOU HAD
25 ASKED WAS ANYONE EVER IN LAW ENFORCEMENT.

VOIR DIRE

10

1 THE COURT: YOU WERE?

2 JURY PANEL MEMBER: WITH NO RELATIONSHIP TO ANY
3 ONE ELSE.

4 THE COURT: OKAY, ANY MEMBER OF THE PANEL OR
5 HAVE AN IMMEDIATE FAMILY THAT IS NOW OR FORMERLY A MEMBER
6 OF ANY ORGANIZATIONS SUCH AS MADD, SADD, CAVE, CITIZENS
7 AGAINST SPOUSE ABUSE, OR ANY SIMILAR TYPE ORGANIZATIONS OR
8 ANY POLICE AUXILIARY TYPE ORGANIZATIONS?

9 (NO RESPONSE.)

10 ANYBODY ON THE PANEL OR HAVE AN IMMEDIATE FAMILY
11 MEMBER THAT'S BEEN THE VICTIM OF A ROBBERY OR OTHER VIOLENT
12 CRIME, IF SO WE NEED YOU TELL US ABOUT THAT?

13 YES, MA'AM?

14 JURY PANEL MEMBER: JUROR NUMBER 30, MIRIAM
15 DANIELS, MY SISTER IN LAW WAS MURDERED.

16 THE COURT: THANK YOU -- YES, MA'AM?

17 JURY PANEL MEMBER: JUROR NUMBER 103 AND I HAVE
18 A COUSIN WHO WAS MURDERED.

19 THE COURT: THANK YOU -- YES, SIR?

20 JURY PANEL MEMBER: JUROR NUMBER 1, I HAD AN
21 UNCLE THAT WAS MURDERED.

22 JURY PANEL MEMBER: JUROR NUMBER 42, MY SON IN
23 LAW WAS MURDERED.

24 THE COURT: YES, MA'AM?

25 JURY PANEL MEMBER: JUROR NUMBER 116, WE HAD A

VOIR DIRE

11

1 HOME BREAK IN IN PAWLEYS ISLAND LAST YEAR.

2 JURY PANEL MEMBER: JUROR NUMBER 109, MY
3 HUSBAND'S BUSINESS WAS BROKE INTO TWICE THIS YEAR.

4 JURY PANEL MEMBER: JUROR NUMBER 10, A VICTIM OF
5 BURGLARY.

6 JURY PANEL MEMBER: JUROR NUMBER 15, MY HOUSE
7 WAS ROBBED THE STATE OF OHIO IN 1976.

8 THE COURT: AND YOU ARE JUROR 116.

9 MR. GOUDE: WHAT WAS THAT NUMBER?

10 JURY PANEL MEMBER: I'M JUROR 15.

11 THE COURT: 15, AND THE PREVIOUS ONE WE NEED
12 THAT NUMBER AGAIN?

13 JURY PANEL MEMBER: 10.

14 THE COURT: NUMBER 10 -- YES, MA'AM?

15 JURY PANEL MEMBER: I'M JUROR NUMBER 55, MY HOME
16 WAS BROKE INTO THE 1ST OF JULY,

17 THE COURT: YES, SIR?

18 JURY PANEL MEMBER: JUROR 122, MY HOME WAS
19 BURGLARIZED IN 2005 IN PAWLEYS ISLAND.

20 THE COURT: YES, SIR?

21 JURY PANEL MEMBER: JUROR 21, MY MOTHER WAS
22 ROBBED DOWN IN HONDURAS.

23 THE COURT: YES, MA'AM?

24 JURY PANEL MEMBER: MY HOME WAS BROKE IN IN WEST
25 VIRGINIA IN THE 80'S AND MY SON ALSO WAS ROBBED.

VOIR DIRE

12

1 JURY PANEL MEMBER: JUROR NUMBER 148, I HAD
2 THINGS STOLEN FROM ME FOUR TIMES IN THE PAST THREE YEARS IN
3 GEORGETOWN COUNTY.

4 MADAM COURT REPORTER: THE JUROR NUMBER OF THE
5 ONE BEFORE THIS LAST ONE.

6 THE COURT: THE ONE BEFORE THE LAST ONE WE NEED
7 THAT NUMBER AGAIN?

8 JURY PANEL MEMBER: 139.

9 THE COURT: YES, MA'AM, IN THE BACK?

10 JURY PANEL MEMBER: 130, MY NIECE WAS ROBBED.

11 THE COURT: ANYBODY ELSE?

12 (NO RESPONSE.)

13 THE COURT: I HAD A COUPLE OF JURORS THAT
14 STOOD UP AND SAID THAT IT WAS SOME RELATIONSHIP I'M A
15 LITTLE UNCLEAR BUT I'M GOING TO POSE THIS LAST QUESTION.
16 TO THOSE TWO THAT STOOD UP AND SAID THEY WERE RELATED TO
17 SOME OF THE FAMILIES THAT WERE ALLEGEDLY INVOLVED IF YOU
18 FEEL THAT YOU CANNOT BE A FAIR AND IMPARTIAL JUROR IN THIS
19 CASE FOR ANY REASON, I NEED YOU TO STEP UP, PLEASE, AND
20 DON'T MAKE ANY COMMENT OUT LOUD. I NEED TO TALK WITH YOU
21 UP HERE AT THE COURT REPORTER'S BOX. COUNSEL MAY APPROACH.

22 (WHEREUPON, A BENCH CONFERENCE WAS HELD ON THE
23 RECORD OUT OF THE HEARING OF THE JURY VENIRE.)

24 JUROR NUMBER 32: YES, SIR, WE ARE REAL CLOSE.
25 I DON'T WANT TO BE ON A CASE LIKE THAT.

JURY SELECTION

13

1 THE COURT: YOUR ARE 32?

2 JUROR NUMBER 32: YES, SIR.

3 THE COURT: 32, WILL BE EXCUSED, THANK YOU FOR
4 LETTING US KNOW. COME ON UP.

5 JUROR NUMBER 46: I'M EMMA GAMBLE. I'M RELATED
6 TO QUEENIE GRANT. SHE'S MY SECOND COUSIN AND I KNOW SHE'S
7 GOING TO TESTIFY.

8 THE COURT: YOU'RE RELATED TO QUEENIE GRANT?
9 OKAY. NUMBER 46 IS EXCUSED BUT WE NEED YOU TO STAY. WE
10 MAY NEED YOU ON THE NEXT CASE.

11 ANYONE ELSE?

12 (NO RESPONSE.)

13 IF YOU GOT A PROBLEM NOW LET'S HEAR IT NOW.
14 DON'T WAIT TILL YOU GET UP HERE AND WE'VE ALREADY SEATED A
15 JURY AND THEN YOU START TELLING ME YOU GOT A PROBLEM.

16 OKAY, ANY ADDITIONAL INQUIRIES FROM THE STATE OR
17 THE DEFENSE?

18 MR. BRYAN: NONE, YOUR HONOR.

19 MR. GOUDE: NO, SIR.

20 MADAM CLERK: I NEED YOU TO, I NEED YOU TO BRING
21 YOUR BELONGINGS WITH YOU AND COME AND STAND RIGHT HERE AND
22 FACE JUST LIKE I'M FACING AND UNTIL IT'S DETERMINED WHETHER
23 YOU WILL TAKE A SEAT IN THE JURY BOX OR RETURN TO YOUR
24 SEAT, OKAY. MADAM CLERK.

25 JUROR NUMBER 5, LINDA BECKMAN.

JURY SELECTION

14

1 WHAT SAYS THE STATE?
2 MR. BRYAN: PLEASE PRESENT MS. BECKMAN.
3 MADAM CLERK: WHAT SAYS THE DEFENSE?
4 MR. GOUDE: EXCUSE THE JUROR.
5 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.
6 JUROR NUMBER 63, TRACI HESSLER.
7 WHAT SAYS THE STATE?
8 MR. BRYAN: PLEASE PRESENT MS. HESSLER.
9 MADAM CLERK: WHAT SAYS THE DEFENSE?
10 MR. GOUDE: EXCUSE THE JUROR.
11 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.
12 JUROR NUMBER 16, CHARLIE MAE CARTER.
13 WHAT SAYS THE STATE?
14 MR. BRYAN: PLEASE PRESENT MS. CARTER.
15 MADAM CLERK: WHAT SAYS THE DEFENSE?
16 MR. GOUDE: EXCUSE THE JUROR.
17 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.
18 JUROR NUMBER 134, FRANKLIN THOMPSON.
19 WHAT SAYS THE STATE?
20 MR. BRYAN: PLEASE PRESENT MR. THOMPSON.
21 MADAM CLERK: WHAT SAYS THE DEFENSE?
22 MR. GOUDE: EXCUSE THE JUROR.
23 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.
24 JUROR NUMBER 66, STEPHANIE HOLLARS.
25 WHAT SAYS THE STATE?

JURY SELECTION

15

1 MR. BRYAN: PLEASE PRESENT MS. HOLLARS.
2 MADAM CLERK: WHAT SAYS THE DEFENSE?
3 MR. GOUDE: SWEAR THE JUROR.
4 MADAM CLERK: PLEASE TAKE A SEAT IN THE JURY
5 BOX.
6 JUROR NUMBER 24, ZONDA COX.
7 WHAT SAYS THE STATE?
8 MR. BRYAN: PLEASE PRESENT MS. COX.
9 MADAM CLERK: WHAT SAYS THE DEFENSE?
10 MR. GOUDE: EXCUSE THE JUROR.
11 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.
12 JUROR NUMBER 150, VAN WRIGHT.
13 WHAT SAYS THE STATE?
14 MR. BRYAN: PLEASE PRESENT MR. WRIGHT.
15 MADAM CLERK: WHAT SAYS THE DEFENSE?
16 MR. GOUDE: EXCUSE THE JUROR.
17 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.
18 JUROR NUMBER 42, JERRY FORE, JR.
19 WHAT SAYS THE STATE?
20 MR. BRYAN: PLEASE EXCUSE MR. FORE FROM THE
21 TRIAL OF THIS CASE.
22 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.
23 JUROR NUMBER 97, ELLEN MILLER.
24 WHAT SAYS THE STATE?
25 MR. BRYAN: PLEASE PRESENT MS. MILLER.

JURY SELECTION

16

1 MADAM CLERK: WHAT SAYS THE DEFENSE?

2 MR. GOUDE: YOUR HONOR, WE'D ASK TO EXCUSE MS.

3 MILLER FOR CAUSE ON THE GROUNDS SHE STATED EARLIER.

4 THE COURT: GRANTED.

5 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.

6 JUROR NUMBER 76, SAMUEL JOHNSON.

7 WHAT SAYS THE STATE?

8 MR. BRYAN: PLEASE PRESENT MR. JOHNSON.

9 MADAM CLERK: WHAT SAYS THE DEFENSE?

10 MR. GOUDE: EXCUSE THE JUROR.

11 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.

12 JUROR NUMBER 103, CATHERINE NICELY.

13 WHAT SAYS THE STATE?

14 MR. BRYAN: PLEASE EXCUSE MS. NICELY FROM THE
15 TRIAL OF THIS CASE.

16 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.

17 JUROR NUMBER 131, STEVE TADLOCK.

18 WHAT SAYS THE STATE?

19 MR. BRYAN: MADAM CLERK, WHAT WAS THE NUMBER?

20 MADAM CLERK: 131.

21 WHAT SAYS THE STATE?

22 MR. BRYAN: PLEASE PRESENT THE JUROR.

23 MADAM CLERK: WHAT SAYS THE DEFENSE?

24 MR. GOUDE: EXCUSE THE JUROR.

25 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.

JURY SELECTION

17

1 JUROR NUMBER 39, DAVID FISHER.
2 WHAT SAYS THE STATE?
3 MR. BRYAN: PLEASE PRESENT MR. FISHER.
4 MADAM CLERK: WHAT SAYS THE DEFENSE?
5 MR. GOUDE: SWEAR THE JUROR.
6 MADAM CLERK: PLEASE TAKE A SEAT IN THE JURY
7 BOX.
8 JUROR NUMBER 33, BIRLEAN DEASE.
9 WHAT SAYS THE STATE?
10 MR. BRYAN: PLEASE PRESENT MS. DEASE.
11 MADAM CLERK: WHAT SAYS THE DEFENSE?
12 MR. GOUDE: EXCUSE THE JUROR.
13 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.
14 JUROR NUMBER 109, LISA RAY.
15 WHAT SAYS THE STATE?
16 MR. BRYAN: PLEASE PRESENT MS. RAY.
17 MADAM CLERK: WHAT SAYS THE DEFENSE?
18 MR. GOUDE: EXCUSE THE JUROR.
19 MADAM CLERK: JUROR NUMBER 122, WILLIAM
20 SKILLMAN.
21 WHAT SAYS THE STATE?
22 MR. BRYAN: PLEASE PRESENT THE JUROR.
23 MADAM CLERK: WHAT SAYS THE DEFENSE?
24 MR. GOUDE: SWEAR THE JUROR.
25 MADAM CLERK: TAKE A SEAT IN THE JURY BOX.

JURY SELECTION

18

1 JUROR NUMBER 26, RICHARD CULBERTSON, JR.
2 WHAT SAYS THE STATE?
3 MR. BRYAN: PLEASE PRESENT MR. CULBERTSON.
4 MADAM CLERK: WHAT SAYS THE DEFENSE?
5 MR. GOUDE: SWEAR THE JUROR.
6 MADAM CLERK: PLEASE TAKE A SEAT IN THE JURY
7 BOX.
8 JUROR 144, AUSTINN WILLIAMS.
9 WHAT SAYS THE STATE?
10 MR. BRYAN: PLEASE PRESENT MR. WILLIAMS.
11 MADAM CLERK: WHAT SAYS THE DEFENSE?
12 MR. GOUDE: SWEAR THE JUROR.
13 MADAM CLERK: PLEASE TAKE A SEAT IN THE JURY
14 BOX.
15 JUROR NUMBER 41, JOHN FORBES.
16 WHAT SAYS THE STATE?
17 MR. BRYAN: PLEASE PRESENT MR. FORBES.
18 MADAM CLERK: WHAT SAYS THE DEFENSE?
19 MR. GOUDE: SWEAR THE JUROR.
20 MADAM CLERK: PLEASE TAKE A SEAT IN THE JURY
21 BOX.
22 JUROR NUMBER 52, GERMERIAL GRAYSON.
23 WHAT SAYS THE STATE?
24 MR. BRYAN: PLEASE PRESENT MS. GRAYSON.
25 MADAM CLERK: WHAT SAYS THE DEFENSE?

JURY SELECTION

19

1 MR. GOUDE: SWEAR THE JUROR.
2 MADAM CLERK: PLEASE TAKE A SEAT IN THE JURY
3 BOX.
4 JUROR NUMBER 36, STEVEN DUNKLE.
5 WHAT SAYS THE STATE?
6 MR. BRYAN: PLEASE PRESENT MR. DUNKLE.
7 MADAM CLERK: WHAT SAYS THE DEFENSE?
8 MR. GOUDE: SWEAR THE JUROR.
9 MADAM CLERK: PLEASE TAKE A SEAT IN THE JURY
10 BOX.
11 JUROR NUMBER 23, RUTH COX.
12 WHAT SAYS THE STATE?
13 MR. BRYAN: PLEASE PRESENT MS. COX.
14 MADAM CLERK: WHAT SAYS THE DEFENSE?
15 MR. GOUDE: SWEAR THE JUROR.
16 MADAM CLERK: PLEASE TAKE A SEAT IN THE JURY
17 BOX.
18 JUROR NUMBER 139, NANCY VALENTINE.
19 WHAT SAYS THE STATE?
20 MR. BRYAN: PLEASE EXCUSE THE JUROR FROM THE
21 TRIAL OF THIS CASE.
22 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.
23 JUROR NUMBER 124, JANET SMITH.
24 WHAT SAYS THE STATE?
25 MR. BRYAN: I'M SORRY, WHAT WAS THE NUMBER,

JURY SELECTION

20

1 MADAM CLERK?

2 MADAM CLERK: 124.

3 WHAT SAYS THE STATE?

4 MR. BRYAN: PLEASE PRESENT MS. SMITH.

5 MADAM CLERK: WHAT SAYS THE DEFENSE?

6 MR. GOUDE: SWEAR THE JUROR.

7 MADAM CLERK: PLEASE TAKE A SEAT IN THE JURY

8 BOX.

9 JUROR NUMBER 107, LLOYD PETERSON.

10 WHAT SAYS THE STATE?

11 MR. BRYAN: PLEASE PRESENT MR. PETERSON.

12 MADAM CLERK: WHAT SAYS THE DEFENSE?

13 MR. GOUDE: SWEAR THE JUROR.

14 MADAM CLERK: PLEASE TAKE A SEAT IN THE JURY

15 BOX.

16 JUROR NUMBER 148, KENNETH WOOD.

17 WHAT SAYS THE STATE?

18 MR. BRYAN: PLEASE EXCUSE MR. WOOD FROM THE

19 TRIAL OF THIS CASE.

20 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.

21 JUROR NUMBER 21, MARK COLLINS.

22 WHAT SAYS THE STATE?

23 MR. BRYAN: PLEASE PRESENT MR. COLLINS.

24 MADAM CLERK: WHAT SAYS THE DEFENSE?

25 MR. GOUDE: SWEAR THE JUROR.

JURY SELECTION

21

1 MADAM CLERK: PLEASE TAKE A SEAT IN THE JURY
2 BOX.

3 ONE OR TWO?

4 THE COURT: LET'S GET TWO.

5 MADAM CLERK: ALL RIGHT, THE FIRST ALTERNATE
6 JUROR NUMBER 2, STEPHEN ATKISSON.

7 WHAT SAYS THE STATE?

8 MR. BRYAN: PLEASE PRESENT MR. ATKISSON.

9 MADAM CLERK: WHAT SAYS THE DEFENSE?

10 MR. GOUDE: SWEAR THE JUROR.

11 MADAM CLERK: PLEASE TAKE A SEAT IN THE JURY
12 BOX.

13 ALTERNATE NUMBER 2, JUROR NUMBER 55, MELISSA
14 GROSSI.

15 WHAT SAYS THE STATE?

16 MR. BRYAN: PLEASE EXCUSE MS. GROSSI FROM THE
17 TRIAL OF THIS CASE.

18 MADAM CLERK: YOU MAY RETURN TO YOUR SEAT.
19 JUROR NUMBER 30, MIRIAM DANIELS.

20 THE COURT: I'VE ALREADY, SHE'S EXCUSED.

21 MADAM CLERK: OKAY, JUROR NUMBER 45, JANET
22 FRITZ.

23 WHAT SAYS THE STATE?

24 MR. BRYAN: PLEASE PRESENT MS. FRITZ.

25 MADAM CLERK: WHAT SAYS THE DEFENSE?

DEFENSE MOTIONS

22

1 MR. GOUDE: SWEAR THE JUROR.

2 MADAM CLERK: PLEASE TAKE A SEAT IN THE JURY
3 BOX.

4 THE COURT: ANY MATTERS OR ISSUES CONCERNING THE
5 JURY STRIKES, THE STATE OR DEFENSE?

6 MR. BRYAN: NONE FROM THE STATE, YOUR HONOR.

7 MR. GOUDE: NONE FROM THE DEFENDANT, YOUR HONOR.

8 THE COURT: WE STILL WANT TO SEAT THE OTHER
9 JURY?

10 MR. BRYAN: YES, SIR, YOUR HONOR.

11 THE COURT: OKAY, LADIES AND GENTLEMEN OF THIS
12 JURY, WE'RE GOING TO EXCUSE YOU AT THIS TIME BUT I DO NEED
13 TO INSTRUCT YOU ON SEVERAL MATTERS. DO NOT DISCUSS THIS
14 CASE WITH ANYONE; DON'T LET ANYBODY APPROACH YOU AND
15 DISCUSS THIS CASE.

16 YA'LL GO AHEAD TO LUNCH AT THIS TIME. I NEED YOU
17 BACK IN THE JURY ROOM AT 2:20, 2:20. IF YOU'LL FOLLOW MR.
18 BAILIFF OUT HE'LL SHOW YOU WHERE TO REPORT AT 2:20.

19 (WHEREUPON, THE JURY WAS EXCUSED FOR LUNCH AT
20 12:29 P.M. AND THE FOLLOWING TAKES PLACE ON THE RECORD.)

21 THE COURT: LET'S GO AHEAD AND TAKE CARE OF THE
22 OTHER JURY AND WE'LL TAKE CARE OF THE OTHER MATTERS AFTER
23 THAT.

24 (WHEREUPON, STATE'S EXHIBIT NUMBER 1, 2, 3, 4, 5,
25 6, 7 MARKED FOR IDENTIFICATION.)

DEFENSE MOTIONS

23

1 MR. BRYAN: MADAM COURT REPORTER HAS TO FINISH
2 MARKING THE EXHIBITS, I'M SORRY.

3 I WOULD ASK DEFENSE COUNSEL THE DATE OF BIRTH AND
4 THE SOCIAL SECURITY NUMBER OF HIS MAIN WITNESSES.

5 MR. GOUDE: I'VE GOT THAT HERE.

6 MR. BRYAN: I'VE GOT WHAT I REQUESTED, YOUR
7 HONOR, SO I DON'T HAVE ANY PRETRIAL MOTIONS AND I'M READY
8 WHENEVER DEFENSE COUNSEL IS.

9 THE COURT: MR. GOUDE, ANYTHING BEFORE WE GET
10 STARTED?

11 MR. GOUDE: JUDGE, I DO MAKE A MOTION FOR
12 DISCLOSURE OF ALL PROSECUTION WITNESS STATEMENTS AND IF ANY
13 OF THOSE HAVE NOT BEEN GIVEN TO ME I MAKE A MOTION THAT
14 THOSE BE GIVEN TO ME NOW.

15 MR. BRYAN: I BELIEVE THAT'S BEEN PROVIDED.
16 I'VE GOT A AUDIO VIDEO RECORDED STATEMENT OF THE VICTIM,
17 YOU GOT THAT?

18 MR. GOUDE: GOT THAT.

19 MR. BRYAN: THAT'S ALL THAT'S IN MY POSSESSION
20 AS FAR AS PROSECUTION WITNESS STATEMENTS. IT'S ALL I, IN
21 MY POSSESSION AND ALL I'M AWARE OF.

22 MR. GOUDE: SECONDLY, JUDGE, WE WOULD MAKE A
23 MOTION THAT THE PROSECUTION PRODUCE US ANY CRIMINAL RECORDS
24 OF ANY PROSECUTION WITNESSES ESPECIALLY THE PROSECUTRIX
25 FELITA GRAHAM AND, SECONDLY THE PROSECUTRIX MOTHER QUEENIE

DEFENSE MOTIONS

24

1 GRANT.

2 MR. BRYAN: I DON'T HAVE ANY OPPOSITION TO THAT,
3 YOUR HONOR. I JUST HAVE TO GET THEIR DATE OF BIRTH AND
4 SOCIAL AND RUN IT AND WE'LL GIVE IT TO THEM AS SOON AS WE
5 CAN DO IT.

6 MR. GOUDE: JUDGE, WE HAVE A MOTION IN LIMINE TO
7 MAKE SURE THAT NO PROSECUTION WITNESS TESTIFY REGARDING OR
8 PRODUCE ANY EVIDENCE REGARDING ANY ALLEGED PHYSICAL ABUSE
9 BY MR. RONNIE WILSON AGAINST THE PROSECUTING WITNESS. THE
10 PROSECUTRIX FELITA GRAHAM IN THIS CASE IN HER VIDEO TAPED
11 STATEMENT ~~SHE SAID HE ASSAULTED HER IN JANUARY OR FEBRUARY~~
12 ~~OF 2004.~~ THERE'S NO POLICE REPORT, NO MEDICAL RECORDS OR
13 NOTHING BUT SHE SAID THAT ON HER VIDEO STATEMENT AND THAT
14 WAS THREE YEARS AND A HALF BEFORE THIS PRESENT INCIDENT SO
15 WE WOULD ASK THAT THEY MAKE NO MENTION OF THAT PRIOR
16 UNCHARGED MISCONDUCT.

17 MR. BRYAN: YOUR HONOR, JUST TO BE CLEAR TO MAKE
18 SURE I UNDERSTAND CORRECTLY THAT'S ON A ~~2004 INCIDENT~~
19 YOU'RE REFERENCING. I'VE SPOKEN TO MY VICTIM FELITA GRAHAM
20 PREVIOUSLY AND SHE'S, SHE UNDERSTANDS THAT THAT WOULD BE A
21 PRIOR BAD ACT WHICH COULD NOT BE ELICITED ON DIRECT
22 EXAMINATION.

23 THE COURT: VERY GOOD.

24 MR. GOUDE: A MOTION OF DISMISSAL OF THE CHARGES
25 ON THE GROUND THAT HE HAS A WARRANT FOR KIDNAPPING,

DEFENSE MOTIONS

25

1 J535319, DATED 5-10-07 THAT WAS NOT SIGNED BY THE ISSUING
2 MAGISTRATE, ROBERT HARRY O'DONALD, AND MR. WILSON'S
3 POSITION IS THAT IT'S AN UNSIGNED WARRANT SO HE WAS
4 ILLEGALLY ARRESTED AND FINED SINCE MAY THROUGH TODAY AND,
5 THEREFORE, THE CHARGE OF KIDNAPPING SHOULD BE DISMISSED
6 AGAINST HIM. I'LL HAND UP TO THE COURT AN UNSIGNED ARREST
7 WARRANT.

8 DEFENDANT WILSON: ALL OF THEM, ALL OF THEM.

9 MR. GOUDE: AND WE'LL MAKE THE SAME MOTION ON
10 THE POSSESSION OF A WEAPON DURING A VIOLENT CRIME WHICH I'M
11 HANDING UP WARRANT J535317 AND CRIMINAL DOMESTIC VIOLENCE
12 OF A HIGH AND AGGRAVATED NATURE J535314 AND BURGLARY IN THE
13 FIRST DEGREE WARRANT J535318.

14 THE COURT: ALL RIGHT, ALL THESE ARE DEFENDANT
15 COPIES?

16 MR. GOUDE: SIR?

17 MR. BRYAN: I'M SORRY, YOUR HONOR?

18 THE COURT: ALL THOSE ARE THE DEFENDANT COPIES,
19 WHO HAS THE ORIGINALS?

20 MR. BRYAN: YOUR HONOR, OUR POSITION ON THAT IS
21 AS YOU'RE AWARE ANY DEFECT IN THE WARRANT IS CURED BY THE
22 TRUE BILL BY THE GRAND JURY AND THE CHARGES THAT WE ARE
23 PROCEEDING TO TRIAL ON ARE ALL TRUE BILLED BY THE
24 GEORGETOWN COUNTY GRAND JURY ON 7-18 OF '07 AND, THEREFORE,
25 ANY FLAW IN THE WARRANT HAS BEEN CURED AND WE STAND READY

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

26

1 TO GO TO TRIAL.

2 THE COURT: I HAVE TO AGREE WITH THE STATE ON
3 THAT, THAT'S MY THOUGHT ON IT, TOO. BUT I WAS WONDERING
4 WHERE THE ORIGINALS, YOU KNOW, A LOT OF TIMES THE COPIES
5 ARE NOT SIGNED.

6 MR. BRYAN: I DON'T HAVE THE, I LOOKED IN THE
7 FILE, YOUR HONOR, BUT I, THE CLERK'S OFFICE, I ASSUME WOULD
8 HAVE THE ORIGINAL BUT I DIDN'T --

9 MR. GOUDE: MR. WILSON WANTED TO SAY THAT THOSE
10 WERE THE ORIGINAL ARREST WARRANTS, THAT THE JUDGE SIGNED
11 THE ORIGINAL WARRANT AND GAVE THE ORIGINAL WARRANT TO MR.
12 WILSON.

13 THE COURT: JUST FOR CURIOSITY SAKE WE'LL TAKE A
14 LOOK AT THE FILE BUT THE SOLICITOR IS CORRECT THE
15 INDICTMENT, ONCE THAT'S PASSED BY THE GRAND JURY TRUE
16 BILLED THAT ISSUE WOULD BE MOOT ANYWAY, SO I GUESS I NEED
17 TO SAY ON THE RECORD I DENY THE MOTION.

18 MR. GOUDE: ALL RIGHT, SIR.

19 THE COURT: LET THE RECORD REFLECT THAT I HAVE
20 THE ORIGINAL WARRANTS; THEY WERE SIGNED BY THE JUDGE,
21 COPIES WERE JUST CONFORMED.

22 MR. GOUDE: COULD WE SEE THOSE, JUDGE, SO MR.
23 WILSON CAN SEE THEM?

24 THE COURT: OKAY, LET'S MOVE ON TO SOMETHING
25 ELSE NOW, WE'RE NOT GOING TO ARGUE OVER THAT ISSUE.

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

27

1 MR. GOUDE: JUDGE, AT THIS TIME MR. WILSON WOULD
2 LIKE TO MAKE A MOTION HE BE ALLOWED TO PROCEED PRO SE ON
3 HIS OWN AND TO REPRESENT HIMSELF AND RELIEVE ME. HE WOULD
4 LIKE TO MAKE THAT MOTION NOW AND I'M MAKING IT FOR HIM AS
5 HIS SOUGHT TO BE RELIEVED OF ATTORNEY. MR. WILSON, WOULD
6 YOU LIKE TO STAND UP AND TELL THE JUDGE, YES, THAT'S YOUR
7 MOTION?

8 DEFENDANT WILSON: YOUR HONOR, I WOULD LIKE,
9 WHAT I WOULD LIKE BECAUSE I DIDN'T HAVE, I HAVE PUT IN A, I
10 HAVE TALKED TO MY LAWYER AND HAVE ASKED HIM IN THE LAST
11 MONTH, I HAVE BEEN ASKING HIM TO SEND ME THE MOTION OF
12 DISCOVERY AND I'VE TALKED WITH HIS LAWYER AND HIS LAWYER, I
13 MEAN HIS SECRETARY HAS BEEN TELLING ME OVER AND OVER AND
14 OVER THAT THEY WERE GOING TO SEND MY MOTION OF DISCOVERY SO
15 THAT I COULD LOOK IT OVER AND SO I'VE BEEN INCARCERATED
16 SINCE MAY THE 8TH AND I HAVEN'T HAD A CHANCE TO LOOK AT THE
17 MOTION OF DISCOVERY AND, AND MY LAWYER AND MY, AND HIS
18 SECRETARY WAS TELLING ME THIS OVER AND OVER AND OVER AGAIN
19 BUT THEY, THEY NEVER, THEY NEVER SEND ME ANY KIND OF
20 PACKET.

21 SO THE LITTLE BIT OF EXPERIENCE THAT I DO HAVE IN
22 TRIAL I, I WAS ASKING IF CAN ASSIST MY LAWYER, IF WE CAN
23 WORK TOGETHER AND AS FAR AS THE QUESTIONING THE VICTIM, AS
24 FAR AS TRYING TO, TO PROVE MY INNOCENCE AND TALKING TO THE
25 JURY AND AS FAR AS THE SOLICITOR'S NOT BRINGING UP MY

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

28

1 CRIMINAL HISTORY RECORD AND THIS IS WHAT I WAS TRYING TO
2 GET ACROSS TO MY LAWYER BECAUSE I FEEL THAT BECAUSE I
3 DIDN'T HAVE, I HAVE NOT HAD THE CHANCE TO REALLY SIT DOWN
4 WITH MY LAWYER AND TALK TO HIM ABOUT ANY TYPE OF DEFENSE
5 THAT WE, WE COULD USE IN THIS CASE AND BECAUSE I DIDN'T
6 HAVE THE MOTION OF DISCOVERY TO LOOK IT OVER OR ANYTHING
7 LIKE THAT I FEEL LIKE, I FEEL LIKE THAT THAT'S UNFAIR TO
8 ME, YOU KNOW. I FEEL LIKE THAT'S UNFAIR TO ME AND I
9 UNDERSTAND EVERYTHING THAT I'M GOING THROUGH BUT I WANT TO
10 BE TREATED FAIRLY SO I, I'VE ASKED HIM IF HE CAN, IF, IF
11 THERE'S ANYWAY THAT HE CAN GIVE ME A COPY OF EVERYTHING
12 THAT HE GOT AND I CAN GO BACK TO THE JAILHOUSE, CAUSE
13 THAT'S WHERE I'VE BEEN AT SINCE MAY THE 8TH. I CAN GO BACK
14 TO THE JAILHOUSE AND I CAN LOOK OVER WHAT HE HAS, WHAT,
15 WHAT, WHAT THE STATE GOT ON ME AND THEN I WOULD BE ABLE TO
16 COME UP WITH SOME QUESTIONING AS FAR AS THE STATEMENTS THAT
17 IS BEING USED AGAINST ME.

18 BY THAT WAY I WOULD BE ABLE TO COME BACK TO HIM
19 AND I COULD TALK TO HIM AND SAY, WELL LOOK, YOU KNOW, THESE
20 STATEMENTS, THESE STATEMENTS WE NEED TO, WE NEED TO
21 QUESTION THE VICTIM ON THESE STATEMENTS. WE NEED TO, YOU
22 KNOW WE NEED TO SET UP SOME KIND OF DEFENSE IN, IN, IN, IN
23 THIS CASE BECAUSE WE DON'T HAVE, ME AND THIS GUY, ME AND
24 MR. REUBEN DID NOT, WE DID NOT COME UP WITH ANY TYPE OF
25 DEFENSE AND IT'S JUST LIKE WALKING OFF THE STREET AND I'M

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

29

1 WALKING IN HERE IN A SUIT AND HE GOT ON HIS SUIT AND HE'S,
2 HE'S DEFENDING ME AND I DON'T EVEN, I DON'T EVEN KNOW HIS
3 CHARACTER JUST LIKE HE DON'T EVEN KNOW MY CHARACTER.

4 WE, WE RARELY KNOW EACH OTHER AND WE HAVEN'T EVEN
5 HAD AMPLE AMOUNT OF TIME TO TALK WITH EACH OTHER ABOUT THIS
6 CASE, YOU KNOW. THE ONLY THING HE CAME TO ME AND TOLD ME
7 SOLICITOR HAS OFFERED YOU 50 YEARS FOR THIS AND HE'S
8 OFFERED YOU 30 YEARS FOR THIS AND YOU GET FOUND GUILTY ON
9 ALL THESE CHARGES YOU GOING TO GET LIFE SENTENCE AND I'M
10 TRYING TO GET BACK HOME TO MY LITTLE DAUGHTER. THAT'S WHAT
11 I'M TRYING TO GET HOME TO BECAUSE I BEEN SITTING, I BEEN
12 SITTING IN THE COUNTY JAIL NOW FROM MAY THE 8TH WHICH YOU
13 CAN SEE THE ODDS ARE AGAINST ME AND SO BECAUSE THE ODDS ARE
14 AGAINST ME MY ONLY TRUST IS IN THE WILL OF GOD AND SO GOD
15 IS THE BEST HELPER FOR ME. SO I'M TRYING TO DO THIS THING
16 THE PROPER WAY BECAUSE THERE'S A PROPER WAY TO DO
17 EVERYTHING AND NOW HERE I'M GETTING A BUNCH OF FLAK SAYING
18 WELL YOU CAN'T DO THIS AND YOU CAN'T DO THIS AND YOU'RE
19 GOING TO GET THIS.

20 I HAVEN'T EVEN ASKED MY LAWYER TO MENTION A DEAL
21 TO THE SOLICITOR, YOU KNOW, ABOUT THE CHARGES OF ALL THE
22 CHARGES BECAUSE, YOU KNOW, TO ME IT'S, IT'S, IT'S
23 REDUNDANT. THE CHARGES IS PREPOSTEROUS, REALLY WHEN YOU
24 THINK ABOUT WHAT REALLY HAD HAPPENED AND SO I WASN'T EVEN
25 TRYING TO MAKE A DEAL WITH THE SOLICITOR AND HE'S NOT EVEN

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

30

1 TRYING TO HEAR WHAT I'M TRYING TO SAY SO HE WANT, HE WANT
2 TO GO TO WAR. HE WANT TO GO TO, HE WANTED ME TO COME IN,
3 COME IN HERE AND, AND MAKE ME LOOK LIKE I DON'T KNOW WHAT
4 I'M TALKING ABOUT, I'M STUPID, I'M IGNORANT, I'M CRAZY, AND
5 I'M NOT TRYING TO FEEL, YOU KNOW, THAT TYPE OF ATTITUDE OUT
6 OF THESE, THESE YOUNG MAN WHO WORK FOR THE STATE BECAUSE I
7 FEEL I'M A CITIZEN, I'M HUMAN, AND I'M NOT GUILTY UNTIL
8 PROVEN GUILTY AND I'M A INNOCENT MAN AND I FEEL LIKE I
9 DESERVE TO HAVE MY RIGHTS DONE TO ME AND GIVEN TO ME
10 PROPERLY AS FAR AS DUE PROCESS OF LAW AND EX FACTO LAW ALL
11 OF THIS GOOD STUFF THAT, YOU KNOW, THE CONSTITUTION AND,
12 YOU KNOW, LEGISLATURE, JUDICIAL BRANCH, ALL THIS STUFF THAT
13 THEY HAVE GIVEN US.

14 I FEEL LIKE I'M BEING, I FEEL LIKE I'M BEING, YOU
15 KNOW, YOU KNOW, WHAT WE CALL IN SO MANY WORDS BAMBOOZLED
16 AND I'M NOT TRYING TO BE BAMBOOZLED. IF THEY WANT TO GO TO
17 TRIAL I DON'T MIND GOING TO TRIAL WITH THEM BUT, YOU KNOW,
18 TO ME GIVE ME A FAIR CHANCE TO TRY TO DEFEND MYSELF AS FAR
19 THE LEGAL, THE LEGAL, THE LEGALITY OF THE PAPERS CONCERN
20 AND EVERYTHING LIKE THAT AND THE PROCESS THAT NEEDS TO BE
21 DONE AND LET ME AND MR. REUBEN GOUDE SIT DOWN AND TALK LIKE
22 TWO PEOPLE LIKE WE'RE SUPPOSED TO TALK AND, AND COME IN
23 HERE AND GIVE, GIVE MR. BEAU BRYAN WHAT HE'S LOOKING FOR.
24 YOU KNOW, I DON'T MIND GOING THROUGH THAT WITH HIM, YOU
25 KNOW, BUT AS FAR AS I'M CONCERNED RIGHT NOW, HEY, I'M JUST

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

31

1 PUTTING THE PIECES TOGETHER.

2 I MEAN HE GOT, YOU GOT TO LOOK AT IT LIKE THIS,
3 YOUR HONOR. HE'S GOT MY BABY MOTHER OVER THERE AND HE'S
4 TRYING TO PROSECUTE ME AND WE GOT, WE GOT A DAUGHTER
5 TOGETHER. HE'S TRYING TO PROSECUTE ME. HE'S TRYING TO
6 SEPARATE ME FROM MY BABY MOTHER AND MY BABY FOR A PERIOD OF
7 50 YEARS, FOR A LIFE TIME. THIS IS WHAT HE'S TRYING TO
8 TELL ME AND THIS IS WHAT HE'S GOING TO GIVE ME. THIS IS
9 WHAT HE'S SAYING AND I'M SAYING WELL, I'M, I'M SAYING TO
10 HIM I, I'M NOT GOING TO LET YOU GIVE ME THAT BECAUSE
11 ZANESHA DIDN'T ASK TO COME IN THIS WORLD AND I'M NOT GOING
12 TO JUST LET YOU GIVE ME THIS BECAUSE YOU THINK THAT I
13 KIDNAPPED AND BURGLARIZED HER HOUSE WHEN, WHEN SHE AND I
14 WAS LIVING TOGETHER.

15 THERE'S A LOT OF THINGS THAT GOES ON IN HOUSE OF
16 DOUBTS, OF DOUBTS IN THIS WORLD AND HE'S TRYING TO TAKE A
17 LITTLE, A LITTLE INCIDENT, A LITTLE MATTER, A LITTLE MOLE
18 HILL AND BLOW IT UP TO A MOUNTAIN. HE'S TRYING TO MAKE ME
19 LOOK LIKE I'M GUILTY. HE'S TRYING TO MAKE ME LOOK LIKE I
20 DON'T HAVE NO RIGHT TO LIVE OUT HERE IN SOCIETY WHEN ALL I
21 WAS DOING WAS TRYING TO DO IS TAKE CARE OF MY FAMILY.

22 I'M WORKING HARD, DOING EVERYTHING A MAN'S
23 SUPPOSED TO DO AND THIS MAN IS TELLING ME, WELL I'M NOT
24 GOING TO LET YOU BE WITH YOUR FAMILY NO MORE. THIS IS WHAT
25 HE'S TELLING ME. HE'S TELLING ME I'M GOING TO PUT YOU

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

32

1 BEHIND BARS FOR THE REST OF YOUR ENTIRE LIFE IF I CAN AND
2 I'M SAYING TO HIM, WELL LOOK WHY DO THAT WHEN I'M, I'M
3 BEING A GROWN MAN TO ADMIT TO YOU ABOUT SOME THINGS THAT
4 HAS HAPPENED AND SOME THINGS HAS NOT HAPPENED.

5 THE TRUTH STANDS OUT FROM FALSEHOOD, YOUR HONOR.
6 WE'RE LOOKING FOR THE, WE'RE LOOKING FOR, WE'RE LOOKING FOR
7 THE TRUTH, THE RING OF TRUTH, THAT'S WHAT WE'RE LOOKING
8 FOR. ME AND THIS, ME AND MY BABY MOTHER WE, WE HAPPY ONE
9 DAY AND THE NEXT DAY WE'RE SAD.

10 WE'RE GOING THROUGH THESE THINGS, EVERYBODY GOING
11 THROUGH THESE MOTIONS AND THEN IT'S, IT'S NOT RIGHT. IT'S
12 NOT RIGHT THAT ME AND HER HAVE A LITTLE MISUNDERSTANDING
13 AND NOW FROM MONDAY THROUGH SUNDAY AND, AND WE GO TO MY
14 MOTHER'S HOUSE, WE RIDES AND WE GO TO MY MOTHER'S HOUSE.
15 WE EAT, WE DO ALL THIS GOOD STUFF AND THEN WHEN THINGS GO
16 BAD I COME, I'M IN HERE CRIMINAL, FOR A CRIMINAL CASE.
17 THAT'S NOT RIGHT, YOUR HONOR, AND SO WELL MY POINT IS THIS,
18 IF HE WANT TO GO TO TRIAL WE CAN GO TO TRIAL BUT I ASK, I'M
19 ASKING, THE ONLY THING I'M ASKING IS GIVE ME AND MY LAWYER
20 A CHANCE TO GET, GET A DEFENSE ESTABLISHED HERE FROM WHAT
21 IS BEING WRITTEN DOWN AND LET ME LOOK OVER THEIR MOTION OF
22 DISCOVERY.

23 I'M 44 YEARS OLD, YOUR HONOR. I'VE BEEN, I'VE
24 BEEN A LOT OF PLACES. I'VE BEEN AROUND, I'M NOT, I'M NOT
25 HERE TO LIE TO YOU. I'VE BEEN AROUND. I'VE BEEN IN THE

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

33

1 JAILHOUSE. I'VE BEEN IN THE PENITENTIARY. I KNOW WHAT'S,
2 I KNOW WHAT IT'S LIKE IN THE PENITENTIARY. I KNOW WHAT
3 IT'S LIKE IN THE JAILHOUSE. I'M NOT TRYING TO GO BACK TO
4 THE PENITENTIARY. I LEARNED, NOW I LEARNED, I LEARNED HOW
5 TO CONDUCT MYSELF IN SOCIETY BUT I'LL BE, I'LL BE LESS THAN
6 A MAN, YOUR HONOR, TO LET THIS, THE, THE, MR. BEAU BRYAN,
7 I'LL BE LESS THAN A MAN NOT TO FIGHT TO GET BACK OUT THERE
8 TO MY DAUGHTER. I LOVE MY DAUGHTER AND, AND I DON'T SEE, I
9 DON'T SEE WHY IS THAT I'M UP IN HERE TRYING TO PROVE THAT I
10 DID NOT KIDNAP MY OWN DAUGHTER, THAT I DIDN'T BURGLARIZE, I
11 DIDN'T BURGLARIZE MY DAUGHTER'S MOTHER HOUSE, THAT I'M
12 TRYING TO HOLD A WEAPON ON HER AND I'M BEATING HER TO
13 DEATH. I DON'T SEE WHY I'M UP IN HERE TRYING TO PROVE THAT
14 I DIDN'T DO THIS WHEN I DIDN'T DO IT.

15 MY POINT IS THIS. I JUST WANT TO GO HAVE THE
16 PROPER, EVERYTHING GIVEN TO ME SO THAT WHEN WE'RE GOING TO
17 PRESENT IT TO THE JURY ALLOW ME TO ASK QUESTIONS, ALLOW ME
18 TO REPRESENT THE, PRESENT WHAT, WHAT I FEEL THAT I NEED TO
19 PRESENT TO THE JURY WITH MR. REUBEN GOUDE AND, AND ME AND
20 MY, AND MY CONVERSATION AND ME LOOKING IN THE JURORS, IN
21 THEIR EYES AND LETTING THEM, LETTING THEM SEE WHAT I THINK
22 ABOUT THIS SITUATION AND THEN WHEN THEY GO BACK THERE IN
23 THAT LITTLE ROOM AND MAKE THEIR LITTLE DECISION ABOUT IF
24 I'M GUILTY OR NOT THEN IF THEY COME UP THAT I'M GUILTY THEN
25 MAY HAVE GOD HAVE MERCY UPON MY SOUL. IF THEY COME OUT

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

34

1 THAT I'M NOT GUILTY THEN MAY GOD BLESS ME TO LEAVE OUT OF
2 THIS COURTHOUSE AND LEAVE OUT THAT JAILHOUSE AND GO AND
3 SPEND SOME TIME WITH MY DAUGHTER.

4 IT'S BEEN THREE YEARS SINCE I'VE BEEN IN AND OUT
5 OF THIS JAILHOUSE AND, AND WITHOUT MY DAUGHTER. I'VE
6 MISSED THREE OF HER BIRTHDAYS AND I WOULD LIKE TO BE WITH
7 HER SOME. I REALLY WOULD LIKE TO TAKE CARE OF MY DAUGHTER
8 AND I'M SORRY THAT, THAT THIS HAD TO HAPPEN FOR ME TO COME
9 UP AND SAY THIS AND LET MS. GRAHAM HEAR WHAT I'M SAYING BUT
10 I HAVE A HEART AND I'M NOT, I HAVE A HEART AND I, AND I
11 HAVE THE LOVE OF CHRIST IN ME. I HAVE THE LOVE OF GOD IN
12 ME.

13 MY MOTHER RAISED A GOOD, A GOOD, A GOOD GUY. MY
14 FATHER IS DEAD AND PASSED AND GONE BUT I'M NOT STUPID. I
15 WENT TO COLLEGE. I'M EDUCATED JUST LIKE ANYBODY ELSE AND
16 WE ALL MAKE MISTAKES AND I DON'T THINK IT'S RIGHT FOR ME TO
17 BE UP HERE TRYING TO DEFEND MYSELF TO GET BACK TO MY LITTLE
18 DAUGHTER BUT IF THAT'S WHAT I GOT TO DO TO DEFEND MYSELF
19 AND GET BACK WITH MY DAUGHTER THEN, THEN MAY THE GRACE OF
20 THE LAW, MAY THE GRACE OF GOD, MAY THE GRACE OF JESUS
21 CHRIST HELP ME PREPARE FOR WINNING THIS CASE BECAUSE, YOUR
22 HONOR, I FEEL RIGHT NOW THAT I'M ABOUT TO BE BAMBOOZLED AND
23 I'VE PRAYED ON IT FOR SEVEN MONTHS DAY AND NIGHT, ALL DAY,
24 ALL NIGHT PRAYING ASKING GOD TO MAKE A WAY FOR ME TO WIN
25 THIS CASE AND I'M PRETTY SURE HE HEARING ME RIGHT NOW AND

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

35

1 HE'S WATCHING EVERY LAST ONE OF US IN HERE RIGHT NOW.

2 I DON'T HAVE, I DON'T HAVE TIME TO LIE TO NOBODY.

3 I DON'T HAVE TIME FOR NO GAMES. I DON'T WANT TO TAKE UP

4 NOBODY TIME, YOUR HONOR. I JUST WANT WHAT'S GIVEN TO ME

5 WHAT'S RIGHT. I JUST WANT, I JUST WANT WHAT'S GIVEN TO ME

6 WHAT'S RIGHT, WHAT'S GIVEN TO MY BABY'S MOTHER WHAT'S

7 RIGHT, BUT I DON'T THINK IT'S RIGHT FOR THIS, THIS COURT TO

8 SEPARATE ME FROM MY BABY'S MOTHER. I HAVE LOVE IN MY HEART

9 FOR HER AND I DON'T THINK IT'S RIGHT FOR ME TO SEPARATE

10 FROM HER NOR MY BABY BECAUSE SHE DID NOT BROUGHT MY CHILD

11 IN THIS WORLD BY HERSELF. IT TOOK ME AND HER AND BEFORE,

12 YOUR HONOR, I'M GOING TELL YOU SOMETHING, BEFORE WE HAD

13 THIS CHILD I, I TOLD HER, I SAID, BABY, I SAID, THERE'S

14 GOING TO BE A LOT OF THINGS THAT GO DOWN, I SAID, THERE'S

15 GOING TO BE A LOT OF THINGS THAT GO DOWN. I SAID, BUT

16 WHATEVER YOU DO I SAID, LET'S NOT SEPARATE BECAUSE OF

17 ZANESHA.

18 THERE'S SO MANY THINGS THAT'S GOING ON IN THIS

19 WORLD TODAY, YOUR HONOR, AND I'VE BEEN IN THE PENITENTIARY,

20 I'VE SEEN AND I'VE TALKED WITH PEOPLE IN THAT PENITENTIARY

21 HOW THEY KILLED, THEY KILLED THEIR, THEY KILLED THEIR

22 BABY'S MOTHER. I'VE TALKED WITH THESE TYPE OF PEOPLE AND

23 THESE PEOPLE, THE DEVIL IS ALIVE, SATAN IS ALIVE, AND I'M

24 TELLING YOU HE TRIES TO GET ME TO DO THE WRONG THING BUT

25 I'M FIGHTING HIM NOW AND I FIGHT HIM THEN AND I'M GOING TO

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

36

1 CONTINUE TO FIGHT HIM. BUT, YOUR HONOR I'M TELLING YOU
2 RIGHT NOW I FEEL LIKE IT'S WRONG FOR ME TO COME AT THIS
3 THING IMPROPERLY AND THIS IS THE REASON WHY I'M SPEAKING
4 BECAUSE WE'RE ABOUT TO GO AT THIS THING IMPROPERLY. WE'RE
5 ABOUT TO GO AT THIS THING IMPROPERLY, YOUR HONOR, AND THE
6 ONLY THING I'M SAYING, YOUR HONOR, IS THAT IF WE'RE GOING
7 TO DO, IF WE TALK ABOUT LADY LIBERTY, WE TALK ABOUT JUSTICE
8 AND BALANCE, WE TALK ABOUT LADY LIBERTY BEING BLIND. SHE
9 GOT THIS BOOK IN HER HAND AND THIS SCALE IN ONE HAND.

10 THE SOLICITOR GOT A RECORD ON ME, HE GOT A RECORD
11 ON ME OF BAD DEEDS, THAT'S WHAT HE GOT. HE'S GOT A RECORD
12 OF MY SINS AND MY CRIMES THAT I'VE DONE IN GEORGETOWN,
13 SOUTH CAROLINA, BUT GOD GOT A RECORD OF MY GOOD DEEDS AND
14 IF YOU HEAR HIS, HIS RECORD, WHEN YOU HEAR HIS RECORD THE
15 ONLY THING YOU'RE GOING TO HEAR, YOUR HONOR, IS MY, IS MY
16 BAD DEEDS, THAT ALL YOU'RE GOING TO HEAR, BUT IF YOU
17 LISTEN, IF GOD COULD SEND HIS ANGELS, GABRIEL AND THEM DOWN
18 AND LET YOU SEE MY GOOD DEEDS THEN YOU WOULD HEAR MY GOOD
19 DEEDS AND THEN, THEN YOU WOULD BE ABLE TO OUTWEIGH MY GOOD
20 DEEDS, I'M PRETTY SURE, WOULD OUTWEIGH MY BAD DEEDS, YOUR
21 HONOR.

22 BUT MY THING IS I'VE BEEN GOOD TO FELITA. I'VE
23 BEEN REAL GOOD TO HER AND GOD KNOWS I'VE BEEN GOOD TO HER.
24 I DON'T UNDERSTAND WHY SHE'S HATING ME SO MUCH AND WHY SHE
25 WANT TO TAKE ME THROUGH THIS BUT MAYBE IT'S PROBABLY

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

37

1 SOMEBODY TO TEST ME AND MY FAITH LIKE ABRAHAM AND MOSES AND
2 JOSHUA AND ALL THESE GUYS WHO'S BEEN TESTED IN THEIR FAITH.

3 JOHN THE BAPTIST GOT HIS HEAD CUT OFF. HE GOT
4 HIS HEAD CUT OFF BECAUSE HERODIAS, HERODIAS WAS JEALOUS
5 BECAUSE ---

6 THE COURT: SIR, I DON'T WANT TO HAVE ANY BIBLE
7 LESSONS IN HERE NOW.

8 DEFENDANT WILSON: ALL RIGHT, SIR, ONE THING ---

9 THE COURT: LET'S GET TO THE BOTTOM OF THIS NOW.

10 DEFENDANT WILSON: MY, MY POINT IS, YOUR HONOR -
11 --

12 THE COURT: NO, SIR, I'M TALKING NOW.

13 DEFENDANT WILSON: ALL RIGHT, SIR.

14 THE COURT: YOU GOT A PROBLEM WITH WANTING TO
15 TALK WHEN YOU OUGHT TO BE LISTENING.

16 DEFENDANT WILSON: ALL RIGHT.

17 THE COURT: NOW YOU'RE WANTING TO RELIEVE YOUR
18 COUNSEL AT THIS TIME AND YOU'VE ANSWERED A LOT OF MY
19 QUESTIONS. YOU'RE OBVIOUSLY EDUCATED AND YOU'VE GOT A
20 COLLEGE EDUCATION. YOU'VE GOT COURTROOM EXPERIENCE FROM
21 WHAT YOU'VE ALREADY TOLD THE COURT SO APPARENTLY I'M
22 PROBABLY NOT GOING TO HAVE ANY PROBLEM GRANTING YOUR
23 MOTION. YOU MAY GET WHAT YOU ASK FOR.

24 NOW AS FAR AS WORKING TOGETHER I CAN PUT HIM AS A
25 STANDBY COUNSEL AND YOU CAN TAKE THE LEAD CHARGE AND

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

38

1 REPRESENT YOURSELF BUT YOU BETTER THINK ABOUT THAT LONG AND
2 HARD BEFORE I MAKE A FINAL DECISION.

3 YOU ALSO IN THE SAME BREATH ARE ASKING ME TO GIVE
4 YOU TIME TO MEET WITH COUNSEL FROM BOTH SIDES HERE TO SEE
5 IF THERE MAY BE SOME RESOLUTION. I HAVE NO PROBLEM WITH
6 THAT. I'M GOING TO GIVE YA'LL ABOUT 15 MINUTES. IF YOU
7 THINK YOU'VE GOT A DEAL AND YOU WANT TO SIT DOWN AND TALK
8 WITH THE PROSECUTOR ABOUT MORE POWER TO YOU. I'M GOING TO
9 GIVE YOU A FEW MINUTES TO DO THAT AND THEN WE'LL COME BACK
10 AND WE'LL RESOLVE THE ISSUE ABOUT HOW WE'RE GOING FORWARD
11 WITH REPRESENTATION BUT DON'T START LECTURING ME AGAIN
12 ABOUT THE BIBLE, YOU UNDERSTAND?

13 DEFENDANT WILSON: YES, SIR.

14 THE COURT: ALL RIGHT, TAKE 15 MINUTES, FIND A
15 ROOM WHERE YA'LL CAN MEET.

16 (WHEREUPON, A RECESS WAS TAKEN AND THE FOLLOWING
17 TAKES PLACE ON THE RECORD.)

18 MR. BRYAN: YOUR HONOR, I TOLD HIM THAT I'D
19 OFFER HIM 15 YEARS AS CHARGED. LET HIM PLEAD TO WHAT'S
20 INDICTED FOR, TOLD HIM I'D NEGOTIATE A SENTENCE OF 15 YEARS
21 ON THE BURGLARY FIRST, KIDNAPPING, AND CDV WHICH WOULD
22 OBVIOUSLY CARRY 10, HIGH AND AGGRAVATED AND I'M PRETTY SURE
23 WE DID NOT REACH AN AGREEMENT.

24 THE COURT: WELL I THANK YA'LL FOR GIVING IT A
25 SHOT TO SEE IF YOU COULD COME UP WITH SOMETHING.

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

39

1 MR. BRYAN: THANK YOU, YOUR HONOR.

2 THE COURT: MR. WILSON, YOU STILL WANT TO
3 MAINTAIN YOUR MOTION?

4 DEFENDANT WILSON: MAY I SPEAK TO THAT?

5 THE COURT: YES, SIR.

6 DEFENDANT WILSON: YOUR HONOR, I'D LIKE TO
7 MAINTAIN THE MOTION. AS I STATED TO MY LAWYER I'M NOT
8 PROFESSIONALLY INCLINED IN WHAT HE'S DOING. I HAVE
9 EXPERIENCE IN, YOU KNOW, FROM PREVIOUS EXPERIENCE, BUT MY
10 THING WAS AS FAR AS THERE'S GOING TO BE TIMES IN THIS TRIAL
11 THAT I KNOW I'M GOING TO WANT TO SAY SOME THINGS AND, YOU
12 KNOW, I'M JUST ASKING THAT I WOULD BE ABLE TO ASK SOME
13 QUESTIONS AS FAR AS THE VICTIMS AND TO PRESENT MYSELF TO
14 THE JURY ALONG WITH HIM, YOU KNOW, AS WE WOULD WORK
15 TOGETHER AS A TEAM.

16 THE COURT: YOU CAN DO THAT AS LONG YOU DON'T
17 GET IN VIOLATION OF THE RULES LIKE ARGUING THE SAME MOTION
18 OR ANYTHING LIKE THAT.

19 DEFENDANT WILSON: ARE YOU GIVING ME PERMISSION
20 TO OBJECT TO SOME OF THE THINGS THE SOLICITOR MAY SAY?

21 THE COURT: ALL YOU GOT TO DO IS KEEP IT, KEEP
22 IT, IT WOULD BE A LOT BETTER FOR THE COURT REPORTER AND
23 EVERYBODY INVOLVED IF YOU WANTED TO OBJECT TO SOMETHING IF,
24 IF YOU COULD LET THE ATTORNEY KNOW WHERE HE CAN ENTER THE
25 OBJECTION BUT IF YOU'RE GOING TO TAKE A PORTION OF IT AND

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

40

1 YOU'RE GOING TO BE THE ONE THAT'S ACTUALLY HANDLING THE
2 WITNESS AND ALL, YOU KNOW, THAT'S A DIFFERENT STORY THERE
3 NOW. YOU'RE GOING TO DIVIDE UP YOUR DUTIES.

4 DEFENDANT WILSON: I JUST ASK THAT THE QUESTIONS
5 BE ASKED TO THE OTHER VICTIM AND IN THE ARGUMENTS AS FAR AS
6 THE CLOSING THAT IF, IF, IF, IF THE OPPORTUNITY PRESENT
7 ITSELF FOR ME TO, IF IT COMES DOWN TO IT THAT I SPEAK MY
8 PEACE AS WELL AS FAR AS CLOSING ARGUMENT.

9 THE COURT: DON'T HAVE A BIT OF PROBLEM WITH IT.

10 DEFENDANT WILSON: ALL RIGHT, SIR, THANK YOU.

11 THE COURT: AS LONG AS HE DOES IT ALL, I MEAN
12 BOTH OF THEM CAN'T DO IT. YOU UNDERSTAND WHAT I'M SAYING?
13 YOU GOT TWO PHASES, THEY'VE GOT ONE PHASE.

14 MR. BRYAN: YEAH, I DON'T, I THINK THEY'RE, I'M
15 NOT SURE IF I'M HEARING THEM CORRECTLY BUT IF HE WANTS TO
16 ADDRESS THE JURY -- FIRST OF ALL IF HE WANTS TO TALK ABOUT
17 THE FACTS HE'S GOING TO HAVE TO TESTIFY AND BE SUBJECT TO
18 CROSS EXAMINATION SO I'D ASK THE COURT IF HE'S GOING TO
19 REPRESENT HIMSELF HE BE ALLOWED TO REPRESENT HIMSELF OR IF
20 HE HAS A LAWYER I'VE GOT NO POSITION ON WHAT THE COURT DOES
21 WITH THAT. I'D ONLY ASK THAT IF HE INTENDS TO PRESENT THE
22 FACTS THAT HE DOES SO UNDER THE RULES AS A WITNESS AND HE
23 CAN DO THAT WHETHER HE HAS A LAWYER OR WHETHER HE
24 REPRESENTS HIMSELF JUST THAT HE NOT BE ALLOWED TO TESTIFY
25 WHILE BEING A LAWYER OR THROUGH HIS LAWYER WITHOUT TAKING

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

41

1 THE WITNESS STAND. SO THE RULES ARE HE'S SUBJECT TO CROSS
2 EXAMINATION. HE WOULD TESTIFY UNDER OATH, HE COULD SAY
3 WHATEVER IT IS THAT HE WANTS TO SAY THAT'S RELEVANT THEN
4 HE'D BE SUBJECT TO CROSS EXAMINATION AND FURTHER MORE I'VE
5 GOT NO PROBLEM WHETHER HE REPRESENT HIMSELF OR HAS MR.
6 GOUDE REPRESENT HIM BUT I'D ALSO ASK THE COURT TO JUST
7 THINKING AHEAD NOT ALLOW HIM TO FIRE HIS LAWYER WHEN
8 CLOSING ARGUMENTS COME AROUND. IN OTHER WORDS, LET'S THINK
9 IT ALL THE WAY THROUGH AND IF HE WANTS TO ADDRESS THE JURY
10 THEN HE SHOULD DO THAT.

11 HE SHOULD EITHER BE THE LAWYER THROUGH THE ENTIRE
12 TRIAL OR HE SHOULD NOT BE A LAWYER BUT HE SHOULDN'T BE JUST
13 PICKING AND CHOOSING WHEN HE'S GOING TO SAY AND WHAT HE'S
14 GOING TO SAY. HE SHOULD EITHER REPRESENT HIMSELF OR NOT.
15 IF HE TESTIFIES HE SHOULD DO IT FROM THE WITNESS STAND,
16 THANK YOU, YOUR HONOR.

17 THE COURT: YES, SIR?

18 DEFENDANT WILSON: YOU MENTIONED AS FAR AS ME
19 REPRESENTING MYSELF HE SAID THAT I WOULD NOT BE ABLE TO
20 TESTIFY, IS THAT WHAT YOU'RE SAYING?

21 THE COURT: NO, YOU WILL HAVE A RIGHT TO TESTIFY
22 AND YOU ALSO HAVE A CONSTITUTIONAL RIGHT NOT TO TESTIFY BUT
23 YOU CAN'T USE YOUR ROLE AS AN ATTORNEY TO TESTIFY WITHOUT
24 TAKING THE WITNESS STAND, THAT CREATES A CONFLICT THAT THE
25 STATE'S GOT SOME CONCERN ABOUT.

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

42

1 IN OTHER WORDS IF YOU TRY TO TESTIFY AS ACTING AS
2 AN ATTORNEY THEN YOU WOULD BE SUBJECT TO CROSS EXAMINATION
3 SO YOU GOT TO BE CAREFUL. IN OTHER WORDS IF YOU'RE GOING
4 TO BE THE ATTORNEY YOU'VE GOT TO ASK QUESTIONS; YOU CAN'T
5 GET UP THERE AND MAKE STATEMENTS.

6 DEFENDANT WILSON: I UNDERSTAND THE RULE, YOUR
7 HONOR. TO ME THAT'S EXACTLY WHAT I'M LOOKING FOR. I DON'T
8 WANT, IF I'M GOING TO REPRESENT, IF I'M GOING TO ASSIST MY
9 LAWYER AS FAR AS PRESENTING MYSELF I DON'T, I DON'T SEE THE
10 NEED FOR ME, FOR THE SOLICITOR TO CROSS EXAMINE ME AND FOR
11 ME TO TESTIFY OR FOR MY RECORD TO BE MENTIONED AS FAR, AS
12 FAR AS, YOU KNOW, THE SOLICITOR GOING ABOUT DOING IT.
13 THAT'S, THAT'S WHAT I WAS TRYING TO GET OUT. THAT'S WHAT
14 I'M TRYING TO GET ACROSS TO YOU, YOUR HONOR.

15 MR. BRYAN: IF I MAY, YOUR HONOR. I'D JUST ASK
16 THAT YOU INSTRUCT HIM THAT HE CAN TESTIFY OR NOT TESTIFY.
17 IF HE TESTIFIES HE'LL BE SUBJECT TO THE RULES OF
18 IMPEACHMENT WHATEVER IS ADMISSIBLE WOULD BE ADMISSIBLE. HE
19 CANNOT TESTIFY WITHOUT TAKING THE WITNESS STAND, THAT'S MY
20 ONLY CONCERN IS THAT HE NOT -- IF HE TESTIFIES HE'S GOING
21 TO HAVE TO DO IT UNDER OATH AND FROM THE WITNESS STAND. IF
22 HE WANTS TO BE THE LAWYER HE CAN DO THAT FROM BACK HERE BUT
23 HE CAN'T TESTIFY FROM BACK HERE.

24 THE COURT: THAT'S A CONCERN, YOU'RE RIGHT.

25 DEFENDANT WILSON: I UNDERSTAND THAT, YOUR

DEFENDANT'S MOTION TO RELIEVE ATTORNEY

43

1 HONOR.

2 THE COURT: ALL RIGHT, NOW WHERE WE STAND, MR.
3 GOUDE IS GOING TO STAY ON AND YA'LL WORK TOGETHER THE BEST
4 YOU CAN OR DO YOU WANT HIM TO TAKE THE SEAT BEHIND HIM AND
5 BE ADVISE, BE THERE AVAILABLE FOR ADVICE.

6 DEFENDANT WILSON: I WOULD, I WOULD LIKE FOR MR.
7 GOUDE TO CONTINUE WORKING WITH ME, YOUR HONOR. HOWEVER AS
8 I SAID EARLIER I HAVEN'T HAD THE CHANCE TO READ OVER THE
9 MOTION OF DISCOVERY. I HAVEN'T HAD THE CHANCE TO LOOK IT
10 OVER OR ANYTHING AND I WOULD AT LEAST LIKE TO HAVE SOME
11 TIME THAT, YOU KNOW. I COULD GO BACK TO MYSELF AND LOOK IT
12 OVER AND ---

13 THE COURT: WE'LL JUST GET SO FAR TODAY YOU'LL
14 HAVE ALL EVENING ON MOST OF IT. OF COURSE I DON'T KNOW
15 WHO'S THE FIRST WITNESS YOU INTEND TO CALL?

16 MR. BRYAN: THE VICTIM I THINK WILL BE THE
17 SECOND WITNESS, YOUR HONOR, AND THE FIRST WITNESS WILL
18 PROBABLY BE QUEEN GRANT, THE VICTIM'S MOTHER.

19 THE COURT: ARE THERE ANY DOCUMENTS CONCERNING
20 THOSE TWO WITNESSES, MR. GOUDE, THAT HE WOULD NEED TIME TO
21 LOOK OVER THAT HE HASN'T ALREADY SEEN?

22 MR. GOUDE: WELL WE'VE GOT THE POLICE REPORTS.
23 OF COURSE THE POLICE REPORTS BASICALLY JUST SAY WHAT THE
24 ARREST WARRANT SAYS. THE GIRL SAYS HE WENT TO HER HOUSE,
25 PUT A KNIFE TO HER THROAT, CHOKED HER, MADE HER GET IN THE

PRELIMINARY CHARGE

44

1 CAR AND DROVE HER AWAY, DROVE BACK AND THE POLICE CAME AND
2 GOT HER. SO HE KNEW THAT ON THE DAY WE TALKED BACK IN JULY
3 AND THEN WE TALKED FOR SEVERAL HOURS LAST WEEK REVIEWING
4 SOME TRIAL AND I HAVE ALL OF THE STUFF HERE.

5 HE DID ASK FOR A COPY OF IT. GENERALLY WE MAIL A
6 COPY BUT IN THIS CASE APPARENTLY I OR MY SECRETARIES, NONE
7 OF US MAILED HIM A COPY BUT IT'S NOT ONE OF THESE CASES
8 WHERE THERE'S ANY SURPRISE IN THE POLICE REPORT.

9 THE GIRL IS THE ONLY WITNESS THAT SAYS HE
10 KIDNAPPED HER WHICH SHE SAID THAT ON THE DAY BACK IN MAY
11 WHICH IS ON THE ARREST WARRANT THAT SAYS THAT AND THERE'S
12 NOTHING NEW IN THE POLICE REPORTS THAT HE DOESN'T KNOW.
13 EITHER HE DID OR HE DIDN'T AND BY HAVING THE POLICE REPORT
14 THERE'S NOTHING HE'S GOING TO GET OUT OF IT THAT HE DOESN'T
15 KNOW ALREADY.

16 THE COURT: OKAY, WELL YOU ANSWERED MY QUESTION
17 CONCERNING, SEE IT'S ALREADY 3:30, WE WON'T BE GOING TOO
18 LONG TODAY. WE'VE GOT THE JURY BACK THERE AND THEY'RE
19 READY TO GO. ALL RIGHT, LET'S GO AHEAD AND GET STARTED
20 WITH IT. MR. WILSON, MR. GOUDE, IF SOMETHING COMES UP AND
21 WE NEED TO TAKE A RECESS WE'LL DO THAT. OTHERWISE THERE
22 WILL BE PLENTY OF TIME THIS EVENING TO LOOK OVER THE OTHER
23 MATERIALS BECAUSE WE'RE JUST GOING TO GET SO FAR WITH THE
24 TIME THAT WE'VE GOT LEFT TODAY. YOU KEEP IN MIND, I'M
25 ASSUMING, THAT YOU'LL BE DOING, I'VE GOT TO TALK TO THEM A

PRELIMINARY CHARGE

45

1 LITTLE WHILE ABOUT HOW WE'RE GOING TO PROCEED AND THEN, YOU
2 KNOW, OPENING STATEMENTS IF YOU WANT TO. IT'S TOTALLY UP
3 TO THE TWO OF YOU DECIDE IF YOU WANT TO DO OPENING
4 STATEMENTS. IT'S NOT MANDATORY.

5 ALL RIGHT, BRING THEM IN.

6 (WHEREUPON, THE JURY RETURNS TO THE COURTROOM AT
7 3:25 P.M.)

8 THE COURT: MR. COLLINS, I WANT YOU TO BE THE
9 FOREMAN.

10 THANK YOU FOR YOUR PATIENCE, WE HAD SOME
11 PRELIMINARY MATTERS WE HAD TO HASH OUT. WE'RE GOING TO GET
12 STARTED. I DON'T KNOW THAT WE'RE GOING TO GO TOO LATE THIS
13 AFTERNOON, BUT WE WILL BEGIN THE TRIAL AND GOT A FEW
14 PRELIMINARY THINGS WE NEED TO TALK TO YOU ABOUT, NEED TO
15 PUT THEM UNDER OATH, MR. CLERK.

16 (WHEREUPON, THE JURY WAS SWORN.)

17 THE COURT: ADDITIONALLY THE PRESIDING JUDGE AT
18 THIS POINT IN TIME WILL JUST GIVE YOU A BRIEF DESCRIPTION
19 HOW WE'RE GOING TO PRECEDE IN THE CASE. THIS IS A CRIMINAL
20 CASE; WE ARE IN THE GENERAL SESSIONS COURT.

21 THE FIRST THING THAT WILL HAPPEN AFTER I COMPLETE
22 MY STATEMENT TO YOU BOTH SIDES WILL BE ALLOWED TO MAKE
23 BRIEF OPENING STATEMENTS TO YOU IF THEY SO DESIRE. IT'S
24 NOT REQUIRED; IT'S TOTALLY UP TO THEM IF THEY SO DESIRE TO
25 DO THAT AND THAT'S BASICALLY TO LET YOU KNOW HOW THEY'RE

PRELIMINARY CHARGE

46

1 GOING TO PROCEED IN THE CASE, JUST A BRIEF OUTLINE.

2 AFTER THAT WILL COME THE EVIDENTIARY PORTION OF
3 THE CASE WHERE YOU'LL RECEIVE THE EVIDENCE. THE EVIDENCE
4 MAY TAKE MANY DIFFERENT FORMS. IT MAY BE THE TESTIMONY
5 FROM THIS WITNESS STAND THAT'S UNDER OATH. IT MAY BE
6 DOCUMENTS. IT MAY BE PHOTOGRAPHS. IT CAN BE PHYSICAL TYPE
7 ITEMS.

8 WHATEVER THE EVIDENCE IS IT IS IMPORTANT AND
9 CRUCIAL THAT YOU LISTEN AND OBSERVE THE EVIDENCE BECAUSE
10 YOU WILL HAVE TO FIND THE FACTS FROM THE EVIDENCE
11 PRESENTED. NO ONE ELSE IN THIS COURTROOM INCLUDING MYSELF
12 WILL BE ALLOWED TO BE THE FACT FINDERS.

13 THE END RESULT OF ANY COURT TRIAL IS TO REACH A
14 VERDICT. VERDICT IS A LATIN DERIVATIVE WORD WHICH MEANS IN
15 EFFECT A TRUE SAYING SO IT CAN BE SAID THAT ANY TRIAL IS A
16 SEARCH FOR THE TRUTH.

17 HOW DO YOU REACH A VERDICT. YOU FIND THE FACTS
18 AND THE EVIDENCE PRESENTED, FIND WHAT YOU BELIEVE TO BE
19 TRUE, APPLY THAT TO THE LAW OF THE CASE THAT THE COURT WILL
20 PROVIDE TO YOU AT THE END OF THE TRIAL AND THUS REACH A
21 VERDICT.

22 EVIDENTIARY PORTION OF THE TRIAL WILL TAKE MOST
23 OF THE TIME THAT'S INVOLVED IN THIS TRIAL SO IF YOU FEEL
24 LIKE THAT YOU'RE GOING TO DOZE OFF DON'T FALL ASLEEP ON US
25 LET'S US KNOW WE'LL GET SOME COFFEE OR COCA COLA OR

OPENING STATEMENT BY STATE

47

1 WHATEVER OR TAKE A BRIEF RECESS BECAUSE WE DON'T WANT
2 ANYBODY MISSING ANYTHING AS FAR AS THE EVIDENCE SO IT'S
3 CRUCIAL THAT YOU PAY ATTENTION TO IT. NOW WHAT WEIGHT YOU
4 GIVE THAT EVIDENCE IS TOTALLY WITHIN YOUR PROVIDENCE AS THE
5 JURY.

6 AFTER THE EVIDENTIARY PORTION OF THE CASE WILL
7 COME THE TIME FOR CLOSING ARGUMENTS, THAT'S WHERE BOTH
8 SIDES WILL BE ALLOWED TO MAKE THEIR ARGUMENTS TO TRY TO
9 PERSUADE YOU TO SEE THE EVIDENCE AS THEY SEE IT.

10 AFTER THAT WILL COME THE JUDGE'S CHARGE OF THE
11 LAW WHERE YOU WILL SEE THE LAW OF THE CASE.

12 ONLY AFTER ALL THOSE PHASES ARE COMPLETED WILL
13 YOU BE ASKED TO DELIBERATE SO ONCE AGAIN DO NOT DISCUSS
14 THIS CASE WITH ANYONE, DON'T EVEN DISCUSS IT AMONGST
15 YOURSELVES UNTIL YOU'RE ASKED TO DELIBERATE.

16 THE BURDEN OF PROOF, OF COURSE, IS ON THE STATE
17 OF SOUTH CAROLINA TO PROVE THE GUILT OF THE DEFENDANT
18 BEYOND A REASONABLE DOUBT AND THAT'S ON EACH INDICTMENT
19 THAT'S HE'S CHARGED WITH.

20 THE DEFENDANT DOES NOT HAVE ANY BURDEN. A
21 DEFENDANT, LADIES AND GENTLEMEN, UNDER OUR SYSTEM IS
22 PRESUMED INNOCENT UNTIL PROVEN GUILTY -- WHAT IS THAT? (AN
23 ALARM GOING OFF.)

24 SORRY, A DEFENDANT IN ANY COURT OF LAW IN THE
25 UNITED STATES, OF COURSE, IS INNOCENT UNTIL PROVEN GUILTY

OPENING STATEMENT BY STATE

48

1 AND IT IS THE STATE'S BURDEN TO PROVE THAT GUILT BEYOND A
2 REASONABLE DOUBT.

3 YOUR VERDICT WILL HAVE TO BE A UNANIMOUS VERDICT
4 AND ALL 12 DELIBERATING JURORS WILL HAVE TO BE IN AGREEMENT
5 ON THE VERDICTS ON EACH AND EVERY INDICTMENT, OKAY.

6 IF YOU WANT TO KEEP NOTES THAT'S FINE, DON'T HAVE
7 ANY IRON CLAD RULE ABOUT THAT EXCEPT YOU'VE GOT TO KEEP
8 THEM TO YOURSELF, CAN'T SHARE THEM WITH ANY OTHER JUROR.
9 PERSONALLY I WOULD NOT KEEP NOTES BECAUSE YOU'LL BE
10 INVOLVED IN WRITING SOMETHING DOWN ON A NOTE CARD AND
11 YOU'LL MISS SOMETHING THAT'S BEING SAID SO IF I WERE ON A
12 JURY I WOULDN'T DO IT.

13 THAT'S BASICALLY HOW WE WILL PROCEED AND AS I
14 SAID WE DON'T HAVE A WHOLE LOT OF TIME THIS AFTERNOON BUT
15 WE WILL WORK A WHILE AND THEN WE WILL RESUME IN THE
16 MORNING.

17 SOLICITOR?

18 MR. BRYAN: THANK YOU, YOUR HONOR, MAY IT PLEASE
19 THE COURT.

OPENING STATEMENT

20
21 BY MR. BRYAN:

22 MAY THE 9TH OF 2007 RONNIE GRAHAM WENT INTO THE
23 HOME OF HIS MOTHER OF HIS TWO YEAR OLD DAUGHTER ZANESHA WHO
24 IS FELITA GRAHAM. MS. GRAHAM HERE IS PROBABLY THE MOST
25 IMPORTANT PRIMARY WITNESS IN THIS CASE. SHE'LL TELL YOU

OPENING STATEMENT BY STATE

49

1 THAT SHE CAME BACK TO GEORGETOWN, THAT THEY HAD A CHILD
2 TOGETHER A COUPLE OF YEARS BACK AND THEY HAD BROKEN, SHE
3 HAD BROKEN OFF THEIR RELATIONSHIP AND THAT HE HAD MADE
4 REPEATED EFFORTS TO REINITIATE THE RELATIONSHIP AND SHE HAD
5 TOLD HIM THAT SHE WANTED HIM TO BE A FATHER TO THEIR CHILD
6 BUT WANTED NOTHING TO DO WITH HIM ROMANTICALLY BUT HE MADE
7 REPEATED ATTEMPT OVER AND OVER AGAIN TO REINITIATE THEIR
8 RELATIONSHIP.

9 HE COULD NOT ACCEPT THE FACT THAT SHE DID NOT
10 WANT TO BE WITH HIM ROMANTICALLY SO ON MAY THE 9TH EARLY IN
11 THE MORNING ABOUT 15 MINUTES AFTER THEY WOKE UP, MAYBE 7:00
12 IN THE MORNING, SHE GOT UP, SHE GOT HER CHILD SOMETHING TO
13 EAT, A BOWL OF CEREAL. THE CHILD ASKED FOR ANOTHER BOWL OF
14 CEREAL. WHEN SHE WENT TO GET THAT SHE TURNED AROUND AND
15 RONNIE WILSON WAS STANDING IN HER KITCHEN WITHOUT BEING
16 INVITED IN, WITHOUT HER CONSENT, TOLD HER, SHE SAID, RONNIE
17 WHAT ARE YOU DOING HERE. HE SAID, I'M SORRY TO SAY THIS,
18 BUT I'M GOING TO TELL YOU WHAT HE SAID, BITCH, I'M GOING TO
19 KILL YOU.

20 WHEN SHE WENT TO CALL 911 HE TOOK THE PHONE FROM
21 HER AND WOULDN'T LET HER DO IT AND AT THAT POINT SHE
22 REALIZED THAT HE HAD A STEAK KNIFE IN HIS HAND. SO AFTER
23 THAT THEY STAYED THERE AND THEY HAD A STRUGGLE AT THE HOUSE
24 AND AT SOME POINT IN FRONT OF HER TWO-YEAR-OLD CHILD THE
25 EVIDENCE WILL SHOW THAT HE HAD CHOKED HER.

OPENING STATEMENT BY STATE

50

1 SHE'S GOT MARKS ON HER FACE, MARKS ON HER NECK,
2 AND HE CHOKED HER AND AT SOME POINT SHE SAID, ARE YOU GOING
3 TO KILL ME IN FRONT OF OUR TWO YEAR, IN FRONT OF OUR CHILD
4 WHICH GOT HIM TO STOP JUST BRIEFLY BEFORE HE ATTACKED HER
5 AGAIN.

6 AT SOME POINT SHORTLY THEREAFTER HER MOTHER CALLS
7 AND SHE HAD A GOOD JOB AT THAT POINT AND HER MOTHER CALLED
8 AND WHEN SHE DIDN'T ANSWER SHE KNEW THAT HER MOTHER WOULD
9 KNOW THAT SOMETHING WAS WRONG. SO AT THAT POINT MR. WILSON
10 GOT NERVOUS AND MADE HER LEAVE THE HOUSE AT KNIFE POINT
11 WITH HER TWO-YEAR-OLD.

12 HE DROVE HER AROUND A LITTLE BIT, WERE TAKING HER
13 BY HIS PARENTS, HIS MOTHER'S HOUSE, AND ULTIMATELY THEN
14 DROVE TO ANOTHER PART OF THE COUNTY. WHEN THEY WERE AT THE
15 PARENTS HOUSE THEY SAW THE DEPUTY WHICH APPARENTLY MR.
16 WILSON THEN SAID, THERE GOES TROUBLE SO HE MADE HER GET
17 BACK IN, UPON SEEING THE DEPUTY MADE HER GET BACK IN THE
18 CAR DROVE HER BACK TO HER HOUSE.

19 ABOUT 10 MINUTES AFTER THEY GOT TO HER HOUSE SOME
20 HOURS LATER THE OFFICERS ARRIVED AND AT THAT POINT FOUND
21 HIM HIDING IN THE BATHROOM AFTER HE WAS UNABLE TO EXIT OUT
22 THE BACK DOOR.

23 NOW THE EVIDENCE IN THE CASE IS GOING TO COME
24 PRIMARILY THROUGH THE PERSON OF FELITA GRAHAM AND SHE WILL
25 TELL YOU PRETTY MUCH EVERYTHING I'VE TOLD YOU AND THERE

OPENING STATEMENT BY STATE

51

1 WILL BE SOME PICTURES THAT WILL BE ADMITTED INTO EVIDENCE
2 THAT WILL SHOW YOU THAT SHE HAD SCRATCHES ON BOTH SIDES OF
3 HER FACE, MARKS ON BOTH SIDES OF HER NECK. SHE WENT TO THE
4 EMERGENCY ROOM. THE E.R. DOCTOR WILL COME TELL YOU THAT
5 ALTHOUGH SHE DIDN'T DIE AND SHE DIDN'T HAVE ANY LASTING OR
6 PERMANENT INJURY IT WAS CLEAR THAT SHE HAD BEEN CHOKED AND
7 ASSAULTED FROM BOTH WHAT SHE SAID AND THE PHYSICAL
8 INDICATIONS THAT HE OBSERVED ON HER.

9 THEN YOU WILL HEAR FROM THE OFFICER, MAYBE ONE OR
10 TWO OFFICERS, WHO OBSERVED HER, HER PHYSICAL CONDITION AND
11 HER DEMEANOR AT THAT TIME. SHE WAS SHAKING, SHE WAS
12 CRYING, AND SHE WAS SCARED.

13 THE CHARGES THERE ARE FOUR OF THEM AND BURGLARY
14 FIRST DEGREE REQUIRES THAT THE STATE PROVE THAT MR. WILSON
15 ENTERED A DWELLING, HER HOUSE, WITHOUT CONSENT OF THE OWNER
16 WITH THE INTENT TO COMMIT A CRIME THEREIN AND WAS ARMED
17 WITH A DEADLY WEAPON UNDER SOME PARTICIPANT, OR SOMEONE NOT
18 A PARTICIPANT GOT HURT SO I THINK THE EVIDENCE IS GOING TO
19 BE CLEAR THAT HE ENTERED WITHOUT HER CONSENT. HE'S
20 STANDING, HE'S STANDING IN HER KITCHEN TELLING HER HE'S
21 GOING TO KILL HER SO I THINK IT'S OBVIOUS FROM THAT THAT HE
22 DIDN'T HAVE CONSENT, THAT HE WAS ARMED WITH A DEADLY WEAPON
23 TO THE POINT THAT HE TOOK HER OUT AT KNIFE POINT.

24 NOW ONE OF THE LEGAL ISSUES WE'RE GOING TO HAVE
25 IS KIDNAPPING. PEOPLE, MOST PEOPLE ASSUME THAT THAT HAS

OPENING STATEMENT BY DEFENSE

52

1 SOMETHING TO DO WITH THE ABDUCTION OF A CHILD. WHAT WE'RE
2 GOING TO ASK YOU TO DO IS THREE THINGS. WE'RE GOING TO ASK
3 YOU TO JUST PAY CLOSE ATTENTION TO THE EVIDENCE, USE YOUR
4 COMMON SENSE AND BRING BACK THE VERDICT THAT SPEAKS THE
5 TRUTH.

6 NOW WHEN YOU APPLY THE FACTS TO THE LAW THE JUDGE
7 IS GOING TO CHARGE YOU THE LAW BUT HE'S GOING TO TELL YOU
8 THAT WHAT KIDNAPPING IS, IT DOESN'T HAVE TO DO ANYTHING
9 WITH THE CHILD AND IT DOESN'T HAVE TO BE, YOU DON'T HAVE TO
10 BE TIED UP, YOU DON'T HAVE TO BE PUT IN A TRAUMA.

11 I'M GOING TO ASK THAT YOU FOLLOW THE LAW IN THE
12 STATE OF SOUTH CAROLINA WHICH IS IT'S ILLEGAL TO SEIZE OR
13 CONFINED OR CARRY AWAY ANY PERSON AGAINST THEIR WILL AND
14 THAT'S EXACTLY WHAT HAPPENED AND I THINK HE'LL ALSO CHARGE
15 YOU THAT THERE'S NO TIME LIMIT. KIDNAPPING CAN BE FOR 10
16 MINUTES. YOU CAN KIDNAP SOMEBODY IF YOU COMMIT AN ARMED
17 ROBBERY, BREAK INTO A BANK. IT'S KIDNAPPING TO HOLD PEOPLE
18 THERE AGAINST THEIR WILL UNDER THE LAW IN OUR STATE, SO
19 WHAT WE'RE GOING TO ASK YOU TO DO IS SIMPLY LISTEN TO THE
20 FACTS AND THEN WHEN THE JUDGE GIVES YOU THE LAW AT THE END
21 OF THE CASE THAT YOU SIMPLY APPLY THE FACTS THAT YOU DEEM
22 TO BE TRUE TO THE LAW AND SO WE ASK THAT YOU LISTEN CLOSELY
23 TO MS. FELITA GRAHAM AND YOUR JOB PRIMARILY IS GOING TO BE
24 TO JUDGE WHETHER YOU BELIEVE HER OR NOT AND THEN THERE'S
25 GOING TO BE SOME CORROBORATIVE EVIDENCE AND WE BELIEVE THAT

MS. GRANT - DIRECT EXAMINATION BY MR. GOUDE

53

1 WHEN YOU LISTEN TO HER AND YOU JUDGE HER BODY LANGUAGE, HER
2 DEMEANOR, THE WAY SHE COMES ACROSS, THE THINGS SHE SAYS AND
3 THE WAY SHE SAYS IT AND THEN MATCH THAT WITH THE PICTURES
4 OF THE BACK OF THE HOUSE THAT WAS RECOVERED IN THE, IN THE
5 VEHICLE AND THE CORROBORATIVE EVIDENCE FROM THE DOCTOR
6 THERE WON'T BE ANY REASONABLE DOUBT THAT RONNIE WILSON
7 BROKE INTO HER, WENT INTO HER HOUSE WITHOUT CONSENT WITH
8 THE INTENT TO COMMIT A CRIME AND THEN IN DOING SO HE
9 CARRIED HER AWAY AGAINST HER WILL, FIRST HE ATTACKED HER
10 AND THEN HE CARRIED HER AWAY AGAINST HER WILL AND THAT WILL
11 ALSO SATISFY THE ELEMENTS OF CRIMINAL DOMESTIC VIOLENCE
12 WHICH THE JUDGE WILL CHARGE YOU WHAT THE ELEMENTS OF
13 CRIMINAL DOMESTIC VIOLENCE ARE. SO I JUST WANT YOU TO GIVE
14 THIS THE SERIOUSNESS THAT IT DESERVES AND TO NOT GO INTO IT
15 WITH ANY PRECONCEIVED NOTIONS AND ONLY SIMPLY LISTEN TO THE
16 FACTS, USE YOUR COMMON SENSE AND BRING BACK A VERDICT THAT
17 SPEAKS THE TRUTH, THANK YOU.

18 OPENING STATEMENT

19 BY MR. GOUDE:

20 LADIES AND GENTLEMEN, MY NAME IS GOUDE, REUBEN
21 GOUDE, I'M REPRESENTING MR. RONNIE WILSON. WHAT I'M GOING
22 TO ASK YOU TO DO IS LISTEN TO WHAT COMES OFF THE WITNESS
23 STAND THROUGH THESE WITNESSES AND WHEN WE GET BACK UP HERE
24 TOMORROW AND GO THROUGH OUR CLOSING ARGUMENTS I'LL GO OVER
25 WITH YOU WHAT THE JUDGE WILL CHARGE YOU AS WHAT THE LAW IS

MS. GRANT - DIRECT EXAMINATION BY MR. GOUDE

54

1 THAT YOU APPLY WHAT YOU'RE GOING TO HEAR THESE PEOPLE SAY
2 UP HERE ON THE WITNESS STAND AND THE EVIDENCE YOU'RE GOING
3 TO SEE. AND I'LL ASK YOU TO VOTE NOT GUILTY TOMORROW WHEN
4 I COME BACK UP HERE AND TALK WITH YOU AND I'LL GIVE YOU THE
5 REASONS FOR THAT REQUEST, THANK YOU.

6 THE COURT: SOLICITOR?

7 MR. BRYAN: THANK YOU, YOUR HONOR, PLEASE THE
8 COURT THE STATE CALLS QUEEN GRANT.

9 THE COURT: MS. GRANT, IF YOU WOULD COME AROUND
10 AND BE SWORN, PLEASE.

11 QUEEN GRANT

12 BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

13 MADAM CLERK: PLEASE STATE YOUR NAME FOR THE
14 RECORD, PLEASE.

15 THE WITNESS: MY NAME IS QUEEN V. GRANT.

16 DIRECT EXAMINATION

17 BY MR. BRYAN:

18 Q WHERE DO YOU LIVE?

19 A 419 NORTH MERRIMAN ROAD.

20 Q OKAY, IN GEORGETOWN?

21 A YES.

22 Q OKAY, AND DO YOU HAVE ANY CHILDREN?

23 A YES.

24 Q WHAT ARE THEIR NAMES?

25 A SHAUNTA CLAIRE GRAHAM AND FELITA GRAHAM.

MS. GRANT - DIRECT EXAMINATION BY MR. GOUDE

55

1 Q AND IS FELITA GRAHAM PRESENT IN THE
2 COURTROOM?

3 A YES, SHE IS.

4 Q CAN YOU POINT HER OUT?

5 A THE YOUNG LADY SITTING IN THE FIRST ROW.

6 Q AND DO YOU KNOW RONNIE WILSON?

7 A YES, I DO.

8 Q HOW DO YOU KNOW RONNIE WILSON?

9 A HE'S THE FATHER OF MY GRANDDAUGHTER.

10 Q AND WHAT'S HER NAME?

11 A ZANESHA VICTORIA GRAHAM.

12 Q HOW OLD IS SHE?

13 A SHE'S THREE.

14 Q HOW DID YOU GET, HOW DID YOU GET INVOLVED
15 IN THIS CASE?

16 A FELITA WAS WORKING AT ELISE CROSBY'S AND
17 ELISE CALLED ME THAT FELITA HAD NOT COME TO WORK AND I GOT
18 CONCERNED AND I WENT TO HER HOUSE. I CALLED HER BROTHER
19 FIRST AND WENT TO HER HOUSE AND NO ONE WAS THERE.

20 Q WHAT DID YOU DO AS A RESULT OF THAT
21 CONVERSATION?

22 A I WENT TO THE POLICE DEPARTMENT AND SPOKE
23 TO AN OFFICER THERE, WELL I GOT HYSTERICAL.

24 Q OKAY, AND YOU SPOKE TO THE OFFICER AND WHAT
25 DID YOU TELL HIM?

MS. GRANT - CROSS EXAMINATION BY MR. GOUDE

56

1 A I TOLD HIM THAT MY DAUGHTER, ELISE HAD
2 CALLED AND TOLD ME THAT FELITA HAD NOT BEEN TO WORK AND I
3 WENT BY HER HOUSE AND SHE WASN'T THERE AND, AND I ASKED HIM
4 TO FIND MY CHILD AND MY GRANDDAUGHTER.

5 Q HAD SHE EVER MISSED WORK TO YOUR KNOWLEDGE
6 BEFORE?

7 A NO, SHE HADN'T.

8 Q OKAY, IS SHE A RELIABLE OR UNRELIABLE
9 PERSON?

10 A VERY RELIABLE.

11 Q OKAY, IS SHE USUALLY WHERE SHE'S SUPPOSED
12 TO BE WHEN SHE'S SUPPOSED TO BE?

13 A YES.

14 Q AND DID YOU, DID YOU CALL HER THAT MORNING
15 BEFORE YOU WENT TO THE POLICE?

16 A I WENT TO HER HOUSE.

17 Q OKAY, WAS SHE THERE?

18 A NO, SHE WAS NOT.

19 Q AND DID YOU, HAD YOU, DID YOU CALL BEFORE
20 YOU WENT OVER?

21 A I TRIED BUT I DIDN'T GET ANY ANSWER.

22 Q OKAY, SO THE FIRST THING YOU DID WAS YOU
23 CALLED?

24 A I DID CALL, YES.

25 Q AND YOU GOT NO ANSWER?

MS. FELITA GRANT - DIRECT EXAMINATION BY MR. BRYAN

57

1 A NO ANSWER.

2 Q ABOUT, DO YOU KNOW ABOUT WHAT TIME THAT
3 WOULD HAVE BEEN?

4 A I THINK SHE NORMALLY WOULD HAVE BEEN TO
5 WORK AROUND ABOUT 9 AND ELISE CALLED ME SHORTLY THEREAFTER.

6 MR. BRYAN: ALL RIGHT, THANK YOU, I DON'T HAVE
7 ANY OTHER QUESTIONS, PLEASE ANSWER ANY QUESTIONS THE
8 DEFENSE HAS FOR YOU.

9 CROSS EXAMINATION

10 BY MR. GOUDE:

11 Q MA'AM, WHAT'S THE DATE OF BIRTH OF YOUR
12 GRANDDAUGHTER ZANESHA VICTORIA GRAHAM?

13 A AUGUST 6TH, 2004.

14 Q YOU SAY YOUR ADDRESS WAS ON NORTH MERRIMAN
15 ROAD?

16 A YES.

17 Q ARE YOU ON THE, HIGHMARKET STREET WHICH IS
18 ONE BLOCK OVER SORT OF DIVIDES MERRIMAN ROAD, ARE YOU ON
19 THE LET'S SAY CALL IT THE CONWAY SIDE OF MERRIMAN ROAD OR
20 THE CHARLESTON SIDE OF MERRIMAN ROAD?

21 A THE CONWAY SIDE.

22 Q ABOUT HOW FAR IS, YOUR, YOUR DAUGHTER
23 FELITA SHE WAS LIVING AT THIS TIME ON DRIVE; IS THAT
24 CORRECT?

25 A YES.

MS. FELITA GRANT - DIRECT EXAMINATION BY MR. BRYAN

58

1 Q ABOUT HOW FAR IS IT FROM YOUR HOME ON NORTH
2 MERRIMAN ROAD TO YOUR DAUGHTER'S APARTMENT ON DRIVE?

3 A I JUST MOVED THERE TWO, THREE WEEKS AGO.

4 Q TO MERRIMAN ROAD?

5 A YES.

6 Q WHERE WERE YOU LIVING BACK THEN?

7 A

8 Q AND RAILROAD STREET IS THAT, IS THAT ON THE
9 CHARLESTON SIDE OF HIGHMARKET STREET?

10 A YES.

11 Q ABOUT HOW FAR IS THAT FROM WHERE YOUR
12 DAUGHTER LIVED ON

13 A I COULD NOT TELL YOU IN BLOCKS, NOT THAT
14 FAR.

15 Q OFF OF HIGHMARKET STREET, HOW MANY BLOCKS
16 ON THE CHARLESTON SIDE OF HIGHMARKET STREET WAS WHERE YOU
17 LIVED ON RAILROAD AVENUE?

18 A THREE, FOUR BLOCKS.

19 MR. GOUDE: NO OTHER QUESTIONS, YOUR HONOR.

20 MR. BRYAN: NO REDIRECT.

21 THE COURT: YOU MAY STEP DOWN, WATCH YOUR STEP.

22 MR. BRYAN: THE STATE CALLS FELITA GRAHAM.

23 FELITA GRAHAM

24 BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

25 MADAM CLERK: STATE YOUR NAME FOR THE RECORD,

MS. FELITA GRANT - DIRECT EXAMINATION BY MR. BRYAN

59

1 PLEASE.

2 THE WITNESS: FELITA DENISE GRAHAM.

3 DIRECT EXAMINATION

4 BY MR. BRYAN:

5 Q HOW OLD ARE YOU, I'M SORRY, HOW OLD ARE
6 YOU?

7 A I'M 36 NOW.

8 Q DO YOU HAVE ANY CHILDREN?

9 A YES, ONE.

10 Q WHAT'S YOUR CHILD'S NAME?

11 A ZANESHA VICTORIA GRAHAM.

12 Q AND SHE'S HOW OLD NOW?

13 A SHE'S THREE.

14 Q AND HER FATHER IS WHO?

15 A RONNIE WILSON.

16 Q AND WHEN DID YOU FIRST MEET RONNIE WILSON,
17 THE FIRST TIME IN YOUR LIFE YOU MET HIM?

18 A IT WAS PROBABLY IN 1990, '91. WE LIVED IN
19 THE SAME BUILDING OFF OF WINYAH STREET. HE WAS DATING ONE
20 PERSON, I WAS DATING SOMEONE ELSE AND WE WERE CASUAL AS FAR
21 AS FRIENDSHIP WAS SO I FOUND OUT, YOU KNOW I LEARNED ABOUT
22 HIM THEN.

23 Q OKAY, AND THEN DID YOU AT SOME POINT HAVE
24 A, OBVIOUSLY YOU'VE GOT A CHILD TOGETHER SO ---

25 A RIGHT.

MS. FELITA GRANT - DIRECT EXAMINATION BY MR. BRYAN

60

1 Q --- AT WHAT POINT DID YA'LL FORM A ROMANTIC
2 RELATIONSHIP?

3 A NOT UNTIL 2003.

4 Q OKAY, AND TELL THE JURY JUST BRIEFLY ABOUT
5 YOUR RELATIONSHIP WITH RONNIE STARTING IN 2003?

6 A OKAY, I MET, I WAS IN TRANSITION IN THE
7 PROCESS OF MOVING TO MYRTLE BEACH. I WAS BEGINNING A NEW
8 JOB AS A PERSONAL CARE ASSISTANT AND I WAS LIVING IN AN
9 APARTMENT. IT WAS MORE LIKE AN EFFICIENCY JUST A, YOU
10 KNOW, UNTIL I GOT TO WHERE I WAS GOING, AND ONE NIGHT THE
11 BUILDING, THE GROUP OF PEOPLE THAT LIVED ON THAT FLOOR WE
12 WERE, YOU KNOW, HAVING A CASUAL LITTLE GET TOGETHER AND MR.
13 WILSON CAME IN AND I WAS SITTING IN MY ROOM WITH THE DOOR
14 OPEN AND WE BEGAN TO CONVERSATE AND ONCE WE BEGAN TO
15 CONVERSATE WE BOTH REALIZED THAT WE SOMEWHAT HAD SOME OF
16 THE SAME GOALS. HE WAS IN TRANSITION AS WELL TO MOVE TO
17 MYRTLE BEACH TO START A JOB AND AS I HAD MENTIONED THAT I
18 WAS ALSO IN TRANSITION WE DECIDED THAT WE WOULD BOTH GO,
19 YOU KNOW, OVER TO MYRTLE BEACH AND, YOU KNOW, BEGIN WITH
20 OUR CAREERS.

21 FROM THAT POINT I BEGAN TO WORK; HE BEGAN TO
22 WORK. I WOULD TAKE HIM BACK AND FORTH WHERE HE HAD TO GO.
23 I DID THE SAME AS, YOU KNOW, GOING BACK AND FORTH AND ---

24 Q LET ME STOP YOU RIGHT THERE, DID YA'LL LIVE
25 TOGETHER AT THAT TIME?

MS. FELITA GRANT - DIRECT EXAMINATION BY MR. BRYAN

61

1 A YES, SIR, WE DID.

2 Q YOU MOVED TO MYRTLE BEACH?

3 A YES, SIR.

4 Q AND LIVED TOGETHER?

5 A YES, SIR, WE DID.

6 Q AND THAT WAS WHEN?

7 A THAT WAS IN PROBABLY THE FIRST PART OF
8 NOVEMBER.

9 Q HOW LONG DID YA'LL LIVE, WHERE, DO YOU
10 REMEMBER THE ADDRESS THERE?

11 A WE WERE RENTING A WINTER RENTAL; ONE OF THE
12 HOTELS HAD A WINTER RENTAL SPECIAL SO WE DECIDED TO TAKE
13 THAT EFFICIENCY FOR THE MEANTIME UNTIL ---

14 Q HOW LONG DID YA'LL STAY THERE?

15 A LET'S SEE WE MOVED THERE IN NOVEMBER, WE
16 WERE PROBABLY, YOU KNOW, THERE UNTIL I THINK IT WAS ABOUT
17 MARCH BECAUSE I FOUND THAT I WAS PREG-, EXCUSE ME, I FOUND
18 OUT THAT I WAS PREGNANT AND APRIL WAS MY LAST TIME BEING IN
19 MYRTLE BEACH.

20 Q SO DID YA'LL LIVE TOGETHER ANYWHERE BESIDES
21 THERE?

22 A WHEN WE MOVED BACK TO GEORGETOWN, WHEN I
23 MOVED BACK TO GEORGETOWN WE WERE SEPARATED DURING MY
24 PREGNANCY BECAUSE OF HIM, YOU KNOW, BEING A LITTLE AGITATED
25 AT SOME POINT AND I DECIDED TO LEAVE HIM BECAUSE WE WERE

MS. FELITA GRANT - DIRECT EXAMINATION BY MR. BRYAN

62

1 NOT GETTING ALONG. SO TO ~~SAVE THE LIFE OF MY CHILD~~ I MOVED
2 AND RIGHT AFTER SHE WAS BORN WE DECIDED TO REKINDLE OUR
3 RELATIONSHIP FOR HER SAKE SO THAT WE COULD RAISE HER
4 TOGETHER AND WHEN I MOVED BACK WITH HIM THERE WAS PROBABLY,
5 WELL ACTUALLY WE DIDN'T MOVE BACK TOGETHER. WE WERE, I
6 WOULD GO OVER THERE AND SPEND NIGHTS WITH HIM AND THAT WAS
7 PROBABLY THE LATTER PART OF OR THE FIRST PART OF DECEMBER.

8 Q OKAY, AND WHEN YOU MOVED BACK TO GEORGETOWN
9 DID YA'LL EVER LIVE TOGETHER THERE?

10 A NO.

11 Q OKAY, ALL RIGHT, AND SO YOU SAID THAT YOU
12 MOVED IN TOGETHER, YA'LL CONCEIVED A CHILD, THAT YOU HAD
13 THE CHILD AND MOVED BACK TO GEORGETOWN AND THEN AT WHAT
14 POINT DID YOUR RELATIONSHIP END FOR THE LAST TIME IN YOUR
15 MIND?

16 A WELL WHEN I WENT BACK TO MY MOTHER'S HOME I
17 WENT BACK TO HER HOUSE BECAUSE ~~HE HAD BECOME VIOLENT~~
18 TOWARDS ME IN HIS VERBAL ~~AS WELL AS BECOMING PHYSICAL~~ AND I
19 DID NOT WANT TO LIE TO MY MOTHER SO I TOLD HER, YOU KNOW,
20 THAT I NEEDED TO END THIS RELATIONSHIP WITH HIM BECAUSE WE
21 WERE NO LONGER GETTING ALONG AND I DID NOT WANT TO CONTINUE
22 A RELATIONSHIP WITH HIM BECAUSE OF THE FACT THAT I WAS
23 PREGNANT WITH HIS CHILD AND I ~~FELT THAT HE WAS GOING TO~~
24 ~~HARM ME.~~ SO I'LL SAY THAT OUR RELATIONSHIP ENDED SHORTLY
25 AFTER MY DAUGHTER WAS BORN AND THAT WAS, SHE WAS BORN IN

MS. FELITA GRANT - DIRECT EXAMINATION BY MR. BRYAN

63

1 AUGUST AND AFTER SHE WAS BORN I TOLD HIM, DADDY, THAT I DO
2 NOT THINK THAT OUR RELATIONSHIP COULD GO ANY FURTHER, THAT
3 ALL I WANTED TO DO WAS, ALL I NEEDED HIM TO DO WAS HELP ME
4 WITH HER AND HIM GO HIS WAY AND I GO MINE.

5 Q OKAY, DID YOU TRY TO KEEP HIM FROM HIS
6 DAUGHTER?

7 A NO, SIR, I TOLD HIM THAT I WOULD NEVER TAKE
8 HIM FROM HIS CHILD OR TAKE HER FROM HIM BECAUSE I DID NOT
9 WANT THAT FOR HER AND I TRIED TO GIVE HIM AMPLE OPPORTUNITY
10 TO VISIT WITH HER AS MUCH AS POSSIBLE AND EACH TIME THAT WE
11 WERE IN EACH OTHERS PRESENCE HE DID NOT WANT TO LET GO.
12 HE, YOU KNOW, WE, WE NEED TO BE TOGETHER, YOU KNOW, I WANT
13 TO RAISE HER TOGETHER, AND I CONTINUOUSLY TOLD HIM THAT
14 THAT WAS NOT WHAT I WANTED.

15 Q OKAY, ANYTHING ELSE ABOUT YOUR RELATIONSHIP
16 PRIOR TO THE INCIDENT DATE THAT YOU -- LEADING UP TO THE,
17 TO THE INCIDENT ON MAY THE 9TH, 2007, DID HE MAKE ANY
18 ATTEMPTS TO CONTACT YOU?

19 A YES, SIR, HE HAD BEEN CALLING ME EVERY DAY.
20 HE HAD BEEN, HE HAD COME BY MY JOB. HE HAD BEEN CALLING ME
21 AT MY HOUSE. I HAD MY MOTHER COME AND STAY WITH ME FOR TWO
22 WEEKS BECAUSE HE WAS HARASSING ME AND I WAS AFRAID THAT HE
23 WOULD PROBABLY END UP TRYING TO HURT ME AT SOME POINT
24 BECAUSE HE WOULD NOT STOP CALLING ME AND I WAS AT THAT
25 POINT AFRAID THAT SOMETHING WAS GOING TO HAPPEN.

MS. FELITA GRANT - DIRECT EXAMINATION BY MR. BRYAN

64

1 Q DID HE EVER COME TO YOUR JOB ---

2 A YES, SIR.

3 Q --- AND MAKE YOU UNCOMFORTABLE?

4 A HE SHOWED UP AT MY JOB A COUPLE OF TIMES
5 AND THE FIRST COUPLE OF TIMES THAT HE SHOWED UP I DID NOT
6 INFORM MY BOSS THAT HE WAS THERE AND ---

7 Q WHAT DID YOU DO?

8 A I ANSWERED THE PHONE, YOU KNOW, TOLD HIM
9 WHY ARE YOU CALLING, YOU NEED TO STOP CALLING HERE, HUNG UP
10 THE PHONE, AND HE CAME INTO THE BUILDING ONE DAY AND I TOLD
11 HIM HE NEEDED TO LEAVE. HE WANTED TO TALK AND HE SAID,
12 WELL CAN I TALK TO YOU WHEN YOU GET OFF FROM WORK, I SAID,
13 NO, AND HE STILL AT THAT POINT STILL HARASSED ME AND ---

14 Q WAS HE TRYING TO TALK TO YOU ABOUT YOUR
15 CHILD OR SOMETHING ELSE?

16 A VARIOUS THINGS. IT WAS THE CAR, MY CHILD,
17 OUR RELATIONSHIP, YOU KNOW, IT WAS MORE THAN JUST, YOU
18 KNOW, OUR RELATIONSHIP THAT HE WANTED TO TALK TO ME ABOUT.

19 Q OKAY, AND, AND HOW MANY TIMES DID HE COME
20 TO YOUR PLACE OF WORK?

21 A TO MY RECOLLECTION IT MAY HAVE BEEN THREE
22 TIMES ---

23 Q WHAT HAPPENED ---

24 A --- BEFORE I INFORMED MR. CROSBY ABOUT IT.

25 Q WHAT HAPPENED THE LAST TIME HE CAME TO YOUR

MS. FELITA GRANT - DIRECT EXAMINATION BY MR. BRYAN

65

1 PLACE OF WORK?

2 A WHEN HE, WHEN I SAW HIM HE WAS RIDING A
3 BIKE HE PASSED BY ON THE BIKE AND I DIDN'T SEE HIM. I
4 DIDN'T SEE WHERE HE WENT BUT I SAW WHEN HE WALKED BACK BY
5 THE WINDOW AND HE DIDN'T, HE, I HAD ENOUGH TIME TO GET UP
6 AND WALK INTO MY SUPERVISOR'S OFFICE AND INFORMED HIM THAT
7 RONNIE HAD ALREADY BEEN THERE A COUPLE OF TIMES, THAT HE
8 HAD CALLED A COUPLE OF TIMES AND THAT I WANTED IT TO STOP
9 BECAUSE I DID NOT WANT TO BE HARASSED ON MY JOB.

10 Q OKAY, AND WHAT ACTION, IF ANYTHING, DID
11 YOUR, DID YOUR BOSS TAKE?

12 A WHEN RONNIE WILSON WALKED THROUGH THE DOOR
13 JOE APPREHENDED HIM.

14 Q WHO IS JOE?

15 A JOE CROSBY IS THE ATTORNEY THAT I WORKED
16 FOR AT THAT TIME.

17 Q OKAY?

18 A AND HE STOOD IN FRONT OF THE DOOR, HE ASKED
19 HIM WHAT HE WANTED. I DON'T RECALL WHAT THE CONVERSATION
20 WAS AS FAR AS WHAT RONNIE WILSON SAID BUT HE DID, WHEN MR.
21 CROSBY SPOKE HE SAID, LISTEN I DON'T KNOW WHAT THE PROBLEM
22 IS BUT IF YOU NEED TO SEE HER YOU NEED TO TALK TO HER
23 OUTSIDE OF THE OFFICE. DO NOT HARASS HER ON HER JOB HERE
24 OR I WILL CALL THE LAW. DO NOT COME BACK ON MY PREMISES
25 AGAIN.

DEFENSE MOTION FOR MISTRIAL

66

1 Q AND WAS THAT SOMETHING THAT JOE CROSBY TOOK
2 ON HIMSELF OR IS THAT AS A RESULT OF YOUR CONTACTING HIM
3 AND ASKING HIM FOR SOME HELP?

4 A THAT WAS MORE OR LESS A RESULT OF ME
5 INFORMING HIM THAT HE HAD BEEN THERE A COUPLE OF TIMES,
6 THEM KNOWING WHAT I HAD BEEN GOING THROUGH AS FAR AS HAVING
7 PROBLEMS WITH MR. WILSON AND THAT HE FELT AT THAT TIME THAT
8 HE NEEDED TO DO SOMETHING IN REFERENCE TO HELPING ME WHILE
9 I WAS AT WORK.

10 Q OKAY, SO ANYTHING ELSE THAT THE JURY NEEDS
11 TO KNOW ABOUT YOUR RELATIONSHIP LEADING UP TO THE INCIDENT
12 ON MAY THE 9TH?

13 A OTHER THAN, YOU KNOW, I HAD ON SEVERAL
14 ATTEMPTS LEFT HIM. I, LIKE I SAID I DID LIVE WITH HIM IN
15 MYRTLE BEACH, WHEN I REALIZED THAT HE, THAT THERE WAS GOING
16 TO BE A PROBLEM WITH HIM BEING VIOLENT TOWARDS ME I CHOSE
17 TO TRY TO END THE RELATIONSHIP SO THAT THERE WOULD NOT BE
18 ANY ALTERCATIONS.

19 THERE WAS ONE AT ONE TIME THAT HE DID GRAB ME BY
20 MY NECK. THERE WERE PHYSICAL BRUISES AND I WENT TO MY
21 MOTHER'S HOUSE AT THAT TIME, THIS IS JUST BEFORE I LEFT TO
22 GO TO, TO GO TO PLEASANT HILL TO LIVE WITH MY AUNT, THERE
23 WERE BRUISES ON MY NECK AND MY MOTHER ASKED ME WHERE THE
24 BRUISES CAME FROM. HE DID NOT WANT ME TO TELL HER WHERE
25 THEY CAME FROM SO ---

DEFENSE MOTION FOR MISTRIAL

67

1 MR. GOUDE: JUDGE, WE OBJECT AND ---

2 A --- I LIED AND SAID THAT THEY WERE FROM
3 SOMETHING ELSE.

4 MR. GOUDE: WE OBJECT AND HAVE A MOTION TO MAKE
5 AT THIS TIME OUT OF THE PRESENCE OF THE JURY.

6 THE COURT: LADIES AND GENTLEMEN OF THE JURY, IF
7 YOU'LL STEP BACK TO YOUR ROOM JUST A MINUTE, PLEASE.

8 (WHEREUPON, THE JURY RETIRED TO THE JURY ROOM AT
9 3:55 P.M. AND THE FOLLOWING TAKES PLACE ON THE RECORD.)

10 MR. GOUDE: WE MOVE FOR A MISTRIAL. AT THE
11 BEGINNING OF THIS TRIAL, WE BEING ME, SPECIFICALLY MADE A
12 MOTION IN LIMINE THAT THERE BE NO TESTIMONY AND NO EVIDENCE
13 PRESENTED REGARDING ANY PRIOR ABUSE OR ASSAULT BY MR.
14 WILSON AGAINST THIS PROSECUTRIX IN 2004 BEFORE THIS
15 HAPPENED. SHE WAS RIGHT HERE IN COURT WHEN WE MADE THE
16 MOTION. THE LAWYER THAT'S PROSECUTING THE CASE WAS RIGHT
17 HERE IN COURT WHEN WE MADE THE MOTION.

18 SHE GETS ON THE STAND A FEW HOURS LATER AFTER WE
19 MAKE THE SPECIFIC PLAIN ENGLISH MOTION IN LIMINE AND
20 TESTIFIES TO EXACTLY WHAT THE PROSECUTOR SAID WE ARE NOT
21 GOING TO TESTIFY. HE HAS TOLD HIS WITNESSES NOT TO TESTIFY
22 TO THAT. THE COURT'S ORDERED THAT THAT NOT BE TESTIFIED.
23 THE PROSECUTION WITNESS SITS RIGHT THERE AND HEARS ME MAKE
24 THE MOTION. THE PROSECUTOR SAY WE'RE NOT GOING TO PRESENT
25 IT AND THE COURT ORDERED THAT IT NOT BE PRESENTED, BEING

DEFENSE MOTION FOR MISTRIAL

68

1 THE VICTIMS HAS GOT THE RIGHT TO BE HERE ALL OF THE TIME,
2 AND NOW SHE SPECIFICALLY AND INTENTIONALLY GETS ON THE
3 WITNESS STAND AND SAYS EXACTLY WHAT I JUST GOT THROUGH
4 ASKING THE COURT TO ORDER THE PROSECUTION NOT TO PRESENT.

5 THE JURY HAS HEARD IT. NATURALLY I CAN JUMP AS
6 SOON AS SHE STARTS SAYING HE ABUSED ME AND SAY THAT IS VERY
7 IMPORTANT, MEMBERS OF THE JURY, PLEASE BRAZEN THAT IN YOUR
8 BRAIN THAT SHE JUST GOT THROUGH SAYING HE ABUSED ME IN '04.
9 BUT I TRIED TO LET IT DIE DOWN THAT SHE WOULD JUST SHUT UP
10 AND THE PROSECUTOR WOULD MOVE ON TO SOMETHING ELSE BUT, NO,
11 SHE JUST WANTS TO DIG IT DEEPER AND DEEPER SO WE ASK FOR A
12 MISTRIAL MOTION.

13 WE DON'T THINK ANY CURATIVE INSTRUCTION WOULD DO
14 ANYTHING. ALL THAT WILL DO WILL EMBLAZON IT MORE THAT IT
15 HAS SOME MERIT TO IT IN THIS CASE SO IT'S THAT GROUND AND
16 SINCE THEY SPECIFICALLY KNEW THAT'S THE WHOLE REASON OF
17 MAKING THE MOTION IN LIMINE SO YOU DON'T HAVE THIS PROBLEM
18 SO THE JURY DOESN'T HEAR IT BEFORE I THEN TRY TO GET UP AND
19 OBJECT.

20 THE COURT DID EVERYTHING IT COULD DO TO MAKE A
21 FAIR TRIAL. I DID EVERYTHING I COULD DO TO MAKE IT A FAIR
22 TRIAL. THE PROSECUTOR SAID HE WAS DOING WHAT HE COULD DO
23 TO MAKE IT A FAIR TRIAL. THE PROSECUTORING WITNESS HEARD
24 ALL OF THIS STUFF AND SPECIFICALLY AND INTENTIONALLY BLURTS
25 IT ALL OUT, NOT EVEN BLURT IT BECAUSE IT WASN'T

DEFENSE MOTION FOR MISTRIAL

69

1 INADVERTENT. IT WAS A LONG DRAWN OUT COLLOQUY SO ON THAT
2 GROUND WE ASK FOR A MISTRIAL AND TO TRY THE CASE OVER A
3 DIFFERENT WEEK BEFORE A DIFFERENT JURY.

4 THE COURT: WHAT SAYS THE STATE?

5 MR. BRYAN: YOUR HONOR, I'D ASK THAT YOU DENY
6 THE MOTION BASED ON THE FACT THAT I DON'T KNOW THAT SHE'S
7 TALKING ABOUT A 2004 INCIDENT AND I TRIED TO BE REAL CLEAR
8 WHEN I ASKED ABOUT, I ASKED IF I HEARD CORRECTLY IS IT JUST
9 THE 2004 INCIDENT THAT WE'RE TALKING ABOUT NOW. I GUESS WE
10 HAVE TO FIND OUT BECAUSE I DON'T THINK SHE SAID THAT THIS
11 IS A 2004 INCIDENT OR WHAT INCIDENT WE'RE TALKING ABOUT.
12 BUT AS FAR AS I KNOW THE SPECIFIC MOTION IN LIMINE WAS MADE
13 WITH RESPECT TO ONE INCIDENT THAT HAPPENED IN 2004 AND I
14 REALLY JUST DON'T KNOW WHETHER THAT'S THE, THE INCIDENT
15 THAT SHE'S REFERRING TO NOW.

16 I WAS UP HERE WAITING, IT'S NOT MY ROLE TO OBJECT
17 SO I WAS ACTUALLY TURNED AROUND WAITING FOR MR. GOUDE TO
18 OBJECT IF HE HAD A PRIOR BAD ACT MOTION. MY POSITION IS
19 THE PROPER THING TO DO IS WHEN YOU HEAR INADMISSIBLE
20 TESTIMONY YOUR ROLE IN THE COURTROOM AS A DEFENSE LAWYER IS
21 TO OBJECT TIMELY AND, AND THEN ASK FOR A CURATIVE
22 INSTRUCTION OR A MISTRIAL AT THAT TIME, NOT TO LET IT GO ON
23 AND ON AND ON BEFORE YOU OBJECT AND THEN SAY THAT IT CAN'T
24 BE CORRECTED AT THAT POINT. SO I'D ASK THAT FIRST WE FIND
25 OUT IF IT'S THE SAME THING THAT WE WERE TALKING ABOUT IN

DEFENSE MOTION FOR MISTRIAL

70

1 LIMINE AND IF IT IS THAT YOU GRANT THE OBJECTION AND, AND
2 GIVE A CURATIVE INSTRUCTION. I CAN ASK HER, IF YOU WANT ME
3 TO I'LL ASK HER ---

4 THE COURT: I'D RATHER YOU DO IT THAN THE COURT
5 HAVE TO DO IT.

6 MR. BRYAN: (CONTINUING DIRECT EXAMINATION
7 OUTSIDE THE PRESENCE OF THE JURY.)

8 Q MS. GRAHAM, WHEN YOU WERE TALKING JUST
9 BEFORE THE OBJECTION WAS MADE YOU WERE TALKING ABOUT AN
10 INCIDENT WHERE YOU WERE CHOKED, WHEN DID THAT OCCUR?

11 A THAT HAPPENED AFTER 2004, THAT WAS NOT THE
12 SAME INCIDENT.

13 Q OKAY, AND DO YOU KNOW WHEN IT HAPPENED?

14 A ~~TO BE HONEST WITH YOU THERE WAS MORE THAN~~
15 ~~ONE OCCASION AFTER 2004~~ LEADING UP TO THAT PARTICULAR DAY.

16 MR. BRYAN: YOUR HONOR, I DON'T HAVE ANYTHING TO
17 ADD OTHER THAN WE WERE, I THINK WE WERE CLEAR IN
18 INSTRUCTING THE WITNESS NOT TO TALK ABOUT PRIOR BAD ACTS ON
19 DIRECT EXAMINATION, THAT BEING ~~PHYSICAL CONTACT PRIOR TO~~
20 ~~THE INCIDENT~~. THEN THE MOTION IN LIMINE WAS MADE WITH
21 RESPECT TO A 2004 ISSUE THAT MAY HAVE CONFUSED HER THAT SHE
22 COULD ONLY TALK, NOT TALK ABOUT THAT ISSUE SINCE THAT'S
23 WHAT WE HAD ADDRESSED IN PARTICULAR AND I WOULD JUST ASK
24 THAT YOU -- I THINK IT IS -- I'D ASK THAT YOU NOT GRANT A
25 MISTRIAL. I'D ASK THAT IF YOU FIND IT OBJECTIONABLE AND

DEFENSE MOTION FOR MISTRIAL

71

1 GRANT THE OBJECTION THAT YOU THEN SIMPLY GIVE A CURATIVE
2 INSTRUCTION WHICH I THINK IS THE APPROPRIATE THING IN THIS
3 CASE.

4 THE COURT: MR. GOUDE?

5 MR. GOUDE: THE REASON, THE REASON WE MADE THE
6 MOTION AND SAID 2004 WAS BECAUSE THIS CD, WHICH IS THE
7 VIDEOTAPED INTERVIEW OF THIS PROSECUTION WITNESS ON IT WHEN
8 SHE'S QUESTIONED BY MR. KUFEN, SHE SPECIFICALLY SAYS THAT
9 SIX MINUTES INTO THE THING THAT SINCE FEBRUARY '04 HE HAD
10 UP UNTIL THIS DAY WHEN HE INTERVIEWED HER MAY THE 9TH THAT
11 HE HAD NOT ASSAULTED HER. HE HAD NEVER TOUCHED HER SINCE
12 FEBRUARY OF '04, THAT'S WHY WE MADE THE SPECIFIC MOTION
13 BECAUSE THAT'S WHAT SHE SAYS ON THIS VIDEO I'VE GOT IN MY
14 HANDS RIGHT HERE AND WE MAKE THE MOTION, NOW AND I'M GLAD
15 THE WITNESS IS NOW SAYING HE ASSAULTED HER AGAIN, THAT WILL
16 GIVE US OTHER THINGS TO TALK ABOUT LATER, BUT ON THIS
17 MOTION WE STILL SAY THE SAME THING, JUDGE. WE DID
18 EVERYTHING WE COULD TO KEEP IT OUT AND IF SHE'S SAYING
19 SOMETHING DIFFERENT NOW, THE PROSECUTION WITNESS, THAN SHE
20 TOLD POLICE AND WHICH IS IN THE POLICE REPORT AND IT WAS ON
21 THIS DVD VIDEO INTERVIEW WHERE SHE SAYS HE HAD NEVER
22 ASSAULTED HER SINCE FEBRUARY '04, JANUARY AND FEBRUARY OF
23 '04, SO WE ASK FOR A MISTRIAL.

24 THE COURT: WELL I'LL HAVE TO DENY A MOTION FOR
25 MISTRIAL BASED ON, I WAS LISTENING VERY CAREFULLY TO THE

DEFENSE MOTION FOR MISTRIAL

72

1 TESTIMONY AND SHE DIDN'T SAY ANYTHING ABOUT 2004. SHE WAS
2 INVOLVED IN THAT INCIDENT AND THIS WAS MORE OR LESS LEADING
3 UP TO THIS INCIDENT. I DON'T SEE THAT THERE'S THAT MUCH
4 HARM TO IT BUT I WILL INSTRUCT THE PROSECUTION AT THIS TIME
5 LET'S AVOID ANY OF THOSE PREVIOUS INCIDENCES WHERE IT COULD
6 BE CONSTRUED THAT IT WAS CRIMINAL DOMESTIC VIOLENCE OR AN
7 ASSAULT OF THAT TYPE WHERE WE'RE NOT CONCERNED ABOUT WHAT
8 HAPPENED THEN. I DON'T MIND, YOU KNOW, THE BACKGROUND BUT
9 WE KNOW WHERE THERE'S A FINE LINE IN THERE WHERE THE COURT
10 OF APPEALS AND THE SUPREME COURT ---

11 MR. BRYAN: I APPRECIATE THAT, YOUR HONOR. I
12 THINK WE'LL, MY INTENTION WILL BE TO GO STRAIGHT TO THE
13 INCIDENT AT THIS POINT, YOU KNOW, WHEN THE JURY COMES BACK.

14 THE COURT: OKAY.

15 MR. BRYAN: AND I DON'T TAKE POSITION ON THE
16 CURATIVE INSTRUCTION, YOU KNOW, WHETHER OBVIOUSLY I'VE GOT
17 NO PROBLEM WITH A CURATIVE INSTRUCTION.

18 THE COURT: MR. GOUDE, DO YOU WANT ME TO GET
19 INTO THAT OR DO YOU WANT TO JUST LEAVE IT ALONE?

20 MR. GOUDE: I'D JUST RATHER LEAVE IT ALONE, YOUR
21 HONOR.

22 THE COURT: BRING THEM BACK IN.

23 (WHEREUPON, THE JURY RETURNS TO THE COURTROOM AT
24 4:05 P.M.)

25 THE COURT: ALL RIGHT, SOLICITOR.

DEFENSE MOTION FOR MISTRIAL

73

1 MR. BRYAN: THANK YOU, YOUR HONOR.

2 MR. BRYAN: (CONTINUING DIRECT EXAMINATION)

3 Q DID YOU SEE RONNIE WILSON ON MAY THE 9TH OF
4 2007?

5 A YES, SIR, I DID.

6 Q TELL THE JURY WHERE YOU WERE AND HOW THAT
7 HAPPENED?

8 A I WAS INSIDE OF MY APARTMENT. IT WAS
9 PROBABLY ABOUT 7:00 IN THE MORNING. I HAD JUST WOKEN UP TO
10 GET MY DAUGHTER, GET READY FOR WORK AS WELL AS TO GET MY
11 DAUGHTER READY TO GO TO DAY CARE AND WHEN I GOT UP I HAVE
12 ASTHMA SO I TRY TO, YOU KNOW, KEEP MYSELF COOL IN THE
13 MORNING AS I GET DRESSED SO THAT I WON'T HAVE ANY ATTACKS
14 BEFORE I LEAVE TO GO TO WORK, SO THAT PARTICULAR MORNING,
15 WELL THE NIGHT BEFORE I HAD, I HAD TURNED ON THE HEAT SO I
16 TURNED IT OFF AND OPENED MY FRONT DOOR SO THAT SOME OF THE
17 HEAT CAN, YOU KNOW, DISSIPATE AND WHEN I OPENED THE DOOR
18 THERE WAS NO ONE OUT THERE.

19 I LOOKED OUTSIDE AND EVERYTHING AND, YOU KNOW,
20 SAW THAT IT WAS GOING TO BE A NICE DAY SO I WENT BACK IN
21 THE KITCHEN AND I PRECEDED TO FIX MY DAUGHTER SOMETHING TO
22 EAT, A BOWL OF CEREAL, AND SHE SAT AT THE TABLE. I SAT
23 DOWN AND I ASKED HER IF SHE WANTED A LITTLE BIT MORE CAUSE
24 I WANTED TO SEE IF SHE WAS GOING TO EAT WHAT I GAVE HER AND
25 SHE SAID, YES, MA, I WANT SOME MORE CEREAL SO I WENT BACK

DEFENSE MOTION FOR MISTRIAL

74

1 TO THE REFRIGERATOR AND GRABBED THE BOX OF CEREAL.

2 I DIDN'T HAVE ENOUGH TIME TO OPEN THE BOX BECAUSE
3 I HEARD SOMEONE AT THE DOOR SO WHEN I TURNED AROUND AND
4 LOOKED HE WAS ALREADY STANDING IN MY FACE. HE WAS STANDING
5 ABOUT THIS CLOSE TO ME AND, YOU KNOW, IT SHOCKED ME SO I, I
6 JUST, YOU KNOW, LEANED BACK AND I SAID, RONNIE, WHAT ARE
7 YOU DOING HERE AND THE WORDS THAT CAME OUT OF HIS MOUTH
8 WAS, "B" I'M HERE TO KILL YOU, WHICH WAS, BITCH I AM HERE
9 TO KILL YOU AND MY DAUGHTER WAS SITTING AT THE TABLE SO I'M
10 LOOKING AT HER AND I'M SAYING WHAT DO I DO. SO THE PHONE
11 WAS ON MY LIVING ROOM, ON MY LIVING ROOM TABLE SO I WENT TO
12 GRAB THE PHONE AND WHEN HE SAW THAT I WAS GOING TO GRAB THE
13 PHONE HE SAID, IF YOU GRAB THAT PHONE OR YOU DIAL THAT, HE
14 SAID, IF YOU DIAL THAT NUMBER I WILL KILL YOU AND SO AT
15 THIS TIME I PROCEEDED TO LET THE PHONE GO.

16 AT THE SAME TIME HE WENT TO GRAB MY NECK AND MY
17 LIV-, MY COUCH IS ON THIS WALL SO AT THIS POINT I'M TRAPPED
18 GOING THIS WAY BECAUSE HE ENDS UP, ENDS UP PINNING ME IN A
19 CORNER AND THERE WAS NO WAY FOR ME TO GET OUT OF THAT SO HE
20 ENDED UP STARTING TO CHOKE ME AND HE HAS ME, YOU KNOW, IN A
21 CHOKE HOLD AND I'M TRYING TO GET AWAY FROM HIM AND THERE
22 WAS NO WAY FOR ME TO MOVE MY ARMS OR MY LEGS.

23 Q WHEN YOU WENT TO MAKE A TELEPHONE --

24 MR. BRYAN: MAY WE HAVE SOME WATER?

25 THE WITNESS: (CONTINUING)

DEFENSE MOTION FOR MISTRIAL

75

1 A I'M SORRY, JUST GIVE ME A MINUTE.. SO HE
2 GRABBED ME IN A CHOKE HOLD AND I'M TRYING TO FIGHT HIM AND
3 FOR SOME REASON HE LET ME GO AND WHEN HE LET ME GO I WAS
4 ABLE TO ALMOST STAND TO MY FEET AND I SAID, ARE YOU GOING
5 TO KILL ME IN FRONT OF MY DAUGHTER AND HIS WORDS TO ME WAS,
6 SHUT UP, YOU KNOW, I DON'T WANT TO HEAR WHAT YOU HAVE TO
7 SAY PRETTY MUCH. AND SO AT THIS POINT I'M TRYING TO THINK
8 OF A WAY TO GET MY DAUGHTER OF THE ROOM AND BECAUSE SHE
9 OBEYS WHAT I SAY I WAS TRYING TO GET HER TO RUN TO THE DOOR
10 SO THAT SHE WOULD BE ABLE TO ATTRACT SOME TYPE OF ATTENTION
11 SO THAT IF SOMEONE SAW HER THEY WOULD HAVE TO BRING HER
12 BACK TO THE HOUSE BUT THAT DIDN'T WORK BECAUSE HE SAID,
13 ZANESHA, DON'T YOU MOVE SO SHE DID NOT MOVE FROM THE TABLE.
14 AND BY THIS TIME HE OBVIOUSLY GOT ANGRY AGAIN BECAUSE I WAS
15 ABLE TO MOVE A LITTLE BIT AWAY FROM HIM AND HE ATTACKED ME
16 AGAIN ON ANOTHER CHAIR AND WHEN HE ATTACKED ME AT THAT
17 POINT I WAS, YOU KNOW, I WAS STILL TRYING TO GET HER TO GET
18 UP AND MOVE BUT SHE WOULDN'T MOVE BECAUSE I DID NOT WANT
19 HER TO SEE THAT.

20 SO AFTER HE LETS MY NECK GO I GUESS HIM REALIZING
21 THAT HE WAS DOING THIS IN FRONT OF HER AND FOR HER TO SEE
22 IT HE LET ME GO AND I WENT INTO HAVING AN ASTHMA ATTACK.
23 SO I TOLD HIM, I SAID, I NEED TO GET SOME AIR AND I WENT TO
24 THE -- HE SAID, NO, YOU'RE NOT GOING, GOING ANYWHERE
25 BECAUSE YOU'RE GOING TO TRY TO RUN FROM ME AND THE WHOLE

DEFENSE MOTION FOR MISTRIAL

76

1 TIME I'M JUST TRYING TO GET TO THE DOOR SO I COULD GET SOME
2 AIR BUT I WASN'T GOING TO RUN BECAUSE I DID NOT WANT TO
3 LEAVE MY DAUGHTER IN THE HOUSE SO I JUST OBEYED HIM.

4 HE OPENED THE BACK DOOR ENOUGH FOR ME TO SEE
5 OUTSIDE THEN I TOLD HIM THAT WAS NOT ENOUGH AIR FOR ME SO
6 HE STOOD IN FRONT OF ME BUT WHEN HE GOT IN FRONT OF ME HE
7 HAD MY DAUGHTER IN HIS ARM AND HE SAID, DON'T TRY TO RUN
8 BECAUSE IF YOU TRY TO RUN I WILL HURT YOU SO I JUST OBEYED.
9 AND THEN AFTER THE, AFTER THAT HE ASKED ME, HE SAID, DON'T
10 YOU HAVE TO GO TO WORK, NO, HE ASKED ME, DON'T YOU HAVE TO
11 GO TO WORK AND I SAID, YES, I DO, AND MY DAUGHTER WAS AT
12 THIS POINT SHE WAS LIKE, MAMA, YOU KNOW, DADDY, WHAT ARE
13 YOU DOING, YOU KNOW, SHE WAS MORE OR LESS SAYING, DADDY,
14 STOP, DADDY, STOP, AND SHE WAS LIKE, DADDY, WHAT IS THAT?
15 WHAT ARE THOSE MARKS IN HER FACE AND HE WAS TRYING TO COVER
16 IT UP AND I WAS LIKE, HE WAS LIKE, WELL DON'T YOU NEED TO
17 GO TO WORK AND I SAID, YES, AND HE SAID, WELL YOU NEED TO
18 CALL THEM AND I'M LIKE, HOW CAN I CALL THEM AND YOU'VE
19 ALREADY CAUSED ME TO BE LATE FOR WORK. AND AT THE SAME
20 TIME THE PHONE RINGS AND WHEN THE PHONE RANG I LOOKED AT
21 THE PHONE BECAUSE I HAVE CALLER I.D. AND I SAID, HE SAID,
22 WHO IS IT, AND I SAID, IT'S MY MOTHER. HE SAID, WELL DON'T
23 YOU ANSWER THE PHONE AND SO I COULDN'T ANSWER THE PHONE AND
24 HE WAS LIKE, WELL, ARE THESE YOUR CLOTHES CAUSE I HAD MY
25 CLOTHES, WE HAD ALREADY HAD OUR CLOTHES AND EVERYTHING OUT

DEFENSE MOTION FOR MISTRIAL

77

1 FOR THE, FOR THAT DAY AND I WAS IN THE, LIKE I SAID I WAS
2 IN THE PROCESS OF TRYING TO GET READY FOR WORK. SO HE WAS
3 LIKE WELL YOU'RE GOING, YOU'RE NOT GOING TO WORK. YOU'RE
4 GOING TO GO WITH ME SO HE GRABBED MY CLOTHES. HE GRABBED
5 MY CHILD'S STUFF AND WE WENT OUT THE DOOR.

6 HE GRABBED ME BY MY ARM AND HE PROCEEDED TO PULL
7 ME OUTSIDE OF THOSE. WE GOT IN THE CAR AND HE PROCEEDED TO
8 DRIVE TOWARDS ---

9 Q LET ME STOP YOU THERE. BEFORE WE LEAVE THE
10 RESIDENCE, WHEN HE SAID HE WAS GOING TO KILL YOU, DID YOU
11 TAKE THAT SERIOUSLY?

12 A YES, SIR, BECAUSE HE HAD A KNIFE IN HIS
13 HAND. I REALIZE WHEN HE CAME IN THE DOOR AND HE SAID THAT
14 HE WAS THERE TO KILL ME WHEN I GRABBED THE PHONE I SAW THE
15 KNIFE IN HIS HAND. HE PULLED THE KNIFE OUT OF HIS BACK
16 POCKET.

17 Q WHAT KIND OF KNIFE WAS IT?

18 A IT WAS A STEAK KNIFE, KITCHEN KNIFE.

19 Q WAS IT YOURS OR --

20 A IT DID NOT COME FROM MY HOUSE, HE BROUGHT
21 IT WITH HIM.

22 (WHEREUPON, STATE'S EXHIBIT NUMBER 8 MARKED FOR
23 IDENTIFICATION.)

24 MR. BRYAN: (CONTINUING)

25

DEFENSE MOTION FOR MISTRIAL

78

1 Q I'M GOING TO HAND YOU WHAT'S BEEN MARKED
2 FOR IDENTIFICATION PURPOSES AS STATE'S EXHIBIT 8, DO YOU
3 RECOGNIZE THAT?

4 A YES, SIR, THAT'S THE KNIFE THAT HE HAD THAT
5 MORNING.

6 Q AND THE FIRST TIME YOU SAW THAT WAS WHEN?

7 A WHEN HE PULLED IT OUT OF HIS BACK POCKET ON
8 HIS LEFT SIDE.

9 Q OKAY, AND ALSO WITH RESPECT TO THE HOUSE
10 DID HE HAVE PERMISSION TO COME IN YOUR HOUSE ANY TIME HE
11 WANTED?

12 A NO, SIR.

13 Q HAD YOU HAD ANY, WAS IT, HAD YOU MADE IT
14 CLEAR TO HIM THAT HE WASN'T ALLOWED TO COME IN YOUR HOUSE?

15 A HE WAS NOT WELCOME THERE, YES, I DID.

16 Q OKAY, AND IF HE WERE, WHEN YOU SAY HE
17 WASN'T WELCOME THERE WAS HE WELCOME TO COME IF HE TOLD YOU
18 HE WAS COMING OR JUST NOT AT ALL?

19 A NOT AT ALL.

20 Q AND HAD YOU TOLD HIM THAT?

21 A YES, SIR, I DID.

22 Q HOW MANY, HOW MANY TIMES?

23 A IT WAS PRIOR TO THAT INCIDENT SO IT HAD TO
24 HAVE BEEN, YOU KNOW, HE HAD BEEN CALLING AND I TOLD HIM
25 THAT I DID NOT HAVE ANYTHING TO SAY TO HIM AND THAT HE

DEFENSE MOTION FOR MISTRIAL

79

1 COULD NOT COME BACK THERE ---

2 Q SO ---

3 A --- SO IT HAD TO HAVE BEEN LIKE TWO OR
4 THREE WEEKS PRIOR TO THAT DAY.

5 Q --- ON THAT MORNING DID HE KNOCK?

6 A NO, SIR, HE DID NOT.

7 Q DID HE ANNOUNCE HIMSELF -- WAS THE DOOR,
8 WAS THERE A SCREEN DOOR OR ANOTHER DOOR?

9 A YES, SIR, THERE'S A SCREEN DOOR.

10 Q IT WAS CLOSED?

11 A YES, SIR, IT WAS.

12 Q DID HE ANNOUNCE HIMSELF OUTSIDE THE HOUSE?

13 A NO, SIR, HE DID NOT.

14 Q WHAT WAS THE FIRST THING -- WHERE WAS HE
15 WHEN YOU FIRST SAW HIM?

16 A HE WAS STANDING IN FRONT OF ME.

17 Q AND, AND WHERE WAS HE AND WHERE WERE YOU?

18 A I WAS STANDING IN MY, WELL THE HALLWAY TO
19 MY, FROM MY DOOR TO MY KITCHEN IS PROBABLY AS FAR AS WHERE
20 THOSE GENTLEMEN ARE STANDING AND MY REFRIGERATOR IS
21 PROBABLY ON THIS SIDE OF THE WALL AND WHEN I TURNED AROUND
22 I WASN'T PROBABLY NO FARTHER THAN THESE TWO SIDES HERE. HE
23 WAS STANDING RIGHT THERE IN FRONT OF ME. HE'S TALL SO HE
24 CAN WALK FAST, I MEAN WHEN I TURNED AROUND HE WAS ALREADY
25 STANDING IN MY FACE.

DEFENSE MOTION FOR MISTRIAL

80

1 Q ALL RIGHT, AND YOU HAD SAID -- NOW THE
2 HOUSE YOU SAID THAT THERE WAS, HE HAD CHOKED YOU; IS THAT
3 RIGHT?

4 A I'M SORRY?

5 Q DID YOU SAY HE CHOKED YOU?

6 A YES, SIR.

7 Q CHOKED YOU?

8 A YES, SIR.

9 Q AND SO WAS, WAS THE HOUSE MESSED UP OR
10 WHERE DID THE STRUGGLE TAKE PLACE?

11 A THE STRUGGLE TOOK PLACE IN THE LIVING ROOM
12 AND BECAUSE OF THE WAY MY COUCH IS SITTING AND THE AMOUNT
13 OF PILLOWS THAT WERE THERE HE WAS ABLE TO AVOID BREAKING
14 ANYTHING.

15 Q OKAY, IS THERE A GLASS TABLE RIGHT THERE?

16 A YES, SIR, THERE IS.

17 Q WHERE DID YOU GET CHOKED?

18 A I WAS ON THE COUCH THAT SITS ON THIS SIDE
19 OF THE WALL.

20 Q AND --

21 A THAT WAS THE FIRST PLACE BUT HE, HE
22 ATTEMPTED IT TWICE. I WAS ON THIS COUCH AND THEN THERE'S
23 ANOTHER COUCH THAT GOES THIS WAY AND WHEN I WAS ABLE TO
24 MANEUVER AWAY FROM HIM WHEN I WAS ADDRESSING MY DAUGHTER
25 THE FIRST TIME I WAS ABLE TO GET OVER TO THE OTHER CHAIR

DEFENSE MOTION FOR MISTRIAL

81

1 AND WHEN HE REALIZED THAT I HAD MOVED HE GRABBED ME AGAIN.

2 Q ALL RIGHT, NOW WHEN YOU LEFT THE HOUSE WAS
3 HE ARMED OR UNARMED?

4 A HE STILL HAD THE KNIFE ON HIM.

5 Q AND DID YOU GO BECAUSE YOU WANTED TO GO?

6 A NO, I WENT BECAUSE HE PHYSICALLY GRABBED ME
7 BY MY ARM AND TOLD ME THAT HE WAS TAKING ME WITH HIM AND
8 HAD THE KNIFE AND HAD MY DAUGHTER IN HIS ARMS.

9 Q OKAY, AND SO ANY QUESTION IN YOUR MIND THAT
10 YOU WERE WILLINGLY GOING OR NOT WILLINGLY GOING, IS THERE -
11 -

12 A I WAS, I DID NOT WANT TO GO WITH HIM
13 WILLINGLY, NO, SIR.

14 Q AND WHERE DID YA'LL GO?

15 A WHEN WE LEFT THE HOUSE HE GOT INTO THE
16 DRIVERS SEAT OF THE BUICK AND HE PROCEEDED TO DRIVE TO
17 GREENTOWN.

18 Q OKAY, WHAT WAS, WHAT KIND OF CAR WAS IT?

19 A IT'S A BUICK LASABRE 1992.

20 Q WHAT COLOR IS IT?

21 A WHITE.

22 Q LET ME SHOW YOU WHAT'S BEEN MARKED FOR
23 IDENTIFICATION PURPOSES AS STATE'S 6, IS THAT THE CAR
24 YOU'RE REFERRING TO?

25 A YES, SIR.

DEFENSE MOTION FOR MISTRIAL

82

1 Q IS THAT CAR, DOES THAT PICTURE FAIRLY AND
2 ACCURATELY REFLECT THE WAY THAT CAR APPEARED ON MAY THE
3 9TH?

4 A YES, SIR, BUT IT WAS PARKED WHERE THE RED
5 CAR IS PARKED.

6 MR. BRYAN: AT THIS POINT I WOULD ASK TO ADMIT
7 STATE'S 6 INTO EVIDENCE.

8 MR. GOUDE: NO OBJECTION, YOUR HONOR.

9 THE COURT: IN WITHOUT OBJECTION.

10 (WHEREUPON, STATE'S EXHIBIT NUMBER 6 ENTERED INTO
11 EVIDENCE.)

12 MR. BRYAN: (CONTINUING)

13 Q WHERE, WHERE DID YOU, WHEN YOU GOT IN THE
14 CAR WHO GOT IN WHERE, WHERE DID EVERYBODY SIT IN THE CAR?

15 A HE, HE MADE SURE THAT I GOT IN THE CAR
16 FIRST ON THE PASSENGER SIDE THEN HE PROCEEDED TO WALK
17 AROUND THE OTHER SIDE OF THE CAR AND PUT MY DAUGHTER IN THE
18 CAR SEAT ON THE LEFT BEHIND HIM AND HE GOT INTO THE DRIVERS
19 SEAT.

20 Q OKAY, WAS THAT, IS THAT THE CAR HE DROVE
21 OVER THERE?

22 A NO, SIR, HE DID NOT DRIVE A CAR OVER THERE.
23 HE WALKED, I DON'T KNOW HOW HE GOT THERE.

24 Q OKAY, THAT'S THE CAR YOU WERE USING?

25 A YES, SIR.

DEFENSE MOTION FOR MISTRIAL

83

1 Q OKAY, ALL RIGHT, WHAT HAPPENED NEXT?

2 A ONCE HE WAS PROCEEDED, GOT INTO THE CAR AND
3 CRANKED THE CAR UP HE DROVE OUT OF THE APARTMENT AREA WHERE
4 I LIVED AND WENT TO THE RIGHT, WELL EXCUSE ME, TO THE LEFT
5 TRAVELING TOWARDS GREENTOWN. ONCE WE GOT TO GREENTOWN HE
6 DID NOT GO STRAIGHT TO HIS MOTHER'S HOUSE.

7 HE DROVE INTO A, I DON'T KNOW THE NAME OF THE
8 STREET BUT IT'S OFF OF LINCOLNSHIRE AND IT'S PROBABLY ABOUT
9 TWO BLOCKS AWAY FROM HER HOUSE ON THE RIGHT AND HE WENT
10 INTO THIS LITTLE AREA WHERE THERE WAS NEW HOUSES, A HOUSING
11 DEVELOPMENT THAT'S COMING UP. AND HE DROVE INTO THAT
12 LITTLE AREA INTO THE LITTLE CIRCLE AND HE PARKED IN THE
13 MIDDLE OF THE ROAD.

14 HE OPENED MY DOOR, TOLD ME TO GET OUT AND AT THE
15 SAME TIME HE WAS SAYING THIS IS NOT WHAT I WANTED IT TO
16 HAPPEN. I DIDN'T WANT IT TO HAPPEN LIKE THIS AND I STILL,
17 I REMAINED SILENT BECAUSE I WAS IN SHOCK AND I COULD NOT
18 BELIEVE THAT THIS WAS HAPPENING SO HE SAID, GET OUT OF THE
19 CAR.

20 I GOT OUT OF THE CAR. MY DAUGHTER WAS IN THE CAR
21 SO SHE WAS ABLE TO GET UP AND PLAY AND DO WHATEVER AND HE
22 WALKED ME FROM THE CAR MAYBE ABOUT, I'LL SAY ABOUT 10 FEET
23 OR SO OR MORE, AND STARTED TO TALK TO ME AND AS HE WAS
24 TALKING TO ME HE WAS SAYING, WHY DOES IT HAVE TO COME TO
25 THIS? THIS IS NOT WHAT I WANTED. ALL YOU HAD TO DO WAS

DEFENSE MOTION FOR MISTRIAL

84

1 JUST LISTEN TO ME AND DO WHAT I TELL YOU TO DO AND, YOU
2 KNOW, HE WAS JUST MUMBLING A WHOLE BUNCH OF STUFF AND HE
3 MADE A STRANGE STATEMENT TO ME. HE SAID TO ME, HE SAID, DO
4 YOU, HE SAID, I'M HUNGRY, AND I SAID, YOU'RE HUNGRY AND I
5 WAS TRYING TO FIGURE OUT WHAT HE MEANT BY THAT AND HE
6 LOOKED AT ME AND HE RUBBED HIS STOMACH AS IF TO SAY RIGHT
7 NOW I COULD EAT YOU WHOLE. I MEAN THAT'S THE WAY I TOOK IT
8 AND I FOUND IT TO BE STRANGE SO I JUST STILL LIKE REMAINED
9 SILENT AND HE, HE HAD OPENED THE TRUNK, HE HAD OPENED THE
10 TRUNK OF THE CAR AND I DIDN'T KNOW WHAT HE WAS GETTING
11 READY TO DO. I WAS AFRAID. I THOUGHT HE WAS GOING TO KILL
12 ME AND LEAVE ME THERE. I HAD NO IDEA WHAT WAS GETTING
13 READY TO HAPPEN SO I JUST COOPERATED WITH HIM FOR THE SAKE
14 OF MY DAUGHTER.

15 SO THERE WAS A TRUCK, OBVIOUSLY ONE OF THE HOUSES
16 WHERE WE WERE PARKED THEY WERE DOING, STILL DOING
17 CONSTRUCTION ON THE HOUSE. SO A BLACK TRUCK PULLED UP TO
18 WHERE THE HOUSE WAS LOCATED AND THEY PULLED INTO THE
19 DRIVEWAY AND HE WAS STILL TRYING TO TALK TO ME AND I
20 NOTICED THAT THE TRUCK HAD BACKED OUT AND LEFT OUT OF THE
21 PARKING LOT AND IT TURNED AROUND AND CAME BACK AND ONCE HE
22 REALIZED THE TRUCK HAD CAME BACK HE SAID, COME ON LET'S GO
23 AND THAT'S WHEN WE WENT TO HIS MOTHER'S HOUSE.

24 Q WHAT WAS AT LINCOLNSHIRE, DO YOU KNOW, DID
25 ANYONE LIVE THERE THAT YOU KNEW ---

DEFENSE MOTION FOR MISTRIAL

85

1 A NO, SIR.

2 Q --- OR DO YOU KNOW WHY YOU WERE THERE?

3 A I DIDN'T KNOW ANYONE IN THE AREA OTHER THAN
4 WHERE HIS MOTHER LIVED OFF OF OXFORD.

5 Q OKAY, AND YA'LL DIDN'T GET OUT AND GO
6 INSIDE OR --

7 A NO, SIR, WE WERE IN THE PARKING LOT AND
8 BECAUSE I HAVE ASTHMA MY ASTHMA AT THAT TIME WAS ACTING UP
9 REAL BAD SO I VOMITED IN THE PARKING LOT BECAUSE I GOT
10 REALLY SICK. AND, YOU KNOW, I EXPLAINED THAT TO THE
11 OFFICERS WHEN THEY, YOU KNOW, INTERVIEWED ME SO THAT THEY
12 WOULD KNOW WHAT THE SPOT WAS WHERE I WAS LOCATED AT THAT
13 TIME, THAT PARTICULAR TIME AND AFTER WE LEFT THERE WE WENT
14 TO HIS MOTHER'S HOUSE.

15 Q OKAY, WHAT HAPPENED AT HIS MOTHER'S HOUSE?

16 A HE PULLED THE CAR UP INTO THE BACK YARD AND
17 THERE WAS NO ONE THERE, WELL NO ONE OUTSIDE OF THE HOUSE.
18 SO HE WALKED AROUND TO MY CAR DOOR AND HE GRABBED ME OUT OF
19 THE CAR DOOR OUTSIDE AND HE WENT BACK AROUND AND GOT MY
20 DAUGHTER AND HAD HER IN HIS ARM AND I WAS IN PAIN BECAUSE I
21 HAVE DEGENERATIVE JOINT DISEASE. SO ME TRYING TO STRUGGLE
22 TO FIGHT HIM I WAS IN PAIN AND I PROCEEDED TO JUST WALK
23 WITH HIM AND HE SAID, YOU NEED TO STRAIGHTEN UP BEFORE YOU
24 GO IN THIS HOUSE AND I TOLD HIM, I SAID, I CAN'T BECAUSE
25 I'M IN PAIN SO HE GRABBED ME. HE SAID, STRAIGHTEN UP,

DEFENSE MOTION FOR MISTRIAL

86

1 STRAIGHTEN UP, AND YOU KNOW I DID THE BEST I COULD BUT I
2 WAS REALLY HURTING SO HE PULLED ME, HE GRABBED ME AND HE
3 WALKED ME INTO THE HOUSE AND WHEN I GOT INTO THE HOUSE I
4 REMEMBERED THAT I HAD TO GO INTO THE RESTROOM BECAUSE MY
5 STOMACH WAS SICK AGAIN AND I TOLD HIM, I SAID, LISTEN I
6 CANNOT STAY IN THE HOUSE. I NEED TO GET SOME AIR SO HE
7 SAID TO ME, HE SAID, OKAY, YOU CAN GO IN THE FRONT PORCH
8 BUT DO NOT TRY TO RUN AND AT THE SAME TIME WHEN WE GOT --
9 I'M SORRY, I'M MOVING AHEAD OF MYSELF.

10 WHEN WE WALKED INTO THE HOUSE WE WERE WALKING TO
11 THE DEN FROM THE BACK AND HIS BROTHER WAS SITTING IN THE
12 LIVING, WELL IN THE DEN WATCHING TELEVISION SO ---

13 Q DOES HE HAVE JUST ONE BROTHER?

14 A NO, SIR.

15 Q WHICH BROTHER?

16 A OMEGA.

17 Q OKAY, AND, ALL RIGHT, YOU WERE SAYING --
18 WHERE WAS ZANESHA AT THIS TIME?

19 A ZANESHA AT THAT TIME SHE WAS JUST, SHE WAS
20 FREE TO MOVE AROUND BECAUSE HE HAD PUT HER DOWN ON THE
21 FLOOR.

22 Q SO HE CARRIED HER INTO THE HOUSE AND PUT
23 HER DOWN?

24 A HE CARRIED HER INTO THE HOUSE AND PUT HER
25 DOWN AND OMEGA DIDN'T EVEN KNOW THAT I WAS IN THE HOUSE

DEFENSE MOTION FOR MISTRIAL

87

1 BECAUSE I DID NOT SAY ANYTHING TO HIM. SO AS I WALKED INTO
2 THE LIVING ROOM LIKE I SAID I HAD GOTTEN SICK AGAIN SO I
3 HAD TO VOMIT AND WHEN I CAME OUT OF THE BATHROOM I TOLD HIM
4 THAT I NEEDED TO GO OUTSIDE BECAUSE I NEEDED TO GET SOME
5 AIR.

6 AT THAT POINT HE SAID TO ME AS AGAIN THAT NOT TO
7 RUN BECAUSE IF I RAN THAT HE WOULD HURT ME SO I WENT ON THE
8 PORCH TO GET THE AIR. HE WAS OUT THERE FOR A BRIEF PERIOD
9 OF TIME. BEFORE I WAS ABLE TO MOVE OR DO ANYTHING HIS
10 BROTHER CAME TO THE DOOR AND I DON'T KNOW WHETHER, RONNIE
11 SAID HE WAS GOING TO WASH UP. I DON'T KNOW WHETHER HE WAS
12 STANDING BEHIND OMEGA WHEN OMEGA CAME TO THE DOOR OR IF HE
13 WAS STANDING BESIDE HIM. I DON'T WHERE HIS POSITION WAS,
14 SO OMEGA SAID, FELITA, HOW YOU DOING ---

15 Q DON'T SAY WHAT ANYBODY ELSE SAID ---

16 A YES, SIR.

17 Q --- OTHER THAN THE DEFENDANT?

18 A SIR?

19 Q IT'S HEARSAY TO SAY WHAT ANYBODY ELSE SAID
20 OTHER THAN THE DEFENDANT. YOU CAN'T SAY WHAT OMEGA SAID?

21 A OKAY.

22 Q OKAY, WHAT HAPPENED NEXT?

23 A LIKE I SAID I WAS SITTING ON THE PORCH,
24 AFTER OMEGA RECOGNIZED ME HE SPOKE AND RONNIE CAME TO THE
25 DOOR SHORTLY AFTER THAT.

DEFENSE MOTION FOR MISTRIAL

88

1 Q AND DID YOU TRY TO RUN?

2 A NO, SIR, I DID NOT.

3 Q WHERE WAS ZANESHA AT THAT TIME?

4 A SHE WAS IN AND OUT OF THE HOUSE.

5 Q WAS SHE WITH YOU?

6 A SHE WAS MORE OR LESS IN THE HOUSE WITH HIM.

7 Q OKAY, WHAT HAPPENED NEXT?

8 A HE CAME BACK TO THE DOOR, CAME OUTSIDE, SAT
9 ON THE PORCH AND THEN HE STARTED TO TALK TO ME AGAIN ABOUT
10 THE INCIDENT THAT HAD JUST TAKEN PLACE. HE HAD CONTINUALLY
11 SAID THAT HE DID NOT WANT THIS TO HAPPEN. ALL HE WANTED TO
12 DO WAS TALK TO ME AND IF I HAD JUST TALKED TO HIM, YOU
13 KNOW, MAYBE THINGS WOULD HAVE BEEN DIFFERENT AND I NEVER
14 RESPONDED. I JUST SAT THERE AND LISTENED TO WHAT HE SAID
15 AND I WAS HOPING THAT SOMEONE WOULD COME UP AND, YOU KNOW,
16 REALIZE THAT SOMETHING WAS WRONG. AND LIKE I SAID THE
17 WHOLE TIME I JUST SAT THERE AND COOPERATED WITH HIM,
18 COOPERATED WITH HIM.

19 WHEN HE WAS PROBABLY, I WAS PROBABLY ON THE PORCH
20 ABOUT MAYBE 10 MINUTES AND A SHERIFF'S CAR PASSED BY AND
21 WHEN HE SAW THE SHERIFF'S CAR HE LOOKED UP AND HE SAID, OH,
22 HERE COMES TROUBLE AND HE SAID, IT'S TIME FOR US TO GO AND
23 HE WALKED US, I CAN'T REMEMBER WHETHER IT WAS BACK THROUGH
24 THE HOUSE OR AROUND THE SIDE, I DON'T REMEMBER EXACTLY. I
25 THINK IT WAS AROUND THE SIDE. WE DIDN'T GO BACK THROUGH

DEFENSE MOTION FOR MISTRIAL

89

1 THE HOUSE. WE WENT AROUND THE SIDE OF THE HOUSE AND BEFORE
2 WE GOT INTO THE CAR THE POLICE CAR, A POLICE DROVE BY AGAIN
3 BUT THEY DIDN'T STOP SO HE HURRIED UP AND, YOU KNOW, MADE
4 SURE I GOT IN THE CAR.

5 HE PUT ZANESHA IN THE BACK AND HE PULLED OUT OF
6 THE PARKING LOT AND WHEN HE PULLED OUT OF THE PARKING LOT
7 HE WENT ABOUT A BLOCK BEFORE THE, BEFORE HE COULD SEE THE
8 SHERIFF'S CAR AND HE TURNED TO THE RIGHT AND PROCEEDED TO
9 DRIVE TO SAMPIT.

10 Q ALL RIGHT, WHERE DID YOU GO FROM SAMPIT?

11 A THERE WAS A, THERE WAS A HEALTH CLINIC OR
12 SOMETHING DOWN THERE. WE TURNED INTO THE PARKING LOT AND
13 HE STARTED TO ASK ME WHAT I WANTED TO DO AND BECAUSE OF THE
14 PAIN I TOLD HIM THAT I WANTED TO GO TO SEE A DOCTOR AND HE
15 SAID, WELL YOU'RE NOT GOING TO GO TO THE HOSPITAL. I SAID,
16 WELL JUST TAKE ME HOME AND THAT'S HOW I ENDED BACK UP AT MY
17 HOUSE.

18 Q LET ME ASK YOU THIS, WHEN YOU LEFT YOUR
19 HOUSE WHAT WERE YOU WEARING?

20 A I HAD ON MY SLEEPING, IT WAS LIKE A LOUNGE
21 DRESS.

22 Q LIKE YOUR --

23 A IT WAS LIKE PAJAMAS.

24 Q OKAY?

25 A MY NIGHTGOWN.

DEFENSE MOTION FOR MISTRIAL

90

1 Q DID YOU HAVE ANYTHING ELSE ON?

2 A NO, SIR.

3 Q HOW, DO YOU NORMALLY GO OUT IN PUBLIC IN
4 YOUR SLEEPING CLOTHES?

5 A NO, SIR.

6 Q WHAT ABOUT YOUR CHILD, ZANESHA?

7 A ALL SHE HAD ON WAS A TEE SHIRT AND AT THAT
8 TIME SHE STILL TRAINING SO SHE HAD ON UNDERPANTS AND THAT'S
9 IT. SHE DIDN'T EVEN HAVE ON HER SHOES BUT HE HAD GRABBED
10 THE STUFF THAT WE HAD, WE DIDN'T HAVE TIME TO PUT ANYTHING
11 ON.

12 Q IF YOU WERE GOING WITH RONNIE WILSON, IF
13 YOU WERE GOING ANYWHERE, TO HIS PARENTS HOUSE, OUT IN THE
14 PUBLIC TO GET OUT IN YOUR CAR AND YOU WERE GIVEN THE
15 OPPORTUNITY WOULD YOU CHANGE OUT OF YOUR HOUSE COAT OR
16 WOULD YOU WEAR YOUR HOUSE COAT?

17 A NO, I WOULD PUT ON CLOTHES SO THAT I CAN
18 LOOK PRESENTABLE.

19 Q ALL RIGHT, YOU WENT BACK TO THE HOUSE AND
20 WHAT HAPPENED WHEN YOU GOT BACK TO THE HOUSE, TO YOUR
21 HOUSE?

22 A WE GOT OUT OF THE CAR. HE HAD THE KNIFE, I
23 DON'T KNOW WHERE THE, I GUESS HE TOOK THE KNIFE OUT OF HIS
24 POCKET AND THE KNIFE ENDED UP ON THE DASHBOARD. WE GOT OUT
25 OF THE CAR AND WENT INTO THE HOUSE AND WHEN WE GOT IN THE

DEFENSE MOTION FOR MISTRIAL

91

1 HOUSE I SAT IN MY KITCHEN, IN MY KITCHEN CHAIR SO THAT I
2 COULD BE SITTING UP HIGH SO THAT I WOULD NOT HAVE ANOTHER
3 ASTHMA ATTACK.

4 MY DAUGHTER HAD FELL ASLEEP SO SHE WAS, HE HAD
5 LAID HER ON THE COUCH AND THEN HE SAT IN FRONT OF ME AND HE
6 STARTED TALKING TO ME AGAIN AND HE STARTED TO PRAY THAT, HE
7 WAS PRAYING THAT NO ONE WOULD COME TO MY HOUSE, YOU KNOW,
8 WITHIN THAT DAYS TIME BEFORE THE DAY ENDED AND SO ---

9 Q SAY THAT AGAIN?

10 A HE STARTED TO PRAY.

11 Q AND HE PRAYED WHAT?

12 A HE PRAYED THAT NO ONE WOULD COME TO MY
13 HOUSE DURING THE TIME THAT HE WAS THERE ---

14 Q OKAY?

15 A --- THROUGH THE REMAINDER OF THE DAY.

16 Q OKAY, WHAT HAPPENED NEXT?

17 A AND IT WASN'T 10 MINUTES I HEARD A KNOCK AT
18 THE DOOR AND SO HE SAID, OH, THAT MUST BE YOUR MOTHER AND
19 SO I DIDN'T SAY ANYTHING AND THEN THE KNOCK GOT HARDER AND
20 HARDER AND AFTER THEY CONTINUED TO KNOCK HARD HE PANICKED
21 AND HE JUMPED UP AND HE SAID, HE SAID, I'M GOING TO GO
22 THROUGH THE BACK DOOR AND YOU GO AHEAD AND OPEN THE FRONT
23 DOOR. SO I TURNED AROUND AND I LOOKED AND I SAW THAT HE
24 WAS STANDING WITH THE DOOR CRACKED BUT HE NEVER WALKED
25 OUTSIDE SO I WENT AHEAD AND PROCEEDED TO GO TO THE DOOR.

DEFENSE MOTION FOR MISTRIAL

92

1 I UNLOCKED THE DOOR REALLY QUICK AND PULLED IT
2 OPEN AND THEN I SAT DOWN ON THE STAIR STEPS AND THIS
3 OFFICER HE ASKED ME WHERE HE WAS AND I JUST POINTED THAT HE
4 WAS SOMEWHERE IN THE LIVING ROOM AND WHEN THEY CAME IN AND
5 APPREHENDED HIM HE WAS STANDING BEHIND THE BATHROOM DOOR.

6 MR. GOUDE: JUDGE -- NO OBJECTION.

7 MR. BRYAN: (CONTINUING)

8 Q I HAND YOU WHAT'S BEEN MARKED FOR
9 IDENTIFICATION PURPOSES AS STATE'S 1; WHAT IS THAT?

10 A THAT'S MY THINGS.

11 Q IS IT A PICTURE?

12 A YES, SIR.

13 Q THAT'S A PICTURE OF YOU?

14 A YES, SIR.

15 Q AND YOUR FACE?

16 A YES, SIR.

17 Q AND EYE, AND DOES THAT PICTURE FAIRLY AND
18 ACCURATELY REFLECT HOW YOU LOOKED ON MAY THE 9TH OF 2007?

19 A YES, SIR.

20 Q NOW I'M GOING TO ASK YOU ---

21 MR. GOUDE: JUDGE, COULD WE HAVE A ONE MINUTE
22 RECESS FOR MY CLIENT TO STEP TO THE RESTROOM?

23 THE COURT: SURE.

24 MR. GOUDE: THANK YOU.

25 THE COURT: LET'S ALL TAKE ABOUT SEVEN OR EIGHT

DEFENSE MOTION FOR MISTRIAL

93

1 MINUTES AND WE'LL COME BACK.

2 (WHEREUPON, THE JURY RETIRED TO THE JURY ROOM AT
3 4:35 P.M. AND A RECESS WAS TAKEN.)

4 (WHEREUPON, THE JURY RETURNS TO THE COURTROOM AT
5 4:45 P.M.)

6 THE COURT: ALL RIGHT, SOLICITOR, WE'RE READY TO
7 PROCEED.

8 MR. BRYAN: (CONTINUING DIRECT EXAMINATION)

9 Q THE RESIDENCE THAT YOU WERE AT WHEN HE
10 FIRST CAME IN WHERE YOU WERE PREPARING BREAKFAST FOR YOUR
11 TWO-YEAR-OLD DAUGHTER, WHAT COUNTY IS THAT IN?

12 A GEORGETOWN.

13 Q AND I'M GOING TO SHOW YOU A SERIES OF
14 PICTURES AND ASK YOU A QUESTION ABOUT, ONE QUESTION ABOUT
15 ALL OF THEM. THAT'S STATE'S I.D. 2; WHAT IS THAT, WHAT IS
16 THAT?

17 A A PICTURE OF MY FACE.

18 Q AND WHAT IS STATE'S FOR IDENTIFICATION 3?

19 A ANOTHER PICTURE OF MY FACE.

20 Q AND WHAT IS STATE'S FOR IDENTIFICATION 4?

21 A A PICTURE OF MY NECK.

22 Q WHICH SIDE OF YOUR NECK?

23 A THE LEFT SIDE.

24 Q AND STATE'S IDENTIFICATION 5, WHAT IS THAT?

25 A THE RIGHT SIDE OF MY NECK.

DEFENSE MOTION FOR MISTRIAL

94

1 Q IT'S A PICTURE OF THE RIGHT SIDE OF YOUR
2 NEXT, OKAY, AND STATE'S FOR IDENTIFICATION PURPOSES 1, WHAT
3 IS THAT?

4 A ANOTHER PICTURE OF THE FRONT OF MY FACE.

5 Q OKAY, AND DO THOSE PICTURES ALL FAIRLY AND
6 ACCURATELY REFLECT THE WAY YOUR FACE APPEARED ON MAY THE
7 9TH OF 2007?

8 A YES, SIR.

9 Q NOW I'M GOING TO SHOW YOU, LET ME SHOW YOU
10 STATE'S 1. YOU CAN HOLD IT IF YOU WISH TO OR IF YOU WILL,
11 WHAT'S SIGNIFICANT ABOUT THE PICTURE THERE?

12 A THERE ARE VISIBLE SCRATCHES THERE.

13 Q OKAY, AND KIND OF THE BEST YOU CAN DESCRIBE
14 WHERE THE SCRATCHES ARE THAT ARE PICTURED IN STATE'S 1?

15 A ON THE, I GUESS IT WOULD BE ON THE LEFT
16 SIDE OF MY FACE TWO SCRATCHES, MY NOSE ON THIS SIDE, A
17 SCRATCH ON THE OPPOSITE SIDE, AND ONE UNDER MY EYE.

18 Q AND THOSE MARKS DO YOU KNOW HOW YOU GOT
19 THOSE?

20 A YES, SIR, FROM HIS ATTACK ON ME THAT
21 MORNING.

22 Q WHEN YOU SAY HIS ATTACK THAT'S WHO?

23 A RONNIE WILSON.

24 Q I WANT TO SHOW YOU STATE'S FOR
25 IDENTIFICATION PURPOSES 2, ARE THERE ANY MARKS ON YOUR FACE

DEFENSE MOTION FOR MISTRIAL

95

1 ON THAT?

2 A YES, SIR, ON THE RIGHT SIDE OF MY FACE
3 UNDER MY EYE AND RIGHT SIDE OF MY NOSE.

4 Q AND WHO GAVE YOU THOSE INJURIES?

5 A RONNIE WILSON.

6 Q I'M GOING TO SHOW YOU STATE'S 3, WHAT IS
7 THAT?

8 A PICTURES OF BOTH SIDES OF MY FACE ON THIS
9 SIDE AND THE SCRATCHES UNDER MY, ON MY RIGHT SIDE, LEFT
10 SIDE AND UNDER MY EYE, ON THE RIGHT SIDE UNDER MY EYE AND
11 BY MY MOUTH AND THEN THE LEFT SIDE OF MY MOUTH ON THE LEFT
12 SIDE.

13 MR. BRYAN: AT THIS POINT, YOUR HONOR, I WOULD
14 ASK TO ADMIT STATE'S 1, 2, AND 3 INTO EVIDENCE AND REQUEST
15 PERMISSION TO PUBLISH?

16 MR. GOUDE: NO OBJECTION, YOUR HONOR.

17 THE COURT: IN WITHOUT OBJECTION AND YOU MAY
18 PUBLISH THEM.

19 (WHEREUPON, STATE'S EXHIBIT NUMBER 1, 2, AND 3
20 ENTERED INTO EVIDENCE.)

21 MR. BRYAN: (CONTINUING)

22 Q LOOKING AT STATE'S 4 WHICH YOU'VE
23 IDENTIFIED AS THE LEFT SIDE OF YOUR NECK?

24 A YES, SIR.

25 Q WHAT'S SIGNIFICANT ABOUT THAT?

DEFENSE MOTION FOR MISTRIAL

96

1 A THEY'RE BRUISES THERE.

2 Q HOW DID THOSE BRUISES GET THERE?

3 A FROM HIS HANDS.

4 Q HIS HANDS BEING --

5 A HIS HANDS, HIS FINGERS.

6 Q THAT BEING RONNIE WILSON?

7 A YES, SIR.

8 MR. BRYAN: AND I WOULD ASK TO ADMIT STATE'S 4
9 AND REQUEST TO PUBLISH?

10 MR. GOUDE: NO OBJECTION, YOUR HONOR.

11 (WHEREUPON, STATE'S EXHIBIT NUMBER 4 ENTERED INTO
12 EVIDENCE.)

13 MR. BRYAN: (CONTINUING)

14 Q AND THAT'S A PICTURE OF STATE'S 5. THAT'S
15 A PICTURE OF MAYBE THE LEFT SIDE OF YOUR NECK, WHAT'S
16 SIGNIFICANT ABOUT THAT?

17 A THE RIGHT SIDE.

18 Q I'M SORRY, THE RIGHT SIDE OF YOUR NECK,
19 WHAT'S SIGNIFICANT ABOUT THAT?

20 A THAT ALSO HAS BRUISES FROM HIS HANDS ON
21 THAT SIDE AS WELL.

22 Q SO YOU HAVE, THESE PICTURES INDICATE MARKS
23 ON BOTH SIDES OF YOUR FACE, UNDER YOUR NOSE AND ON BOTH
24 SIDES OF YOUR NECK ---

25 A YES, SIR.

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

97

1 Q --- IS THAT FAIR TO SAY?

2 MR. BRYAN: AT THIS POINT I'D ASK TO MOVE INTO
3 EVIDENCE STATE'S 5 WITH PERMISSION TO PUBLISH?

4 MR. GOUDE: NO OBJECTION.

5 MR. BRYAN: THANK YOU, YOUR HONOR.

6 (WHEREUPON, STATE'S EXHIBIT NUMBER 5 ENTERED INTO
7 EVIDENCE.)

8 MR. BRYAN: I DON'T HAVE ANY OTHER QUESTIONS,
9 PLEASE ANSWER ANY QUESTIONS THAT MR. GOUDE HAS.

10 CROSS EXAMINATION

11 BY MR. GOUDE:

12 (WHEREUPON, DEFENDANT'S EXHIBIT NUMBER 1 MARKED
13 FOR IDENTIFICATION.)

14 Q MA'AM, I'M GOING TO SHOW YOU WHAT IS MARKED
15 AS DEFENSE EXHIBIT 1 AND ASK YOU IF THIS IS A CALENDAR FOR
16 THE YEAR 2000 THAT CONTAINS THE MONTH OF MAY ON IT AND THE
17 DATE OF MAY THE 9TH?

18 A YES, SIR.

19 Q AND WHAT DAY OF THE WEEK DOES IT SHOW MAY
20 THE 9TH, 2007 WAS?

21 A A WEDNESDAY.

22 MR. GOUDE: JUDGE, WE WOULD OFFER THIS AS OUR
23 FIRST EXHIBIT.

24 MR. BRYAN: I DIDN'T HEAR WHAT HE SAID, YOUR
25 HONOR.

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

98

1 THE COURT: HE WANTS TO OFFER THAT AS AN
2 EXHIBIT.

3 MR. BRYAN: NO OBJECTION.

4 THE COURT: IN WITHOUT OBJECTION.

5 MR. BRYAN: THANK YOU, YOUR HONOR.

6 (WHEREUPON, DEFENDANT'S EXHIBIT NUMBER 1 ENTERED
7 INTO EVIDENCE AND DEFENDANT'S EXHIBIT NUMBER 2 MARKED FOR
8 IDENTIFICATION.)

9 MR. GOUDE: (CONTINUING)

10 Q MA'AM, I'M GOING TO SHOW YOU A MAP OF THE
11 CITY OF GEORGETOWN THAT'S GOT STREET NAMES ON IT AND OF
12 GEORGETOWN COUNTY, DO YOU RECOGNIZE THIS WITH HAVING A
13 HIGHMARKET STREET ON IT AND NORTH FRASER STREET AND THAT
14 SORT OF THING AS BEING A MAP OF THE CITY OF GEORGETOWN?

15 A YES, SIR.

16 Q AND THE SECOND PAGE OF IT AS BEING JUST A
17 LARGER MAP WHERE IT SHOWS HIGHWAY 17 TO SOUTH FRASER STREET
18 AND HIGHWAY 17-A, 521, WHICH IS HIGHMARKET LIKE YOU'RE
19 GOING TO ANDREWS AND ALL THAT?

20 A YES, SIR.

21 Q AND ON THIS MAP THE FIRST PAGE DOES THIS
22 HAVE DRIVE THE STREET WHERE YOU LIVE ON?

23 A YES, SIR.

24 Q AND DOES IT HAVE ON IT OXFORD LANE?

25 A YES, SIR.

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

99

1 Q THE LANE WHERE MR. WILSON'S MOTHER AND
2 BROTHER LIVE?

3 A YES, SIR.

4 MR. GOUDE: JUDGE, WE'D OFFER THIS AS OUR NEXT
5 EXHIBIT?

6 MR. BRYAN: WITHOUT OBJECTION.

7 (WHEREUPON, DEFENDANT'S EXHIBIT NUMBER 2 ENTERED
8 INTO EVIDENCE AND DEFENDANT'S EXHIBIT NUMBER 3 MARKED FOR
9 IDENTIFICATION.)

10 MR. GOUDE: (CONTINUING)

11 Q MA'AM, I'M GOING TO SHOW YOU WHAT'S MARKED
12 AS DEFENSE EXHIBIT 3 AND IS THIS A PHOTOCOPY OF A PHOTO OF
13 THE CAR THAT YA'LL WERE IN SHOWING THE MAP ON THE DASH?

14 A YES, SIR.

15 MR. GOUDE: JUDGE, WE'D OFFER THAT AS OUR NEXT
16 EXHIBIT?

17 MR. BRYAN: I DON'T HAVE AN OBJECTION OTHER THAN
18 IT'S REALLY HARD TO SEE. I THINK IT'S A PHOTO OF THAT
19 PICTURE AND I WELCOME THEM TO USE THE ACTUAL PICTURE.

20 MR. GOUDE: WE'LL DO THAT.

21 MR. BRYAN: TAKE THAT ONE.

22 THE COURT: ALL RIGHT, IN WITHOUT OBJECTION.

23 MR. BRYAN: NO, WITHOUT OBJECTION, YOUR HONOR.

24 (WHEREUPON, STATE'S EXHIBIT NUMBER 3 ENTERED INTO
25 EVIDENCE AND DEFENDANT'S EXHIBIT NUMBER 4 AND 5 MARKED FOR

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

100

1 IDENTIFICATION.)

2 MR. GOUDE: (CONTINUING)

3 Q MA'AM, I'LL SHOW YOU WHAT'S MARKED AS
4 DEFENSE EXHIBIT 4 WHICH IS A SET OF SIX PHOTOGRAPHS OR
5 PICTURES, (A), (B), (C), (D), (E), (F), IN YOUR APARTMENT
6 WHERE YOU WERE LIVING WAS 34 DRIVE; IS THAT CORRECT?

7 A YES, SIR.

8 Q AND IS THAT WHAT THESE PICTURES ARE WITH
9 THE NUMBER 34, IS THAT YOUR CHAIR BY YOUR FRONT DOOR?

10 A YES, SIR.

11 Q AND THAT'S NUMBER (A) AND IS (B) A PICTURE
12 OF YOUR -- YOUR COMPLEX HAS FOUR UNITS IN IT; IS THAT
13 CORRECT?

14 A YES, SIR.

15 Q AND YOUR UNIT IS THE LEFT HAND UNIT?

16 A YES, SIR.

17 Q ON PICTURE 4(B)?

18 A YES, SIR.

19 Q AND IS 4(C) A PICTURE OF THE EDGE OF YOUR
20 UNIT SHOWING YOUR CHAIR AT YOUR DOOR AND YOUR DOOR, IS THAT
21 WHAT THAT'S SEEING?

22 A YES, SIR.

23 Q AND (D) IS THAT ---

24 MR. BRYAN: YOUR HONOR, MAY I OBJECT AT THIS
25 POINT?

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

101

1 THE COURT: HOW?

2 MR. BRYAN: I DON'T THINK I HAVE, ASSUMING THAT
3 ONE OF THE PROPER TIME ISSUES, I DON'T MIND REFERENCE TO
4 THEM. MY PREFERENCE WOULD BE WE'VE GOT SIX PICTURES ON ONE
5 EXHIBIT AND JUST FOR LACK OF CONFUSION I THINK MAYBE THE
6 PROPER WAY TO DO IT WOULD BE TO MARK EACH PICTURE AS AN
7 EXHIBIT RATHER THAN MAKE SIX PICTURES ONE EXHIBIT. I THINK
8 JUST FOR THE SAKE OF CONFUSION, I MEAN THEY'RE ALL EASILY
9 SEPARATED. THEY'RE SIX INDIVIDUAL PICTURES. THEY'D BE
10 EASILY MADE INDIVIDUAL EXHIBITS. IT SEEMS KIND OF
11 CONFUSING TO -- WELL I'LL WITHDRAW MY OBJECTION.

12 MR. GOUDE: PUT (A), (B), (C), (D), (E), (F).

13 THE COURT: IS THAT FORMAT ALL RIGHT WITH YOU?
14 OKAY, WE'RE STRAIGHT.

15 MR. BRYAN: THANK YOU, YOUR HONOR.

16 MR. GOUDE: (CONTINUING)

17 Q DO THESE PICTURES ACCURATELY REPRESENT YOUR
18 APARTMENT AT DRIVE WHERE YOU LIVE?

19 A YES, SIR.

20 Q AND BASICALLY THE SAME UNIT?

21 A YES, SIR.

22 Q IN THE SAME FORMAT MAY THE 9TH?

23 MR. BRYAN: I'M GOING ASK ---

24 A YES, SIR.

25 MR. BRYAN: --- JUST FOR A BREAK SO I CAN MARK

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

102

1 MINE (A), (B), (C), (D), (E), AND (F) SO I'LL KNOW WHAT
2 WE'RE TALKING ABOUT.

3 MR. GOUDE: (CONTINUING)

4 Q DEFENSE EXHIBIT 5 IS THIS JUST THE BACK
5 VIEW OF YOUR HOUSING COMPLEX?

6 A YES, SIR.

7 Q AND YOUR HOUSE WOULD BE THE --

8 A THE ONE ON THE END.

9 Q ON THE RIGHT HAND SIDE?

10 A YES, SIR.

11 Q AND IS THIS ACCURATE WITH THE WAY IT LOOKED
12 ON MAY THE 9TH, 2007, AND THE WAY IT LOOKS TODAY?

13 A THAT'S HOW IT LOOKS TODAY CAUSE THOSE
14 WEREN'T THERE.

15 Q WHAT'S THAT?

16 A THE AIR CONDITIONING UNITS WEREN'T THERE;
17 THEY JUST INSTALLED THOSE.

18 Q OTHER THAN THAT THE BASIC BUILDING?

19 A THE BASIC, YES, SIR.

20 MR. GOUDE: JUDGE, WE WOULD OFFER OUR EXHIBIT 4
21 AND 5 INTO EVIDENCE.

22 THE COURT: ANY OBJECTION?

23 MR. BRYAN: NO, YOUR HONOR.

24 THE COURT: IN WITHOUT OBJECTION.

25 (WHEREUPON, DEFENDANT'S EXHIBITS 4 AND 5 ENTERED

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

103

1 INTO EVIDENCE AND DEFENDANT'S EXHIBIT 6 MARKED FOR
2 IDENTIFICATION.)

3 MR. GOUDE: (CONTINUING)

4 Q MA'AM, AS I UNDERSTAND WHAT YOU SAID
5 EARLIER WAS THAT YOU AND MR. WILSON LIVED TOGETHER AS
6 BOYFRIEND AND GIRLFRIEND FROM ABOUT NOVEMBER 2003 TO
7 APPROXIMATELY FEBRUARY 2004; IS THAT CORRECT?

8 A 2000, IT WAS NOT 2000, IT WAS NOVEMBER OF
9 2003 THROUGH, YEAH, THAT'S, THAT'S ABOUT RIGHT.

10 Q TO ABOUT FEBRUARY 2004?

11 A YES, SIR.

12 Q AND THEN YOUR DAUGHTER, YOURS AND MR.
13 WILSON'S DAUGHTER WAS BORN IN AUGUST OF 2004?

14 A CORRECT.

15 Q AND THAT YOU AND HE THEN SAW EACH OTHER
16 SOME IN THE FALL OF 2004 AFTER YOUR DAUGHTER WAS BORN?

17 A CORRECT.

18 Q THAT'S SEPTEMBER OF 2004?

19 A YES, SIR.

20 Q AND THEN IN THE YEAR 2007 BETWEEN LET'S SAY
21 FEBRUARY OF 2007 THIS YEAR, THIS YEAR THAT WE'RE IN RIGHT
22 NOW, BETWEEN FEBRUARY 2007 AND THE DAY OF THIS INCIDENT MAY
23 THE 9TH, 2007, DID YOU AND MR. WILSON HAVE SEXUAL RELATIONS
24 ANY TIME DURING THAT TIME PERIOD?

25 A YES, SIR, WE DID.

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE 104

1 Q AND HOW RECENTLY UP UNTIL -- LET ME CHANGE
2 THAT. DURING THAT TIME PERIOD FEBRUARY OF 2007 TO MAY THE
3 9TH OF 2007 YOU WERE LIVING IN THE GEORGETOWN HOUSING
4 AUTHORITY PARK ---

5 A CORRECT.

6 Q --- CORRECT?

7 A CORRECT.

8 Q AND THAT WAS YOUR ADDRESS ON 34
9 DRIVE?

10 A YES, SIR.

11 Q AND DURING THAT TIME PERIOD DID MR. WILSON
12 SOMETIME BETWEEN FEBRUARY OF 2007 AND THIS DAY MAY THE 9TH
13 OF 2007 DID SOME NIGHTS DURING THAT TIME PERIOD MR. WILSON
14 STAY OVERNIGHT IN THAT APARTMENT?

15 A YES, HE DID.

16 Q DURING SOME TIME BETWEEN FEBRUARY AND MAY
17 9TH, 2007, DID MR. WILSON HAVE ANY CLOTHING IN THAT
18 APARTMENT THAT HE LEFT IN THE APARTMENT OTHER THAN THE
19 ACTUAL SHIRT AND PANTS AND SOCKS AND UNDERWEAR AND TEE
20 SHIRT THAT WAS WEARING ON HIS BODY?

21 A HE HAD LEFT A FEW THINGS THERE BUT HE CAME
22 BACK TO RETRIEVE THOSE THINGS WHEN I TOLD HIM THAT HE COULD
23 NOT LIVE THERE.

24 Q AT SOME POINT DURING FEBRUARY TO MAY THE
25 9TH OF 2007, AT SOME POINT IN THERE WAS MR. WILSON

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE 105

1 GAINFULLY EMPLOYED AT A & D CONSTRUCTION OVER AT SANTEE
2 COOPER WINYAH GENERATING PLANT?

3 A YES, SIR.

4 Q AND THAT PLANT WAS WHERE THEY WERE BUILDING
5 THIS BIG BOILER PLANT OVER THERE BY SANTEE COOPER, CORRECT?

6 A YES, SIR.

7 Q AND DURING THIS TIME OF FEBRUARY THROUGH
8 MAY THE 9TH OF 2007 DID MR. WILSON'S MOTHER, YOU KNOW MR.
9 WILSON'S, IS IT CORRECT THAT YOU KNOW MR. WILSON'S MOTHER?

10 A YES, SIR, I DO.

11 Q AND MR. WILSON'S MOTHER, IS IT ALMINA
12 WILSON THE LADY SEATED HERE THAT I'M POINTING AT WITH MY
13 LONG AND ATTRACTIVE INDEX FINGER ON MY LEFT HAND WEARING
14 THE RED COAT, IS THAT HIS MOTHER SEATED THERE?

15 A YES, SIR.

16 Q AT SOME POINT FEBRUARY TO MAY OF 2007 WOULD
17 MS. ALMINA WILSON DRIVE OVER TO YOUR 34 DRIVE
18 GEORGETOWN HOUSING AUTHORITY APARTMENT AND PICK UP RONNIE
19 WILSON IN THE MORNING TIME AT 6 OR 6:30 TO TAKE HIM TO WORK
20 AT 7 A.M. AT A & D CONSTRUCTION OVER AT THE SANTEE COOPER
21 WINYAH GENERATING POWER PLANT?

22 A YES, SIR.

23 Q AND DURING THAT TIME WHEN HE WAS STAYING
24 THERE AT 34 DRIVE HE WAS WORKING, HE BEING RONNIE
25 WILSON, WAS WORKING 12 HOUR A DAY SHIFTS WHEN HE WAS

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

106

1 WORKING THERE AT A & D CONSTRUCTION AND SANTEE COOPER,
2 CORRECT?

3 A YES, SIR.

4 Q AND HE WAS WORKING SEVEN DAYS A WEEK FROM,
5 WELL SEVEN DAYS A WEEK THAT'S ALL OF THEM, IT DOESN'T
6 MATTER IF IT STARTED MONDAY OR TUESDAY OR WHATEVER IT'S ALL
7 THE DAYS OF THE WEEK, CORRECT?

8 A CORRECT.

9 Q AND HE WAS MAKING APPROXIMATELY \$16.00 AN
10 HOUR FOR 12 HOURS A DAY SEVEN DAYS A WEEK WHEN HE WAS
11 WORKING THERE; IS THAT CORRECT?

12 A I NEVER SEE ALL HIS PAY CHECKS SO I DON'T
13 KNOW WHAT HE WAS MAKING.

14 Q AND DURING THIS TIME PERIOD APPROXIMATELY
15 MARCH OF 2007 DID MR. WILSON BUY A CAR FOR HE AND FOR YOU
16 TO USE?

17 A THE CAR WAS HIS, HE BOUGHT THE BUICK FOR
18 THE PURPOSE OF ME TO USE FOR ME AND MY DAUGHTER. HE STATED
19 THAT HE HAD WRECKED MY CAR AND THAT THAT WAS THE CAR THAT
20 HE REPLACED FOR ME AND AT THAT TIME HE PURCHASED THE BUICK.
21 MY MOTHER HAD A LINCOLN TOWN CAR. HE PURCHASED THAT
22 LINCOLN TOWN CAR FOR HIM TO USE AND THE BUICK LASABRE WAS
23 FOR ME TO USE, THAT'S WHY THE CAR WAS IN MY NAME.

24 Q AND MR. WILSON BOUGHT THE, THE WHITE FOUR
25 DOOR BUICK LASABRE, 1992 BUICK THAT'S IN PROSECUTION

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE 107

1 EXHIBIT 6; IS THAT CORRECT?

2 A CORRECT.

3 Q AND MR. WILSON BOUGHT THAT ACCORDING TO THE

4 --

5 (WHEREUPON, DEFENSE EXHIBIT NUMBER 6 MARKED FOR
6 IDENTIFICATION.)

7 MR. GOUDE: WHAT'S OUR NEXT EXHIBIT --

8 Q MR. WILSON BOUGHT THAT ACCORDING TO THIS
9 CERTIFIED TRUE COPY WHICH IS OUR DEFENSE EXHIBIT 6 WHICH
10 WAS REGISTERED HERE AT OUR AUDITOR'S OFFICE MARCH THE 31ST,
11 2007; IS THAT CORRECT?

12 A UH-HUH.

13 Q AND ACCORDING TO THE AUDITOR'S OFFICE THE
14 OWNERS NAME ON THIS IS FELITA GRAHAM OR RONNIE WILSON,
15 CORRECT?

16 A CORRECT, AT THAT TIME IT WAS CORRECT.

17 Q AND THE ADDRESS WAS 34 DRIVE?

18 A CORRECT, THEY USED MY ADDRESS BECAUSE MR.
19 WILSON DID NOT HAVE A DRIVERS LICENSE.

20 MR. GOUDE: JUDGE, WE WOULD OFFER THIS AS OUR
21 NEXT EXHIBIT IN ORDER WHICH WOULD BE NUMBER 6?

22 THE COURT: ANY OBJECTION?

23 MR. BRYAN: YOUR HONOR, I DON'T -- YES, YOUR
24 HONOR, I OBJECT TO THAT BASED ON FOUNDATION, HEARSAY,
25 OBJECT BASED ON HEARSAY AND IMPROPER FOUNDATION.

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

108

1 MR. GOUDE: I GUESS WE CAN PASS THE EXHIBIT UP
2 TO THE COURT, JUDGE, AND THE COURT CAN LOOK AT IT. WE
3 COULD CALL THE AUDITOR'S CLERK FROM DOWNSTAIRS TO CERTIFY
4 THIS AS BEING A TRUE COPY IF WE NEED TO. IT'S A BUSINESS
5 RECORD.

6 THE COURT: SOLICITOR, DO YOU WANT HIM TO CALL
7 HER LATER ON?

8 MR. BRYAN: I DON'T CARE WHO HE CALLS, I JUST
9 WANT THE PROPER FOUNDATION LAID. I THINK IT'S, AND I DON'T
10 THINK SHE CAN VOUCH FOR THE AUTHENTICITY OF THEIR ---

11 THE WITNESS: (CONTINUING)

12 A ACTUALLY THAT IS NOT THE ORIGINAL COPY
13 BECAUSE I HAVE THE REGISTRATION FOR THE VEHICLE AND THE
14 REGISTRATION IS IN MY NAME. IT'S NOT, RONNIE WILSON'S NAME
15 DOES NOT APPEAR ON THERE.

16 MR. GOUDE: I'M NOT ASKING A QUESTION RIGHT NOW.

17 MR. BRYAN: AND I WOULD ASK THAT IF HE'D CALL
18 THE AUDITOR BECAUSE I'D HAVE SOME CROSS FOR THE AUDITOR.

19 THE COURT: OKAY, LET'S DO THIS FOR I.D.
20 PURPOSES FOR NOW ---

21 MR. GOUDE: ALL RIGHT, SIR.

22 THE COURT: --- AND THEN WE'LL ADDRESS THAT WHEN
23 WE GET TO A LATER WITNESS.

24 MR. GOUDE: (CONTINUING)

25 Q AND, MA'AM, IS IT CORRECT THAT, TO KEEP IT

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE 109

1 SIMPLE AND THE FLOW GOING HERE SMOOTH, MR. WILSON BOUGHT
2 THE 1992 BUICK CAR HIMSELF; IS THAT CORRECT?

3 A YES, SIR.

4 Q AND MR. WILSON PAID ALL THE PURCHASE PRICE
5 ON IT, CORRECT?

6 A YES, SIR.

7 Q AND THIS IS THE CAR THAT YOU AND MR. WILSON
8 WERE RIDING IN THIS DAY THAT THE INCIDENT WE'RE TALKING
9 ABOUT OF MAY THE 9TH, 2007, CORRECT?

10 A CORRECT.

11 Q AND THIS CAR WAS PARKED OVER IN THE FRONT
12 OF YOUR APARTMENT 34 DRIVE WHEN THIS DAY STARTED,
13 CORRECT?

14 A CORRECT.

15 Q NOW THIS DAY ACCORDING TO THE CALENDAR OF
16 2007 MAY THE 9TH THIS WAS A WEDNESDAY, CORRECT?

17 A CORRECT.

18 Q AND THAT FOLLOWING SATURDAY, 1, 2, 3 DAYS
19 LATER THAT SATURDAY OF THAT WEEK WAS MAY THE 12TH; IS THAT
20 CORRECT?

21 A CORRECT.

22 Q IS IT CORRECT THAT RONNIE WILSON'S SISTER
23 MONICA WAS SCHEDULED TO GET MARRIED THAT SATURDAY MAY THE
24 12TH OF 2007?

25 A I DON'T KNOW THE DATE, I'M SORRY. I CAN'T,

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

110

1 I CAN'T RECALL THE DATE THAT SHE WAS SCHEDULED TO GET
2 MARRIED.

3 Q DOES RONNIE WILSON HAVE A SISTER NAMED
4 MONICA?

5 A YES, SIR, HE DOES.

6 Q DID RONNIE WILSON'S SISTER MONICA GET
7 MARRIED IN MAY OF 2007?

8 A SIR, I DON'T KNOW WHEN SHE GOT MARRIED. I
9 JUST KNOW THAT SHE DID GET MARRIED.

10 Q BACK IN MAY BEFORE THIS DAY HAPPENED,
11 BEFORE MAY THE 9TH, 2007, SOMETIME IN MAY BUT BEFORE MAY
12 THE 9TH DID YOU KNOW THEN THAT RONNIE'S SISTER MONICA WAS
13 GETTING MARRIED IN MAY?

14 A I KNEW THAT SHE WAS GETTING MARRIED BUT I
15 JUST DIDN'T KNOW WHICH, WHAT DATE IT WAS.

16 Q BACK THEN IN MAY YOU DIDN'T KNOW THE DAY
17 SHE WAS GETTING MARRIED?

18 A SIR, I JUST SAID THAT I DON'T RECALL THE
19 DATE OR THE MONTH THAT SHE'S GETTING MARRIED IN.

20 Q I JUST WANT TO MAKE SURE YOU MAY KNOW
21 EXACTLY WHAT YOU'RE SAYING AND I'LL MAKE SURE I KNOW WHAT
22 YOU'RE SAYING. MY QUESTION IS NOT WHETHER TODAY RIGHT NOW
23 NOVEMBER THE 27TH IF YOU REMEMBER THE EXACT DAY IN MAY SHE
24 WAS GETTING MARRIED, THAT'S NOT MY QUESTION. MY QUESTION
25 WAS BACK IN MAY, I SAY MAY THE 1ST, MAY THE 2ND OR

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE 111

1 WHATEVER, BACK THEN DID YOU KNOW MONICA WILSON WAS GETTING
2 MARRIED AND THEN DID YOU KNOW WHEN SHE WAS SUPPOSED TO GET
3 MARRIED?

4 A I KNEW THAT SHE WAS SCHEDULED TO GET
5 MARRIED BUT I DID NOT, I DON'T RECALL THE DATE THAT SHE WAS
6 GETTING MARRIED ON.

7 Q ALL RIGHT, NOW LET ME ASK YOU THIS, BEFORE
8 THIS DATE, BEFORE MAY THE 9TH, LET'S SAY WITHIN A COUPLE OF
9 WEEKS BEFORE MAY THE 9TH, 2007, DID YOU AND RONNIE WILSON
10 GO TO RONNIE'S SISTER LABOMA WILSON -- STAND UP, LABOMA,
11 DID YOU AND RONNIE WILSON TOGETHER GO TO LABOMA WILSON,
12 RONNIE'S SISTER, TO DISCUSS YA'LL GOING TO THE WEDDING?

13 A NO, SIR, THAT WAS NOT OUR REASON FOR GOING
14 TO LABOMA'S HOUSE.

15 Q BACK THEN BEFORE THIS DAY BACK '07 INCIDENT
16 WERE YOU AND RONNIE GOING TO MONICA'S WEDDING TOGETHER?

17 A WE WERE SCHEDULED TO.

18 Q BACK THEN BEFORE MAY THE 9TH SOMETIME IN
19 MAY WAS RONNIE SCHEDULED TO RENT A TUXEDO FROM WEDDINGS AND
20 THINGS ON KING STREET IN GEORGETOWN TO WEAR TO HIS SISTER'S
21 WEDDING?

22 A I KNEW THAT HE WAS, HE WAS SUPPOSED TO WEAR
23 THE TUXEDO OR HE HAD, WAS SCHEDULED TO GO TO A FITTING BUT
24 I DON'T RECALL WHO IT WAS WITH.

25 Q BACK THEN IN MAY BEFORE MAY THE 9TH, 2007,

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE 112

1 DID YOU TELL RONNIE AND HIS FAMILY THAT THE DRESS YOU WERE
2 GOING TO WEAR TO THE WEDDING WITH RONNIE YOU HAD PUT IN THE
3 DRY CLEANERS?

4 A NO, SIR, I HAD NOT PURCHASED THE DRESS YET
5 SO THE DRESS HAD NOT BEEN PURCHASED. I HAD PUT THE DRESS
6 ON LAYAWAY AND HAD NOT PURCHASED THE DRESS YET.

7 Q DID YOU EVER PURCHASE THE DRESS?

8 A NO, SIR, I DID NOT.

9 Q AFTER MAY THE 9TH, AFTER THIS INCIDENT
10 OCCURRED AFTER THEN, MONICA WAS MARRIED AFTER THAT DATE, IS
11 THAT CORRECT?

12 A I ASSUME SO, I HAVEN'T SEEN HER SINCE THEN
13 BUT I WAS TOLD THAT SHE DID GET MARRIED.

14 Q AND YOU, AFTER MAY THE 9TH, AFTER THIS
15 INCIDENT YOU DID NOT GO TO THE WEDDING, DID YOU?

16 A NO, SIR.

17 Q AT SOME POINT BETWEEN FEBRUARY, 2007 WOULD
18 IT BE FAIR TO SAY THAT MR. WILSON STAYED QUITE A FEW NIGHTS
19 IN THE 34 DRIVE APARTMENT COMPLEX WITH YOU BETWEEN
20 FEBRUARY AND MAY THE 9TH, 2007?

21 A YES, SIR.

22 Q NOW MR. WILSON WAS ON A NO TRESPASS LIST,
23 ISN'T IT CORRECT THAT MR. RONNIE WILSON WAS ON A GEORGETOWN
24 HOUSING AUTHORITY NO TRESPASS LIST FROM FEBRUARY TO MAY,
25 2007?

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE 113

1 A I DON'T KNOW THE DATES THAT HE WAS ON THE
2 NO TRESPASSING LIST BUT I KNEW THAT HE WAS ON THERE.

3 Q AND IF MR. RONNIE WILSON WAS FOUND AT --
4 WELL IN THE, IF MR. RONNIE WILSON WAS FOUND IN 34
5 DRIVE THAT WOULD BE A VIOLATION OF THE GEORGETOWN HOUSING
6 AUTHORITY'S NO TRESPASSING NOTICE, CORRECT?

7 A CORRECT.

8 Q COULD YOU LOOSE YOUR APARTMENT AT 34
9 DRIVE WITHIN THE HOUSING COMPLEX IF YOU LET MR. WILSON STAY
10 THERE AND THE HOUSING AUTHORITY FOUND OUT ABOUT IT?

11 A YES, SIR.

12 Q ARE YOU STILL AT 34 DRIVE NOW?

13 A YES, SIR.

14 Q WHAT IS THE RENT YOU'RE PAYING PER MONTH TO
15 STAY THERE?

16 A RIGHT NOW MY RENT IS, VARIES. YOU, RIGHT
17 NOW IT'S BEING ADJUSTED SO I DON'T KNOW WHAT I'M GOING TO
18 BE PAYING CAUSE I JUST WENT BACK TO WORK RECENTLY.

19 Q WHAT DID YOU PAY, THIS IS NOVEMBER, WHAT
20 DID YOU OWE FOR THE MONTH OF OCTOBER, IF YOU REMEMBER?

21 A \$53.00.

22 Q WHAT DID YOU OWE FOR THE MONTH OF APRIL,
23 2007?

24 A I THINK AT THAT TIME I WAS, I DON'T
25 REMEMBER WHAT IT WAS, I THINK IT WAS \$93.00 OR SOMETHING

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

114

1 CAUSE I WAS WORKING FOR THE LAW FIRM SO I WAS, WAS PAYING
2 RENT BUT I BELIEVE IT WAS LIKE \$93.00 OR SOMETHING LIKE
3 THAT.

4 Q HOW MANY ROOMS IN THAT APARTMENT?

5 A TWO.

6 Q IS THAT A TOTAL?

7 A TWO BEDROOMS.

8 Q AND HOW MANY OTHER ROOMS IN ADDITION TO THE
9 TWO BEDROOMS?

10 A THERE'S TWO BATHROOMS; THERE'S THE KITCHEN
11 DOWN, WELL THERE'S UPSTAIRS AND DOWNSTAIRS, IT'S LIKE A
12 TOWN HOUSE SO THE BEDROOMS ARE UPSTAIRS. THERE'S A FULL
13 BATH UPSTAIRS; DOWNSTAIRS THERE'S A HALF A BATH, THE
14 KITCHEN, A LITTLE DINING ROOM AREA AND THEN MY LIVING ROOM.

15 Q HAVE YOU PRICED WHAT A DECENT TWO BEDROOM,
16 LIVING ROOM, KITCHEN, BATH AND A HALF APARTMENT AND A BRICK
17 HOUSE -- THE APARTMENTS ARE BRICK, AREN'T THEY?

18 A CORRECT.

19 Q HAVE YOU PRICED WHAT A TWO BEDROOM, LIVING
20 ROOM, KITCHEN, BATH AND A HALF BRICK HOUSE OR BRICK
21 APARTMENT WOULD RENT FOR OUT ON THE FREE MARKET IN
22 GEORGETOWN?

23 A YOU'RE GOING TO PAY ANYWHERE FROM 6 TO 8 OR
24 9, ANYWHERE FROM 6 TO \$1,000 FOR IT DEPENDING WHERE IT'S
25 LOCATED.

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

115

1 Q THAT'S PER MONTH?

2 A PER MONTH.

3 Q AT ANY TIME DURING FEBRUARY THROUGH MAY OF
4 2007 DID ANY OF MR. WILSON'S FAMILY VISIT YOU OR MR. WILSON
5 IN YOUR APARTMENT AT 34 DRIVE?

6 A IN MY APARTMENT?

7 Q YES, MA'AM?

8 A I BELIEVE HIS MOTHER CAME THERE ONCE.

9 Q DID LASHAWN, HIS SISTER, LASHAWN WILSON DID
10 SHE COME OVER AND VISIT YA'LL ANY?

11 A WHO?

12 Q LASHAWN, LASHAWN -- LAHOMA, EXCUSE ME?

13 A LAHOMA, NOT THAT I CAN RECALL I REMEMBER
14 HER EVER COMING THERE WHILE HE WAS THERE. SHE'S VISITED ME
15 BEFORE, YOU KNOW, BEFORE HE WAS THERE BUT I DON'T REMEMBER
16 HER EVER BEING THERE WHEN HE WAS, WHEN BOTH ME AND HIM WAS
17 IN THE APARTMENT.

18 Q AFTER BETWEEN FEBRUARY AND MAY DID LAHOMA
19 EVER VISIT OVER THERE AT THE APARTMENT WHEN YOU WERE THERE
20 AND MR. WILSON WAS GONE?

21 A SHE, SHE WOULD COME EVER SO OFTEN BUT IT
22 WASN'T THAT OFTEN. I MAY HAVE SEEN HER MAYBE ONCE OR
23 TWICE.

24 Q AT SOME TIME BETWEEN FEBRUARY AND MAY OF
25 2007 DID YOU AND MR. WILSON VISIT MR. WILSON'S FAMILY AT

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE 116

1 ALMINA'S HOUSE, THE OXFORD LANE HOUSE?

2 A A LOT OF TIMES WHEN I WENT TO HIS MOTHER'S
3 HOUSE I WAS ON THE OUTSIDE. I THINK I MAY HAVE BEEN THERE
4 A COUPLE OF TIMES WITHIN THAT FRAME, TIME FRAME, I BELIEVE.
5 I CAN'T REMEMBER HOW MANY TIMES BUT IT MAY HAVE BEEN TWO OR
6 THREE TIMES AT THE MOST.

7 Q DO YOU KNOW, YOU KNOW MR. RONNIE WILSON'S
8 SISTER CLARA DAVIS?

9 A YES, SIR.

10 Q THE LADY, WOULD YOU STAND UP, CLARA, THE
11 LADY WITH THE BROWN TOP ON HERE?

12 A YES, SIR.

13 Q DO YOU KNOW CLARA'S, RONNIE'S SISTER
14 CLARA'S, IS IT BOYFRIEND OR HUSBAND -- BOYFRIEND, BOYFRIEND
15 ROBERT STEWART THAT'S IN THE BLUE SWEATER AND THAT'S SEATED
16 THERE, WOULD YOU STAND UP, SIR, DO YOU KNOW MR. STEWART?

17 A I ONLY HIM THROUGH CLARA DELL.

18 Q DO YOU KNOW RONNIE WILSON'S BROTHER OMEGA
19 WILSON -- OMEGA, WOULD YOU STAND UP, DO YOU KNOW OMEGA?

20 A YES, SIR.

21 Q I THINK YOU SAID OMEGA WAS AT, WAS IT 'OM
22 OR IS IT MON, OMEGA, OMEGA WAS STAYING WITH HIS MOTHER
23 ALMINA WILSON, CORRECT?

24 A CORRECT.

25 Q AND THEY WERE LIVING AT 44 OXFORD LANE?

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

117

1 A CORRECT.

2 Q AND THIS IS THE PLACE THAT YOU WENT TO THAT
3 MORNING WITH RONNIE WILSON ON MAY THE 9TH, 2007?

4 A YES, SIR.

5 Q AND YOU HAD BEEN THERE BEFORE THAT DAY,
6 BEFORE ---

7 A YES, SIR.

8 Q --- MAY THE 9TH, 2007, AND YOU KNOW WHAT
9 THE HOUSE LOOKS LIKE AND THE STREETS AT IT AND ALL THAT,
10 RIGHT?

11 A CORRECT.

12 MR. GOUDE: WE WOULD MARK THESE, YOUR HONOR, AS
13 OUR NEXT EXHIBITS IN ORDER?

14 (WHEREUPON, DEFENDANT'S EXHIBITS NUMBERS 7 AND 8
15 MARKED FOR IDENTIFICATION.)

16 MR. GOUDE: I REMEMBER WHEN I FIRST STARTED
17 DOING THOSE THINGS LIKE MR. SCOFFIELD IS DOING OVER THERE,
18 RULES 3 OR SOMETHING, INSTEAD OF TRYING TO REMEMBER WHAT
19 NUMBER EXHIBITS IS, JUST ALWAYS SAY THE NEXT EXHIBIT IN
20 ORDER THAT WAY YOU NEVER SCREW UP.

21 THE COURT: TIMES HAVE CHANGED, RULE 403 NOW.

22 MR. GOUDE: 403.

23 Q (CONTINUING) MA'AM, I'M GOING TO SHOW YOU
24 WHAT'S MARKED AS DEFENSE EXHIBIT 7 AND ASK YOU DOES THIS
25 ACCURATELY SHOW THE 44 OXFORD LANE HOUSE THAT ALMINA WILSON

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

118

1 AND OMEGA WILSON LIVE IN AND THE SAME HOUSE THAT YOU WENT
2 TO THE MORNING WITH RONNIE WILSON, THIS HOUSE WITH THE
3 AWNINGS AND STUFF ON IT?

4 A YES, SIR.

5 MR. GOUDE: JUDGE, WE WOULD OFFER THESE AS OUR
6 EXHIBIT 7 AND 8 NEXT IN ORDER.

7 THE COURT: ANY OBJECTION?

8 MR. BRYAN: NO, YOUR HONOR.

9 THE COURT: IN WITHOUT OBJECTION.

10 (WHEREUPON, DEFENDANT'S EXHIBITS NUMBERS 7 AND 8
11 ENTERED INTO EVIDENCE.)

12 MR. GOUDE: (CONTINUING)

13 Q MA'AM, SHORTLY BEFORE THIS -- LET ME ASK
14 YOU THIS SHORTLY BEFORE THIS MAY THE 9TH, 2007 DATE WAS MR.
15 WILSON, ONE NIGHT WHEN HE WAS SUPPOSED TO BE THERE AT YOUR
16 HOUSE WAS HE OUT AT ABOUT 2 OR 3:00 IN THE MORNING YOU
17 FINALLY REACHED HIM ON THE PHONE AND HE WAS OUT SOMEWHERE
18 ELSE; ISN'T IT TRUE THAT YOU BECAME JEALOUS AND THOUGHT HE
19 WAS OUT WITH ANOTHER WOMAN?

20 A NO, SIR, I, I HAD AN ASTHMA ATTACK THE
21 NIGHT THAT I CALLED HIM AND I TOLD HIM THAT I NEEDED TO GO
22 TO THE EMERGENCY ROOM TO BE TREATED BECAUSE I DID NOT HAVE
23 MY MEDICATION CAUSE IT WAS IN THE TRUNK OF THE CAR AND I
24 DID NOT KNOW WHERE THE KEYS WERE. I ASSUMED THAT HE HAD
25 THE KEYS TO THE CAR SO I CALLED HIM UP. I CALLED HIM

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

119

1 SEVERAL TIMES TO REACH HIM TO ASK HIM TO BRING THE KEYS SO
2 THAT I COULD GET MY MEDICINE OUT OF THE TRUNK OF THE CAR.
3 I WAS UNABLE TO REACH HIM ON SEVERAL OCCASIONS WHEN I
4 CALLED HIM AND ASKED HIM WHEN HE WAS COMING TO BRING IT HE
5 TOLD ME THAT HE WAS ON HIS WAY SO I DID NOT CALL AGAIN.

6 I CALLED MY MOTHER AND I HAD MY MOTHER COME OVER
7 THERE AND AS SHE APPROACHED THE HOUSE, EXCUSE ME, AS SHE
8 APPROACHED THE HOUSE SHE WENT TO CHECK THE DOOR OF THE CAR
9 AND FOUND THAT THE CAR WAS OPEN AND I DID NOT SEE HIM TILL
10 6:00 THAT MORNING.

11 Q DID YOU THINK THAT MR. WILSON WAS CHEATING
12 ON YOU WITH ANOTHER WOMAN?

13 A TO BE HONEST WITH YOU I DID KNOW WHERE MR.
14 WILSON WAS AND AT THAT POINT I REALLY DIDN'T CARE WHERE HE
15 WAS CAUSE THAT WASN'T THE FIRST TIME THAT HE HAD DONE THAT.

16 Q THE MORNING OF THIS INCIDENT AS I
17 UNDERSTAND IT WHEN YOU ALL GOT TO, TO THE 44 OXFORD LANE
18 HOUSE I THINK YOU HAD SAID IN YOUR, IN A PRIOR STATEMENT
19 THAT YOU TOLD THE POLICE OR SOMETHING THAT WHEN YA'LL LEFT
20 THE 34 DRIVE YA'LL THEN DROVE OVER TO A LITTLE
21 CIRCLE IN THE AREA OF LINCOLNSHIRE?

22 A IT WAS OFF OF LINCOLNSHIRE ROAD, CORRECT.

23 Q AND I'M SHOWING YOU WHAT'S DEFENSE EXHIBIT
24 2 IT'S OUR MAP OF THE CITY OF GEORGETOWN AND I'LL POINT TO
25 34 DRIVE WHICH IS YOUR HOUSE ---

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

120

1 A YES, SIR.

2 Q --- CAN YOU TELL US APPROXIMATELY THE ROUTE
3 YA'LL TOOK WHEN YOU LEFT THE STREETS THAT YA'LL HAD
4 GOT ON TO END UP AT LINCOLNSHIRE?

5 A OKAY, I DON'T KNOW THE ROAD THAT THE HIGH
6 SCHOOL IS ON.

7 Q ANTHUAN MAYBANKS?

8 A ANTHUAN MAYBANK, I BELIEVE WE WENT DOWN
9 THAT ROAD. ANTHUAN MAYBANK CURVES AROUND AND GOES TO, IF
10 I'M NOT MISTAKEN THAT'S HIGHMARKET STREET.

11 Q YEP?

12 A THEN WE BEAR OFF TO THE RIGHT TO GO DOWN
13 TO, TO WHERE HIS MOTHER LIVES ON OXFORD.

14 Q WOULD YA'LL HAVE TURNED ON MCDONALD ROAD?

15 A NO, SIR, IT WAS, IT WAS, IT'S WHERE THE
16 PEPSI COLA PLANT IS.

17 Q THAT'S CLAIRE ROAD?

18 A YES, SIR, THAT'S CALLED CLAIRE ROAD.

19 Q THAT'S ON THIS MAP, TOO, ISN'T IT?

20 A YES, SIR, IT IS.

21 Q AND YOU WOULD TURN DOWN THERE AND DOWN IN
22 THERE GO A BLOCK OR TWO AFTER YOU TURNED DOWN CLARE ROAD --
23 -

24 A IT WAS SOMEWHERE UP IN THIS AREA RIGHT HERE
25 WHERE HE TURNED OFF INTO ANOTHER ROAD WHERE THERE'S SOME

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE 121

1 NEW, SOME NEW HOUSES BEING BUILT UP IN THERE.

2 Q THAT'S LIKE A BLOCK OR TWO LIKE YA'LL WERE
3 TESTIFYING A WHILE AGO CLOSE TO OXFORD LANE ---

4 A YES, SIR.

5 Q --- WHERE HIS MOTHER LIVES?

6 A YES, SIR.

7 Q AND I THINK YOU HAD SAID WHEN YOU WERE
8 TALKING TO THE POLICE THAT IT WAS, YOU LOOKED ON THE CAR
9 CLOCK WHEN YA'LL WERE PARKED THERE AT LINCOLNSHIRE THAT'S
10 BEFORE YOU HAD GOT TO HIS MAMA'S HOUSE AND IT WAS LIKE 8:18
11 A.M. ON THE CLOCK? ..

12 A SOMEWHERE AROUND THAT TIME, CORRECT.

13 Q AND THE POLICE GOT TO YA'LL'S, TO YOUR
14 APARTMENT LATER WHEN YOU AND MR. WILSON WERE THERE, THAT
15 TIME WAS APPROXIMATELY LIKE 12:15 NOON OR SOMETHING, WASN'T
16 IT?

17 A I GUESS SO.

18 Q NOW WHEN YOU ALL GOT TO 44 OXFORD LANE
19 WHERE OMEGA WILSON AND ALMINA WILSON LIVED IT'S MY
20 UNDERSTANDING OMEGA, HIS BROTHER, WAS THERE, CORRECT?

21 A CORRECT.

22 Q WAS HE STILL THERE WHEN YA'LL LEFT, WHEN
23 YOU AND RONNIE LEFT?

24 A YES, SIR, HE WAS STANDING OUTSIDE IN THE
25 BACK YARD.

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

122

1 Q AND AS I UNDERSTAND IT AS YOU GO INTO THE
2 HOUSE YOU'VE GOT ON ONE END OF THE HOUSE IS, MS. WILSON'S
3 HOUSE, ALMINA AND OMEGA WILSON'S HOUSE ONE END OF THE HOUSE
4 IS A DEN, CORRECT?

5 A YES, SIR.

6 Q AND THEN YOU'VE GOT A KITCHEN AND A
7 BEDROOM?

8 A IF YOU'RE COMING IN THROUGH THE BACK
9 THERE'S THE LAUNDRY ROOM THEN THE DEN. YOU WALK UP MAYBE
10 TWO OR THREE FLIGHT OF STEPS AND YOU WALK INTO THE KITCHEN.
11 YOU BEAR OFF TO THE LEFT AND THERE'S HER LIVING ROOM AND
12 THEN THE HALL, THE BEDROOMS ARE DOWN THE HALL.

13 Q WHERE IS THE BATHROOM LOCATED?

14 A DOWN THE HALL.

15 Q WHERE THE BEDROOMS ARE?

16 A IT'S THE FIRST DOOR ON THE, ON THE RIGHT,
17 NO, I'M SORRY, THE SECOND DOOR ON THE RIGHT.

18 Q AFTER YOU GO PAST THE KITCHEN YOU GOT A
19 BEDROOM ON THE RIGHT THEN YOU GOT A BATHROOM AFTER THAT?

20 A YES, SIR.

21 Q AS I UNDERSTAND IT SOMETIME WHILE YA'LL
22 WERE THERE THAT MORNING MR. RONNIE WILSON TOOK A SHOWER IN
23 THE BATHROOM; IS THAT CORRECT?

24 A I JUST KNOW THAT HE WENT INTO THE RESTROOM,
25 THAT'S WHERE HE SAID HE WAS GOING INTO THE RESTROOM AND I

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE 123

1 DON'T KNOW HOW LONG HE WAS IN THERE BECAUSE I HAD ENDED UP
2 ON THE OUTSIDE OF THE HOUSE.

3 Q YOU WERE OUT ON THE FRONT PORCH OF THE
4 HOUSE WHILE THIS WAS GOING ON?

5 A YES, SIR.

6 Q IS IT ALSO TRUE THAT AFTER MR. WILSON
7 BOUGHT THIS BUICK CAR THAT MR. WILSON'S MOTHER ALMINA
8 WILSON DROVE IT TO THE INSURANCE AGENCY TO GET INSURANCE ON
9 IT?

10 A YES, SIR.

11 Q ISN'T IT TRUE THAT MR. WILSON, RONNIE
12 WILSON PAID YOU \$500 TO PUT THE INSURANCE ON THE CAR?

13 A CORRECT, BUT THE INSURANCE HAD TO GO IN MY
14 NAME BECAUSE HE DOESN'T HAVE A DRIVERS LICENSE SO HE COULD
15 NOT DO ANYTHING WITH THE VEHICLE, THAT'S WHY HE PURCHASED
16 THE VEHICLE SO THAT I WOULD BE ABLE TO USE THE CAR.

17 Q AND DURING THIS TIME PERIOD WHEN MR. WILSON
18 WAS WORKING AT A & D CONSTRUCTION WAS HE GIVING YOU MONEY
19 EACH WEEK?

20 A FOR HIS DAUGHTER, YES.

21 Q WAS THAT APPROXIMATELY \$200 PER WEEK?

22 A I DON'T RECALL HOW MUCH IT WAS, SIR.

23 Q AT SOME POINT AFTER, WELL MARCH THE 31ST
24 THE DATE THIS CAR WAS PURCHASED IN 2007 WOULD YOU DRIVE MR.
25 RONNIE WILSON TO WORK OVER AT A & D CONSTRUCTION OVER AT

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

124

1 SANTEE COOPER WINYAH GENERATING POWER PLANT?

2 A ONLY AFTER HIS MOTHER HAD TOLD HIM THAT SHE
3 COULD NOT DO IT ANY MORE. SHE HAD BEEN PICKING HIM UP AND
4 TAKING HIM TO WHERE HE NEEDED TO GO AND HE STARTED TO ASK
5 ME WHETHER I WOULD BE ABLE TO PICK HIM UP AND BRING HIM
6 HOME AT THAT TIME.

7 Q THAT WAS AFTER YOU ALL, HE GOT THIS CAR AND
8 PUT IT YA'LL'S NAME, RIGHT?

9 A CORRECT.

10 Q AND WAS OMEGA WILSON, RONNIE'S BROTHER, WAS
11 HE ALSO WORKING THERE AT THE SAME PLACE?

12 A YES, SIR.

13 Q A & D CONSTRUCTION OVER AT SANTEE COOPER?

14 A YES, SIR.

15 Q AND WHEN THE MAMA WAS TAKING THEM, ALMINA,
16 OMEGA AND ALMINA WOULD COME TO YOUR HOUSE AND PICK UP
17 RONNIE AND THEY WOULD GO TO WORK, RIGHT?

18 A CORRECT.

19 A AND THEN THAT EVENING AT 7:00 WHEN THEY
20 WOULD GET BACK AT 7:30 TO YOUR HOUSE RONNIE WOULD GET OUT
21 AND LET ALMINA AND OMEGA GO ON, RIGHT?

22 A HE, HE, RONNIE'S MOTHER DIDN'T PICK HIM UP
23 ALL THE TIME. I DON'T KNOW HOW MANY TIMES SHE PICKED HIM
24 UP FROM WORK BUT HE, THERE WAS SEVERAL TIMES THAT HE CAUGHT
25 A RIDE BECAUSE HE WOULD CALL ME FROM WHERE HE WAS AND TELL

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE 125

1 ME THAT HE CAUGHT A RIDE FROM SOMEONE AND THAT HE WOULD BE
2 THERE SHORTLY.

3 Q SOMETIMES DID YOU GO PICK HIM AFTER YA'LL
4 GOT THIS BUICK?

5 A CORRECT.

6 Q AT SOME POINT A FEW DAYS BEFORE MAY THE 9TH
7 OF '07 AND AFTER YOU HAD CALLED MR. WILSON AT 2:00, 3:00,
8 AND 4:00 IN MORNING THAT TIME WHEN YOU WERE HAVING ASTHMA
9 YOU HAD TALKED ABOUT BEFORE, AT SOME POINT BEFORE MAY THE
10 9TH, DID YOU TELL ALMINA WILSON, RONNIE'S MOTHER, THAT
11 SOMETHING TO THE EFFECT THAT I'M GOING TO MAKE RONNIE PAY
12 FOR WHAT HE DID?

13 A NO, SIR, I DID NOT SAY ANYTHING TO THAT
14 NATURE, NO. I DID MENTION TO HIS MOTHER THAT RONNIE, I HAD
15 TOLD HIM, MENTIONED TO HIM THAT HE WAS NOT GOING TO BE ABLE
16 TO LIVE WITH ME BECAUSE OF THE FACT THAT HE WAS ON THAT NO
17 TRESPASSING LIST. I DID NOT WANT TO ALTER, I DID NOT WANT
18 TO HAVE A PROBLEM WITH MY LANDLORD AND THAT HE COULD NOT
19 LIVE THERE AND HIS MOTHER. I HAD TOLD HIS MOTHER ON THE
20 FIRST OCCASION WHERE MR. RON, MR. WILSON WAS NOT ABLE, I
21 WASN'T ABLE TO CONTACT HIM. I HAD TOLD HER, I HAD CALLED
22 HER HOUSE LOOKING FOR HIM AND SHE SAID THAT HE WAS NOT
23 THERE AND THAT SHE DID NOT KNOW WHERE HE WAS AND I TOLD HER
24 THAT IF SHE HAD HEARD FROM HIM TO, PLEASE, HAVE HIM CALL ME
25 OR CONTACT ME.

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

126

1 Q MR. WILSON HAD BEEN ON THIS NO TRESPASSING
2 LIST AT THE HOUSING AUTHORITY SINCE JUNE THE 10TH, 2004,
3 WASN'T HE?

4 A POSSIBLY, I DON'T HAVE THE DATES ON THERE,
5 BUT I KNOW HIS NAME DID APPEAR ON THERE.

6 Q IS IT TRUE THAT A FEW WEEKS BEFORE THIS MAY
7 THE 9TH OF 2007, INCIDENT OR TWO OR THREE WEEKS, WHATEVER,
8 THAT MR. WILSON'S JOB AT A & D CONSTRUCTION OVER AT SANTEE
9 COOPER THAT JOB HAD ENDED, CORRECT?

10 A I PICKED HIM UP FROM WORK ONE DAY AND HE,
11 WELL HE CALLED ME AND SAID THAT THEY HAD JUST LAID HIM OFF-
12 AND IF I WOULD COME TO PICK HIM UP AND I WENT TO PICK HIM
13 UP.

14 Q ABOUT NOON TIME OR 12:15 WHEN THE POLICE
15 CAME TO YOUR APARTMENT THIS DAY MAY THE 9TH 2007 DID YOU
16 TELL MR. WILSON TO HIDE BEHIND THE BATHROOM DOOR WHEN YOU
17 SAW THE POLICE AND YOUR MOTHER, YOUR MOTHER WAS WITH THE
18 POLICE WHEN THEY CAME TO YOUR APARTMENT, RIGHT?

19 A NO, SIR, SHE WAS NOT.

20 Q SHE WAS NOT THERE?

21 A I DON'T REMEMBER HER BEING THERE. ALL I
22 REMEMBER IS WHEN THE OFFICER CAME TO THE DOOR HE ASKED ME
23 WHERE HE WAS AND I POINTED TO THE DIRECTION WHERE HE WAS
24 WHEN I LEFT HIM AND I DON'T RECALL -- I KNOW MY AUNTS WERE
25 THERE BUT I DON'T REMEMBER MY MOTHER BEING THERE AT THAT

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

127

1 TIME.

2 Q YOUR AUNTS?

3 A YEAH, I HAVE TWO RELATIVES THAT WERE, WERE
4 TOLD THAT IT WAS SOMETHING GOING ON AT MY HOUSE.

5 Q ARE THOSE YOUR MOTHER'S SISTERS?

6 A YES, SIR.

7 Q THEY WERE THERE WHEN THE POLICE CAME UP?

8 A YES, SIR, WELL THEY CAME SHORTLY AFTER.

9 Q DID YOU TELL RONNIE WILSON WHEN THE POLICE
10 SHOWED UP THERE AT YOUR DOOR TO HIDE BEHIND THE BATHROOM
11 DOOR OR YOU WOULD LOOSE YOUR APARTMENT?

12 A NO, SIR, I WOULD NEVER, I WOULD NEVER, EVEN
13 IF I DID LOOSE MY APARTMENT BECAUSE HE HAD ASSAULTED ME I
14 DIDN'T CARE AT THAT TIME ABOUT THE APARTMENT. I WAS
15 FEARING FOR MY LIFE AND I DID NOT SAY ANYTHING TO THAT
16 NATURE TO MR. WILSON AT ALL. I, I VERY SELDOMLY SAID ANY
17 WORDS, SPOKE ANY WORDS TO HIM AT ALL THAT DAY AND WHEN I
18 WAS IN THE KITCHEN AREA AS I MENTIONED BEFORE MR. WILSON
19 WAS TALKING TO ME AND I DID NOT SAY ANYTHING AND THE KNOCK
20 CAME AT THE DOOR WITHIN 10 MINUTES OF US GETTING BACK TO
21 THE APARTMENT AND I HAD NOT SAID ANYTHING TO HIM. HE SPOKE
22 TO ME, HE SAID THAT HE WAS GOING TO GET UP GO TO THE BACK
23 DOOR AND I SAID, OKAY, AND I WALKED TO THE FRONT DOOR.

24 I, I COOPERATED WITH HIM AND THAT WAS MY WAY TO
25 OPEN THE DOOR SO THAT WHOEVER WAS THERE WOULD KNOW THAT

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE 128

1 THERE WAS SOMETHING GOING ON. HE ASSUMED THAT IT WAS MY
2 MOTHER AND IT WAS NOT HER. IT WAS THE POLICE DEPARTMENT
3 AND SHERIFF'S DEPARTMENT.

4 Q AND WHILE, WHILE YOU AND MR. WILSON, RONNIE
5 WILSON WERE THERE AT THE RONNIE'S MOTHER'S HOUSE AND
6 OMEGA'S HOUSE THAT MORNING MAY THE 9TH, 2007, WHILE YOU AND
7 HE WERE OUTSIDE IN THE CAR DID ROBERT STEWART, CLARA'S
8 BOYFRIEND, DRIVE UP?

9 A I DON'T REMEMBER SEEING HIM THERE THAT
10 MORNING, NO, SIR.

11 Q WHEN YOU TALKED WITH MR. KUFEN OF THE
12 POLICE DEPARTMENT ON MAY THE 9TH OF '07, THE DATE OF THIS
13 INCIDENT, DID YOU TELL THE OFFICER THAT YOU TOLD MR.
14 WILSON, YOU SAID I NEED MEDICAL ATTENTION AND MR. WILSON
15 SAID, IF YOU GO TO THE DOCTOR YOU CAN'T TELL THEM WHAT
16 HAPPENED? YOU SAID, WELL I NEED TO GET THE BABY SOME
17 CLOTHES AND HE SAID, WHAT DO YOU WANT TO DO ---

18 MR. BRYAN: OBJECTION TO THE FORM OF THE
19 QUESTION, YOUR HONOR.

20 MR. GOUDE: (CONTINUING)

21 Q DID YOU SAY THAT?

22 A I DIDN'T EVEN UNDERSTAND THE QUESTION.

23 MR. BRYAN: OBJECTION TO THE FORM OF THE
24 QUESTION. I DON'T THINK SHE CAN ANSWER THAT. I COULDN'T
25 FOLLOW IT ALL.

MS. FELITA GRAHAM - CROSS EXAMINATION BY MR. GOUDE

129

1 THE COURT: REPHRASE THE QUESTION.

2 MR. GOUDE: (CONTINUING)

3 Q YOU WERE TALKING TO THE POLICEMAN ON MAY
4 THE 9TH OF '07 AFTER THIS THING HAPPENED. DID YOU TELL THE
5 POLICE OFFICER THAT YOU TOLD MR. WILSON THAT BEFORE YA'LL
6 GOT TO YOUR APARTMENT AFTER YOU LEFT OXFORD LANE THAT YOU
7 NEEDED TO GO GET MEDICAL ATTENTION; DID YOU TELL THE
8 OFFICER THAT?

9 A WHEN WE LEFT OXFORD LANE HE WENT TO SAMPIT
10 AND I TOLD HIM DURING THE RIDE TO SAMPIT THAT I NEEDED TO
11 SEEK MEDICAL ATTENTION.

12 Q OKAY, AND DID MR. WILSON SAY IF YOU TELL
13 THE POLICE OFFICER MR. WILSON SAID IF YOU GO TO THE DOCTOR
14 YOU CAN'T TELL THE DOCTOR WHAT HAPPENED?

15 A HE, YES, SOMETHING TO THAT EFFECT, I DON'T
16 REMEMBER THE EXACT WORDS BUT HE DID SAY THAT IF WENT TO THE
17 DOCTOR I COULD NOT SAY WHAT HAPPENED AND I DID SAY THAT
18 THEY WOULD SEE THE PHYSICAL BRUISES, HOW AM I SUPPOSED TO
19 EXPLAIN THAT.

20 Q AND DID YOU TELL MR. WILSON THAT BEFORE YOU
21 WENT TO MEDICAL ATTENTION THAT YOU, DID YOU TELL THE
22 OFFICER THAT YOU TOLD MR. WILSON BEFORE YOU GO TO THE
23 DOCTOR YOU NEED TO GO GET THE BABY SOME CLOTHES FROM THE
24 APARTMENT?

25 A NO, SIR, THAT WAS SOMETHING THAT HE SAID.

MS. FELITA GRAHAM - REDIRECT EXAMINATION BY MR. BRYAN 130

1 HE SAID THAT, WELL WHAT ABOUT ZANESHA SHE NEEDS SOME
2 CLOTHES. I SAID, AFTER HE SAID THAT I SAID, WELL JUST TAKE
3 ME HOME.

4 Q WHEN MR. WILSON CAME TO YOUR APARTMENT THIS
5 MORNING ON MAY THE 9TH, 2007, DID HE ASK YOU IF YOU HAD
6 GOTTEN YOUR CLOTHES YET OUT OF LAYAWAY TO GO TO THE WEDDING
7 ON SATURDAY?

8 A I DON'T REMEMBER THAT QUESTION.

9 Q DID HE SAY ANYTHING ALONG THOSE LINES ABOUT
10 YA'LL GOING TO THE WEDDING ON SATURDAY?

11 A I BELIEVE HE DID ASK ME IF I WAS STILL
12 GOING TO THE WEDDING.

13 Q WHEN MR. WILSON GOT LAID FROM HIS JOB AT
14 SANTEE COOPER DID HE STOP, S-T-O-P, PAYING YOU THAT WEEKLY
15 200 BUCKS?

16 A THAT WASN'T SOMETHING THAT HE, THAT WASN'T
17 PREARRANGED, THAT WAS JUST SOMETHING THAT HE CHOSE TO DO.
18 THAT WAS NEVER AN AGREEMENT, HE JUST CHOSE TO DO THAT. I
19 MEAN SO IT DID STOP BUT IT DIDN'T BOTHER ME BECAUSE I WAS
20 EMPLOYED.

21 Q ARE YOU STILL EMPLOYED ON THAT SAME JOB
22 NOW?

23 A NO, SIR, I'VE SINCE LEFT THAT JOB.

24 Q AT SOME POINT FROM FEBRUARY THROUGH MAY OF
25 2007 WAS MR. WILSON TELLING YOU THAT HE WAS AFRAID TO BE

MS. FELITA GRAHAM - REDIRECT EXAMINATION BY MR. BRYAN 131

1 OVER THERE AT THE HOUSING PROJECT BECAUSE HE WAS ON THE NO
2 TRESPASSING LIST?

3 A NO, SIR, HE DID NOT SAY ANYTHING TO THAT
4 NATURE. I TOLD HIM THAT IT WAS NOT A GOOD IDEA FOR HIM TO
5 BE ON THE PREMISES AND I HAD BEEN TELLING HIM THAT FOR A
6 PERIOD OF TIME.

7 Q MA'AM, DOES MR. WILSON HAVE POOR EYESIGHT?

8 A YES.

9 Q WHILE YA'LL WERE TOGETHER FROM FEBRUARY TO
10 MAY DID HE BUY, BUY GLASSES FROM WAL-MART THAT COST \$400 OR
11 SOMETHING LIKE THAT?

12 A YES, SIR.

13 MR. GOUDE: THANK YOU, JUDGE, THAT'S ALL THE
14 QUESTIONS WE HAVE, WE APPRECIATE YOU LETTING US LOOK OVER
15 ALL THESE NOTES AND IT'S TAKEN SIX MONTHS TO WRITE.

16 THE COURT: YES, SIR -- SOLICITOR, ANYTHING
17 ELSE?

18 MR. BRYAN: JUST BRIEFLY, YOUR HONOR.

19 REDIRECT EXAMINATION

20 BY MR. BRYAN:

21 Q THIS WEDDING OF THE DEFENDANT'S SISTER,
22 WHAT'S HER NAME?

23 A MONICA WILSON.

24 Q AND THE WEDDING WAS SCHEDULED FOR WHEN?

25 A I DON'T REMEMBER THE DATE, I JUST KNEW THAT

MS. FELITA GRAHAM - REDIRECT EXAMINATION BY MR. BRYAN 132

1 IT WAS SCHEDULED FOR SOME TIME IN MAY. I CAN'T RECALL THE
2 DAY.

3 Q AND YOU AGREED TO GO WITH HIM?

4 A I TOLD HIM THAT I WOULD GO WITH HIM IF I
5 WAS ABLE TO PURCHASE MY DRESS THAT I WANTED.

6 Q AND AT WHAT POINT DID YOU AGREE TO GO WITH
7 HIM?

8 A INITIALLY THE INITIAL CONVERSATION THAT WE
9 HAD ABOUT THE WEDDING.

10 Q WHICH WAS WHEN?

11 A PROBABLY A MONTH BEFORE.

12 Q SO YOU'VE BEEN ASKED -- WELL DO YOU KNOW
13 WHY THE DEFENDANT WAS ON TRESPASS NOTICE?

14 A NO, SIR. WELL I HAD FOUND OUT LATER ON
15 THAT HE HAD BEEN ON THEIR ---

16 MR. GOUDE: OBJECTION TO THE HEARSAY, IF YOU
17 FOUND OUT SOMETHING THAT WOULD BE HEARSAY.

18 THE COURT: YOU HAVE TO BE CAREFUL WITH THAT
19 ONE.

20 MR. BRYAN: I'M ASKING IF SHE KNOWS.

21 Q YOU CAN ONLY TESTIFY TO WHAT YOU KNOW?

22 A YES, SIR, I FOUND OUT WHY HE WAS ON THERE.

23 MR. GOUDE: THAT WOULD BE HEARSAY, THAT WOULDN'T
24 GIVE YOU PERSONAL KNOWLEDGE. THAT WOULD BE HEARSAY IF
25 SOMEBODY TOLD YOU SOMETHING SO WE OBJECT.

MS. FELITA GRAHAM - REDIRECT EXAMINATION BY MR. BRYAN 133

1 THE WITNESS: (CONTINUING)

2 A IT CAME FROM MR. WILSON.

3 THE COURT: IT CAME FROM HIM?

4 A YES, SIR.

5 MR. BRYAN: (CONTINUING)

6 Q WHY DID MR. WILSON SAY HE WAS ON THE
7 TRESPASS NOTICE?

8 A HE SAID THAT THERE WAS A YOUNG LADY THAT HE
9 WAS WALKING WITH ONE DAY AND HE CLAIMED THAT SHE WAS DRUNK
10 AND SHE ENDED UP ON THE GROUND. HE SAID THAT THEY CHARGED
11 HIM WITH PUSHING HER AND HE RAN THROUGH THE PROJECTS AND
12 THEY APPREHENDED HIM THERE AND ARRESTED HIM. THAT WAS
13 SOMETHING THAT CAME FROM HIM.

14 Q OKAY, SO WAS, YOU GOT ONE CHILD, RIGHT?

15 A YES, SIR.

16 Q AND HAS PATERNITY BEEN ESTABLISHED ON THAT
17 CHILD?

18 A YES, SIR.

19 Q HOW SO?

20 A 99.99 PERCENT.

21 Q I MEAN WAS THERE A DNA TEST?

22 A YES, SIR, THERE WAS.

23 Q AND WHO'S THE FATHER?

24 A RONNIE WILSON IS.

25 Q OKAY, AND SO DOES HE HAVE, IN YOUR OPINION

MS. FELITA GRAHAM - REDIRECT EXAMINATION BY MR. BRYAN 134

1 DOES HE HAVE ANY FINANCIAL RESPONSIBILITY OF THE CHILD THAT
2 HE FATHERED AND BROUGHT INTO THE WORLD?

3 A NOT, NOT PRESENTLY, NOT, NO, NOT UNTIL THAT
4 PERIOD OF TIME FROM FEBRUARY UNTIL MARCH DID HE TAKE ANY,
5 TAKE ON ANY PARENTAL, YOU KNOW, OBLIGATIONS TO HER.

6 Q AT ANY POINT DID HE OFFER TO DO THINGS
7 BECAUSE HE WAS THE FATHER OF THE CHILD THAT YOU WERE
8 PROVIDING THE SOLE CARE FOR? DID HE BUY YOU A CAR ---.

9 A HE, HE PURCHASED ---

10 Q DID HE PAY FOR A CAR THAT YOU DROVE?

11 A HE PURCHASED THAT CAR IN REPLACE OF THE CAR
12 THAT HE TOTAL LOSS THAT BELONGED TO ME A FEW YEARS EARLIER.
13 SO THAT WAS A REPLACEMENT CAR FOR THE CAR THAT HE DAMAGED
14 AS WELL AS HE SAID THAT THE CAR WAS FOR THE USE OF ME AND
15 MY DAUGHTER TO BE ABLE TO GET AROUND IN AND BECAUSE HE
16 COULD NOT DRIVE BECAUSE OF HIS IMPAIRED VISION THAT'S WHY
17 THE CAR WAS PUT INTO MY NAME SO THAT I COULD DO THE, USE
18 THE CAR FOR GETTING AROUND PURPOSES.

19 Q AND HE WAS GIVING YOU \$200 A WEEK?

20 A I DON'T RECALL HOW MUCH IT WAS BUT HE WAS
21 GIVING ME SOMETHING A WEEK.

22 Q WHAT WERE YOU DOING WITH THAT MONEY? WERE
23 YOU TAKING TRIPS TO EUROPE AND ---

24 A NO, SIR.

25 Q --- WORLD TRAVELING?

MS. FELITA GRAHAM - REDIRECT EXAMINATION BY MR. BRYAN 135

1 A I WAS SUPPLYING THINGS FOR ZANESHA. SHE
2 NEEDED CLOTHES AND TAKEN CARE OF HOUSEHOLD BUSINESS ISSUES.

3 Q SO YOU HAVE A CHILD TOGETHER AND YOU
4 ACCEPTED SOME MONEY FROM HIM TO PAY FOR THINGS FOR THE
5 CHILD?

6 A YES, SIR.

7 Q AND DID YOU EVER TAKE HIM TO FAMILY COURT
8 AND MAKE HIM, HE HAD ESTABLISHED PATERNITY, RIGHT?

9 A YES, SIR.

10 Q SO YOU COULD HAVE GONE TO FAMILY COURT AND
11 ESTABLISHED THAT THERE WERE GUIDELINES THAT HE'D HAVE TO
12 PAY AND THE PENALTY OF GOING TO JAIL FOR VIOLATION OF A
13 COURT ORDER? YOU NEVER, YOU NEVER WENT THAT ROUTE AND MADE
14 HIM OBLIGATED TO PAY A CERTAIN AMOUNT, DID YOU?

15 A NO, SIR, IT, IT HAD BEEN DISCUSSED THROUGH
16 SOCIAL SERVICES THAT HE WAS TO BE PLACED ON CHILD SUPPORT
17 ONCE HE WAS RELEASED FROM THE STATE PENITENTIARY BUT I
18 NEVER TOOK IT TO COURT BECAUSE IT DIDN'T GET THAT FAR.

19 Q AND YOU JUST ACCEPTED WHATEVER HE GAVE YOU?

20 A CORRECT.

21 Q DID YOU EVER ASK HIM FOR MONEY?

22 A NO, SIR, I WAS WORKING. I WAS MAKING
23 MONEY, MAKING GOOD MONEY SO I NEVER HAD TO ASK HIM FOR
24 ANYTHING.

25 Q BUT OCCASIONALLY HE'D GIVE YOU MONEY?

MS. FELITA GRAHAM - REDIRECT EXAMINATION BY MR. BRYAN 136

1 A HE'D GIVE IT TO ME JUST TO GIVE IT TO ME
2 AND SAID IT WAS ---

3 Q FOR YOU OR FOR YOUR CHILD?

4 A HE JUST GAVE TO ME AND I USED IT FOR HER.

5 Q NOW THE CAR YOU HAD WAS TITLED IN BOTH YOUR
6 NAMES?

7 A WHEN WE INITIALLY WENT TO HAVE THE CAR
8 REGISTERED BECAUSE HE HAD SOME THINGS ON HIS DRIVING RECORD
9 THEY WOULD NOT REGISTER THE CAR TO HIM. THEY TOLD ME THAT
10 IF WE COULD WORK AROUND THAT THAT THE CAR WOULD BE
11 REGISTERED IN MY NAME SO THE DMV REGISTERED THE CAR TO ME
12 AS WELL AS, I GUESS, THE AUDITOR OR WHOEVER IT WAS
13 REGISTERED THE CAR TO ME AND TOLD HIM THAT ONCE HE WAS ABLE
14 TO GET THE INFORMATION THAT HE NEEDED TO GET CLEARED UP
15 THROUGH DMV THEN HE WOULD BE ABLE TO POSSIBLY HAVE HIS NAME
16 ADDED TO THE, TO THE, THE TITLE I GUESS.

17 Q OKAY?

18 A BUT AT THE INITIAL TIME HE COULD NOT DRIVE
19 THE VEHICLE AT ALL.

20 Q YOU WERE ASKED A SERIES OF QUESTIONS ABOUT
21 BETWEEN FEBRUARY AND MAY, THAT'S FOUR MONTHS, RIGHT?

22 A FEBRUARY ---

23 Q FEBRUARY, MARCH, APRIL AND MAY?

24 A CORRECT.

25 Q FOUR MONTHS IN TIME WE'RE TALKING ABOUT.

MS. FELITA GRAHAM - REDIRECT EXAMINATION BY MR. BRYAN 137

1 SO RATHER THAN BE CONFUSED ABOUT A FOUR MONTH PERIOD OF
2 DIFFERENT THINGS THAT HAPPENED LET'S BE CLEAR ABOUT WHEN
3 WAS THE LAST TIME HE STAYED AT YOUR HOUSE WITH YOUR
4 CONSENT?

5 A IT HAD BEEN THREE WEEKS PRIOR TO THAT DAY.

6 Q AND WHEN WAS THE LAST TIME THAT YOU HAD SEX
7 WITH HIM?

8 A THREE WEEKS PRIOR TO THAT DAY.

9 Q OKAY, AND AFTER BETWEEN THOSE INTERVENING
10 THREE WEEKS DID YOU HAVE ANY COMMUNICATION WITH HIM ABOUT
11 WHETHER HE WOULD BE ALLOWED TO COME BACK IN YOUR HOUSE?

12 A NO, SIR, IT WAS ACTUALLY TOTALLY THE
13 OPPOSITE. I HAD MY MOTHER STAY WITH ME FOR TWO WEEKS
14 BECAUSE I DID NOT WANT HIM TO COME BACK IN AND CAUSE
15 PROBLEMS FOR ME. THAT WAS ---

16 Q DID YOU EVER TELL HIM HE COULD COME BACK OR
17 NOT COME BACK AFTER THAT?

18 A I TOLD HIM THAT HE WAS NOT GOING TO BE ABLE
19 TO COME BACK INTO MY HOUSEHOLD.

20 Q AND WHEN DID YOU TELL HIM THAT?

21 A THE DAY THAT HE LEFT.

22 Q WHICH WAS WHEN?

23 A I DON'T REMEMBER THE DAY.

24 Q IN RELATION TO THE INCIDENT HOW, HOW FAR
25 BEFORE THAT?

MS. FELITA GRAHAM - REDIRECT EXAMINATION BY MR. BRYAN 138

1 A HE HAD KNEW THIS THREE WEEKS PRIOR TO THE
2 DAY THAT HE CAME INTO MY HOUSEHOLD.

3 Q YOU TOLD HIM THREE WEEKS PRIOR TO --

4 A CORRECT.

5 Q TO THIS INCIDENT THAT HE WAS NOT TO COME
6 BACK IN YOUR HOUSE?

7 A CORRECT.

8 MR. BRYAN: I DON'T HAVE ANY OTHER QUESTIONS,
9 YOUR HONOR.

10 MR. GOUDE: NO OTHER QUESTIONS, YOUR HONOR.

11 THE COURT: THANK YOU, YOU MAY STEP DOWN.

12 MADAM COURT REPORTER: MR. GOUDE, I NEED DEFENSE
13 NUMBER 2, PLEASE, THE MAP.

14 THE COURT: OKAY, EVERY TIME I OPEN MY BIG MOUTH
15 ABOUT TIMING I GET CAUGHT AT IT AND I APOLOGIZE. I HOPE I
16 HAVEN'T CAUSED ANY INCONVENIENCE AND WE'LL TRY NOT TO LET
17 THIS HAPPEN AGAIN BUT WE'VE HAD SOME SCHEDULING PROBLEMS
18 TODAY, IT'S JUST ONE OF THOSE THINGS.

19 YA'LL HAVE A GOOD NIGHT. WE NEED YOU BACK HERE
20 AT 10 IN THE MORNING, OKAY.

21 (WHEREUPON, THE JURY WAS EXCUSED FOR THE EVENING
22 AND COURT WAS ADJOURNED AT 6:01 P.M.)

23 (WHEREUPON, COURT RESUMES ON NOVEMBER 28, 2007 AT
24 10:00 A.M.)

25 THE COURT: IS THE STATE READY?

OFFICER PICARD - DIRECT EXAMINATION BY MR. BRYAN

139

1 MR. BRYAN: YES, SIR, YOUR HONOR.

2 THE COURT: IS THE DEFENSE READY?

3 MR. GOUDE: YES, SIR.

4 THE COURT: BRING THE JURY IN, PLEASE.

5 (WHEREUPON, THE JURY RETURNS TO THE COURTROOM AT
6 10:19 A.M.)

7 THE COURT: GOOD MORNING.

8 MR. BRYAN: THE STATE CALLS OFFICER BRYAN
9 PICARD.

10 THE COURT: COME UP AND BE SWORN, PLEASE.

11 OFFICER BRYAN PICARD

12 BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

13 MR. CLERK: PLEASE STATE YOUR NAME FOR THE
14 RECORD, PLEASE.

15 THE WITNESS: BRYAN PICARD, BRYAN PICARD.

16 MR. BRYAN: P-I-C-A-R-D.

17 DIRECT EXAMINATION

18 BY MR. BRYAN:

19 Q WHO ARE YOU EMPLOYED BY?

20 A I AM EMPLOYED BY GEORGETOWN CITY POLICE
21 DEPARTMENT.

22 Q AND WERE YOU EMPLOYED THERE ON MAY THE 9TH,
23 2007, AS WELL?

24 A YES, SIR.

25 Q AND WHAT WERE YOU DUTIES, JUST BRIEFLY WHAT

OFFICER PICARD - DIRECT EXAMINATION BY MR. BRYAN

140

1 WERE YOU DUTIES AND RESPONSIBILITIES OR WHAT DID YOU DO AT
2 THAT TIME FOR THE CITY?

3 A AT THAT TIME I WORKED AS A PATROLMAN
4 PATROLLING THE AREA OF THE CITY.

5 Q IS THAT WHAT YOU'RE STILL DOING?

6 A YES, SIR.

7 Q AND WHAT, JUST REAL BRIEFLY WHAT DOES THAT
8 MEAN AND WHAT DO YOU DO?

9 A ANSWER ANYTHING FROM CALLS TO SERVICE, WORK
10 TRAFFIC, INVESTIGATE CRIMES.

11 Q WERE YOU ON DUTY, TELL THE JURY HOW YOU GOT
12 INVOLVED IN THIS PARTICULAR CASE?

13 A ON THIS PARTICULAR MORNING IT WAS REPORTED
14 THAT THERE WAS A WOMAN AND A CHILD THAT WERE MISSING.

15 Q AND DID YOU GET ANY KIND OF DESCRIPTION OR
16 WHAT WAS, WHAT WAS THE REPORT?

17 A THE REPORT WAS THAT THE MOTHER OF THE
18 MISSING ADULT, THE GRANDMOTHER OF THE MISSING CHILD, WAS
19 AFRAID THAT THERE WAS A CERTAIN INDIVIDUAL ---

20 MR. GOUDE: OBJECTION TO WHAT THE GRANDMOTHER
21 THOUGHT, YOUR HONOR. I WAS WORRIED ABOUT THAT, THAT WOULD
22 BE HEARSAY, WE OBJECT ON HEARSAY.

23 MR. BRYAN: I THINK AS FAR AS THE OBJECTION GOES
24 I THINK IT'S FOR THE PURPOSE OF THE INVESTIGATION OF THE
25 VICTIM AND HIS ACTIONS.

OFFICER PICARD - DIRECT EXAMINATION BY MR. BRYAN

141

1 THE COURT: HE GETS A LITTLE LEEWAY ON THAT BUT
2 LET'S DON'T GET TOO FAR ON HEARSAY.

3 MR. BRYAN: THAT'S FINE.

4 Q (CONTINUING) SO YOU HAD A REPORT AND WHAT
5 WERE YOU LOOKING FOR, DO YOU KNOW WHO YOU WERE LOOKING FOR
6 AND WHERE?

7 A WE WERE LOOKING FOR A FELITA GRAHAM AND HER
8 DAUGHTER.

9 Q AND DID YOU, WHAT DID YOU DO AFTER YOU
10 RECEIVED THAT CALL?

11 A I MET CHRISTINA WOODRUFF WHO WORKS FOR THE
12 GEORGETOWN HOUSING AUTHORITY OUT AT 34 DRIVE.

13 Q AND WAS THAT THE REPORTED ADDRESS OF MS.
14 GRAHAM?

15 A YES, IT WAS.

16 Q OKAY, IS THAT IN GEORGETOWN COUNTY?

17 A YES, SIR, IT IS.

18 Q AND SO YOU MET HER THERE AND WHAT DID YA'LL
19 DO?

20 A I PROCEEDED TO MAKE ENTRY INTO THE
21 APARTMENT UNIT, SEARCHED THE APARTMENT UNIT FOR ANYBODY
22 THAT MAY HAVE BEEN INSIDE.

23 Q AND WHAT DID YOU, WHAT DID YOU SEE INSIDE?

24 A I WENT UPSTAIRS; I CHECKED THE UPSTAIRS
25 BEDROOMS, WENT DOWN INTO THE LIVING ROOM AREA AND SEARCHED

OFFICER PICARD - DIRECT EXAMINATION BY MR. BRYAN

142

1 THE KITCHEN AREA, NOTHING SEEMED TO BE OUT OF THE NORM,
2 LIVING ROOM THE COUCH CUSHIONS WERE A LITTLE BIT IN
3 DISARRAY. ON THE KITCHEN TABLE THERE WAS A BOWL OF CEREAL
4 THAT STILL HAD MILK INSIDE THE BOWL.

5 Q ANYTHING ELSE INSIDE -- I'LL STRIKE THAT
6 QUESTION. WHAT, WHAT DID YOU DO NEXT?

7 A AFTER THAT I REPORTED BACK TO MY CORPORAL,
8 NOTIFIED HIM OF THE FINDINGS AND ---

9 Q WHO'S YOUR CORPORAL?

10 A CORPORAL WILLIAM TISDALE.

11 Q THEN WHAT DID YA'LL DO?

12 A THERE WAS A "BOLO" THAT WAS PLACED ---

13 Q WHAT'S THAT?

14 A A "BOLO", IT'S BE ON THE LOOKOUT FOR A 1992
15 WHITE BUICK.

16 Q AND THEN WHAT DID YA'LL DO OR WHAT DID YOU
17 DO?

18 A CONTINUED MONITORING THE CITY LOOKING FOR
19 THE VEHICLE.

20 Q OKAY, UNTIL WHAT HAPPENED?

21 A I MET UP WITH TWO GEORGETOWN COUNTY
22 SHERIFF'S OFFICE DEPUTIES AT FOOD LION ON NORTH FRASER
23 STREET WHERE THEY INFORMED ME THE WHITE BUICK THAT WE WERE
24 ON THE LOOK FOR WAS BACK AT DRIVE.

25 Q OKAY, AND WHAT DID YOU DO NEXT?

OFFICER PICARD - DIRECT EXAMINATION BY MR. BRYAN

143

1 A WE PROCEEDED OUT TO 34 DRIVE; WE GOT
2 OUT. DEPUTY DARRYL WASHINGTON WENT TO THE BACK DOOR OF THE
3 APARTMENT UNIT. DEPUTY KINLOCH WENT TO THE SOUTH CORNER OF
4 THE RESIDENCE AND I WENT TO THE FRONT DOOR.

5 Q AND WHAT HAPPENED NEXT?

6 A I KNOCKED ON THE DOOR; AFTER SEVERAL
7 ATTEMPTS MS. GRAHAM OPENED UP THE DOOR. AT THAT TIME I WAS
8 MET OUT THERE BY SERGEANT DUSTIN MORRIS OF THE GEORGETOWN
9 COUNTY SHERIFF'S OFFICE.

10 Q CAN YOU DESCRIBE MS. GRAHAM'S APPEARANCE?

11 A HER APPEARANCE, YOU COULD TELL THAT SHE HAD
12 BEEN CRYING. SHE WAS SHAKING. SHE HAD SCRATCHES ON HER
13 FACE, HER NECK AREA.

14 Q OKAY, WHAT WAS SHE WEARING, IF YOU RECALL?

15 A LIKE A NIGHTGOWN.

16 Q OKAY, OKAY, WHAT HAPPENED NEXT, WHAT DID
17 YA'LL DO WITH MS., WHAT HAPPENED TO MS. GRAHAM?

18 A I ASKED MS. GRAHAM IF HE WAS INSIDE AND SHE
19 NODDED, YES. SHE MADE A MOTION TOWARDS THE LIVING ROOM
20 AREA.

21 Q HOW DID SHE MAKE A MOTION?

22 A SHE HAD POINTED BASICALLY. SHE HAD BEEN
23 HOLDING THE CHILD AND SHE HAD POINTED.

24 Q DID SHE SAY ANYTHING VERBALLY?

25 A NO, SIR.

OFFICER PICARD - DIRECT EXAMINATION BY MR. BRYAN

144

1 Q SHE WAS JUST QUIET AND POINTED TO WHERE HE
2 WAS?

3 A QUIET AND POINTED IN THE DIRECTION OF WHERE
4 HE WAS.

5 Q OKAY, AND WHAT HAPPENED NEXT?

6 A AT THAT POINT I HAD BACKED HER INTO THE
7 STAIRWELL LOOKING DOWN TOWARDS THE LIVING ROOM AREA.
8 DEPUTY MORRIS CAME IN BEHIND ME PROCEEDED TO THE LIVING
9 ROOM AREA. DEPUTY KINLOCH TOOK THE MOTHER AND CHILD OUT OF
10 THE RESIDENCE. WE SEARCHED THE RESIDENCE. I LOCATED MR.
11 RONNIE WILSON HIDING IN THE BATHROOM, DOWNSTAIRS BATHROOM,
12 BEHIND THE BATHROOM DOOR.

13 Q I DON'T KNOW IF YOU SAID, WHERE WAS
14 EVERYBODY? WAS ANYONE STATIONED AT THE BACK DOOR?

15 A DEPUTY DARRYL WASHINGTON WAS AT THE BACK
16 DOOR.

17 Q OKAY, SO DO YOU KNOW HOW MANY ENTRANCES
18 THERE WERE?

19 A TWO ENTRANCES, ONE IN, ONE LEAVING. DEPUTY
20 WASHINGTON WAS AT THE BACK DOOR.

21 Q AND YA'LL WERE AT THE FRONT DOOR?

22 A MYSELF AND DEPUTY MORRIS WERE AT THE FRONT
23 DOOR.

24 Q OKAY, SO YOU FOUND HIM HIDING IN THE, IN
25 THE BATHROOM?

OFFICER PICARD - DIRECT EXAMINATION BY MR. BRYAN

145

1 A YES, SIR.

2 Q DID YOU RECOVER ANY EVIDENCE? DID YOU DO
3 ANYTHING ELSE THAT THE JURY NEEDS TO KNOW ABOUT AT THE
4 SCENE?

5 A AFTER, AFTER WE SECURED THE INSIDE OF THE
6 APARTMENT UNIT AND WE WERE EXITING I WENT TO THE 92 WHITE
7 BUICK. I LOOKED INSIDE; THERE WAS A STEAK KNIFE THAT WAS
8 LAYING ON THE RIGHT PASSENGER SIDE DASHBOARD. I
9 PHOTOGRAPHED THE KNIFE PRIOR TO TAKING IT INTO EVIDENCE.

10 Q LET ME SHOW YOU WHAT'S BEEN MARKED FOR
11 IDENTIFICATION PURPOSES AS STATE'S 8 DO YOU RECOGNIZE THAT?

12 A YES, SIR, I DO.

13 Q AND WHAT IS THAT?

14 A THAT IS THE KNIFE THAT WAS LOCATED ON THE
15 DASHBOARD OF THE '92 BUICK.

16 Q AND WHO RECOVERED THAT?

17 A I DID.

18 Q AND WHAT DID YOU DO WITH IT?

19 A PLACED IT INTO EVIDENCE.

20 MR. BRYAN: AND AT THIS TIME, YOUR HONOR, I'D
21 ASK THAT STATE'S 8 BE ADMITTED INTO EVIDENCE. DO YOU WANT
22 TO SEE IT?

23 MR. GOUDE: NO OBJECTION, YOUR HONOR.

24 THE COURT: IN WITHOUT OBJECTION.

25 (WHEREUPON, STATE'S EXHIBIT NUMBER 8 ENTERED INTO

OFFICER PICARD - CROSS EXAMINATION BY MR. GOUDE

146

1 EVIDENCE.)

2 MR. BRYAN: (CONTINUING)

3 Q AND THIS IS DEFENSE 3 THAT'S MARKED FOR
4 I.D. FOR STATE'S 7. WHAT, IS THAT THE SAME KNIFE, IS THAT
5 WHERE YOU RECOVERED IT?

6 A YES, IT IS.

7 Q DID YOU SEE, TO YOUR KNOWLEDGE WAS THE
8 DEFENDANT'S MOTHER THERE WHEN YOU GOT TO THE PROPERTY?

9 A WHEN WE FIRST GOT THERE, NO.

10 Q OKAY, AND WAS ANYBODY ELSE THERE OUTSIDE
11 THAT YOU KNOW OF?

12 A ONCE WE EXITED THERE WERE A COUPLE OF
13 PEOPLE THAT WERE STANDING AROUND. I DID NOT KNOW WHO THEY
14 WERE AT THAT TIME.

15 MR. BRYAN: I DON'T HAVE ANY OTHER QUESTIONS;
16 PLEASE ANSWER ANY QUESTIONS MR. GOUDE HAS.

17 MR. GOUDE: JUDGE, WE WOULD OFFER AT THIS TIME,
18 THE PROSECUTOR SAYS HE NO LONGER HAS ANY OBJECTION TO THIS
19 AUDITOR'S CERTIFIED COPY, WE WOULD OFFER THAT AS OUR NEXT,
20 OUR EXHIBIT 6 IT'S MARKED AS.

21 THE COURT: ALL RIGHT.

22 MR. GOUDE: IS THAT INTO EVIDENCE, YOUR HONOR,
23 NOW?

24 THE COURT: YES, SIR, IN WITHOUT OBJECTION.
25 (WHEREUPON, DEFENDANT'S NUMBER 6 ENTERED INTO

OFFICER PICARD - CROSS EXAMINATION BY MR. GOUDE

147

1 EVIDENCE.)

2 CROSS EXAMINATION

3 BY MR. GOUDE:

4 Q OFFICER, WHAT WAS THE TIME OF THE ORIGINAL
5 DISPATCH WHEN YOU WERE FIRST AWARE THAT THIS WAS A CASE
6 THAT EXISTED ON THE FACE OF THE EARTH?

7 A DISPATCH TIME WOULD HAVE BEEN SIX MINUTES
8 PAST 10.

9 Q WHEN YOU FIRST WENT TO THE APARTMENT THE
10 FIRST TIME AND THERE WAS NOBODY THERE AND YOU SEARCHED IT
11 WHAT TIME WOULD YOU HAVE GOT TO THE APARTMENT?

12 A I DON'T RECALL THAT.

13 Q WHEN YOU GOT YOUR DISPATCH THAT THE
14 PROSECUTOR'S MAMA FIRST WENT TO THE POLICE STATION OR IS
15 THAT WHEN THE DISPATCHER FIRST CALLED YOU ON YOUR CAR
16 PHONE?

17 A 07:30 IS WHEN THE MOM WAS AT THE POLICE
18 DEPARTMENT.

19 Q AND THE DISPATCH TIME THAT YOU SAID WAS
20 10:06 A.M. WHAT WAS THAT, WHAT DOES THAT TIME MEAN?

21 A THAT'S APPROXIMATELY THE TIME THAT I MET
22 WITH THE TWO DEPUTIES AT FOOD LION.

23 Q AT FOOD LION?

24 A YES.

25 Q HAD YOU ALREADY BEEN TO HER APARTMENT THEN

OFFICER PICARD - CROSS EXAMINATION BY MR. GOUDE

148

1 OR NOT BEEN TO THE APARTMENT THEN?

2 A YES, I HAD, I HAD ALREADY BEEN AT THE
3 APARTMENT, CONDUCTED THE INITIAL SEARCH.

4 Q DID THE PROSECUTOR'S MAMA WENT TO THE
5 POLICE STATION ABOUT 7:30, APPROXIMATELY WHAT TIME YOU
6 THINK YOU FIRST WENT TO THE APARTMENT AND LOOKED AT IT?

7 A BETWEEN 7:30 AND 8:00.

8 Q WHAT TIME WAS IT WHEN YOU GOT TO THE
9 APARTMENT THE SECOND TIME WHEN THE DEPUTIES AND YA'LL WENT
10 IN THE APARTMENT AND FOUND THE PROSECUTOR AND MR. WILSON?

11 A IT WOULD HAVE BEEN SHORTLY AFTER 10.

12 Q IS THERE SOMETHING ON ANY OF THIS STUFF
13 HERE, THIS "CAD" STUFF THAT WILL TELL ANY OF THOSE TIMES OR
14 ANYTHING?

15 A I BELIEVE, I CAN'T BE POSITIVE BUT I
16 BELIEVE THIS IS THE TIMES, UNITS AND WHERE WE WERE THERE.

17 Q WHAT ARE THESE NUMBERS HERE?

18 A I THINK THESE ARE OUR NUMBERS RIGHT HERE,
19 I CAN'T BE POSITIVE. I REALLY DON'T KNOW HOW TO READ THEIR
20 "CAD" SHEETS.

21 Q DID THE EMS COME OVER THERE WHILE YOU WERE
22 THERE?

23 A EMS DID COME AFTER WE HAD SECURED THE SCENE
24 AND DEPUTY MORRIS HAD TRANSPORTED MR. WILSON AWAY FROM THE
25 SCENE DISPATCH WAS, EMS WAS DISPATCHED OUT TO THE SCENE.

OFFICER PICARD - REDIRECT EXAMINATION BY MR. BRYAN 149

1 Q THIS THING SAYS SOMETHING LIKE FIRE, IS
2 THAT THE EMS THE CITY FIRE PEOPLE, IS THAT STILL PART OF
3 YOUR, OF THIS SAME CASE?

4 A I BELIEVE SO, YES.

5 Q THAT WAS AT 12:23?

6 A IF THAT'S THE TIMES THAT WERE MARKED DOWN I
7 BELIEVE SO.

8 Q WHERE IT'S GOT 67 TIMES 1 RONNIE WILSON, DO
9 YOU KNOW WHAT THAT 67 TIMES 1 MEANS?

10 A IT MEANS AT THAT TIME HE WAS, HE WAS PLACED
11 INTO CUSTODY.

12 Q AND THAT WOULD HAVE BEEN 12:11?

13 A YEAH, IF THAT'S THEIR LOG TIME.

14 Q AND IT'S GOT ON HERE ABOUT THE KNIFE FOUND
15 ON THE DASH OF THE CAR ON THIS THING HERE WHERE IT SAYS
16 FOUND FRONT DASH OF A '92 BUICK THE KNIFE AND IT'S GOT
17 DATE, TIME OBTAINED MAY THE 9TH '07 AT 12:35; WOULD THAT BE
18 THE TIME YOU GOT IT OFF OF THE CAR?

19 A THAT'S THE TIME THAT I TOOK IT INTO
20 CUSTODY.

21 Q WHERE IT LOOKS LIKE A DEFENSE EXHIBIT 3
22 SHOWING THE CAR AND ALSO SHOWS THE PROSECUTOR, THE EMS
23 PEOPLE TOOK HER TO THE HOSPITAL, RIGHT?

24 A YES.

25 Q AND IS THIS, WAS THIS CAR PARKED IN THE

OFFICER PICARD - REDIRECT EXAMINATION BY MR. BRYAN 150

1 NORMAL PARKING SPACE THERE IN FRONT OF THE APARTMENT WHEN
2 YOU GOT THERE, THE WHITE BUICK?

3 A YES.

4 Q AND LET ME SEE IF, AND DEFENSE EXHIBIT 4 (B)
5 WHICH SHOWS PHOTOS OF -- THESE ARE FOUR UNIT, FOUR
6 APARTMENT COMPLEXES; IS THAT CORRECT, THE BUILDING?

7 A YEAH.

8 Q AND IT'S 4 (B) THAT SHOWS THE WHOLE FOUR
9 UNITS AND IT LOOKS LIKE 1, 2, 3, 4, 5, APPROXIMATELY FIVE
10 PARKING SPACES IN FRONT OF THE BUILDING, WOULD THAT WHITE
11 BUICK HAVE BEEN PARKED IN ONE OF THOSE FIVE PARKING SPACES?

12 A YES, SIR.

13 MR. GOUDE: OKAY, NO FURTHER QUESTIONS, YOUR
14 HONOR.

15 MR. BRYAN: I JUST HAVE A BRIEF REDIRECT, YOUR
16 HONOR.

17 REDIRECT EXAMINATION

18 BY MR. BRYAN:

19 Q WHEN YOU WERE, WHEN YOU WERE ANSWERING THE
20 QUESTIONS ABOUT THE DISPATCH TIME AND THE INCIDENT TIME,
21 WERE YOU USING YOUR REPORT TO REFRESH YOUR MEMORY?

22 A I WAS USING MY REPORT.

23 Q WERE YOU, WERE YOU AT THE POLICE DEPARTMENT
24 WHEN THE REPORT WAS, WHEN THE INCIDENT WAS REPORTED BY MS.
25 GRANT?

OFFICER PICARD - REDIRECT EXAMINATION BY MR. BRYAN 151

1 A YES, SIR, I WAS.

2 Q OKAY, SO YOU WERE THERE WHEN SHE GOT THERE?

3 A I WAS THERE WHEN SHE ARRIVED, WHEN SHE WAS
4 SPEAKING WITH CORPORAL TISDALE.

5 Q SO WHEN YOU WERE LOOKING AT YOUR INCIDENT
6 REPORT TYPICALLY THE DISPATCH TIME IS THE TIME THAT WHEN
7 SOMEBODY IS, IS ASKED TO GO DO SOMETHING, RIGHT?

8 A CORRECT.

9 Q WHEN AN OFFICER IS ALERTED TO GO DO
10 SOMETHING, RIGHT?

11 A CORRECT.

12 Q AND ---

13 A WHEN WE'RE, WHEN WE'RE ACTUALLY DISPATCHED
14 OUT BY DISPATCH.

15 Q AND THE 7:30, YOU MENTIONED A TIME OF 7:30
16 AND THAT'S LISTED UNDER WHAT?

17 A THAT'S LISTED UNDER THE INCIDENT TIME, 24
18 HOUR CLOCK TIME.

19 Q THE INCIDENT TIMES DOES NOT NECESSARILY
20 HAVE ANYTHING TO DO WITH WHEN ANYBODY IS NOTIFIED NOR
21 BEGINS TO ACT OTHER THAN THE DEFENDANT; IS THAT RIGHT?

22 A CORRECT.

23 Q SO THE INCIDENT TIME IS, LET'S ASSUME THAT
24 SOMETHING IS SHOT RIGHT NOW, OKAY, AT ABOUT 20 TILL 11 AND
25 IF THEY LAY THERE FOR ONE HOUR BEFORE IT IS REPORTED AND

OFFICER PICARD - REDIRECT EXAMINATION BY MR. BRYAN 152

1 YOU WERE DISPATCHED WHAT WOULD BE THE INCIDENT TIME?

2 A IT WOULD BE THE TIME OF THE SHOOTING, THE
3 ACTUAL TIME OF THE SHOOTING.

4 Q AND IF THEY LAID THERE FOR ONE HOUR BEFORE
5 IT WAS REPORTED OR ANYONE WAS DISPATCHED WHAT TIME WOULD
6 THE, THE REPORT BE?

7 A ONE HOUR AFTER THE INCIDENT.

8 Q AS WELL AS THE DISPATCH TIME?

9 A YES, SIR.

10 Q THOSE ARE THREE SEPARATE THINGS. WHAT'S ON
11 THERE AT 7:30 IS WHAT?

12 A WOULD HAVE BEEN THE OCCURRENCE TIME, WOULD
13 HAVE BEEN THE INCIDENT TIME.

14 Q THAT WOULD BE BASED ON WHATEVER A WITNESS
15 HAD SAID AS TO WHEN THE, THE, THE INCIDENT BEING BURGLARY,
16 KIDNAPPING, CDV HIGH AND AGGRAVATED STARTED?

17 A YES, AND THIS IS, THIS FIRST PAGE HERE
18 WOULD HAVE BEEN FROM MY CORPORAL'S TIMES.

19 Q AND AS FAR AS YOU KNOW WAS 911 EVER CALLED?

20 A NO, NOT TO MY KNOWLEDGE, NO.

21 Q SO THE LOG SHEET THAT WAS REFERENCED IS
22 THAT WHEN, IS AROUND 12:00 IS THAT WHEN YA'LL GOT THERE TO
23 THE SCENE ROUGHLY AND CALLED EMS, IS THAT MAYBE WHAT THAT
24 IS?

25 A YES.

DEPUTY KINLOCH - DIRECT EXAMINATION BY MR. BRYAN

153

1 Q OKAY, AND THEN YA'LL CLEARED AROUND THREE
2 HOURS LATER; IS THAT RIGHT?

3 A YES, THAT WOULD HAVE BEEN CORRECT.

4 MR. BRYAN: I DON'T HAVE ANY OTHER QUESTIONS,
5 YOUR HONOR.

6 MR. GOUDE: NO QUESTIONS, YOUR HONOR.

7 THE COURT: THANK YOU, SIR, YOU MAY STEP DOWN,
8 DO YOU NEED TO GET BACK TO WORK? DO YOU NEED TO GET BACK
9 TO WORK?

10 THE WITNESS: I NEED TO GET BACK TO SLEEP.

11 MR. BRYAN: HE'S BEEN ON MIDNIGHT SO WE'VE GOT
12 NO OBJECTION TO HAVING HIM EXCUSED.

13 THE COURT: HE NEEDS TO GET SOME SLEEP, ANY
14 PROBLEM WITH EXCUSING HIM?

15 MR. GOUDE: NO, SIR.

16 THE WITNESS: THANK YOU, YOUR HONOR.

17 MR. BRYAN: MAY WE APPROACH, YOUR HONOR?

18 (WHEREUPON, A BENCH CONFERENCE WAS HELD OFF THE
19 RECORD IN THE PRESENCE OF THE JURY, BUT OUT OF THE HEARING
20 OF THE JURY.)

21 THE COURT: GIVE US A LITTLE TIME HERE, LET'S
22 TAKE A TEN MINUTE BREAK.

23 (WHEREUPON, THE JURY RETIRED TO THE JURY ROOM AT
24 10:42 A.M. AND A RECESS WAS TAKEN BY COURT PERSONNEL)

25 THE COURT: IS THE STATE READY?

DEPUTY KINLOCH - DIRECT EXAMINATION BY MR. BRYAN

154

1 MR. BRYAN: YES, SIR, YOUR HONOR.

2 THE COURT: IS THE DEFENSE READY?

3 MR. GOUDE: YES, SIR, YOUR HONOR.

4 MR. BRYAN: THE STATE CALLS OFFICER TIFFANY
5 KINLOCH.

6 DEPUTY TIFFANY KINLOCH

7 BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

8 MR. CLERK: PLEASE STATE YOUR NAME FOR THE
9 RECORD, PLEASE.

10 THE WITNESS: TIFFANY KINLOCH.

11 (WHEREUPON, THE JURY RETURNS TO THE COURTROOM AT
12 10:55 A.M.)

13 DIRECT EXAMINATION

14 BY MR. BRYAN:

15 Q SINCE THE JURY WAS NOT HERE WHEN YOU JUST
16 STATED YOUR NAME TELL THE JURY YOUR NAME?

17 A TIFFANY KINLOCH.

18 Q AND WHO DO YOU WORK FOR?

19 A GEORGETOWN COUNTY SHERIFF DEPARTMENT.

20 Q AND RIGHT NOW WHAT, WHAT ARE YOU DOING FOR
21 THE SHERIFF, WHAT'S YOUR DUTY, WHERE DO YOU WORK?

22 A SINCE SCHOOL STARTED I'M A SCHOOL RESOURCE
23 OFFICER FOR WACCAMAW MIDDLE SCHOOL.

24 Q AND ON MAY 9TH OF LAST YEAR WHAT WERE YOU
25 DOING?

DEPUTY KINLOCH - DIRECT EXAMINATION BY MR. BRYAN

155

1 A I WAS ON THE ROAD, I WAS A PATROL DEPUTY.

2 Q SO YOU HAD REGULAR PATROL DEPUTY
3 RESPONSIBILITIES AT THAT TIME?

4 A THAT'S CORRECT.

5 Q AND DID YOU GET INVOLVED IN A CASE WITH
6 RONNIE WILSON ON MAY THE 9TH OF 2007?

7 A YES, I DID.

8 Q TELL THE JURY HOW YOU BECAME INVOLVED?

9 A ON MAY 9TH I RECEIVED A CALL FROM CENTRAL
10 DISPATCH ASKING THAT I CANVAS THE AREA OF 44 OXFORD LANE.
11 AT THAT TIME THEY DIDN'T GIVE ME THE REASON WHY. THEY JUST
12 WANTED ME TO CANVAS THE AREA TO SEE IF I SEE A BUICK, A
13 WHITE BUICK SOUTH CAROLINA TAG 167VVC. AND AT THAT TIME
14 WHEN I WAS IN THE AREA I DID SEE THE CAR AND I RADIOED AND
15 LET THEM KNOW THAT I DID SEE THE VEHICLE AND AT THAT TIME
16 THEY TOLD ME TO, TO STAND BY AND REQUEST BACKUP BECAUSE IT
17 INVOLVED A MISSING PERSON POSSIBLY A KIDNAPPING SO I DID.
18 I WENT OVER TO THE NEXT STREET TO WAIT FOR MORE DEPUTIES,
19 MORE OFFICERS, AND AT THAT TIME A DEPUTY DID ARRIVE BUT THE
20 VEHICLE HAD LEFT SO AT THAT TIME I PROCEEDED TO COME BACK
21 TO GEORGETOWN WITH THE VEHICLE IN MIND TO CONTINUE TO
22 SEARCH, YOU KNOW, REGULAR DUTIES OR WHATEVER.

23 Q WHERE, WHERE WAS THAT AGAIN THAT YOU SAW
24 THE WHITE VEHICLE?

25 A IT WAS PARKED AT 44 OXFORD LANE.

DEPUTY KINLOCH - DIRECT EXAMINATION BY MR. BRYAN

156

1 Q OKAY, AND DO YOU KNOW WHOSE RESIDENCE THAT
2 IS?

3 A NOW I DO.

4 Q WHOSE RESIDENCE IS THAT?

5 A FROM WHAT I WAS, IT'S RONNIE WILSON'S
6 MOTHER OR RONNIE WILSON'S ADDRESS.

7 Q OKAY, AND DO YOU KNOW ABOUT WHAT TIME THAT
8 WAS?

9 A IT WAS IN THE MORNING, I WOULD SAY PROBABLY
10 10 A.M.

11 Q AND WHAT DID YOU DO AFTER -- SO, SO YOU SAW
12 THE VEHICLE AND IN THE MEANTIME THAT VEHICLE LEFT?

13 A YES.

14 Q WERE YOU IN A POSITION WHERE PEOPLE FROM 44
15 OXFORD LANE COULD SEE YOUR PATROL CAR?

16 A YES.

17 Q OKAY, AND SO WHEN THE VEHICLE -- HOW DID
18 THE VEHICLE LEAVE, DID YOU CIRCLE THE BLOCK OR WERE YOU
19 DRIVING AROUND?

20 A YES, I CIRCLED THE BLOCK.

21 Q OKAY, AND AT THAT PERIOD IS WHEN THE
22 VEHICLE LEFT?

23 A YES.

24 Q AND SO THEN WHAT DID YOU DO AFTER, WHEN
25 THE, WHEN YOU SAW THAT THE VEHICLE LEFT YOU REPORTED THAT

DEPUTY KINLOCH - DIRECT EXAMINATION BY MR. BRYAN

157

1 BACK TO WHO?

2 A I REPORTED TO CENTRAL COMMUNICATIONS AND BY
3 THAT TIME ANOTHER DEPUTY, MY CORPORAL, HAD ARRIVED.

4 Q OKAY, AND WHO'S THAT?

5 A DARRYL WASHINGTON.

6 Q AND WHAT DID YA'LL, WHAT DID YA'LL DO AFTER
7 THAT?

8 A WELL AT THAT TIME WE WAITED AND THE
9 VICTIM'S ADVOCATE FROM GEORGETOWN CITY POLICE DEPARTMENT
10 ARRIVED ALONG WITH ANOTHER OFFICER AND AT THAT TIME WE WENT
11 TO THE HOME AND THEY QUESTIONED THE PERSON THAT CAME TO THE
12 DOOR.

13 Q OKAY, AS A RESULT OF THAT CONVERSATION WHAT
14 DID YOU DO?

15 A AS A RESULT OF THAT CONVERSATION ---

16 Q AND THAT WAS AT 44 DRIVE?

17 A THIS IS AT 44 OXFORD LANE.

18 Q OXFORD LANE, I MEAN?

19 A UH-HUH.

20 Q AND SO YOU HAD A CONVERSATION WITH SOMEBODY
21 THERE?

22 A YES.

23 Q AND THEN AS A RESULT OF THAT WHAT DID YA'LL
24 DO?

25 A AS A RESULT OF SPEAKING WITH THE VICTIM'S

DEPUTY KINLOCH - DIRECT EXAMINATION BY MR. BRYAN

158

1 ADVOCATE SHE DID MENTION THAT FELITA GRAHAM STAYED IN
2 DRIVE AND I'M FAMILIAR WITH THAT AREA IN GEORGETOWN
3 CAUSE I'M FROM THE CITY OF GEORGETOWN AND AT THAT TIME I
4 HAD TO BACK DOWN THAT WAY JUST TO CANVAS THAT AREA TO SEE
5 IF THE VEHICLE WAS IN THAT AREA AND THE VEHICLE WAS IN THAT
6 AREA. IT WAS PARKED IN FRONT OF, I THINK IT'S 3
7 DRIVE IT WAS PARKED IN FRONT OF.

8 Q OKAY, AND WHAT DID YOU DO THEN?

9 A AT THAT TIME BECAUSE I HAD BEEN CAUTIONED
10 NOT TO APPROACH BY MYSELF, AT THAT TIME I RADIOED MY
11 CORPORAL DARRYL WASHINGTON AGAIN AND LET HIM KNOW THAT I
12 DID SEE THE VEHICLE. AND AT THAT TIME HE FORWARDED THE
13 INFORMATION TO MY SERGEANT DUSTIN MORRIS AND A CITY
14 OFFICER, OFFICER PICARD, MET WITH US AS WE WERE PARKED IN A
15 FOOD LION AREA RIGHT HERE IN GEORGETOWN AND WHEN WE ALL GOT
16 TOGETHER WE PROCEEDED TO GO TO THE DRIVE ADDRESS.

17 Q OKAY, AND WHAT DID YOU DO WHEN YOU GOT TO
18 DRIVE?

19 A WHEN WE GOT TO DRIVE CORPORAL DARRYL
20 WASHINGTON STOOD AT THE BACK DOOR OF THE APARTMENT. I
21 STOOD ON THE SIDE. MY SERGEANT DUSTIN MORRIS AND OFFICER
22 PICARD FROM THE GEORGETOWN CITY P.D. THEY STOOD IN THE
23 FRONT DOOR AND THEN THEY STARTED KNOCKING ON THE DOOR.

24 Q AND WHAT HAPPENED NEXT?

25 A AFTER A COUPLE OF KNOCKS WE DIDN'T GET A

DEPUTY KINLOCH - CROSS EXAMINATION BY MR. GOUDE

159

1 RESPONSE BUT THEN CORPORAL WASHINGTON WHO WAS AT THE BACK
2 SAID, SOMEONE JUST OPENED THE BACK DOOR, AND AT THAT TIME
3 EVERYTHING JUST CLICKED. SOMEONE UNLOCKED THE FRONT DOOR
4 AND WE PROCEEDED TO GO IN AND THAT'S WHEN DUSTIN AND
5 OFFICER PICARD APPREHENDED RONNIE WILSON AND GAVE HIM THE
6 ORDERS TO STOP, GET DOWN, AND AT THAT TIME THEY TOOK HIM
7 OUT OF THE HOUSE AND HE WAS PLACED INTO THE VEHICLE. AND
8 ONCE HE WAS SECURED IN PICARD'S VEHICLE THAT'S WHEN I WENT
9 INTO THE HOUSE AND I MADE CONTACT WITH FELITA GRAHAM.

10 Q WHAT, DESCRIBE HER APPEARANCE?

11 A WHOO, FELITA GRAHAM I WOULD SAY HER
12 APPEARANCE, SHE HAD ON A NIGHT SHIRT AND IT WAS LIKE
13 HANGING OFF OF HER. SHE WAS CRYING. SHE WAS SHAKING AND
14 AT THAT TIME I DID OBSERVE SEVERAL SCRATCHES AND MARKS ON
15 HER NECK LIKE PURPLE MARKS ON HER NECK AND AT THAT TIME I
16 TOOK HER AND HER TWO-YEAR-OLD DAUGHTER I TOOK THEM AND I
17 PLACED THEM IN MY CAR. AND AT THAT TIME I HAD ASKED IF SHE
18 NEEDED ME TO RADIO FOR AN AMBULANCE AND AT THAT TIME I
19 RADIOED FOR AN AMBULANCE AND WE ALL SAT IN THE VEHICLE
20 UNTIL THE PARAMEDICS ARRIVED.

21 Q DID SHE SEEM SAD THAT YOU WERE THERE OR
22 GLAD THAT YOU WERE THERE?

23 A OH, SHE WAS VERY GLAD. I RECEIVED A BIG
24 HUG AND I LIKE I SAID SHE WAS CRYING AT THE TIME SO, YOU
25 KNOW, I DIDN'T KNOW THE CIRCUMSTANCES WHAT HAD ACTUALLY

DEPUTY KINLOCH - CROSS EXAMINATION BY MR. GOUDE

160

1 HAPPENED BUT FROM HER APPEARANCE AND HER Demeanor SHE WAS
2 SHAKING AND CRYING AND VERY FRIGHTENED.

3 Q SHE GAVE, SHE HUGGED YOU WHEN YOU GOT
4 THERE?

5 A YES, SHE DID.

6 MR. BRYAN: I DON'T HAVE ANY OTHER QUESTIONS,
7 PLEASE ANSWER ANY QUESTIONS MR. GOUDE HAS.

8 CROSS EXAMINATION

9 BY MR. GOUDE:

10 Q DEPUTY, YOU HAD SAID THAT YOU THOUGHT THE
11 VEHICLE WAS PARKED AT 3 DRIVE, COULD IT HAVE BEEN 34
12 DRIVE?

13 A I'M, I'M NOT, I'M NOT CORRECT ON THE ACTUAL
14 NUMBER BECAUSE ALL THE APARTMENTS ARE NUMBERED BUT THERE
15 WAS DRIVE.

16 Q AND YOU WERE ON OXFORD LANE AND YOU SAW THE
17 WHITE BUICK OVER THERE, WERE YOU ON THE STREET DRIVING IN
18 YOUR PATROL CAR WHEN YOU SAW THE WHITE BUICK PARKED AT
19 OXFORD LANE?

20 A YES, I WAS. I WAS IN MY PATROL CAR AND AT
21 THE TIME THERE WAS SOMEONE SITTING ON LIKE A BENCH THAT'S
22 LOCATED AT THAT RESIDENCE. IT WAS A MALE AND THERE WAS A
23 CHILD SITTING ON THAT BENCH AND WHEN I RODE BY BECAUSE I
24 HADN'T BEEN GIVEN THE DETAILS OR I HADN'T BEEN GIVEN A
25 DESCRIPTION OF, YOU KNOW, WHAT TO LOOK FOR AT THAT TIME.

DR. GAMMEL - DIRECT EXAMINATION BY MR. BRYAN

161

1 WHEN I RODE BY THE MALE DID SEE MY VEHICLE AND BY THE TIME
2 I CAME AROUND AND LET THEM KNOW THAT I SAW THE VEHICLE AND
3 THEY TOLD ME TO JUST STAND BY I CIRCLED BACK AROUND AGAIN
4 AND THAT VEHICLE WAS GONE.

5 MR. GOUDE: NO OTHER QUESTIONS, YOUR HONOR.

6 MR. BRYAN: I DON'T HAVE ANY OTHER QUESTIONS.

7 THE COURT: YOU MAY STEP DOWN, MAY THIS WITNESS
8 BE EXCUSED?

9 MR. GOUDE: NO OBJECTION BY ME, NO OBJECTION.

10 MR. BRYAN: NO OBJECTION.

11 THE STATE WOULD CALL DR. JOSEPH GAMMEL.

12 THE COURT: GOOD MORNING, DOCTOR.

13 DR. JOSEPH GAMMEL.

14 BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

15 MR. CLERK: PLEASE STATE YOUR NAME FOR THE
16 RECORD.

17 DIRECT EXAMINATION

18 BY MR. BRYAN:

19 Q GOOD MORNING.

20 A GOOD MORNING.

21 Q I GUESS YOU'VE CHANGED ROLES, YOU'VE GOT
22 YOUR JURY HAT OFF AND YOUR WITNESS HAT ON; IS THAT RIGHT?

23 A THAT'S CORRECT.

24 Q SO WHEN'S THE FIRST TIME I MET YOU THAT YOU
25 RECALL?

DR. GAMMEL - DIRECT EXAMINATION BY MR. BRYAN

162

1 A OH, ABOUT A WEEK AGO.

2 Q A COUPLE OF WEEKS AGO?

3 A YEAH.

4 Q SO YOU KNEW YOU WERE TESTIFYING HERE IN
5 COURT AND IT JUST HAPPENED TO BE THAT YOU GOT YOUR JURY
6 SUMMONS BEFORE THAT; IS THAT RIGHT?

7 A OH, YES, CLEARLY.

8 Q AND WHAT, WHAT, WHAT'S YOUR PROFESSION?

9 A I'M AN EMERGENCY PHYSICIAN.

10 Q SO TELL THE JURY YOUR EDUCATION?

11 A OKAY, GRADUATED FROM UNDERGRADUATE SCHOOL
12 AT UNCW THEN WENT TO TUFTS UNIVERSITY SCHOOL OF MEDICINE IN
13 BOSTON. FROM THERE I COMPLETED FOUR YEARS OF MEDICAL
14 SCHOOL AND DID A THREE YEAR RESIDENCY IN EMERGENCY MEDICINE
15 WHICH IS A SPECIALIZED BOARD CERTIFICATION. THAT WAS DONE
16 IN GREENVILLE, NORTH CAROLINA, AND THAT, THAT'S PRETTY MUCH
17 MY EDUCATION.

18 Q AND ARE YOU BOARD CERTIFIED?

19 A YES.

20 Q BY WHOM?

21 A BY THE AMERICAN COLLEGE OF EMERGENCY
22 PHYSICIANS.

23 Q OKAY, AND HOW LONG HAVE YOU BEEN
24 PRACTICING, SINCE YOUR RESIDENCY HOW LONG HAVE YOU BEEN
25 PRACTICING? DID YOU HAVE ANOTHER JOB BEFORE YOU MOVED

DR. GAMMEL - DIRECT EXAMINATION BY MR. BRYAN

163

1 HERE?

2 A NO.

3 Q OKAY --

4 A NO.

5 Q SO HOW LONG HAVE YOU BEEN WORKING FOR THE
6 HOSPITAL IN GEORGETOWN?

7 A IT'S ABOUT SEVEN AND A HALF YEARS NOW I'VE
8 BEEN PRACTICING EMERGENCY MEDICINE IN THIS COUNTY.

9 Q AND ALTHOUGH I SAID PROBABLY INCORRECT THAT
10 YOU WORKED FOR THEM YOU'RE, YOU'RE, YOU DON'T ACTUALLY WORK
11 FOR THEM, ARE YOU A CONTRACT E.R. DOCTOR; IS THAT RIGHT?

12 A THAT'S CORRECT. I'M A SOLE PROVIDER P.A.

13 Q OKAY, BUT YOU'VE BEEN AN E.R. FOR SEVEN
14 YEARS NOW?

15 A THAT'S, WELL SEVEN YEARS, ACTUALLY NINE
16 YEARS BUT, BUT SEVEN YEARS SINCE I WAS BOARD CERTIFIED,
17 YES.

18 Q COULD YOU EVEN BEGIN TO GUESS HOW MANY
19 PATIENTS YOU'VE SEEN IN THAT CAPACITY?

20 A LET ME DO THE MATH HERE QUICKLY, 400 A
21 MONTH MAYBE, SO 400 A MONTH TIMES EIGHT YEARS?

22 Q ABOUT 400 A MONTH FOR EIGHT YEARS?

23 A THAT WOULD BE CORRECT, YES.

24 Q OKAY, SO THAT'S, THAT'S A PRETTY GOOD WAY
25 TO GET SOME EXPERIENCE IN IN EMERGENCY ROOM MEDICINE, I

DR. GAMMEL - DIRECT EXAMINATION BY MR. BRYAN

164

1 GUESS?

2 MR. BRYAN: AT THIS POINT WE WOULD ASK -- HAVE
3 YOU -- I WOULD ASK TO HAVE HIM QUALIFIED AS AN EXPERT IN
4 THE FIELD OF EMERGENCY MEDICINE?

5 MR. GOUDE: I HAVE NO QUESTIONS AND NO
6 OBJECTIONS.

7 MR. BRYAN: THANK YOU, YOUR HONOR.

8 THE COURT: SO QUALIFIED.

9 MR. BRYAN: (CONTINUING)

10 Q DID YOU; HAVE YOU EVER SEEN FELITA GRAHAM?

11 A YES, I DID.

12 Q THAT'S AN ACTUAL COPY OF YOUR RECORDS?

13 A OKAY, THANK YOU.

14 Q IF YOU NEED TO REFER TO YOUR RECORDS TO
15 HELP YOU FEEL FREE TO DO SO, WHEN DID YOU TREAT MS. FELITA

16 GRAHAM?

17 A I TREATED HER ON MAY 9TH, 2007.

18 Q AND WHAT TIME DID SHE, DID YOU SEE HER?

19 A AT APPROXIMATELY 1 P.M.

20 Q AND HOW DID SHE PRESENT TO YOU?

21 A SHE PRESENTED TO THE GEORGETOWN EMERGENCY

22 DEPARTMENT BACK IN ROOM 15 AND WHEN I FIRST CAME TO MEET

23 MS. GRAHAM, I HAVE THE CHART IN FRONT OF ME, WENT TO GO SEE

24 HER AT ABOUT, AT ABOUT 1 OR 1:30 THAT DAY.

25 Q OKAY, AND WHAT, DESCRIBE HER EXAMINATION OF

DR. GAMMEL - DIRECT EXAMINATION BY MR. BRYAN

165

1 HER FOR THE JURY?

2 A OKAY, SO WHEN I EXAMINED HER AS I PRETTY
3 MUCH EXAMINE EVERYBODY AS I FIRST ASK THEM, YOU KNOW, WHY
4 THEY'RE HERE AND HOW I CAN HELP THEM AND MS. GRAHAM HAD TO
5 ---

6 MR. GOUDE: OBJECTION TO WHAT SHE SAID BECAUSE
7 THAT WAS NOT NECESSARY FOR MEDICAL TREATMENT. WE HAVE NO
8 OBJECTION TO WHAT THE DOCTOR SAW AND WHAT HE DID BUT WE
9 OBJECT TO ANY STATEMENTS SHE MADE IT BEING HEARSAY AND NOT
10 NECESSARY FOR MEDICAL DIAGNOSIS AS FAR AS WHAT HAPPENED AND
11 ONCE SHE GOT THERE.

12 THE COURT: IF HE USED IT TO DIAGNOSIS IT'S
13 PERMISSIBLE. TRY TO AVOID AS MUCH HEARSAY AS YOU CAN, BE
14 AS SAFE AS WE CAN WITH IT BUT I DON'T THINK THERE'S ANY
15 PROBLEM SO FAR, GO AHEAD.

16 MR. BRYAN: (CONTINUING)

17 Q SO JUST TO BE CLEAR, DIRECTING TO THE
18 WITNESS, YOU CAN SAY WHAT SHE SAID TO THE EXTENT IT WAS
19 NECESSARY FOR YOU TO MAKE A DIAGNOSIS OR GIVE TREATMENT.

20 A OKAY, AND THAT'S ESSENTIALLY HOW, YOU KNOW,
21 WE PRACTICE IN MEDICINE, IT'S BASICALLY A CHIEF COMPLAINT
22 DERIVED AS FAR AS TRYING TO COME UP WITH THE DIAGNOSIS AND
23 ENTERTAIN DIFFERENTIAL DIAGNOSIS THE HISTORY IS AN
24 IMPORTANT PART OF, OF MEDICINE. MAYBE I'M LIKE
25 VETERINARIAN MEDICINE WHERE, YOU KNOW, YOU CAN'T ASK AN

DR. GAMMEL - DIRECT EXAMINATION BY MR. BRYAN

166

1 ANIMAL BUT --

2 Q SO YOU'RE SAYING I GUESS START MAYBE WITH
3 YOUR EXAMINATION OF HER?

4 A SURE, SO AT THAT TIME MS. GRAHAM HAD SAID
5 THAT SHE WAS HURTING IN HER NECK AND HER UPPER BACK AND,
6 AND IN ASKING HER HOW THAT OCCURRED AND WHAT HAD HAPPENED
7 SHE HAD SAID THAT EARLIER THAT DAY THAT SHE WAS CHOKED AND
8 THAT TO THE POINT AND THE EXTENT THAT SHE ALMOST PASSED
9 OUT. SHE DIDN'T COMPLETELY LOOSE CONSCIOUSNESS BUT SHE
10 SURELY JUST STATED THAT SHE WAS DAZED.

11 SHE PARTICULARLY WAS COMPLAINING ABOUT THE PAIN
12 OF THE NECK AND UPPER NECK. SHE HAD TOLD ME THAT THIS
13 OCCURRED THAT MORNING. I GUESS I'LL INTENTIONALLY LEAVE
14 OUT THE OTHER PARTS OF THE HISTORY; IS THAT --

15 Q IF THEY'RE NOT NECESSARY FOR MEDICAL
16 DIAGNOSIS AND TREATMENT THEN THAT'S EXACTLY RIGHT?

17 A OKAY, SHE HAD DESCRIBED THAT SHE WAS, SHE
18 HAD A HOARSE VOICE BUT --

19 Q IS THAT COMMON FOR SOMEBODY WHO'S BEEN
20 CHOKED OR STRANGLED A HOARSE VOICE ---

21 A ABSOLUTELY.

22 Q --- IS THAT SOMETHING THAT CAN HAPPEN?

23 A YES, AND CERTAINLY AND WHAT THAT INDICATES
24 IS TYPICALLY I WON'T KNOW WHAT A PERSON'S VOICE SOUNDS LIKE
25 AND EVERYONE HAS DIFFERENT PITCHES BUT IF THERE IS SOME

DR. GAMMEL - DIRECT EXAMINATION BY MR. BRYAN

167

1 INFLAMMATION AROUND THE VOCAL CHORDS THEN MUCH LIKE IF YOU
2 HAVE LARYNGITIS, FOR INSTANCE, THEN YOUR VOICE IS
3 DIFFERENT. IT SOUNDS DIFFERENT AND SO THE INFLAMMATION OF
4 WHETHER SOMEONE HAS A HOARSE VOICE OR EVEN IF THE OTHER
5 PEOPLE IN THE ROOM FEEL LIKE THE PATIENT'S VOICE IS HOARSE
6 THEN SURELY THAT WOULD MAKE ME MORE CONCERNED FOR THE VOCAL
7 CHORD AND OTHER HYPO-PHARYNX OR BELOW THE PHARYNX LEVEL
8 INFLAMMATION OR INJURY OR BLEEDING.

9 THEN WITH OBTAINING THE HISTORY WHEN I HAD
10 EXAMINED MS. GRAHAM AT THAT POINT IN TIME SHE WAS ANXIOUS
11 BUT DID NOT APPEAR TO BE IN ANY EXTREME RESPIRATORY
12 DISTRESS..

13 IN EXAMINING HER HEAD I DID NOT SEE ANY SIGNS OF
14 INJURY.

15 IN EXAMINING HER NECK I DID NOTICE AN ABRASION ON
16 THE RIGHT LATERAL ASPECT OF THE NECK AS WELL AS SOME EARLY
17 BRUISING ON THE LEFT ASPECT OF THE NECK.

18 I DID NOT FEEL ANY BLOATING INSTABILITY OF THE
19 SPINE.

20 IN EXAMINING HER FACE, HER EYES, HER EARS, HER
21 MOUTH, HER NOSE, THOSE WERE ALL UNREMARKABLE.

22 Q DID YOU ORDER ANYTHING AS A RESULT OF -- I
23 GUESS LET ME ASK YOU FIRST IS THERE ANYTHING ELSE ON HER
24 PHYSICAL APPEARANCE YOU SHOULD NOTE?

25 A ON THE REST OF HER EXAM AS FAR AS HER

DR. GAMMEL - DIRECT EXAMINATION BY MR. BRYAN

168

1 CHEST, ABDOMEN, AND NEUROLOGICALLY, BESIDES HER ANXIETY
2 THEY WERE ESSENTIALLY UNREMARKABLE.

3 IN EXAMINING HER BACK SHE DID HAVE SOME
4 TENDERNESS ALONG HER THORACIC SPINE PARTICULARLY IN THE
5 UPPER PORTION OF HER THORACIC SPINE AND THAT WAS THE
6 FINDINGS ON MY PHYSICAL EXAM.

7 Q THANK YOU, AND WHAT, IF ANYTHING, DID YOU
8 ORDER AS A RESULT OF THAT?

9 A RIGHT, AND SO WITH THE HISTORY AND THE
10 PHYSICAL EXAM I WAS CONCERNED ABOUT BONE INJURIES OF THE
11 CERVICAL AND THORACIC SPINE AS WELL AS FURTHER SOFT TISSUE
12 INJURIES OF THE NECK. SHE HAD AN ABRASION ON THE RIGHT
13 LATERAL ASPECT OF HER NECK. SHE HAD NOT BEEN RECENTLY
14 IMMUNIZED FROM TETANUS AND SO SHE RECEIVED A TETANUS SHOT
15 AS WELL AS; THERE WERE X-RAYS, SOME MEDICINE FOR
16 INFLAMMATION AND SOME MEDICINES FOR MUSCLE SPASM.

17 Q WAS HER, WAS YOUR EXAMINATION OF HER
18 CONSISTENT WITH HER REPORT, HER MEDICAL HISTORY?

19 A YES.

20 Q AND IN YOUR, IN YOUR OPINION TO A DEGREE
21 OF, A REASONABLE DEGREE OF MEDICAL CERTAINTY WOULD THIS,
22 THE NATURE OF THE INJURIES THAT YOU OBSERVED WOULD YOU
23 THINK THAT IT WOULD BE FAIR TO CHARACTERIZE THEM AS SELF
24 INFLECTED? IS THAT SOMETHING THAT APPEARED TO BE A SELF
25 INFLECTED TYPE OF WOUND TO YOU?

DR. GAMMEL - CROSS EXAMINATION BY MR. GOUDE

169

1 A NO, ABSOLUTELY NOT.

2 Q SO THAT WOULD LEAVE US PRETTY MUCH WITH THE
3 ASSUMPTION THAT IT HAD TO BE INFLICTED BY SOMEBODY ELSE; IS
4 THAT FAIR TO SAY?

5 A THAT WOULD BE FAIR TO SAY. I MEAN IT WOULD
6 NOT BY ANY SENSE MEET THE SUSPICION OR RAISE THE LEVEL OF
7 SUSPICION OF OUR TYPICAL, OF TYPICAL SELF INFLICTED WOUNDS.
8 I COULDN'T TELL YOU THAT THERE'S NO CHANCE, THERE'S NO WAY
9 SOMEONE COULD DO THIS TO THEMSELVES BUT IT WOULD NOT BE
10 TYPICAL OF A CLASSICAL SELF INFLICTED WOUND.

11 MR. BRYAN: THANK YOU VERY MUCH, I DON'T HAVE
12 ANY OTHER QUESTIONS, PLEASE ANSWER ANY QUESTIONS MR. GOUDE
13 HAS.

14 CROSS EXAMINATION

15 BY MR. GOUDE:

16 Q DOCTOR, YOU SAY YA'LL DID X-RAYS ON THIS
17 PATIENT?

18 A YES, WE DID.

19 Q AND THE X-RAYS, HOW MANY X-RAYS DID YA'LL
20 DO AND WHAT PART OF THE BODY DID YA'LL DO THEM TO?

21 A WE X-RAYED THE BONES OF THE NECK OR THE
22 CERVICAL SPINE. WE X-RAYED THE SOFT TISSUES OF THE NECK
23 AND WE X-RAYED THE BONES OF THE MID SPINE OTHERWISE KNOWN
24 AS THORACIC SPINE.

25 Q WERE THE X-RAYS YOU SAY IMPRESSION

DR. GAMMEL - CROSS EXAMINATION BY MR. GOUDE

170

1 UNREMARKABLE?

2 A YES.

3 Q AND ON THE INJURIES THAT YOU SAW SCRATCHES
4 AND YOU SAID THAT'S NOT NORMALLY BE SELF INFLICTED BUT
5 COULD A PERSON SCRATCH THEIR OWN FACE IF THEY WANTED TO?

6 A SURE.

7 Q COULD A PERSON PUT THEIR HANDS AROUND THEIR
8 THROAT LIKE I'M DOING RIGHT NOW IF THEY WANTED TO?

9 A SURE.

10 Q AND YOU SAID SOMETHING ABOUT A HOARSE VOICE
11 DOES A PERSON WITH ASTHMA SOMETIMES HAVE A HOARSE VOICE?

12 A RARELY AND WHAT I MEAN BY THAT IS BECAUSE
13 ASTHMA IS ACTUALLY A BRONCHIAL CONSTRICTION IN THE CHEST
14 AND SO SOMEONE WILL BE WHEEZING THERE IN THEIR EXPECTORY
15 PHASE THEY MAY BE WHEEZING BUT I WOULD NOT DESCRIBE THAT
16 MYSELF AS A HOARSE VOICE. HOARSE VOICE WOULD BE AN
17 INSPIRATORY SOUND. IT WOULD BE, I WOULD CHARACTERIZE THIS
18 DIFFERENT.

19 Q DOES A PERSON WITH ASTHMA SOMETIMES GET
20 CHOKED UP?

21 A SURE.

22 Q IN THE THROAT AND STUFF OR THE BRONCHIAL
23 TUBES OR THE CHEST OR THE NOSE OR WHATEVER?

24 A BRONCHIAL TUBES AND THE CHEST, YES, SIR.

25 MR. GOUDE: THAT'S ALL THE QUESTIONS I HAVE.

MR. CROSBY - DIRECT EXAMINATION BY MR. BRYAN

171

1 MR. BRYAN: NO FURTHER QUESTIONS, YOUR HONOR,
2 WE'D ASK THAT THIS WITNESS BE EXCUSED.

3 MR. GOUDE: NO OBJECTION.

4 MR. BRYAN: THE STATE CALLS JOE CROSBY.

5 JOSEPH CROSBY

6 BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

7 MR. CLERK: STATE YOUR NAME FOR THE RECORD,
8 PLEASE.

9 THE WITNESS: JOE CROSBY.

10 DIRECT EXAMINATION

11 BY MR. BRYAN:

12 Q MORNING?

13 A MORNING.

14 Q IS THIS YOUR FIRST TIME ON THAT SIDE OF THE
15 MICROPHONE?

16 A IT ABSOLUTELY IS.

17 Q SO WHAT DO YOU DO?

18 A I'M AN ATTORNEY HERE IN TOWN.

19 Q AND DO YOU KNOW FELITA GRAHAM?

20 A I DO.

21 Q AND HOW DO YOU KNOW HER?

22 A SHE WAS AN EMPLOYEE IN OUR LAW FIRM.

23 Q OKAY, AND ABOUT WHEN WAS THAT?

24 A LET'S SEE, GOSH, THAT WAS EARLIER THIS

25 YEAR. I CAME OVER IN MARCH SO I BELIEVE SHE WOULD HAVE

MR. CROSBY - DIRECT EXAMINATION BY MR. BRYAN

172

1 STARTED PROBABLY AROUND MARCH, APRIL, MAY THROUGH, GOSH,
2 WE'VE HAD A COUPLE, THROUGH THE EARLY PART OF THE FALL.

3 Q SHE STARTED AROUND MAY?

4 A YES.

5 Q OKAY, SO DID YOU EVER HAVE ANY CONTACT WITH
6 A RONNIE WILSON?

7 A I HAD CONTACT, WELL MS. GRAHAM EXPRESSED
8 CONCERNS THAT THE FATHER OF HER CHILD WAS CALLING ON THE
9 PHONE AND CERTAINLY ASIDE FROM RUNNING THE BUSINESS THAT'S
10 NOT EXACTLY, WE DON'T OUR EMPLOYEE TO GET HARASSED OVER THE
11 PHONE SO, YOU KNOW, THAT WAS MY INITIAL EXPERIENCE.

12 Q WAS THIS A SITUATION WHERE YOU HAD CONCERNS
13 ABOUT HER WORK OR SHE FIRST EXPRESSED TO YOU HER CONCERNS?

14 A WELL SHE, SHE EXPRESSED HER CONCERNS, YOU
15 KNOW ---

16 Q WHAT, I'M JUST TRYING TO BE CLEAR, THIS,
17 WAS THIS A SITUATION WHERE YOU OBSERVED HER ON THE PHONE
18 TOO MUCH AND DECIDED TO TAKE ACTION OR SOMETHING WHERE SHE
19 APPROACHED YOU?

20 A SHE APPROACHED ME AND SHE EXPRESSED
21 CONCERNS THAT, THAT, THAT HE WAS CALLING AND, AND WOULDN'T
22 LEAVE HER ALONE; AND THEN THERE'S AN ISSUE ABOUT A CAR THAT
23 SHE HAD TO HAVE THE CAR BUT IT WAS JUST A, IT, YES, I DID
24 NOTICE HER ON THE PHONE BUT I WASN'T AWARE UNTIL SHE HAD
25 APPROACHED ME ABOUT WHY BUT IT, AND THAT WAS THE REASON

MR. CROSBY - DIRECT EXAMINATION BY MR. BRYAN

173

1 WHY.

2 Q OKAY, AND WHAT, WHAT, IF ANY, ACTION DID
3 YOU EVER TAKE WITH RESPECT TO MR. WILSON AND MS. GRAHAM?

4 A WELL WHAT I, WHAT I DIRECTED MS. GRAHAM TO
5 DO WAS TO MAKE SURE THAT SHE PLACED A CALL OR ASKED THAT
6 SHE PLACE A CALL WITH THE POLICE DEPARTMENT AND, AND SO
7 THAT HE NOT CALL HER ANYMORE AT WORK AND I BELIEVE ALSO MR.
8 WILSON AT ONE TIME DID COME TO THE OFFICE WHILE I WAS,
9 WHILE I WAS THERE.

10 Q AND WHAT HAPPENED IN THAT INCIDENT?

11 A I WAS NOT PRESENT FOR THE INITIAL PART BUT
12 IT ENDED UP BASICALLY THAT I HAD TO ASK HIM TO LEAVE AND
13 MS. GRAHAM EXPRESSED HER CONCERN THAT, THAT HE WAS HERE AND
14 WOULDN'T LEAVE AND, AND THAT IT WAS NOT SOMETHING THAT SHE
15 WANTED. SHE FELT INTIMIDATED AND CONCERNED BECAUSE HE WAS
16 THERE AND AGAIN, OF COURSE, THIS IS AT WORK AS WELL SO ---

17 Q DID YOU OBSERVE THEM HAVING SOME KIND OF
18 CONFRONTATION AND INTERJECT YOURSELF OR HOW DID YOU GET
19 INVOLVED IN THAT?

20 A WELL SHE CAME AND SAID THAT, THAT HE WAS
21 HERE, SHE FELT CONCERNED AND BASICALLY COULD I, COULD I
22 HELP.

23 Q OKAY, WHAT DID YOU DO?

24 A AND SO I BASICALLY SAID THAT, YOU KNOW,
25 THIS ISN'T A PLACE FOR ANY CONVERSATIONS THAT YA'LL NEED TO

MR. CROSBY - CROSS EXAMINATION BY MR. GOUDE

174

1 HAVE, YOU DON'T NEED TO BE COMING AROUND OUR OFFICE. IF
2 YOU COME AROUND AGAIN I'M GOING TO CALL THE POLICE AND
3 BASICALLY WHAT IT BOILED DOWN TO WAS HE STARTED TO LEAVE
4 AND I ACTUALLY PUT MY FOOT AND TRYING TO JAMB THE DOOR,
5 HE'S BIG ENOUGH THAT I COULDN'T REALLY STOP HIM BUT, YOU
6 KNOW, I FELT LIKE I DID TRY EVEN TO HAVE TO BLOCK THE DOOR
7 SO THAT HE DIDN'T COME BACK IN. BUT I DID HAVE TO ASK HIM
8 TO LEAVE.

9 MR. BRYAN: I DON'T HAVE ANY OTHER QUESTIONS,
10 PLEASE ANSWER ANY QUESTIONS THAT MR. GOUDE HAS.

11 CROSS EXAMINATION

12 BY MR. GOUDE:

13 Q MR. CROSBY, DID MR. WILSON AFTER YOU ASKED
14 HIM TO LEAVE APOLOGIZE TO YOU FOR COMING IN THE OFFICE AND
15 SAID HE WAS THERE TO GET THE PAPER WORK FOR A CAR OR
16 SOMETHING?

17 A HE DID CALL ME THE NEXT DAY TO APOLOGIZE,
18 HE ABSOLUTELY DID.

19 Q DID HE SAY HE HAD BEEN THERE TO TRY TO GET
20 THE PAPER WORK STRAIGHT ON A CAR OR SOMETHING?

21 A WELL HE SAID HE REALIZED HE ACTED
22 INAPPROPRIATELY AND HE WAS, HE, HE WAS NOT TRYING TO CAUSE
23 A PROBLEM THAT DAY AND HE AGAIN APOLOGIZED FOR HIS BEHAVIOR
24 THAT DAY. WHETHER OR NOT IT WAS FOR A CAR I DON'T RECALL
25 THAT PART BUT I DO KNOW BUT I'M NOT GOING TO DENY THAT HE

DEENSE MOTION DIRECTED VERDICT

175

1 CERTAINLY DID CALL TO APOLOGIZE FOR HIS BEHAVIOR.

2 MR. GOUDE: THANK YOU, THAT'S, THAT'S ALL I
3 HAVE.

4 MR. BRYAN: NO FURTHER QUESTIONS, YOUR HONOR,
5 WE'D ASK THAT THIS WITNESS BE EXCUSED.

6 MR. GOUDE: NO OBJECTION, YOUR HONOR.

7 THE COURT: THE WITNESS IS EXCUSED.

8 MR. BRYAN: THE COURT'S INDULGENCE, YOUR HONOR.

9 THE STATE RESTS, YOUR HONOR.

10 MR. GOUDE: JUDGE, WE'VE GOT SOME MOTIONS WE CAN
11 MAKE.

12 THE COURT: LADIES AND GENTLEMEN OF THE JURY, IF
13 YOU'LL STEP BACK TO YOUR ROOM WE HAVE TO TAKE UP SOME
14 MATTERS OF LAW AT THIS TIME.

15 (WHEREUPON, THE JURY RETIRED TO THE JURY ROOM AT
16 11:25 A.M. AND THE FOLLOWING TAKES PLACE ON THE RECORD.)

17 MR. GOUDE: I MAKE A MOTION TO, OF A DIRECTED
18 VERDICT OF NOT GUILTY ON THE GROUNDS OF INSUFFICIENCY OF
19 THE EVIDENCE.

20 THE COURT: ALL RIGHT, BASED ON THE EVIDENCE
21 BEFORE THE COURT AT THIS TIME I WILL HAVE TO DENY THAT
22 MOTION WITH ALL THE INDICTMENTS.

23 MR. GOUDE: JUDGE, WE'RE READY TO PRESENT OUR
24 DEFENSE. MR. WILSON DOES NOT PLAN TO TESTIFY. WE WOULD
25 ASK THE COURT TO ASK MR. WILSON THE USUAL QUESTIONS ABOUT,

COURT TO DEFENDANT

176

1 YOU KNOW, HE HAS A RIGHT AND ALL THAT STUFF SO HE CAN TELL
2 YOU WHAT HE WANTS TO DO.

3 THE COURT: MR. WILSON, I NEED YOUR UNDIVIDED
4 ATTENTION, PLEASE. I NEED TO SPEAK WITH YOU ABOUT YOUR
5 FIFTH AMENDMENT TO THE UNITED STATES CONSTITUTION RIGHT TO,
6 TO ELECT TO NOT TESTIFY. YOU CERTAINLY HAVE A RIGHT TO
7 TESTIFY BUT YOU ALSO HAVE A CONSTITUTIONAL RIGHT NOT TO
8 TESTIFY.

9 IT'S A RIGHT THAT ONLY YOU CAN WAIVE. IT'S A
10 PERSONAL PRIVILEGE AND RIGHT THAT YOU HAVE TO, TO INFORM
11 THE COURT AS TO YOUR DESIRE.

12 IF YOU DO NOT TAKE THE STAND THAT CANNOT BE USED
13 AGAINST YOU IN ANY WAY, CANNOT BE USED TO MITIGATE AGAINST
14 YOU IN ANY WAY BECAUSE YOU DO HAVE THAT CONSTITUTIONAL
15 RIGHT.

16 I WILL INFORM THE JURY THAT YOU CERTAINLY HAVE A
17 CONSTITUTIONAL RIGHT TO ELECT NOT TO TESTIFY.

18 IF YOU WERE TO DECIDE TO TESTIFY YOU NEED TO
19 UNDERSTAND THAT YOU'D BE TREATED JUST LIKE ANY OTHER
20 WITNESS. IF YOU TESTIFIED YOU COULD BE IMPEACHED, CROSS
21 EXAMINED TO THE EXTENT THAT THE RULES OF EVIDENCE AND
22 PROCEDURE WOULD ALLOW.

23 THE, AS I SAY YOU COULD BE IMPEACHED JUST LIKE
24 ANYONE ELSE. IN OTHER WORDS YOU WOULD HAVE TO ANSWER THE
25 QUESTIONS THAT THE STATE POSED TO YOU AND ALL QUESTIONS

COURT TO DEFENDANT

177

1 THAT WERE POSED TO YOU UNLESS YOU SHOWED THAT THEY HAD
2 VIOLATED THE RULES OF EVIDENCE AND PROCEDURE IN SOME OTHER
3 WAY.

4 THE DECISION TO TESTIFY YOU MUST KEEP IN MIND ALL
5 THE RAMIFICATIONS. I WOULD PREFER THAT YOU BEFORE YOU MAKE
6 A FINAL DECISION IF YOU HAVE ANY QUESTIONS YOU TALK TO YOUR
7 ATTORNEY ABOUT THAT. IF YOU CAN'T RESOLVE ANY QUESTIONS
8 WITH YOUR ATTORNEY THEN I'LL TRY MY BEST TO ADDRESS ANY
9 CONCERNS THAT YOU HAVE.

10 I THINK I'VE COVERED ABOUT EVERYTHING I NEED TO
11 COVER. HAVE YOU HAD AN OCCASION TO TALK WITH YOUR ATTORNEY
12 ABOUT THIS MATTER?

13 DEFENDANT WILSON: YES, SIR.

14 THE COURT: OKAY, YOU UNDERSTAND EVERYTHING HE'S
15 GONE OVER?

16 DEFENDANT WILSON: YES, SIR.

17 THE COURT: YOU UNDERSTAND THE BASICS I JUST
18 WENT OVER?

19 DEFENDANT WILSON: YES, SIR.

20 THE COURT: THE ONLY THING I CAN THINK OF THAT I
21 MIGHT HAVE LEFT OUT TO TELL YOU THAT IS UNDER THE UNITED
22 STATES CONSTITUTION FIFTH AMENDMENT AND A SIMILAR
23 COUNTERPART PROVISION OF THE STATE CONSTITUTION, SO IT'S A
24 VERY IMPORTANT RIGHT AND YOU NEED TO MAKE YOUR OWN MIND UP
25 AND ANY DECISION YOU MAKE MUST BE OF YOUR OWN FREE WILL AND

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 178

1 ACCORD, SHOULD NOT BE INDUCED BY ANY TYPE OF THREAT OR
2 PROMISE OF ANY KIND. DO YOU NEED A MINUTE OR TWO TO TALK
3 WITH YOUR ATTORNEY ABOUT THAT OR HAVE YOU DECIDED?

4 DEFENDANT WILSON: I'VE DECIDED I'M NOT GOING TO
5 TESTIFY, YOUR HONOR.

6 THE COURT: OKAY, VERY GOOD. WHILE THE JURY IS
7 OUT LET'S GO AHEAD AND TAKE ABOUT FIVE MINUTES AND WE'LL
8 COME BACK AND WE'LL GET STARTED AND ALSO WE NEED TO LEAVE A
9 TELEPHONE MESSAGE TO THOSE JURORS.

10 MR. BRYAN: WE MIGHT WANT TO TALK ABOUT THAT ALL
11 TOGETHER REAL QUICK.

12 (WHEREUPON, A RECESS WAS TAKEN AND THE FOLLOWING
13 TAKES PLACE ON THE RECORD.)

14 THE COURT: ARE WE READY TO PROCEED?

15 MR. BRYAN: YES, SIR, YOUR HONOR.

16 MR. GOUDE: YES, SIR, YOUR HONOR.

17 THE COURT: BRING THE JURY BACK IN, PLEASE.

18 (WHEREUPON, THE JURY RETURNS TO THE COURTROOM AT
19 11:41 A.M.)

20 MR. GOUDE: WE'D CALL ALMINA WILSON TO THE
21 STAND.

22 THE COURT: MS. WILSON, IF YOU'D COME UP,
23 PLEASE.

24 ALMINA WILSON

25 BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 179

1 MR. CLERK: STATE YOUR NAME FOR THE RECORD
2 SPELLING YOUR FIRST NAME AND LAST, PLEASE.

3 THE WITNESS: ALMINA WILSON.

4 MR. CLERK: WOULD YOU SPELL IT, PLEASE?

5 THE WITNESS: A-L-M-I-N-A W-I-L-S-O-N.

6 DIRECT EXAMINATION

7 BY MR. GOUDE:

8 Q MS. WILSON, WHAT IS YOUR ADDRESS AND WHERE
9 DO YOU LIVE?

10 A 44 OXFORD LANE, GEORGETOWN, SOUTH CAROLINA.

11 Q IS THAT OVER IN MCDONALD ROAD IN THE
12 MCDONALD SCHOOL AREA OF GEORGETOWN?

13 A YES.

14 Q NOW WHAT RELATION ARE YOU TO THE DEFENDANT,
15 MY CLIENT, RONNIE WILSON?

16 A I'M HIS MOTHER.

17 Q AND DO YOU HAVE ANY OTHER CHILDREN?

18 A YES.

19 Q HOW OLD IS RONNIE?

20 A FORTY-FOUR.

21 Q AND DO YOU HAVE ANY OTHER CHILDREN HERE IN
22 THE COURTROOM?

23 A YES.

24 Q WHO ARE YOUR OTHER CHILDREN IN THE
25 COURTROOM?

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 180

1 A OMEGA WILSON.

2 Q WHAT RELATION IS HE TO YOU? WHAT RELATION
3 IS OMEGA TO YOU?

4 A HE'S MY SON.

5 Q HOW OLD IS HE?

6 A HE'S 43.

7 Q AND OMEGA IS -- STAND UP, PLEASE, OMEGA, IS
8 THAT OMEGA?

9 A YES.

10 Q ALL RIGHT, NOW THERE'S ANOTHER GUY BESIDE
11 OMEGA WITH THE WHITE SHIRT, WOULD YOU STAND UP, ROGER, WHO
12 IS THAT?

13 A HE'S A FRIEND OF MY DAUGHTER'S.

14 Q AND WHAT'S HIS NAME?

15 A ROGER WILSON, ROGER STEWART, SORRY.

16 Q ALL RIGHT, AND THE PERSON NEXT TO HIM WITH
17 THE BEIGE OUTFIT ON WHO IS THAT?

18 A SHE IS CLARA DAVIS.

19 Q AND IS SHE RELATED TO YOU?

20 A THAT'S MY DAUGHTER.

21 Q AND HOW OLD IS CLARA?

22 A FIFTY.

23 Q AND IS OMEGA AND CLARA BOTH BROTHERS AND
24 SISTERS OF RONNIE?

25 A YES.

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE

181

1 Q AND THE NEXT PERSON WITH THE RED ON IS
2 WHOM?

3 A SHE'S LAHOMA WILSON.

4 Q AND WHAT ---

5 A SHE'S MY DAUGHTER

6 Q HOW OLD IS LAHOMA?

7 A SHE'S 35.

8 Q ALL RIGHT, THANK YOU, NOW BACK ON MAY THE
9 9TH, 2007, WERE YOU LIVING AT 44 OXFORD LANE THEN?

10 A YES.

11 Q AND IS THAT THESE PICTURES WE'VE PUT INTO
12 EVIDENCE WHICH IS EXHIBIT 7, (A), (B), (C), (D) SHOWING
13 YOUR HOUSE?

14 A YES.

15 Q AND EXHIBIT 8 (A), (B), (C) SHOWING THE
16 FRONT OF YOUR HOUSE, FRONT OF YOUR HOUSE AND THE STREET IN
17 FRONT OF YOUR HOUSE?

18 A YES.

19 Q AND HAD YOU EVER BEEN OVER TO 34
20 DRIVE WHERE THE PROSECUTING WITNESS FELITA GRAHAM LIVES?

21 A YES.

22 Q AND IS THAT WHAT'S IN EVIDENCE AS DEFENSE
23 EXHIBIT 4, IS THAT THE APARTMENT 34, NUMBER 34 ON (A), (B),
24 (C), (D), (E), (F) OF DEFENSE EXHIBIT 4?

25 A YES.

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 182

1 Q AND ALSO DEFENSE EXHIBIT 5 IS THAT THE BACK
2 OF HER APARTMENT BUILDING?

3 A YES.

4 Q DID YOUR SON RONNIE AND THE PROSECUTING
5 WITNESS MS. GRAHAM DID THEY HAVE A CHILD TOGETHER?

6 A WHAT WAS THAT CHILD'S NAME?

7 A ZANESHA GRAHAM.

8 Q AND WHAT RELATION IS THAT CHILD TO YOU?

9 A THAT'S MY GRAND.

10 Q NOW FROM ABOUT FEBRUARY OF THIS YEAR 2007
11 FOR SOME POINT THERE, FOR SOME PERIOD IN TIME WAS RONNIE
12 LIVING WITH YOU AT YOUR HOUSE?

13 A YES.

14 Q ABOUT HOW LONG DID HE LIVE IN THE MONTH OF
15 FEBRUARY WITH YOU AT YOUR HOUSE?

16 A HE LIVED THERE APPROXIMATELY ONE WEEK AFTER
17 HE CAME HOME.

18 Q AND WHO DID LIVE IN THAT HOUSE BESIDES YOU
19 AND RONNIE AT THAT TIME?

20 A BESIDES ME AND RONNIE WHO LIVED IN THAT
21 HOUSE?

22 Q WHO WAS LIVING THERE THEN, YES, MA'AM?

23 A ONLY ME AND RONNIE AND MY OTHER SON OMEGA
24 WAS LIVING THERE AT THAT TIME.

25 Q ALL RIGHT, NOW AFTER RONNIE STAYED THERE

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 183

1 WITH YOU FOR ABOUT A WEEK WHERE DID HE START LIVING AFTER
2 THAT?

3 A HE WENT TO LIVE WITH FELITA AT 34
4 DRIVE.

5 Q AND WAS THAT IN FEBRUARY OF 2007?

6 A YES.

7 MR. BRYAN: OBJECTION TO LEADING, YOUR HONOR.

8 MR. GOUDE: I'LL CHANGE THAT.

9 Q (CONTINUING) THIS INCIDENT THE REASON WE'RE
10 HERE IN COURT THAT SUPPOSEDLY OCCURRED MAY THE 9TH, 2007,
11 AND THE CALENDAR THAT'S IN EVIDENCE SHOWS, MAY THE 9TH OF
12 2007 WAS WHAT DAY OF THE WEEK?

13 A THAT WAS WEDNESDAY.

14 Q ALL RIGHT, AND ---

15 MR. BRYAN: OBJECTION TO LEADING AND THE FORM OF
16 POINTING TO THE ANSWER, YOUR HONOR. HE'S POINTING WITH A
17 PEN TO THE ANSWER I THINK.

18 THE COURT: OKAY.

19 MR. GOUDE: (CONTINUING)

20 Q AND ABOUT WHEN IN FEBRUARY, ABOUT WHAT
21 WEEK, AND YOU HOLD THE CALENDAR SO I WON'T POINT AND LEAD
22 YOU?

23 A OKAY ---

24 MR. BRYAN: OBJECTION TO THE QUESTION WHEN IN
25 FEBRUARY IS LEADING.

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 184

1 MR. GOUDE: WELL WHAT IF I DON'T SAY ANYTHING
2 WOULD THAT BE LEADING?

3 MR. BRYAN: HOW ABOUT IF YOU ASK WHEN SOMETHING
4 HAPPENED WITHOUT TELLING THEM THE DATE?

5 MR. GOUDE: (CONTINUING)

6 Q ALL RIGHT, WHEN IN FEBRUARY ---

7 MR. BRYAN: NOT IN FEBRUARY, WHEN DID SOMETHING
8 HAPPEN, HE'S TELLING THEM THE MONTH.

9 MR. GOUDE: (CONTINUING)

10 Q WHEN IN THE COURSE OF A HUMAN EVENTS IN ANY
11 YEAR THAT'S EVER EXISTED SINCE GOD CREATED HEAVEN AND
12 EARTH, WHEN DID RONNIE WILSON MOVE OUT OF YOUR HOUSE AND
13 START LIVING WITH THE PROSECUTING WITNESS AT DRIVE?

14 A HE STAYED WITH ME ABOUT ONE WEEK AFTER HE
15 CAME HOME AND I REALLY CAN'T TELL YOU THE DATE BECAUSE I
16 DON'T REMEMBER BECAUSE I WASN'T KEEPING UP WITH IT BUT I
17 KNOW HE MOVED OUT ONE WEEK AFTER.

18 Q DO YOU KNOW IF IT WAS LIKE IN THE MIDDLE OF
19 THE MONTH IN FEBRUARY OR THE LAST OF THE MONTH?

20 A IT WAS LIKE, I THINK IT WAS LIKE ON A
21 EITHER A THURSDAY OR A FRIDAY, I CAN'T RECALL WHAT DATE
22 BUT HE MOVED OUT PRETTY NEAR THE WEEKEND.

23 Q OKAY, NOW IF YOU WOULD, LOOK AT THE
24 CALENDAR THERE TO MAY THE 9TH OF 2007, CAN YOU FIND THAT ON
25 THAT CALENDAR?

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 185

1 A YES.

2 Q ABOUT HOW MANY WEEKS BEFORE THEN WAS IT
3 THAT, DID RONNIE EVER COME BACK AND START STAYING IN YOUR
4 HOUSE AFTER HE HAD GONE TO THE 34 DRIVE TO LIVE WITH
5 THE PROSECUTING WITNESS?

6 A NO, HE DIDN'T COME BACK. HE, HE WENT THERE
7 THAT NIGHT ---

8 Q NOT THAT NIGHT, NOT THAT NIGHT, I'M SAYING
9 WHEN HE WENT AND STARTED LIVING WITH THE PROSECUTING
10 WITNESS AT DRIVE DID HE KEEP LIVING WITH HER UNTIL
11 MAY THE 9TH THAT THIS HAPPENED OR AT ANY POINT DID HE COME
12 BACK TO YOUR HOUSE AND START LIVING WITH YOU?

13 A NO, HE DIDN'T.

14 Q NOW AFTER, WELL LET ME SAY IT THIS WAY,
15 AFTER RONNIE STARTED LIVING WITH YOU OR WITH THE
16 PROSECUTION WITNESS ON DRIVE WHERE WAS RONNIE
17 WORKING?

18 A HE WAS WORKING OVER THERE AT SANTEE COOPER.

19 Q DO YOU RECALL IF HE GOT THAT JOB WHILE HE
20 WAS STAYING WITH YOU OR AFTER HE MOVED OVER TO
21 DRIVE?

22 A HE GOT THAT JOB AFTER, WHEN HE WAS LIVING
23 WITH ME AND AFTER HE GOT THE JOB IT WAS OKAY FOR HIM TO GO
24 AND LIVE WITH FELITA, MS. GRAHAM.

25 Q NOW WHEN RONNIE GOT THE JOB OVER AT SANTEE

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE

186

1 COOPER WAS OMEGA WORKING SOMEWHERE, TOO?

2 A YES, HE WAS WORKING THERE ALSO.

3 Q WHERE DID HE GET A JOB WORKING AT?

4 A BOTH OF THEM GOT THE JOB AT THE SAME TIME.

5 Q ALL RIGHT, NOW HOW WOULD THEY GET TO WORK
6 IN THE MORNINGS OVER AT SANTEE COOPER?

7 A I WOULD TAKE THEM, BOTH OF THEM.

8 Q AND DO YOU REMEMBER APPROXIMATELY WHAT
9 HOURS MR. WILSON MAY HAVE WORKED OVER AT SANTEE COOPER?

10 A WELL I GET UP 5:00 TO TAKE THEM EVERY
11 MORNING AND WHEN, WHEN HE GOT THE JOB RONNIE HAD ALREADY
12 MOVED OUT LIVING WITH MS. GRAHAM AND HE WOULD GO THROUGH
13 THERE TO PICK HIM UP EVERY MORNING. I WOULD LEAVE HOME
14 ABOUT, I SAY 6:00, GOT TO HER HOUSE ABOUT 6:30 SOMEWHERE UP
15 IN THERE.

16 Q AND YOU WOULD TAKE WHO TO SANTEE COOPER?

17 A BOTH OF THEM AT WORK AT SANTEE COOPER.

18 Q BOTH OF THEM BEING WHO?

19 A OMEGA AND RONNIE.

20 Q NOW DO YOU KNOW HOW LONG A DAY A SHIFT THEY
21 WORKED WHEN YOU WOULD TAKE THEM TO WORK?

22 A LIKE ABOUT 12 HOURS.

23 Q AND HOW WOULD THEY GET HOME IN THE EVENING?

24 A I WOULD GO BACK AND GET THEM, PICK THEM UP
25 OR THEY WOULD CATCH A RIDE, YOU KNOW, SOMETIMES WHEN I GET

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 187

1 THERE THEY ARE, YOU KNOW, ALREADY BE GONE AND THEY SAY
2 SOMEBODY WAS COMING AT THE SAME TIME SO THEY, THE SAME WAY
3 THEY WERE GOING SO THEY'D LEAVE AND, AND, AND RONNIE WOULD
4 GET OFF AT FELITA'S HOUSE AND OMEGA WOULD COME ON HOME.

5 Q WHEN YOU WOULD HAVE TO GO PICK THEM UP,
6 WHAT TIME WOULD YOU PICK THEM UP FROM WORK IN THE EVENING
7 OVER THERE?

8 A THEY WOULD TELL ME TO ALWAYS BE THERE BY 7
9 CAUSE THEY WOULD BE WALKING OUT THE GATE BY 7.

10 Q THEY WORKED 12 HOUR SHIFTS?

11 A RIGHT.

12 Q HOW MANY DAYS A WEEK WOULD THEY WORK?

13 A THEY, THEY, THEY WERE WORKING FROM MONDAY
14 THROUGH SUNDAY.

15 Q SO THAT'S EVERY DAY OF THE WEEK, ABOUT
16 SEVEN DAYS?

17 A UH-HUH, SEVEN DAYS.

18 Q NOW WHEN RONNIE STARTED STAYING OVER AT
19 DRIVE WHEN YOU WOULD PICK HIM UP IN THE EVENING FROM
20 OVER AT SANTEE COOPER WHERE WOULD YOU DROP HIM OFF IN THE
21 EVENING TO STAY THE NIGHT AT?

22 A WELL SOMETIME HE WOULD JUST COME ON TO MY
23 HOUSE IF I PICK THEM UP BEFORE DARK HE WOULD COME OVER
24 THERE UNTIL DARK THEN I WOULD DRIVE HIM BACK TO MS.
25 GRAHAM'S HOUSE AFTER DARK.

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE

188

1 Q WHY WOULD HE DO THAT AFTER DARK?

2 A BECAUSE HE DIDN'T WANT THEM TO KNOW THEY
3 WERE HIDING, YOU KNOW, THEY DIDN'T WANT THEM TO KNOW THAT,
4 SHE DIDN'T WANT THEM TO KNOW THAT HE WAS LIVING IN THAT
5 HOUSE WITH HER BECAUSE HE WAS ON A NO TRESPASSING. HE
6 WASN'T SUPPOSED TO BE OVER THERE.

7 Q DID YOU KNOW THAT BACK THEN IN FEBRUARY AND
8 MARCH AND APRIL AND MAY ---

9 A YES, I DID,

10 Q --- THAT HE WAS ON THAT NO TRESPASSING LIST
11 AT THE HOUSING AUTHORITY?

12 A YES, I DID, AND I HAD FOUGHT HIM ABOUT IT.
13 I TOLD HIM, YOU KNOW, YOU'RE NOT SUPPOSED TO BE OVER THERE
14 AND NOT, YOU KNOW, YOU SHOULD NOT. YOU STAY HERE BECAUSE
15 YOU'RE NOT SUPPOSED TO BE OVER HERE, OVER THERE AND I SAID
16 IF YOU WANT TO, TO SEE THE BABY I SAID JUST GO AHEAD DOWN
17 THERE AND GET A COURT ORDER AND YOU'LL HAVE SOME VISITING
18 RIGHTS TO SEE THE BABY BUT HE DIDN'T, HE DIDN'T PAY NO
19 ATTENTION TO THAT. HE STILL WAS, YOU KNOW, WAS STAYING
20 OVER THERE.

21 Q DID YOU EVER TALK WITH THE PROSECUTION
22 WITNESS ABOUT HE SHOULDN'T BE STAYING THERE WITH HER AND HE
23 SHOULD BE STAYING AT YOUR HOUSE?

24 A NEVER.

25 Q DURING ANY OF THE TIME FEBRUARY THROUGH MAY

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 189

1 THIS THING HAPPEN DID YOUR SON RONNIE AND THE PROSECUTION
2 WITNESS FELITA GRAHAM DID THEY EVER COME OVER TO YOUR HOUSE
3 WHILE YOU WERE THERE TOGETHER AND THEY WERE STAYING
4 TOGETHER?

5 A SEVERAL TIMES, YES.

6 Q DID THEY SOMETIMES BRING THE BABY OVER
7 THERE, THEY'D BRING THE BABY WITH THEM WHEN THEY'D COME?

8 A YES.

9 Q DID YOU EVER GO OVER AND VISIT YOUR SON
10 RONNIE AND THE PROSECUTION WITNESS AND THE BABY IN 34
11 DRIVE DURING THIS PERIOD FEBRUARY TO MAY?

12 A ONCE, TWICE I WENT OVER THERE.

13 Q DID RONNIE HAVE HIS CLOTHES AND ALL THAT
14 STUFF OVER THERE AT DRIVE?

15 A EVERYTHING IS THERE, YES, HE MOVED THEM ALL
16 OUT TO THAT APARTMENT.

17 Q NOW YOU ALSO HAVE A DAUGHTER NAMED MONICA?

18 A YES.

19 Q AND HOW OLD IS MONICA?

20 A MONICA IS 30, 31, SOMEWHERE UP IN THERE.

21 Q AND WHAT, WHAT IS MONICA'S MAIDEN NAME?

22 A MONICA BRUNSON.

23 Q HER MAIDEN NAME?

24 A MONICA WILSON.

25 Q ALL RIGHT, NOW YOU SAY BRUNSON IS SHE NOW

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE

190

1 MARRIED?

2 A YES.

3 Q WHEN DID MONICA GET MARRIED?

4 A MAY 12TH.

5 Q DO YOU HAVE THAT CALENDAR STILL THERE IN
6 YOUR HANDS?

7 A YES.

8 Q WHAT DAY OF THE WEEK IS MAY THE 12TH?

9 A SATURDAY.

10 Q WHAT YEAR WAS THAT?

11 A 2007.

12 Q THIS YEAR?

13 A YES.

14 Q SHE GOT MARRIED THIS YEAR?

15 A YES.

16 Q CAN I HOLD THAT?

17 A UH-HUH.

18 Q BEFORE THE WEDDING WAS YOUR SON RONNIE
19 COMING, SUPPOSED TO BE COMING TO THE WEDDING?

20 A YES.

21 Q HAD HE RENTED OR LAID AWAY OR DONE ANYTHING
22 ABOUT A TUXEDO IN PREPARATION FOR COMING TO THE WEDDING?

23 A YES.

24 Q HOW DO YOU KNOW?

25 A CAUSE I WAS WITH HIM WHEN HE PURCHASED HIS

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE

191

1 TUXEDO.

2 Q AND WHERE DID HE GET IT FROM?

3 A WEDDING AND THINGS ON KING STREET.

4 Q IS THAT A STORE?

5 A YES.

6 Q IT'S KING STREET HERE, IT'S KING STREET IN
7 GEORGETOWN?

8 A YES.

9 Q AND DO YOU KNOW ABOUT HOW MANY DAYS IN
10 ADVANCE OF THE WEDDING WHICH WAS SCHEDULED SATURDAY MAY THE
11 12TH DO YOU KNOW ABOUT HOW FAR IN ADVANCE IT WAS THAT YOU
12 TOOK HIM TO WEDDING AND THINGS TO LAYAWAY THE TUXEDO?

13 A ABOUT A WEEK BEFORE, BUT I CAN'T RECALL THE
14 DATE BECAUSE IT WASN'T REALLY PAYING ANY ATTENTION THE
15 DATES, I JUST --

16 Q DID HE PAY LIKE A DOWN PAYMENT ON THE
17 TUXEDO?

18 A NO, HE PAID THE WHOLE THING, HE JUST, HE
19 JUST WENT ON AND PAID THE WHOLE THING \$131.

20 Q AFTER HE GOT ARRESTED ON MAY THE 9TH, THE
21 DAY THIS THING HAPPENED, MAY THE 9TH AGAIN WAS WHAT DAY OF
22 THE WEEK?

23 A I DIDN'T UNDERSTAND THE QUESTION?

24 Q WHAT DAY OF THE WEEK WAS MAY THE 9TH?

25 A WEDNESDAY.

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE

192

1 Q WHEN HE GOT ARRESTED ON WEDNESDAY THE
2 WEDDING WAS THAT FOLLOWING SATURDAY, RIGHT?

3 A RIGHT.

4 Q THURSDAY, FRIDAY, THREE DAYS LATER?

5 A YES.

6 Q DID YOU DO SOMETHING ABOUT HIS TUXEDO
7 RENTAL DEPOSIT?

8 A I WENT AND GOT IT BECAUSE SINCE HE WASN'T
9 GOING TO BE IN THE WEDDING I JUST WENT AND GOT THE MONEY
10 AND TOOK IT OVER THERE TO THE JAILHOUSE AND PUT IT IN HIS
11 CANTEEN FOR HIM.

12 Q ALL RIGHT, NOW WHEN YOU TOOK HIM TO GET THE
13 TUXEDO, AT THAT TIME WHEN YOU WENT TO LAYAWAY THE TUXEDO
14 WAS THE PROSECUTING WITNESS FELITA WAS SHE SUPPOSED TO BE
15 GOING WITH HIM TO THE WEDDING?

16 A YES.

17 Q WHERE DID THE DAUGHTER MONICA GET MARRIED?

18 A AT FIRST CALVARY BAPTIST CHURCH RIGHT HERE
19 IN GEORGETOWN.

20 Q WHAT STREET IS THAT ON?

21 A THAT'S ON KAMINSKI, KAMINSKI, I THINK IT'S
22 ON PALM STREET, PALM.

23 Q DID YOUR OTHER SON OMEGA DID HE ATTEND THE
24 WEDDING?

25 A YES.

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE

193

1 Q DID YOUR DAUGHTER LAHOMA ATTEND THE
2 WEDDING?

3 A YES.

4 Q DID YOUR DAUGHTER CLARA ATTEND THE WEDDING?

5 A YES.

6 Q AND THE PROSECUTING WITNESS MS. GRAHAM DID
7 SHE COME TO THE WEDDING?

8 A NO, SHE DIDN'T.

9 Q AT SOME POINT IN MARCH 2007 WERE YOU WITH
10 MR. WILSON WHEN YA'LL LOOKED AT A CAR TO BUY?

11 A YES.

12 Q AND DO YOU REMEMBER WHERE THE CAR WAS WHEN
13 YA'LL FIRST SAW IT?

14 A WE WERE COMING FROM WORK AND THEN I SAW THE
15 CAR OVER THERE AND I TOLD HIM THAT WAS A CAR OVER THERE ON
16 SALE AND HE SAID ---

17 Q WHERE DID YOU SEE THE CAR?

18 A IT'S OVER THERE ON, RIGHT, RIGHT BEHIND THE
19 BRIDGE AS YOU COMING BACK, LIKE YOU COMING FROM CHARLESTON.
20 BY THE TIME WE GOT RIGHT THERE TO THE BRIDGE AND THE CAR
21 WAS SITTING ON THAT SIDE OVER THERE AND THAT'S WHERE WE SEE
22 THE CAR AT AND HE WENT OVER THERE AND LOOKED AT IT AND HE
23 SAID HE WANTED IT AND HE CALLED THE MAN. THE MAN CAME
24 THERE, I DON'T KNOW WHO, I DON'T KNOW THE NAME, HE CAME
25 THERE AND THEY TEST DRIVE THE CAR. RONNIE AND MY DAUGHTER

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 194

1 CLARA THEY TEST, THEY TEST DRIVE THE CAR.

2 Q CLARA IS THE DAUGHTER THAT'S SITTING HERE
3 IN THE COURTROOM?

4 A YES.

5 Q DID YA'LL STAY RIGHT THERE AT THE CAR UNTIL
6 THE MAN CAME?

7 A WELL THEY WENT, YEAH, WE STOOD RIGHT THERE,
8 YES.

9 Q WAS THERE A SIGN ON THE CAR WITH A NUMBER
10 OR SOMETHING?

11 A YES.

12 Q AND YOUR DAUGHTER CLARA AND RONNIE TEST
13 DROVE THE CAR?

14 A YES.

15 Q AND SO WHAT DID THEY DO THEN ABOUT BUYING
16 THE CAR OR NOT BUYING THE CAR?

17 A WELL AFTER THEY TEST DRIVED IT, THEN AFTER
18 HE TEST DRIVE THE CAR ME AND THE GUY WAS WAITING ON THEM
19 TILL THEY CAME BACK AND HE, AND, AND THE CAR HAD TO SIGN,
20 THE, THE ON THE SIGN HAD \$900 ON IT AND HE PAID, HE PAID
21 THE GUY \$900 CASH FOR THE CAR.

22 Q WHO PAID THE GUY?

23 A RONNIE.

24 Q AND WAS THAT RONNIE'S MONEY OR SOMEBODY
25 ELSE'S MONEY?

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 195

1 A NO, THAT'S HIS, THAT WAS HIS MONEY.

2 Q AND YA'LL GOT THE CAR RIGHT THEN?

3 A YES.

4 Q NOW DID YOU TAKE THE PROSECUTING WITNESS
5 MS. GRAHAM TO AN INSURANCE AGENCY TO GET INSURANCE PUT ON
6 THE CAR?

7 A YES.

8 Q WHO PAID THE MONEY TO PAY THE INSURANCE ON
9 THE CAR?

10 A RONNIE DID.

11 Q AND HOW DO YOU KNOW THAT?

12 A BECAUSE I WAS THERE WHEN HE, HE GIVE HER
13 THE MONEY TO, YOU KNOW, TO TAKE CARE OF EVERYTHING ON THE
14 CAR, TO SEE THAT THE CAR, YOU KNOW, CAUSE HE COULDN'T DROVE
15 IT, YOU KNOW, CAUSE HE HAD, YOU KNOW, BAD EYESIGHT AND
16 EVERYTHING. SO WHEN, WHEN, WHEN HE GIVE HER THE MONEY ME
17 AND HER RIDES AROUND JUST ABOUT PRACTICALLY ALL DAY THAT
18 DAY TO GET THE CAR STRAIGHT LIKE INSURANCE AND STUFF LIKE
19 THAT SO I WENT ALL THE RUNNING AROUND WITH HER TO GET THE
20 CAR STRAIGHTENED OUT.

21 Q WERE YA'LL DRIVING THAT CAR OR DRIVING YOUR
22 CAR?

23 A NO, SHE WAS DRIVING, I WAS DRIVING MY CAR
24 AT THE TIME CAUSE, YOU KNOW, WE DIDN'T HAVE ANYTHING
25 STRAIGHT ON THE, ON THE OTHER CAR.

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 196

1 Q WELL THIS AUDITOR'S FORM SAYS, IT'S DATED
2 MARCH THE 31ST, 2007, A BUICK, 1992 BUICK IS THAT ABOUT THE
3 DAY YA'LL BOUGHT THE CAR?

4 A RIGHT, UH-HUH.

5 Q AND THERE'S SOME PHOTOGRAPHS IN EVIDENCE
6 SHOWING SOME PICTURES OF THE CAR, IS THIS, WHICH IS
7 PROSECUTING EXHIBIT 6, IS THAT THE WHITE ---

8 A YES.

9 Q --- FOUR DOOR BUICK CAR?

10 A YES.

11 Q DOES THIS JOB THAT RONNIE HAD, DO YOU KNOW
12 WHAT KIND OF WAGES RONNIE WAS MAKING AT THE JOB HE HAD OVER
13 AT SANTEE COOPER?

14 A WHAT THEY TOLD ME --

15 MR. BRYAN: OBJECTION TO HEARSAY.

16 MR. GOUDE: (CONTINUING)

17 Q ALL RIGHT, WELL I'LL JUST STATE IT THIS,
18 DID THAT JOB RONNIE WAS WORKING AT DID THAT JOB END BEFORE
19 THIS MAY THE 9TH OF '07?

20 A YES.

21 Q DO YOU KNOW ABOUT HOW MUCH TIME HAD PASSED
22 FROM THE TIME THE JOB ENDED UNTIL THIS MAY THE 9TH INCIDENT
23 OCCURRED?

24 A ABOUT MAYBE A WEEK LATER, SOMETHING LIKE
25 THAT, PROBABLY ONE TO TWO WEEKS, MAYBE SOMETHING LIKE THAT,

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 197

1 I CAN'T RECALL.

2 Q AFTER, AFTER RONNIE BOUGHT THE CAR ABOUT
3 MARCH 31ST DID RONNIE STILL STAY IN DRIVE WITH MS.
4 GRAHAM?

5 A YES.

6 Q DID YOU HAVE TO TAKE HIM TO WORK ANYMORE
7 AFTER THAT?

8 A SHE WAS TAKING HIM AFTER THAT.

9 Q NOW AT SOME POINT AFTER THE JOB ENDED AT
10 SANTEE COOPER AND BEFORE THIS MAY THE 9TH DID YOU TALK WITH
11 MS. GRAHAM AND SHE SAY SHE WAS GOING TO DO ANYTHING TO
12 RONNIE?

13 A YES.

14 MR. BRYAN: OBJECTION TO HEARSAY, YOUR HONOR,
15 DID SHE SAY SHE WAS GOING TO DO ANYTHING.

16 THE COURT: REPEAT THE QUESTION, PLEASE?

17 Q AT SOME POINT AFTER THE JOB ENDED AT SANTEE
18 COOPER AND BEFORE MAY THE 9TH DID YOU TALK WITH MS. GRAHAM
19 AND DID SHE SAY THAT SHE WAS GOING TO DO SOMETHING TO
20 RONNIE?

21 MR. GOUDE: I SPECIFICALLY ASKED MS. GRAHAM THAT
22 QUESTION UNDER THE RULES.

23 MR. BRYAN: IT'S THAT'S, I DON'T RECALL THAT BUT
24 IF THAT'S TRUE I WILL WITHDRAW MY OBJECTION.

25 A YES, SHE DID.

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 198

1 MR. GOUDE: I DID ASK HER THAT.

2 MR. BRYAN: ALL RIGHT, FAIR ENOUGH.

3 Q AND WHAT DID MS. GRAHAM SAY SHE WAS GOING
4 TO DO TO RONNIE?

5 A WELL RIGHT AFTER HE CAME HOME THAT NIGHT,
6 HE CALLED ME ABOUT 4:00 THAT MORNING AND I WAS IN THE BED,
7 HE CALLED ME AND SAID, MAMA, SAID COME PICK ME UP. I SAID
8 FROM WHERE. HE SAID, I'M OVER HERE BY CHURCH'S, SAID COULD
9 YOU COME PICK ME UP. I SAID, I'M NOT GOING TO GET OUT MY
10 BED THIS TIME OF MORNING. I SAID, WHAT YOU DO, WHAT YOU
11 DOING OUT THERE THIS TIME OF MORNING BY CHURCH'S. HE SAY,
12 WELL I STAYED OUT LAST NIGHT AND WHEN I GOT HOME SAID
13 FELITA WAS CALLING ME SEVERAL TIMES AND I TOLD HER I WAS
14 GOING TO BE THERE AND IN LESS THAN 30 MINUTES BUT I NEVER
15 DID GOT THERE AND WHEN I GOT THERE SHE SAID, IF YOU DON'T
16 GET OUT MY HOUSE I'M GOING TO CALL THE POLICE SO HE RUN, HE
17 RAN AND HE LEAVE ALL OF HIS, HE LEAVE HIS FOOD STAMP CARD
18 THERE. HE LEAVE HIS CELL PHONE THERE AND HIS GLASSES, HE
19 LEFT THEM THERE AND SO I SAID, OKAY, I'LL COME AND GET YOU.
20 I PUT ON MY CLOTHES AND I WENT AND GOT HIM.

21 HE DIDN'T HAD ON NO COAT OR NOTHING AND HE SAID
22 THE REASON WHY HE RAN BECAUSE HE DIDN'T WANT TO GET CAUGHT
23 IN THE PROJECTS. HE SAID BECAUSE HE KNOW THEY WOULD LOCK
24 HIM UP AND HE KNOW THAT THEY WERE PLANNING TO GET HIM
25 ARRESTED AND HE DIDN'T WANT NO MORE DEALING WITH THE

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 199

1 POLICE, THAT WAS HIS WORDS TO ME.

2 Q AND DID MS. GRAHAM TELL YOU SOMETHING?

3 A YES, AND THAT'S WHEN I WENT, WHEN I FIRST
4 WALKED IN THE DOOR I SAID, HI, FELITA AND SHE SAID, HI. I
5 SAID, WELL RONNIE SENT ME HERE TO GET HIS BELONGING AND I
6 SAID, HE SAID, WELL I DIDN'T TOLD YOU ABOUT THE KEY BUT
7 ANYWAY HE SAID, GO DOWN THERE AND GET MY, MY KEY, MY FOOD
8 STAMPS, AND MY GLASSES AND MY CELL PHONE AND THAT'S WHAT I
9 TOLD HER WHEN I WALKED IN THE DOOR. I SAID, RONNIE SAID TO
10 PLEASE SEND IT BECAUSE HE DIDN'T WANT TO COME BACK HERE
11 CAUSE HE DIDN'T WANT NO MORE TROUBLE WITH THE POLICE AND
12 SHE SAID, WELL I'LL BRING THAT CAR TOMORROW AND SHE GIVE ME
13 EVERYTHING ABOUT, EVERYTHING SHE GIVE ME WAS THE FOOD STAMP
14 CARD, THE, SOMETHING ELSE SHE GIVE ME. BUT SHE DIDN'T GIVE
15 ME THE KEY CAUSE SHE SAID SHE WOULD BRING THE CAR THE NEXT
16 DAY SAID BUT HE'S GOING TO PAY FOR WHAT HE DID TO ME.

17 Q AND THIS WAS BEFORE MAY THE 9TH EVER CAME?

18 A RIGHT, RIGHT.

19 Q ON MAY THE 9TH OF 2007 DID YOU HAVE A
20 TELEPHONE IN YOUR HOUSE?

21 A YES.

22 Q IS IT A HOUSE PHONE OR A CELL PHONE?

23 A REGULAR HOUSE PHONE.

24 Q WHAT WAS YOUR PHONE NUMBER?

25 A 461-4812.

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 200

1 Q AND WHAT PART OF YOUR HOUSE WAS IT LOCATED
2 IN?

3 A IN THE DEN.

4 Q DO YOU HAVE ONE PHONE OR MORE THAN ONE
5 PHONE?

6 A I HAVE ONE IN MY BEDROOM AND ONE IN THE
7 DEN.

8 Q DO THEY HAVE THE SAME NUMBER?

9 A YES.

10 Q WHAT SIZE HOUSE DO YOU HAVE?

11 A I HAVE A FOUR BEDROOM AND ONE AND A HALF
12 BATH AND THEN I, YOU KNOW, I MADE THE GARAGE OUT A DEN AND
13 A LIVING ROOM AND THE KITCHEN.

14 Q IF YOU COME INTO THE HOUSE FROM THE FRONT,
15 HOW MANY OUTSIDE DOORS DO YOU HAVE COMING IN YOUR HOUSE?

16 A LIKE ABOUT, I HAVE, ONLY THE TWO DOORS, THE
17 WASH ROOM DOOR AND THE ONE TO THE LIVING ROOM CAUSE I GOT
18 THE DEN DOOR FAST OFF.

19 Q THE ONE TO THE LIVING ROOM THAT GOES, DOES
20 THAT GO OUT THE FRONT OF THE HOUSE?

21 A YES.

22 Q THE FRONT DOOR?

23 A UH-HUH.

24 Q IF YOU'RE LOOKING AT YOUR HOUSE FROM
25 DEFENSE EXHIBIT 8 IS THAT A, WHAT'S THAT HOUSE MADE OF?

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 201

1 A WELL IT'S BRICK ALL THE WAY BUT THERE'S
2 BOARD, YOU KNOW, IN THE FRONT OF IT.

3 Q AND THE FRONT DOOR IS IN THE CENTER OF YOUR
4 HOUSE, THE CENTER OF THE FRONT OF YOUR HOUSE?

5 A YES.

6 Q IF YOU COME IN YOUR HOUSE THROUGH THE FRONT
7 DOOR TO THE CENTER OF THE HOUSE HOW IS YOUR HOUSE LAID OUT,
8 IN OTHER WORDS WHICH DO YOU GO TO GO TO THE VARIOUS ROOMS
9 IN THE HOUSE?

10 A TO THE RESTROOM?

11 Q TO ALL OF THE ROOMS?

12 A OKAY, YOU CAN COME IN THE FRONT DOOR AND GO
13 IN THE LIVING ROOM YOU CAN GO IN ALL OF THE ROOMS FROM, YOU
14 COME IN THROUGH THE DOOR AND THEN IF YOU WANT TO GO IN THE
15 KITCHEN YOU CAN GO, THE KITCHEN IS SIT RIGHT HERE YOU CAN
16 COME STRAIGHT ---

17 Q DON'T SAY RIGHT HERE, IN OTHER WORDS ---

18 A OKAY, THE KITCHEN IS SIT RIGHT THERE IN THE
19 DOOR.

20 Q JUST PRETEND THAT YOU'RE COMING FROM WHERE
21 YOU'RE SITTING RIGHT NOW --

22 A UH-HUH.

23 Q IS THE FRONT DOOR OF YOUR HOUSE?

24 A UH-HUH.

25 Q AND YOUR HOUSE WOULD BE LIKE RUNNING FROM

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 202

1 THIS WALL BEHIND THE JURY TO THAT WALL OVER THERE TO ---

2 A YES.

3 Q --- WHERE TRACEY IS SITTING?

4 A YES.

5 Q THE SERGEANT IS SITTING, WHEN YOU COME INTO

6 THE LIVING ROOM IS THERE ANYTHING OVER ON THIS END OF THE

7 HOUSE?

8 A THE DEN.

9 Q THE DEN'S OVER HERE?

10 A UH-HUH.

11 Q IS THERE ANYTHING ELSE ON THIS END OF THE

12 HOUSE OTHER THAN THE DEN?

13 A THE KITCHEN.

14 Q WHICH ONE DO YOU GET TO FIRST?

15 A YOU GET TO THE KITCHEN FIRST THEN YOU GO TO

16 THE DEN.

17 Q THEN YOU GO TO THE KITCHEN?

18 A UH-HUH.

19 Q THEN THE DEN'S ON THE OTHER END?

20 A RIGHT.

21 Q IS THERE ANYTHING ON THE OTHER END OF THE

22 DEN?

23 A NOTHING.

24 Q SO THAT DEN WOULD BE ON THE SIDE OF THE

25 HOUSE TOWARD THE STREET THAT RUNS BY YOUR HOUSE THAT WAY?

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 203

1 A YES.

2 Q WHAT'S THAT STREET OVER THERE?

3 A THAT'S OXFORD.

4 Q SO OXFORD IS THE ONE THAT RUNS RIGHT IN
5 FRONT OF YOUR HOUSE?

6 A RIGHT?

7 Q WHERE YOU'RE AT RIGHT NOW, RIGHT?

8 A RIGHT.

9 Q WHAT'S THIS STREET THAT RUNS --

10 A THE OTHER ONE OVER THERE, THAT, THAT STREET
11 ON THIS OVER THERE I DON'T KNOW, I DON'T KNOW WHAT THE NAME
12 OF THAT STREET OVER THERE.

13 Q CAUSE LINCOLNSHIRE IS DOWN ON THE OTHER END
14 OF THE BLOCK, CORRECT?

15 A AT PLAYER, UH-HUH, THEY RUN TOGETHER.
16 OXFORD AND PLAYER RUN TOGETHER.

17 Q PLAYER WOULD BE THIS STREET HERE ON -- IF
18 YOU'RE STANDING IN FRONT OF YOUR HOUSE COMING IN THE FRONT
19 DOOR OXFORD STREET'S RIGHT HERE BEHIND YOU, RIGHT?

20 A UH-HUH, I'M ON, I'M RIGHT ON OXFORD.

21 Q RIGHT?

22 A UH-HUH.

23 Q BUT WHEN YOU'RE STANDING AT YOUR FRONT DOOR
24 YOU'RE NOT STANDING ON THE STREET YOU'RE STANDING ON GRASS
25 OR ---

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE

204

1 A RIGHT.

2 Q --- BRICK STEP ---

3 A YES.

4 Q --- OR CONCRETE DOOR STEP, RIGHT?

5 A YES.

6 Q SO OXFORD STREET WOULD BE RIGHT HERE BEHIND

7 US SOMEWHERE RUNNING THIS WAY, RIGHT, LEFT AND RIGHT?

8 A RIGHT.

9 Q AND OXFORD STREET RIGHT HERE AT YOUR HOUSE

10 YOU'RE ON THE CORNER, CORRECT?

11 A YES.

12 Q OXFORD STREET RUNS INTO WHICH STREET OVER

13 HERE TO THE LEFT SIDE OF YOUR HOUSE IF YOU COMING IN THE

14 FRONT DOOR?

15 A I DON'T KNOW.

16 Q IS THAT PLAYER?

17 A THAT'S NOT PLAYER OVER THERE. I DON'T

18 KNOW, I DON'T KNOW THE NAME OF THAT STREET OVER THERE.

19 Q OKAY, AND IF YOU GO BACK TO THE RIGHT OF

20 YOUR FRONT DOOR GOING BACK TO THE END OF OXFORD STREET WHAT

21 STREET IS THAT?

22 A THAT'S, ALL OF THAT IS PLAYER, ALL OF THAT

23 ON THIS SIDE OVER HERE. OKAY, IF YOU'RE COMING FROM THIS,

24 IF YOU'RE COMING FROM MY HOUSE GOING OUT YOU'RE GOING ON

25 PLAYER.

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 205

1 Q NOW WHEN YOU GET INTO YOUR LIVING ROOM YOU
2 SAY THE NEXT ROOM OVER HERE WHERE THE JURY IS SITTING IF
3 YOU GO OUT OF THE LEFT SIDE OF YOUR LIVING ROOM IS WHAT
4 ROOM?

5 A THAT'S THE DEN.

6 Q WHAT ABOUT THE KITCHEN?

7 A THE KITCHEN IS RIGHT THERE.

8 Q LET'S TAKE IT SLOW AND SIMPLE?

9 A OKAY.

10 Q DON'T HAVE A HEART ATTACK JUST TAKE IT
11 SIMPLE?

12 A OKAY.

13 Q HAVE YOU BEEN IN YOUR HOUSE EVER IN YOUR
14 LIFE?

15 A YES.

16 Q DO YOU KNOW EVERY ROOM IN IT?

17 A YES.

18 Q HAVE YOU SWEEPED EVERY PIECE OF INCH OF THE
19 FLOOR IN YOUR HOUSE?

20 A YES.

21 Q I JUST WANT YOU TO TELL US HOW YOUR HOUSE
22 IS LAID OUT SO WE WILL ALL KNOW, NONE OF US HAVE BEEN IN
23 YOUR HOUSE?

24 A RIGHT.

25 Q YOU WALK IN YOUR LIVING ROOM, WHEN YOU WALK

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 206

1 OUT OF THE DOOR OF YOUR LIVING ROOM CAN YOU GO INTO A ROOM
2 OVER TO THE LEFT OR IS THAT THE END OF THE HOUSE, THE BRICK
3 WALL OF YOUR HOUSE ---

4 A I WALK ---

5 Q IS THERE A ROOM OVER THERE?

6 A I WALK TO THE KITCHEN.

7 Q ALL RIGHT, IF YOU WALK INTO THE KITCHEN CAN
8 YOU KEEP WALKING OUT OF THE KITCHEN INTO ANOTHER ROOM OR IS
9 THAT THE END OF YOUR HOUSE, THE BRICK WALL END OF YOUR
10 HOUSE OR CAN YOU GOT OUT OF THE KITCHEN INTO ANOTHER ROOM?

11 A INTO THE DEN.

12 Q WHEN YOU GO INTO THE DEN CAN YOU KEEP
13 WALKING OUT OF THE DEN INTO ANOTHER ROOM OR IS THAT THE END
14 OF THE HOUSE, THE BRICK WALL THE END OF YOUR HOUSE?

15 A WELL THE WASH ROOM IS RIGHT THERE, TOO.

16 Q WHERE'S THE WASH ROOM?

17 A THE WASH ROOM IS ON THIS SIDE OVER HERE
18 WHEN YOU'RE COMING OUT THE DEN, WHEN YOU COME OUT THE DEN
19 YOU WALK INTO THE WASH ROOM AND THEN YOU WALK OUT THE DOOR.

20 Q THERE'S A BACK DOOR?

21 A RIGHT.

22 Q ALL RIGHT, LET'S SEE IF WE'VE GOT A PICTURE
23 OF THE BACK DOOR OF YOUR HOUSE HERE. ALL RIGHT, NOW ON
24 DEFENSE EXHIBIT 7(D), IS THE BACK DOOR SHOWN ON THAT
25 PICTURE, IS THAT THE BACK OF YOUR HOUSE?

MS. ALMINA WILSON - DIRECT EXAMINATION BY MR. GOUDE 207

1 A THAT'S THE BACK OF IT BUT I DON'T SEE THE
2 DOOR. SEE WHERE THAT WINDOW RIGHT THERE, THE DOOR IS ON
3 THE OTHER SIDE OF THAT.

4 Q OKAY, ALL RIGHT, ALL RIGHT, NOW THAT'S,
5 WE'VE GOT THE LIVING ROOM, THE KITCHEN, THE DEN, AND THE
6 LAUNDRY ROOM ---

7 A UH-HUH.

8 Q --- WE GOT THOSE STRAIGHT. NOW ON THE
9 OTHER END OF THE HOUSE WHEN YOU WALK IN YOUR LIVING ROOM
10 AND YOU GO OVER TO THE RIGHT OF YOUR HOUSE ---

11 A UH-HUH.

12 Q --- IS THAT THE RIGHT END OF YOUR HOUSE THE
13 WALL OR IS THERE ROOMS DOWN THERE?

14 A THERE'S ROOM AND THE HALL.

15 Q THERE'S A HALL?

16 A UH-HUH.

17 Q YOU GO DOWN THE HALL AND WHAT'S THE FIRST
18 ROOM ON THE RIGHT?

19 A ON THE RIGHT.

20 Q IS WHAT KIND OF ROOM?

21 A THAT'S THE BEDROOM.

22 Q AND YOU SAID YOU GOT HOW MANY BEDROOMS?

23 A FOUR.

24 Q IS ALL FOUR OF THEM DOWN ON THAT END OF THE
25 HOUSE?

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN

208

1 A ONE ON THE, TWO ON THE OTHER SIDE OF THE
2 HOUSE, TWO ON THE OTHER SIDE. OKAY, WHEN YOU WALK DOWN THE
3 HALL THIS IS THE HALL RIGHT HERE ---

4 Q THAT'S GOING RIGHT?

5 A --- THIS IS THE BEDROOM RIGHT HERE.

6 Q OKAY?

7 A AND THEN THE BATHROOM IS THERE.

8 Q ALL RIGHT?

9 A THEN YOU CAN WALK OUT OF THE BATHROOM INTO
10 THE OTHER BEDROOM, CROSS THE HALL TO THE OTHER TWO
11 BEDROOMS.

12 Q OKAY, I GOT YOU?

13 A UH-HUH.

14 Q DURING BACK IN MAY ARE BASICALLY THE PEOPLE
15 THAT ARE LIVING AROUND YOU IN THOSE HOUSES ARE THE PEOPLE
16 WHO ARE LIVING THERE RIGHT NOW ON NOVEMBER THE 28TH, 2007,
17 ARE THEY THE SAME PEOPLE THAT WERE LIVING IN THOSE HOUSES
18 BACK ON MAY THE 9TH, 2007?

19 A YES.

20 Q ARE ALL THE HOUSES RIGHT AROUND YOUR HOUSE
21 ARE THEY OCCUPIED NOW AND OCCUPIED THEN?

22 A ALL, WELL THE ONE ACROSS FROM ME WAS
23 OCCUPIED THEN SO NOBODY IS LIVING IN IT NOW SO ALL THE REST
24 OF THE HOUSES WERE OCCUPIED.

25 Q AND THIS MORNING, THAT PARTICULAR DAY, MS.

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN 209

1 WILSON, MAY THE 9TH OF 2007 THAT WE TALKED ABOUT RIGHT HERE
2 IN COURT YESTERDAY YOU WERE NOT HOME THAT MORNING THAT
3 RONNIE AND MS. GRAHAM CAME TO YOUR HOUSE, CORRECT?

4 A NO, I WASN'T.

5 Q YOU WERE AT WORK?

6 A YES.

7 Q WHEN YOU -- STRIKE THAT.

8 MR. GOUDE: WE HAVE, WE HAVE NO OTHER QUESTIONS.

9 CROSS EXAMINATION

10 BY MR. BRYAN:

11 Q GOOD AFTERNOON?

12 A HI.

13 Q THE WEDDING, I DON'T KNOW, IT'S PROBABLY
14 BEEN STATED, WHOSE WEDDING WAS IT WE'VE BEEN TALKING ABOUT?

15 A IT WAS MY BABY DAUGHTER'S WEDDING.

16 Q YOUR BABY DAUGHTER --

17 A MONICA.

18 Q HOW DO YOU SPELL THAT?

19 A MONICA, MONICA.

20 Q HOW DO YOU SPELL THAT?

21 A MONICA, M-O-I-N --

22 Q MONICA?

23 A MONICA, YES.

24 Q LIKE M-O-N-I-C-A MAYBE?

25 A UH-HUH.

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN

210

1 Q OR M-O-N-I-K-A, MONICA, ANYWAY I'M SAYING
2 IT CORRECTLY, SO THE WEDDING THAT WE'VE BEEN TALKING ABOUT
3 THAT RONNIE WAS GOING TO WITH FELITA, WAS THAT SOME KIND OF
4 SHOTGUN WEDDING, WAS IT LIKE A LAST MINUTE AFFAIR?

5 A NO, THAT'S PLANNED FOR LIKE ABOUT A YEAR.

6 Q PLANNED FOR ABOUT A YEAR?

7 A YES.

8 Q AND THAT'S RONNIE'S SISTER?

9 A YES.

10 Q SO THEY HAD BEEN PLANNING TO GO FOR ABOUT A
11 YEAR TO THIS WEDDING, RIGHT?

12 A NO, NOT QUITE BECAUSE HE WASN'T, YOU KNOW,
13 AFTER HE CAME HOME AND THEN SHE PLANNED THE WEDDING BEFORE
14 HE CAME OUT.

15 Q OKAY?

16 A BUT AFTER HE CAME OUT WHEN HE GOT, YOU
17 KNOW, SHE ASKED ALL OF THEM TO BE IN THE WEDDING.

18 Q GREAT, AND THEN, OKAY, AND HE GOT OUT WHEN?

19 A IN FEBRUARY.

20 Q AND DID YOU, WHEN IS THE LAST TIME YOU HAD
21 TALKED TO FELITA ABOUT THE WEDDING, ABOUT GOING TO THE
22 WEDDING?

23 A THAT SAME WEEK OF THE WEDDING SHE CAME OVER
24 BECAUSE MY DAUGHTER HAD A EATING AT THE HOUSE ---

25 Q UH-HUH?

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN

211

1 A --- AND THEY WERE TALKING ABOUT THE
2 WEDDING. SHE CAME WITH THE BABY; SHE WAS AT MY DAUGHTER'S
3 HOUSE AND EVERYBODY WAS IN THERE TALKING ABOUT WHAT THEY,
4 YOU KNOW, MY SON ALREADY HAD HIS TUX, RONNIE, RONNIE
5 ALREADY HIS TUX AND FELITA WAS TALKING ABOUT WHAT SHE WAS
6 GOING TO GET OUT THE LAUNDRY, OUT THE CLEANERS.

7 Q EVERYBODY ALREADY, I'M SORRY, SORRY, I
8 DIDN'T MEAN TO CUT YOU OFF?

9 A THAT'S ALL RIGHT..

10 Q FELITA WAS TALKING ABOUT WHAT?

11 A THEY WERE TALKING ABOUT WHAT THEY WERE, SHE
12 WAS TALKING ABOUT SHE HAD TO GET HER CLOTHES OUT THE
13 LAUNDRY, OUT THE CLEANERS TO WEAR BUT RONNIE ALREADY HAD
14 HIS TUX.

15 Q SHE HAD TO GET HER STUFF OUT OF THE
16 CLEANERS?

17 A RIGHT.

18 Q AND WERE, DID FELITA KNOW MONICA?

19 A YES.

20 Q WERE THEY FRIENDS, ENEMIES, OR JUST
21 NEITHER?

22 A NO, THEY WEREN'T ENEMIES OR ANYTHING LIKE
23 THAT CAUSE SHE WOULD ALWAYS COME TO THE HOUSE WITH RONNIE.

24 Q SO SHE WAS FRIENDS WITH, THEY WERE KIND OF
25 FRIENDS?

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN

212

1 A WELL THEY, YOU KNOW, SHE WOULD COME OVER
2 WHENEVER RONNIE COME OVER. I DON'T KNOW WHETHER THEY WERE
3 FRIENDS OR NOT.

4 Q AND EVERYBODY ALREADY HAD THEIR MONEY INTO
5 THE, TO THE WEDDING INVESTED, DIDN'T THEY?

6 A YES.

7 Q DID FELITA GO TO THAT WEDDING?

8 A NO, SHE DIDN'T.

9 Q OKAY, THE JOB THAT RONNIE HAD YOU SAID HE
10 WAS MAKING GOOD MONEY?

11 A UH-HUH.

12 Q AND IS THAT WHAT HE TOLD, YOU KNEW THAT
13 FROM HIM TELLING YOU OR YOU COULD TELL HE HAD MONEY? IN
14 OTHER WORDS I'M NOT TRYING TO TRICK YOU BUT DID HE TELL YOU
15 HE WAS MAKING GOOD MONEY?

16 A YES.

17 Q AND, AND DID HE HAVE SOME MONEY IN HIS
18 POCKET TO BUY STUFF WHEN HE NEEDED TO?

19 A YES.

20 Q AND HE WAS GIVING MONEY TO FELITA?

21 A YES.

22 Q AS WELL?

23 A UH-HUH.

24 Q AND SO THAT ENDED ABOUT WHEN, LIKE THE JOB
25 ENDED WHEN?

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN 213

1 A I DON'T KNOW, THE JOB ENDED I SAY ABOUT A
2 WEEK, ABOUT TWO WEEKS BEFORE THE 9TH, THAT'S ALL I CAN SAY
3 BECAUSE I WASN'T KEEPING UP WITH IT BECAUSE, YOU KNOW, AT
4 MY AGE I HAVE TO THINK.

5 Q OH, SURE, TELL US ABOUT THE CAR, THAT CAR
6 WAS TO REPLACE THE CAR HE TOTALLED OF HERS, RIGHT?

7 A NO.

8 Q YOU DON'T KNOW ANYTHING ABOUT THE FACT THAT
9 HER CAR, HER, HER PREVIOUS CAR GOT WRECKED?

10 A IT GOT WRECKED BUT IT WAS STILL RUNNING.

11 Q OKAY --

12 A AND IT GOT REPOSSESSED.

13 Q IT GOT REPOSSESSED?

14 A UH-HUH.

15 Q OKAY, AND HE BOUGHT A CAR THAT HAD BEEN
16 WRECKED BUT GOT REPOSSESSED TO REPLACE THAT CAR?

17 A THAT WASN'T, NO, NO, THAT WASN'T THE IDEA
18 WHY HE BOUGHT THAT CAR.

19 Q WHY DID HE BUY THE CAR?

20 A HE BOUGHT THE CAR CAUSE I TOLD HIM ABOUT
21 THE END OF THIS MONTH YA'LL GOING TO HAVE YA'LL OWN WAY TO
22 GET TO WORK SO HE BOUGHT THE CAR SO FELITA COULD TAKE HIM
23 TO WORK.

24 Q OKAY, CAUSE HE COULDN'T DRIVE?

25 A NO.

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN

214

1 Q AND HE COULDN'T GET A LICENSE BECAUSE HE
2 HAD BAD EYESIGHT, THAT'S WHAT HE TOLD YOU?

3 A HE HAD, HIS EYES WAS BAD AND THEN HE HAD,
4 HE HAD OWED SOME TICKETS LIKE ABOUT TWO TICKETS AND HE PAID
5 THAT OFF AND HE TRIED AND HE WENT TO TAKE THE TEST I WAS
6 THERE IN THE OFFICE, THE, THE HIGHWAY DEPARTMENT WITH HIM,
7 HE TOOK THE TEST THAT DAY BUT HE COULDN'T SEE. HE COULDN'T
8 SEE THE NUMBERS. AS HE TAKE THE TEST, HE COULDN'T GET HIS
9 LICENSE BECAUSE HE COULDN'T SEE IT.

10 Q WELL HE WAS AN HABITUAL TRAFFIC OFFENDER
11 WHICH IS NOT JUST ME SAYING THE WORD HABITUAL WHICH MEANS
12 OVER AND OVER AND OVER AGAIN, THAT MEANS THAT UNDER THE LAW
13 HIS LICENSE HAD BEEN SUSPENDED ON MORE THAN ONE OCCASION
14 AND THEN HE WAS CONVICTED OF A D.U.S., DRIVING UNDER
15 SUSPENSION AND THEN HE DROVE AGAIN WAS CONVICTED OF DRIVING
16 UNDER SUSPENSION AND THEN HE WAS CONVICTED AGAIN. I THINK
17 YOU HAVE TO BE CONVICTED THREE TIMES TO BE A HABITUAL
18 OFFENDER, DON'T YOU?

19 A I DON'T KNOW.

20 Q SO REALLY THE REASON HE COULDN'T GET, IF HE
21 HAD BAD EYESIGHT HE SHOULDN'T BE DRIVING, RIGHT?

22 A WELL HE TOLD ME HIS EYESIGHT WAS TOO BAD.

23 Q NOW ABOUT YOU GOING OVER THERE EXPLAIN, CAN
24 YOU TELL ME AGAIN ABOUT WHEN YOU WOULD TAKE HIM TO WORK,
25 WHAT WAS THE TIME FRAME?

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN 215

1 A WELL I WOULD LEAVE HOME AT 6 AND GOT THERE
2 ABOUT 6:30.

3 Q OH, SO THE, ON THE CALENDAR, WHERE'S
4 DEFENSE CALENDAR EXHIBIT, YOU WOULD, YOU WOULD HAVE TO
5 LEAVE AT 6 IN THE MORNING?

6 A RIGHT, UH-HUH.

7 Q AND THE TIME FRAME ON THE CALENDAR ON
8 DEFENSE EXHIBIT 1 CAN YOU SHOW US THE ---

9 A WELL I DON'T ---

10 Q --- DAYS WHEN YOU DROVE THEM TO WORK?

11 A I WOULD DROVE THEM MONDAY THROUGH, MONDAY
12 THROUGH FRIDAY.

13 Q STARTING AT WHICH MONTH ON DEFENSE EXHIBIT
14 1?

15 A RIGHT AFTER HE CAME OUT HE WAS AT MY HOUSE
16 ONE WEEK AND THAT'S ALL I CAN TELL YOU. HE, THE REST OF
17 THE TIME HE WAS AT HER HOUSE.

18 Q OKAY, SO THE ANSWER IS THAT YOU PICKED HIM
19 UP FROM HER APARTMENT STARTING IN FEBRUARY AND ALSO EVERY,
20 DID HE WORK WEEKDAYS OR --

21 A UH-HUH, HE WORKED MONDAY THROUGH SUNDAY.

22 Q MONDAY THROUGH SUNDAY?

23 A HE WAS WORKING MONDAY THROUGH SUNDAY.

24 Q MEANING SEVEN DAYS A WEEK?

25 A YES, UH-HUH.

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN

216

1 Q SO AS MR. GOUDE SAID THEN THAT WOULD BE, IF
2 WE WERE TO UNDERLINE THE DAYS THAT YOU PICKED HIM UP ON
3 DEFENSE EXHIBIT 1, I WON'T ADDRESS FEBRUARY, WE DON'T KNOW
4 WHEN IN FEBRUARY, DO WE?

5 A WELL RIGHT AFTER THAT ONE WEEK HE CAME HOME

6 ---

7 Q UH-HUH?

8 A --- HE STAYED WITH ME FOR ONE WEEK AND THEN
9 AFTER THAT I WAS PICKING HIM UP RIGHT FROM FELITA'S
10 APARTMENT.

11 Q AND HE STAYED THERE AT FELITA'S APARTMENT
12 UNTIL WHEN?

13 A UNTIL ABOUT A WEEK BEFORE THE 9TH.

14 Q SO YOU DROVE HIM TO WORK EVERY DAY?

15 A YES, UNTIL HE ---

16 Q LET ME GET YOU TO USE MY PEN. WHY DON'T
17 YOU UNDERLINE ON THE CALENDAR EVERY DAY THAT YOU PICKED HIM
18 UP ON DEFENSE EXHIBIT 1, EVERY DAY STARTING WITH FEBRUARY?
19 WE'LL START IN MARCH THROUGH MAY, RIGHT? IT SHOULD BE
20 EASY, YOU CAN UNDERLINE EVERY SINGLE DAY ON THAT CALENDAR
21 BETWEEN THOSE DAYS TO IDENTIFY THE DATES WHICH YOU PICKED
22 HIM UP FROM FELITA'S HOUSE, RIGHT, THAT WOULD BE PRETTY
23 EASY?

24 A I PICK HIM UP THERE ---

25 Q LET ME GET YOU TO TO THAT?

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN

217

1 A I PICK HIM UP THE WHOLE MONTH.

2 Q THE WHOLE MONTH?

3 A THE WHOLE TIME.

4 Q ALL RIGHT?

5 A AFTER HE HAD GONE THERE TO LIVE I PICKED
6 HIM UP THE WHOLE TIME FROM THERE AND THAT WOULD BE THE
7 WHOLE MONTH. I PICKED HIM UP THE WHOLE MONTH.

8 Q JUST UNDERLINE ON DEFENSE EXHIBIT 1, IF YOU
9 WILL ---

10 A OKAY.

11 Q --- JUST UNDERLINE THE DAYS WHICH YOU
12 PICKED HIM?

13 A OKAY, JUST PUT UNDER THERE, OKAY. I PICK
14 HIM UP THE WHOLE MONTH RIGHT THERE.

15 Q NOW I'M GOING TO ASK YOU, DID YOU UNDERLINE
16 EVERY DAY THAT YOU PICKED HIM UP AND TOOK HIM TO WORK FROM
17 FELITA'S HOUSE?

18 A UH-HUH.

19 Q OKAY, AND THEN AFTER WHAT HAPPENED, WHY DID
20 YOU QUIT PICKING HIM UP?

21 A HUH, EXCUSE ME?

22 Q AFTER THAT YOU QUIT PICKING HIM UP AFTER
23 FEBRUARY?

24 A NO, I WAS PICKING HIM -- AFTER HE GOT THE
25 CAR SHE WAS TAKING TO WORK SO I DIDN'T HAVE TO, YOU KNOW,

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN

218

1 TAKE HIM TO WORK ANY LONGER.

2 Q OKAY, SO WHEN WAS THE LAST TIME YOU WERE AT
3 FELITA'S? YOU SAY YOU WENT OVER THERE TO, AFTER THE
4 INCIDENT AND THEN BEFORE THE INCIDENT WHAT WAS THE LAST
5 TIME YOU WERE THERE?

6 A BEFORE THE INCIDENT I WENT OVER THERE, YOU
7 KNOW, TO GET HIS BELONG, AFTER THE INCIDENT I WENT OVER
8 THERE TO GET HIS BELONGINGS.

9 Q YES, MA'AM, GOOD, SO BEFORE THAT WHEN WAS
10 THE LAST TIME YOU WENT OVER THERE?

11 A I HAVEN'T BEEN BACK OVER THERE SINCE.

12 Q BEFORE THAT?

13 A OH, I WAS ---

14 Q WHEN WAS THE ---

15 A BEFORE THE INCIDENT?

16 Q UH-HUH?

17 A I WAS OVER THERE LIKE TWO OR THREE TIMES
18 BEFORE THE INCIDENT.

19 Q AND THE CLOSEST TIME TO THE INCIDENT WHEN
20 YOU WERE OVER THERE BEFORE THE INCIDENT, THE CLOSEST TIME
21 TO THE INCIDENT BEFORE WOULD HAVE BEEN ABOUT WHEN?

22 A I HADN'T BEEN OVER THERE BUT, LET'S SEE,
23 THE ONLY TIME I CAN TELL YOU I WAS OVER THERE ABOUT THREE
24 TIMES BEFORE THE INCIDENT.

25 Q OKAY --

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN 219

1 A THREE TIMES BEFORE THAT HAPPENED, BEFORE
2 ALL THIS PROBLEM HAPPENED BETWEEN THEM I'VE BEEN OVER THERE
3 THREE TIMES.

4 Q ASIDE FROM THE 15 TIMES YOU PICKED HIM UP?

5 A UH-HUH.

6 Q WELL WHEN WAS THE MOST RECENT, THE LATEST
7 OF THE THREE TIMES THAT YOU WENT OVER THERE BEFORE THE
8 INCIDENT WHEN WOULD THAT, LET ME, HERE THIS MIGHT MAKE IT
9 EASIER, LET'S USE DEFENSE 1 AND IF YOU'D JUST MAYBE USE THE
10 RED, THIS WOULD BE GOOD THE RED PEN MAYBE AND SIGNIFY THE
11 LAST TIME YOU WENT OVER THERE BEFORE THE INCIDENT?

12 A WELL SEE I DON'T QUITE UNDERSTAND WHAT
13 YOU'RE SAYING BECAUSE I PICKED HIM UP THE WHOLE TIME THAT
14 MONTH RIGHT AFTER HE LEAVE FROM OVER. THE ONLY TIME I ---

15 Q AND THEN, AND THEN AFTER THAT YOU WENT OVER
16 THERE TWO OR THREE MORE TIMES?

17 A UH-HUH, YES.

18 Q SO THE LAST OF THOSE THREE TIMES ---

19 A UH-HUH.

20 Q --- WAS WHEN, JUST CIRCLE IT ON THE
21 CALENDAR?

22 A I WASN'T THERE THE LAST OF THOSE THREE
23 TIMES. THE ONLY TIME I'VE BEEN BACK OVER THERE BEFORE,
24 BEFORE THE INCIDENT I WAS THERE BEFORE THE INCIDENT AND
25 AFTER THE INCIDENT I WENT THERE ONE MORE TIME AFTER THE

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN

220

1 INCIDENT, THAT'S WHEN I WENT OVER THERE TO GET HIS STUFF.

2 Q OKAY, WHEN YOU WENT OVER THERE TO GET HIS
3 STUFF WAS AFTER THE INCIDENT, RIGHT?

4 A RIGHT.

5 Q SO I'M ASKING YOU BEFORE THE INCIDENT ---

6 A UH-HUH.

7 Q --- WHEN WOULD HAVE BEEN THE LAST TIME THAT
8 YOU WERE OVER THERE?

9 A I CAN'T RECALL IT.

10 Q DATE OF WEEK OR MONTH?

11 A I CAN'T RECALL THE TIME I WAS OVER THERE
12 AFTER THAT BECAUSE THE ONLY TIME I WAS OVER THERE IS THE
13 THREE TIMES WHEN HE MOVED THERE. I WENT OVER THERE, THEY
14 CAME AND PICKED ME UP AND I WENT OVER THERE AND THEN ONE
15 MORE TIME AFTER THAT THAT'S AFTER THE INCIDENT IS WHEN I
16 WENT OVER THERE. I CAN'T ---

17 Q THE TIME THEY CAME AND PICKED YOU UP AND
18 YOU WENT OVER THERE --

19 A I WENT OVER THERE WITH BOTH OF THEM. THEY
20 CAME TO MY HOUSE ONE NIGHT AND I WAS SITTING THERE AND THEY
21 SAID I LOOK SO LONELY.

22 Q CIRCLE THAT DATE, CIRCLE THE DATE THERE?

23 A THE DATE?

24 Q THE TIME THEY CAME AND PICKED YOU UP AND
25 YOU WENT OVER THERE BEFORE THE INCIDENT WHEN WAS THAT?

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN

221

1 A IT MUST HAVE BEEN SOME TIME IN MARCH, I
2 BELIEVE. IT COULD HAVE BEEN ON A TUESDAY, I DON'T KNOW FOR
3 SURE.

4 Q BUT JUST SOMETIME IN MARCH, THAT'S GOOD
5 ENOUGH?

6 A UH-HUH.

7 Q SO, SO JUST, SO BEFORE THE INCIDENT
8 SOMETIME IN MARCH WAS THE LAST TIME YOU'D ACTUALLY BEEN
9 OVER TO FELITA'S?

10 A YES.

11 Q FAIR ENOUGH, GOOD?

12 A LIKE I SAID I, YOU KNOW, I WASN'T KEEPING
13 UP WITH THE TIME, I'M GETTING OLD NOW, I CAN'T RECALL ALL
14 THESE DATES.

15 Q FAIR ENOUGH, NOW YOU TESTIFIED THAT HE WAS
16 LIVING -- WELL WAS FELITA HIS FIRST GIRLFRIEND, RONNIE'S
17 FIRST GIRLFRIEND?

18 A NO.

19 MR. GOUDE: OBJECTION TO THE RELEVANCE OF THE
20 QUESTION.

21 MR. BRYAN: I'M GOING SOMEWHERE, I CAN APPROACH,
22 YOUR HONOR. I'M JUST TRYING TO LAY SOME FOUNDATION, I'LL
23 BE GLAD TO APPROACH.

24 (WHEREUPON, A BENCH CONFERENCE WAS HELD OFF THE
25 RECORD IN THE PRESENCE OF THE JURY, BUT OUT OF THE HEARING

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN

222

1 OF THE JURY.)

2 MR. BRYAN: (CONTINUING)

3 Q THAT'S NOT HIS FIRST GIRLFRIEND, RIGHT,
4 FELITA?

5 A NO.

6 Q AND HAS HE EVER LIVED WITH ANYBODY ELSE?

7 A NOT AS I KNOW OF.

8 Q SO WHEN HE WAS, HE'S BEEN STAYING WITH YOU
9 OTHER THAN THE TIMES THAT, WHEN HE GOT RELEASED, WHEN HE
10 WAS THERE HE'S LIVED WITH YOU THE ENTIRE TIME?

11 A HE LIVED OVER THERE ON THE BEACH
12 PRACTICALLY THE WHOLE WINTER ---

13 Q OKAY --

14 A --- BEFORE.

15 Q AND THAT'S THE ONLY TIME THAT HE'S NOT
16 LIVED AT YOUR RESIDENCE?

17 A RIGHT.

18 MR. GOUDE: OBJECTION TO THE ---

19 A RIGHT.

20 Q --- QUESTION FOR THE REASONS WE HAD DONE IN
21 OUR MOTION IN LIMINE THE BEGINNING OF THE CASE.

22 MR. BRYAN: OKAY, THAT'S FINE.

23 THE COURT: ALL RIGHT, WELL YOU ASKED THE
24 QUESTION SHE ANSWERED IT SO I DON'T KNOW WHAT I CAN DO TO,
25 I'M NOT SURE I'M PIECING THAT TOGETHER, GO AHEAD.

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN

223

1 MR. BRYAN: (CONTINUING)

2 Q ALL RIGHT, SO WELL, LET ME JUST ASK THIS.
3 YOU WEREN'T OVER AT RONNIE'S HOUSE WHEN HE LIVED WITH
4 FELITA? YOU DON'T KNOW IF HE WAS THERE, IF HE WAS
5 SOMEWHERE ELSE, DO YOU?

6 A OH, YEAH, I WAS THERE THREE TIMES.

7 Q I MEAN BUT EVERY, BUT THE LAST THREE WEEKS
8 UP TO THE INCIDENT YOU DON'T KNOW IF HE WAS LIVING OVER
9 THERE, DO YOU?

10 A WITH FELITA?

11 Q UH-HUH?

12 A WHEN HE, WHEN SHE PUT HER OUT, WHEN SHE PUT
13 HIM OUT THAT MORNING HE CAME TO MY HOUSE. HE CALLED ME AND
14 I WENT AND PICKED HIM UP FROM CHURCH'S AND BRING HIM OVER
15 TO MY HOUSE.

16 Q THAT'S THE COUPLE OF WEEKS BEFORE THE
17 INCIDENT HAPPENED?

18 A AFTER THE INCIDENT, AFTER SHE PUT HIM OUT
19 THE HOUSE.

20 Q ALL RIGHT, THE INCIDENT, AND THAT'S FAIR
21 CAUSE I'M NOT BEING CLEAR, BUT THE INCIDENT, WHEN I SAY THE
22 INCIDENT I MEAN THE MAY THE 9TH, THE CHARGES THAT WE'RE
23 HERE FOR, SO WAS IT A COUPLE OF WEEKS BEFORE THE DAY THAT
24 HE GOT ARRESTED?

25 A I'M NOT QUITE FOLLOWING YOU?

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN

224

1 Q HOW LONG DID HE STAY AT YOUR HOUSE BEFORE
2 HE WAS ARRESTED?

3 A RIGHT AT, THE WHOLE TIME AFTER SHE PUT HIM
4 OUT ---

5 Q THE WHOLE ---

6 A --- HE STAYED THERE, THE WHOLE TIME AT MY
7 HOUSE, YES.

8 Q ~~THE WHOLE TIME~~ BEING HOW MANY DAYS?

9 A MAYBE THAT WAS ABOUT FOUR WEEKS.

10 Q AND BEFORE THAT YOU'RE ASSUMING THAT HE WAS
11 STAYING OVER THERE AT 34 DRIVE, RIGHT?

12 A NO.

13 Q OKAY, THAT'S FINE?

14 A I'M NOT ASSUMING.

15 Q WELL, WELL WHERE WAS HE, HE WAS HOME AT 34
16 DRIVE EVERY NIGHT BEFORE THAT?

17 A EVERY NIGHT AFTER HE CAME HOME HE WAS
18 LIVING WITH HER, WITH HER.

19 Q WHAT TIME WOULD HE GET HOME WHEN HE WAS
20 STAYING WITH HER?

21 A HE WAS LIVING THERE, HE NEVER CAME BACK
22 HOME. HE LIVED THERE THE WHOLE TIME.

23 Q BUT I MEAN WHAT TIME DID HE ARRIVE AT 34
24 DRIVE EVERY NIGHT WHEN HE WAS LIVING THERE?

25 A AFTER HE KNOCKED OFF HE WOULD GO OVER

MS. ALMINA WILSON - CROSS EXAMINATION BY MR. BRYAN 225

1 THERE. HE WOULD COME HOME, TAKE A SHOWER, AND GO ON OVER
2 THERE AND STAY THERE AND I WOULD GO BY AND GO ON AND PICK
3 HIM UP AND TAKE HIM TO WORK.

4 Q WELL HOW IS IT THAT SHE'S CALLING HIM AT
5 2:00 IN THE MORNING ASKING WHERE HE'S AT IF HE'S AT HOME,
6 THAT WOULD BE KIND OF FOOLISH IF HE WAS SITTING IN HER
7 LIVING ROOM FOR HER TO BE ON THE PHONE SAYING, WHERE ARE
8 YOU, RIGHT?

9 A NO, NO, THAT'S NOT WHAT I SAID. I SAID HE
10 WAS LIVING THERE AND HE WENT OUT THAT NIGHT AND SHE SAID
11 SHE HAD AN ASTHMA ATTACK AND HE GOT, SHE GOT ON THE PHONE
12 AND CALLED HIM. HE WAS OUT SOME PLACE PARTYING OR
13 WHATEVER. SHE THOUGHT HE WAS OUT WITH ANOTHER WOMAN SO
14 THAT'S WHY WHEN HE GOT HOME THAT MORNING SHE TOLD HIM TO
15 GET OUT BEFORE SHE CALLED THE POLICE.

16 Q NOW, OH, I GOT ONE MORE QUESTION ---

17 A COULD I HAVE SOME WATER, PLEASE?

18 Q --- YOU SURE YOU WENT OVER THERE TO GET
19 FOOD STAMPS?

20 A COULD I HAVE SOME WATER, PLEASE?

21 MR. BRYAN: YES, MA'AM, SURE, SURE.

22 THE WITNESS: THANK YOU.

23 THE COURT: YOU'RE QUITE WELCOME.

24 THE WITNESS: (CONTINUING)

25 A OKAY.

MS. ALMINA WILSON - REDIRECT EXAMINATION BY MR. GOUSE 226

1 Q ALL RIGHT, SO YOU'RE SURE HE WAS, YOU WERE
2 GOING OVER THERE TO GET FOOD STAMPS?

3 A HE ASKED ME TO AND I WENT OVER THERE TO GET
4 HIS FOOD STAMP CARD AND THE KEYS FOR THE CAR. THE FIRST
5 THING SHE TOLD ME TO GET OUT OF HER HOUSE CAUSE SHE DIDN'T
6 LIKE, I DIDN'T LIKE HER.

7 Q I DON'T KNOW TOO MUCH ABOUT FOOD STAMPS,
8 BUT IF HE'S MAKING REALLY GOOD MONEY TWO WEEKS BEFORE THIS
9 INCIDENT WHAT'S HE DOING WITH FOOD STAMPS?

10 A WELL HE HAD THAT BEFORE HE GOT THE JOB. HE
11 APPLY ---

12 Q OH, OKAY, AND HE STILL HAD THE FOOD STAMPS
13 HE WAS USING WHILE HE WAS MAKING GOOD MONEY?

14 A WELL I TELL YOU WHAT WHEN I GOT THE FOOD
15 STAMP CARD AND GONE TO THE STORE THERE WASN'T ANYTHING ON
16 IT. HE HAD ALREADY BOUGHT EVERYTHING AND PUT IT IN HER
17 HOUSE AND THEN WHEN HE CAME HOME I HAVE TO FEED HIM.

18 MR. BRYAN: THANK YOU, I DON'T HAVE ANY OTHER
19 QUESTIONS.

20 REDIRECT EXAMINATION

21 BY MR. GOUDE:

22 Q MS. WILSON, THE PROSECUTOR HAD ASKED YOU TO
23 MARK ON DEFENSE EXHIBIT 1 ---

24 A UH-HUH.

25 Q --- THE TIMES THAT YOU PICKED RONNIE WILSON

MS. ALMINA WILSON - REDIRECT EXAMINATION BY MR. GOUSE 227

1 UP FROM DRIVE AND TOOK HIM TO WORK ---

2 A UH-HUH.

3 Q --- AND I'LL NOTE THAT THE CAR WAS

4 PURCHASED, ACCORDING TO EXHIBIT 6 THE CAR WAS BOUGHT ---

5 MR. BRYAN: I'D OBJECT TO THE FORM OF THE
6 QUESTION. I DON'T THINK HE NEEDS TO NOTE ANYTHING TO ADD A
7 QUESTION, THAT'S A ---

8 MR. GOUDE: I GOT TO ASK THE QUESTION.

9 MR. BRYAN: I DON'T MIND HIM ASKING THE
10 QUESTION, I JUST MIND LEADING, OBJECTION TO LEADING.

11 MR. GOUDE: I AIN'T EVEN ASKED THE QUESTION YET.

12 THE COURT: ALL RIGHT, POSE THE QUESTION.

13 Q THE CAR WAS BOUGHT MARCH THE 31ST, '07,
14 CORRECT?

15 MR. BRYAN: OBJECTION, THAT'S NOT A QUESTION.

16 THE WITNESS: (CONTINUING)

17 A YES.

18 Q ALL RIGHT, WELL LOOK AT THIS ---

19 THE COURT: WELL THAT WAS A QUESTION.

20 MR. BRYAN: THE CAR WAS BOUGHT -- OBJECTION TO
21 LEADING.

22 MR. GOUDE: I'LL SHOW THIS EXHIBIT ---

23 THE COURT: THAT WAS LEADING. ALL RIGHT NOW,
24 LET'S DON'T GO REHASHING SOMETHING WE'VE ALREADY HEARD
25 THREE OR FOUR TIMES NOW, FELLOWS.

MS. ALMINA WILSON - REDIRECT EXAMINATION BY MR. GOUSE 228

1 MR. GOUDE: (CONTINUING)

2 Q LOOK AT THIS DEFENSE EXHIBIT 6 THE
3 AUDITOR'S FORM AND TELL ME THE DATE AT THE TOP OF THIS WHEN
4 THE CAR WAS BOUGHT?

5 A 3/31/2007.

6 Q NOW BEFORE THAT DAY DID RONNIE HAVE A CAR
7 TO DRIVE TO GET BACK AND FORTH TO WORK?

8 A NO.

9 Q BEFORE THAT DAY IN FEBRUARY OR MARCH DID
10 MS. GRAHAM HAVE A CAR TO DRIVE RONNIE BACK AND FORTH TO
11 WORK?

12 A NO.

13 Q BEFORE MARCH 31ST, '07, HOW DID RONNIE GET
14 BACK AND FORTH TO WORK?

15 A I WAS TAKING HIM.

16 Q THE PROSECUTOR ASKED YOU TO MARK ON THIS
17 EXHIBIT THE DAYS THAT YOU DROVE HIM ---

18 A UH-HUH.

19 Q --- YOU DID NOT MARK ANY DAY IN MARCH WITH
20 PENCIL?

21 A OH, I'M SORRY.

22 Q WELL WOULD YOU LIKE TO MARK -- WHERE'S THAT
23 PENCIL THEY USED OR DID THEY HAVE, LET ME BORROW YOUR PEN
24 FOR A MINUTE -- DID YOU DRIVE HIM TO WORK ALL THE MONTH OF
25 MARCH?

MS. ALMINA WILSON - REDIRECT EXAMINATION BY MR. GOUSE 229

1 A NO, SHE DID.

2 Q WELL THEY DIDN'T HAVE A CAR, DID THEY?

3 A NO.

4 Q HOW COULD SHE DRIVE HIM IF THEY DIDN'T HAVE
5 A CAR?

6 A OKAY, WAIT LET ME GET MYSELF TOGETHER NOW,
7 OKAY.

8 Q PLEASE DO?

9 A WHEN HE CAME HOME IN FEBRUARY HE DIDN'T
10 HAVE THE CAR. OKAY, I DROVE HIM THAT WHOLE MONTH TO WORK.
11 THAT'S WHEN I TOLD THEM THEY HAD TO GET A WAY TO WORK CAUSE
12 I WASN'T GETTING TIRED COMING, GETTING UP EVERY MORNING AT
13 MY AGE I WAS JUST TIRED GETTING UP EVERY MORNING.

14 Q DID YOU DRIVE HIM THE WHOLE TIME TO WORK
15 UNTIL THEY BOUGHT THIS BUICK CAR?

16 A YES, I DID.

17 Q AND YOU CAN SEE ON THIS FORM WHEN THEY
18 BOUGHT THE BUICK CAR?

19 A YES.

20 Q WHEN WAS IT?

21 A 3-31-2007.

22 Q SO ON THE DAY BEFORE THAT MARCH THE 30TH OF
23 '07 WHO WOULD HAVE DRIVEN HIM TO WORK?

24 A SHE WOULD.

25 Q THE DAY BEFORE THEY BOUGHT THE CAR SHE

MS. ALMINA WILSON - REDIRECT EXAMINATION BY MR. GOUSE 230

1 WOULD HAVE DROVE HIM TO WORK?

2 A I WOULD BE DRIVING HIM TO WORK.

3 Q WELL THEN HOW ABOUT CIRCLE MARCH THE 30TH
4 THAT YOU DROVE HIM TO WORK? FIND ON THE CALENDAR MARCH THE
5 30TH AND CIRCLE THAT?

6 A OKAY, OKAY.

7 Q DO YOU UNDERSTAND MY QUESTION, MS. WILSON?

8 A YES.

9 Q MS. WILSON, DO YOU WHAT I'M ASKING YOU?

10 A YES, SIR.

11 Q DID YOU UNDERSTAND WHAT THE PROSECUTOR WAS
12 ASKING YOU?

13 A YES, SIR, YES, SIR.

14 Q THE REST OF THE MONTH OF MARCH THE CAR WAS
15 NOT YET BOUGHT, IT WAS ONLY BOUGHT MARCH THE 31ST, RIGHT?

16 A YES.

17 Q SO WHO DROVE HIM ---

18 MR. BRYAN: OBJECTION TO LEADING.

19 Q WHO DROVE HIM TO WORK MARCH THE 1ST THROUGH
20 MARCH THE 29TH?

21 A I DID.

22 Q WELL HOW ABOUT CIRCLE THOSE DAYS ON THAT
23 CALENDAR?

24 A ALL RIGHT.

25 Q THAT'S THE WHOLE MONTH OF MARCH YOU PUT A

MS. ALMINA WILSON - REDIRECT EXAMINATION BY MR. GOUSE 231

1 CIRCLE AROUND IT, RIGHT?

2 A YES, SIR.

3 Q YOU GOT IT?

4 A UH-HUH.

5 Q COULD I HAVE IT, PLEASE?

6 A YES, SIR.

7 Q THANK YOU VERY MUCH, NOW THE PROSECUTOR HAD
8 SAID THAT YOU ONLY WENT OVER THERE THREE TIMES TO SEE THEM
9 THEN HE ASKED YOU HOW DID YOU PICK HIM UP FOR A WHOLE MONTH
10 WHICH IS 30 DAYS OR 31 DAYS IN A MONTH IF YOU ONLY WENT TO
11 HER APARTMENT THREE TIMES?

12 A UH-HUH.

13 Q NOW DID YOU, DO YOU CONSIDER WHEN YOU
14 PICKED HIM UP DID YOU GO IN THE APARTMENT WHEN YOU WOULD GO
15 THERE AT 6:00 IN THE MORNING TO GET HIM TO GO TO WORK, DID
16 YOU GET OUT AND GO IN THE APARTMENT SIT DOWN AND HAVE
17 COFFEE AND EAT BREAKFAST WITH THEM?

18 A NO.

19 Q DID YOU STAY IN THE CAR IN THE PARKING LOT?

20 A YES.

21 Q WHEN YOU WOULD BRING HIM HOME AT 7 OR 7:30
22 IN THE EVENING FROM WORK DID YOU GET OUT OF THE CAR AND GO
23 IN THERE EAT SUPPER WITH THEM IN THE DRIVE
24 APARTMENT?

25 A NO.

MS. ALMINA WILSON - REDIRECT EXAMINATION BY MR. GOUSE 232

1 Q DO YOU CONSIDER JUST GOING IN THE PARKING
2 LOT AND PICKING HIM UP AS GOING INTO THE APARTMENT AND
3 VISITING HER?

4 A NO.

5 Q ALL RIGHT, YOU ALSO SAID THAT THEY CAME
6 ONCE, RONNIE AND THE GIRL MS. GRAHAM, THE WOMAN,
7 PROSECUTING WITNESS, FELITA GRAHAM, THEY CAME TO GET YOU
8 ONE TIME. THEY SAID YOU LOOKED LONELY, YOU WERE AT YOUR
9 HOUSE ALONE ---

10 A YES.

11 Q --- WHEN THE PROSECUTOR ---

12 A YES.

13 Q WHEN THEY CAME TO PICK YOU UP THAT TIME
14 WERE THEY DRIVING THIS WHITE BUICK OR WERE THEY DRIVING
15 SOME OTHER CAR?

16 A THEY WEREN'T DRIVING, LET ME SEE WHAT THEY
17 WERE DRIVING, THEY WERE DRIVING THE BUICK, THE WHITE BUICK.

18 Q ALL RIGHT, WELL IF THE BUICK WAS ONLY
19 BOUGHT MARCH THE 31ST THEN YOU DIDN'T HAVE THE BUICK, MR.
20 WILSON DIDN'T HAVE THE BUICK AND FELITA DID NOT HAVE THE
21 BUICK BEFORE MARCH 31ST, RIGHT?

22 A RIGHT.

23 Q SO IF THEY CAME IN THE BUICK TO PICK YOU UP
24 BECAUSE YOU WERE LONELY IN THE HOUSE WOULD IT HAVE HAD TO
25 HAVE BEEN AFTER MARCH THE 31ST, AFTER THEY HAD THE CAR?

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE 233

1 A YES.

2 Q YES, YES, OKAY, THAT'S IT, THAT'S ANSWERING
3 THE QUESTION?

4 A OKAY.

5 Q ALL RIGHT, IT WAS ALSO ASKED BY THE
6 PROSECUTOR WAS FELITA A FRIEND OF MONICA'S, WAS FELITA
7 GOING TO THE WEDDING BECAUSE SHE WAS RONNIE'S GIRLFRIEND OR
8 WAS FELITA GOING TO THE WEDDING BECAUSE SHE LIKED MONICA?

9 MR. BRYAN: OBJECTION, CALLS FOR SPECULATION,
10 THAT WOULD HAVE TO BE WHAT'S IN FELITA'S MIND, YOU WOULD
11 HAVE TO ASK FELITA THAT.

12 THE COURT: SUSTAINED.

13 MR. GOUDE: (CONTINUING)

14 Q WHO WAS FELITA CLOSER FRIENDS WITH RONNIE
15 OR MONICA?

16 A RONNIE.

17 MR. GOUDE: NO OTHER QUESTIONS, YOUR HONOR.

18 MR. BRYAN: NO, SIR, YOUR HONOR, NO MORE.

19 THE COURT: YOU MAY STEP DOWN, BE CAREFUL WITH
20 THAT STEP DOWN.

21 THE WITNESS: COULD I SAY SOMETHING, JUDGE? I'M
22 JUST ---

23 THE COURT: NO, MA'AM, YOU CAN STEP DOWN.

24 THE WITNESS: OKAY.

25 THE COURT: UNLESS YA'LL DESIRE DIFFERENTLY I

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

234

1 WOULD PROPOSE THAT WE BREAK FOR LUNCH.

2 MR. GOUDE: WE DESIRE THE SAME THING, THE
3 DEFENSE DOES, YOUR HONOR.

4 MR. BRYAN: YES, SIR, YOUR HONOR.

5 THE COURT: LET'S TRY TO BE BACK AT 2:00.

6 MR. BRYAN: THANK YOU, YOUR HONOR.

7 THE COURT: YA'LL ENJOY YOUR LUNCH, SEE YOU BACK
8 AT 2.

9 (WHEREUPON, THE JURY WAS EXCUSED FOR LUNCH AT
10 12:50 P.M.)

11 THE COURT: THE COURT'S IN RECESS UNTIL 2:00.

12 (WHEREUPON, COURT WAS RECESSED FOR LUNCH AND THE
13 FOLLOWING TAKES PLACE ON THE RECORD AFTER THE LUNCH
14 RECESS.)

15 THE COURT: IS EVERYBODY READY?

16 MR. GOUDE: YES, YOUR HONOR.

17 MR. BRYAN: YES, YOUR HONOR.

18 (WHEREUPON, THE JURY RETURNS TO THE COURTROOM AT
19 1:03 P.M.)

20 MR. GOUDE: CALL OMEGA WILSON TO THE STAND.

21 THE COURT: ALL RIGHT.

22 OMEGA WILSON

23 BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

24 MR. CLERK: STATE YOUR NAME FOR THE RECORD AND
25 SPELLING YOUR FIRST AND LAST, PLEASE.

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE 235

1 THE WITNESS: MY NAME IS OMEGA WILSON, THAT'S O-
2 M-E-G-A W-I-L-S-O-N, OMEGA WILSON.

3 DIRECT EXAMINATION

4 BY MR. GOUDE:

5 Q MR. WILSON, WHAT IS YOUR ADDRESS, WHERE DO
6 YOU LIVE?

7 A RIGHT NOW I RESIDE AT 44 OXFORD LANE,
8 GREENTOWN SECTION.

9 Q AND HOW OLD ARE YOU?

10 A I'M 42 YEARS OLD.

11 Q AND YOU'VE HEARD, AND THE LADY ALMINA
12 WILSON THAT TESTIFIED A WHILE AGO, WHAT RELATION IS SHE TO
13 YOU?

14 A ALMINA WILSON IS MY MOTHER.

15 Q AND THE DEFENDANT IN THE CASE MY CLIENT
16 RONNIE WILSON WHAT RELATION IS RONNIE TO YOU?

17 A RONNIE WILSON IS MY BROTHER.

18 Q AND YOU SAID YOU'RE 44?

19 A 42.

20 Q 42, HOW LONG HAVE YOU LIVED AT 44 OXFORD
21 LANE?

22 A WELL FROM A CHILD I LIVED THERE FOR 20
23 YEARS. I GOT MARRIED IN '85, STAYED AWAY FOR ABOUT 10
24 YEARS AND I MOVED BACK THERE I THINK IT WAS TWO YEARS AGO,
25 WHEN MY FATHER DIED TWO YEARS AGO I MOVED BACK HOME.

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

236

1 Q ALL RIGHT, NOW DO YOU KNOW, DO YOU
2 RECOGNIZE HER IF YOU SEE HER THE PROSECUTING WITNESS FELITA
3 GRAHAM?

4 A YES, SIR, I DO.

5 Q ALL RIGHT, I'LL DIRECT YOUR ATTENTION TO
6 FEBRUARY THROUGH MAY OF THIS YEAR 2007, ABOUT FEBRUARY OF
7 THIS YEAR DID YOU GET A NEW JOB AND WORKING SOMEWHERE?

8 A YES, I DID.

9 Q WHERE DID YOU GET A NEW JOB WORKING?

10 A AT A & D CONSTRUCTION OUT TO SANTEE COOPER,
11 SANTEE COOPER PLANT OUT THERE.

12 Q AND DO YOU KNOW APPROXIMATELY WHEN YOU GOT
13 THAT JOB?

14 A I BELIEVE IT WAS THE SECOND WEEK OF
15 FEBRUARY.

16 Q OF THIS YEAR?

17 A OF THIS YEAR.

18 Q AND DID YOUR BROTHER RONNIE DID HE GET A
19 JOB ANY TIME DURING THAT MONTH OF FEBRUARY ALSO?

20 A YES, SIR, HE DID, WE STARTED THE SAME DAY.

21 Q WOULD THAT HAVE BEEN THE SECOND WEEK
22 APPROXIMATELY FEBRUARY?

23 A YES, SIR.

24 Q AND DID RONNIE LIVE IN THE 44 OXFORD LANE
25 HOUSE WITH YOU AND YOUR MOTHER AT ANY TIME DURING FEBRUARY

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

237

1 OF THIS YEAR?

2 A YES, HE DID.

3 Q ABOUT WHEN DID HE START LIVING THERE AND
4 WHEN DID HE MOVE OUT?

5 A RONNIE GOT OUT OF PRISON ON I BELIEVE IT
6 WAS FEBRUARY THE 1ST. HE STAYED OUT THERE, OUT TO MY MOM'S
7 HOUSE APPROXIMATELY A WEEK. WE GOT THE JOB THE SECOND WEEK
8 OF FEBRUARY AND THEN WHEN HE MOVED, WE WORKED A WEEK AND HE
9 MOVED TO, TO, TO FELITA GRAHAM'S HOUSE AFTER THAT.

10 Q SO HE STAYED THERE AT 44 OXFORD LANE WITH
11 YOU AND YOUR MOTHER FOR A COUPLE OF WEEKS AND WORKED A
12 COUPLE OF WEEKS IN FEBRUARY?

13 A APPROXIMATELY.

14 Q ALL RIGHT, NOW WHEN YOU GOT THE JOB, YOU
15 AND RONNIE, AT A, YOU SAID A & D?

16 A THAT'S CORRECT.

17 Q A & D CONSTRUCTION?

18 A YES, IT IS.

19 Q WHAT WERE YOU DOING OVER AT SANTEE COOPER?

20 A WELL AT THAT, WE WERE GRINDERS. THE NAME
21 OF THE JOB WAS GRINDERS. WE WERE WORKING UP IN THE AIR AS
22 GRINDERS.

23 Q WHAT PLANT WERE YA'LL WORKING ON DOWN
24 THERE?

25 A WE WERE, THE PLANT WAS SANTEE COOPER.

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

238

1 Q YA'LL WERE WORKING ON THE BIG GIBSON PLANT
2 OR FOR SANTEE COOPER ITSELF?

3 A NO, IT WASN'T THE GIBSON PLANT, IT WAS OUT
4 IN SANTEE COOPER. THEY WERE MAKING, I THINK THEY WERE
5 MAKING NEW BOILERS OUT THERE AND WE WERE, OUR JOB WAS TO
6 GRIND, TO SAND AND GRIND THE BOILERS DOWN, THAT'S WHAT OUR
7 JOB WAS.

8 Q ALL RIGHT, NOW HOW MANY DAYS A WEEK DO YOU
9 WORK AT THAT JOB?

10 A SEVEN DAYS A WEEK.

11 Q HOW MANY?

12 A SEVEN DAYS.

13 Q AND WHAT HOURS DID YOU WORK, WHAT SHIFT DID
14 YOU WORK?

15 A WE WORK FIRST SHIFT SEVEN TO SEVEN, 7 A.M.
16 IN THE MORNING TO 7 P.M. IN THE EVENING.

17 Q WHEN YOU STARTED WORKING THERE HOW DID YOU
18 AND RONNIE GET TO WORK WHEN YOU WERE BOTH LIVING THERE IN
19 YOUR MAMA'S HOUSE?

20 A MY MOTHER WOULD GET UP AND TAKE US TO WORK
21 IN THE MORNING.

22 Q AND WHOSE CAR WAS SHE DRIVING WHEN SHE WAS
23 DRIVING TO WORK?

24 A SHE WAS DRIVING HER CAR.

25 Q AND YA'LL HAD TO BE AT WORK WHAT TIME DID

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

239

1 YOU SAY?

2 A 7 A.M. IN THE MORNING.

3 Q AND YOU ALL WOULD LEAVE YA'LL'S HOUSE AT
4 OXFORD LANE APPROXIMATELY WHAT TIME IN THE MORNING?

5 A QUARTER AFTER 6, 20 MINUTES AFTER 6 AT THE
6 MOST CAUSE WE HAD TO BE THERE AT 7.

7 Q ALL RIGHT, AND WHEN YOU KNOCKED OFF IN THE
8 EVENING YOU SAID YOU KNOCKED OFF ABOUT WHAT TIME?

9 A 7, 7 P.M. THAT EVENING.

10 Q AND HOW WOULD YOU AND YOUR BROTHER RONNIE
11 GET HOME FROM WORK IN THE EVENING?

12 A AT THAT TIME WHEN WE FIRST STARTED WORKING
13 WE WOULD CALL HER TO PICK US UP IN THE EVENING TIME NOT
14 UNLESS WE HAD A RIDE OR WE SET UP WHERE WE COULD JUST NOT
15 BOTHER HER AND WE'D CATCH A RIDE OVER TO GEORGETOWN AND
16 WE'D MAKE OUR WAY TO THERE TO OUT TO GREENTOWN.

17 Q IF YOU COULDN'T CATCH IT, WHAT WERE YOU
18 CATCHING IT BY COWORKERS OR SUCH?

19 A YES, SIR.

20 Q IF YOU COULD NOT CATCH A RIDE WITH
21 COWORKERS HOW WOULD YOU GET HOME?

22 A WE WOULD CALL HER.

23 Q HER BEING WHO?

24 A MY MOTHER ALMINA WILSON.

25 Q NOW YOU SAID AT SOME TIME IN FEBRUARY THAT

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE 240

1 RONNIE MOVED OUT OF THE 44 OXFORD LANE HOUSE, WHERE DID HE
2 GO AND START LIVING?

3 A TO MY KNOWLEDGE HE WENT TO LIVE WITH FELITA
4 GRAHAM OUT AT 34 DRIVE.

5 Q AND THAT WOULD HAVE BEEN ABOUT WHAT PART OF
6 FEBRUARY?

7 A IT HAD TO HAVE BEEN THE LAST WEEK OF
8 FEBRUARY.

9 Q AND WHEN HE MOVED TO, OUT OF THE HOUSE IN
10 FEBRUARY DID BOTH YOU AND HE STILL HAVE THE JOB WITH A & D
11 CONSTRUCTION AT SANTEE COOPER?

12 A YES, SIR, THAT'S CORRECT.

13 Q AND WAS YOUR MAMA STILL TAKING YOU, ALMINA
14 WILSON WAS STILL TAKING YOU TO WORK IN THE MORNING?

15 A THAT IS CORRECT.

16 Q AND WOULD YA'LL STOP AND GET ANYBODY ELSE
17 TO RIDE WITH YOU TO WORK OTHER THAN YOU AND YOUR MOTHER?

18 A NO, SIR.

19 Q WOULD ANYBODY ELSE BESIDES YOU AND YOUR
20 MOTHER, WOULD ANYBODY ELSE BE IN THE CAR OTHER THAN YOU AND
21 YOUR MOTHER WHEN YOU GOT TO SANTEE COOPER?

22 A NO, ARE YOU ASKING ME BEFORE, BEFORE HE GOT
23 THE CAR?

24 Q YES?

25 A THAT'S THE QUESTION BEFORE HE GOT THE CAR?

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE 241

1 Q WHEN HE FIRST MOVED OUT OF YOUR HOUSE?

2 A OKAY, WHEN HE FIRST MOVED OUT THE HOUSE,
3 YES, WE WOULD STOP BY FELITA'S HOUSE, PICK HIM UP, AND THEN
4 WE WOULD GO TO THE JOB.

5 Q AND ABOUT WHAT TIME WOULD YOU STOP BY
6 FELITA'S HOUSE AND PICK UP YOUR BROTHER RONNIE?

7 A IT WOULD BE APPROXIMATELY 6:35, 6:40 A.M.

8 Q DO YOU KNOW WHAT TIME THE HOUSING AUTHORITY
9 MAIN OFFICE WOULD OPEN OVER THERE IN THE HOUSING PROJECT?

10 A 8 P.M. IN THE MORNING, 8 A.M. IN THE
11 MORNING.

12 Q DO YOU KNOW ABOUT WHAT TIME IT CLOSED?

13 A 5 P.M. IN THE EVENING.

14 Q NOW BEFORE FEBRUARY OF '07, BEFORE THIS
15 YEAR, BEFORE YOUR BROTHER MOVED IN WITH FELITA HAD YOU EVER
16 BEEN IN FELITA'S APARTMENT AT 34 DRIVE?

17 A BEFORE, ASK ME THAT --

18 Q BEFORE RONNIE MOVED IN WITH HER?

19 A NO, I HAVE NOT.

20 Q AFTER RONNIE MOVED IN WITH FELITA IN
21 FEBRUARY OF '07 DID YOU EVER GO INTO THE 34 DRIVE
22 APARTMENT SINCE THEN?

23 A I BELIEVE I WAS THERE ONCE AND THAT HAD TO
24 HAVE BEEN AROUND APRIL DURING THE EASTER TIME CAUSE I
25 REMEMBER BUYING MY NIECE AN EASTER BASKET AND I TOOK THE

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

242

1 EASTER BASKET OVER THERE TO HER.

2 Q WHO'D YOU TAKE THE EASTER BASKET TO?

3 A TO MY, TO MY NIECE ZANESHA.

4 Q THAT'S RONNIE AND FELITA'S CHILD?

5 A YES, IT IS.

6 Q NOW WHEN YOU AND YOUR MOTHER WOULD GO BY IN
7 THE MORNING AND PICK UP RONNIE AND BEFORE THEY GOT THAT
8 CAR, THE CAR WE'RE TALKING ABOUT IS WHAT KIND OF CAR?

9 A IT'S A LASABRE BUICK.

10 Q THAT'S THE, WHAT COLOR WAS IT?

11 A WHITE.

12 Q AND IS THAT THE SAME CAR THAT'S ON
13 PROSECUTION'S EXHIBIT 6?

14 A THAT IS CORRECT.

15 Q BEFORE THEY GOT THIS CAR, RONNIE AND FELITA
16 GOT THIS CAR HOW WOULD RONNIE ALWAYS GET TO WORK WHEN HE
17 WAS WORKING HERE AT SANTEE COOPER IN FEBRUARY AND MARCH?

18 A WITH MY MOTHER.

19 Q NOW AFTER THEY GOT THE CAR ON MARCH THE
20 31ST, GIVE OR TAKE A DAY, DID RONNIE STILL RIDE WITH YOU
21 AND YOUR MOTHER TO WORK?

22 A NO, SIR, HE, AFTER THEY GOT THE CAR FELITA
23 WOULD TAKE HIM TO WORK BECAUSE THAT'S WHERE HE RESIDED AT
24 SO SHE WOULD TAKE HIM TO WORK.

25 Q WOULD YOU STILL SEE HIM OVER THERE AT WORK

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

243

1 DURING THE DAY?

2 A THAT IS CORRECT.

3 Q AND WOULD RONNIE RIDE HOME WITH YOU AND
4 YOUR MAMA AT NIGHT OR WOULD HE GET HOME A DIFFERENT WAY?

5 A SOMETIMES HE WOULD IF SHE HAD SOMETHING, IF
6 SHE HAD SOMETHING TO DO HE WOULD RIDE HOME WITH ME AND MAMA
7 BUT MOST OF THE TIME SHE HAD PICK HIM, SHE WOULD PICK HIM
8 UP FROM WORK.

9 Q AND HE WOULD RIDE HOME WITH YOU AND YOUR
10 MOTHER IF FELITA HAD SOMETHING ELSE TO DO WHERE WOULD YOU
11 AND YOUR MOTHER TAKE RONNIE?

12 A HE WOULD GO OUT TO THE HOUSE AND SHE WOULD
13 COME OUT TO THE HOUSE AND PICK HIM UP WHENEVER SHE,
14 WHENEVER IT WAS CONVENIENT HER TIME.

15 Q SHE BEING WHO?

16 A FELITA GRAHAM.

17 Q WOULD COME OVER TO YA'LL'S HOUSE?

18 A YES, SIR, THAT'S CORRECT.

19 Q NOW DURING FEBRUARY TO MAY PERIOD YOU SORT
20 OF ANSWERED THE QUESTION, I'M GOING TO GET INTO IT MORE
21 DIRECTLY. DURING THE FEBRUARY TO MAY PERIOD AFTER RONNIE
22 STARTED LIVING WITH FELITA IN FEBRUARY AND UP TO THESE
23 CHARGES ON MAY THE 9TH DID FELITA AND RONNIE EVER COME OVER
24 TO YOUR HOUSE AT OXFORD LANE TOGETHER IN THE SAME VEHICLE?

25 A ASK THAT QUESTION ONE MORE TIME, PLEASE?

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

244

1 Q DURING THE TIME THAT RONNIE WAS STAYING
2 WITH FELITA ---

3 A UH-HUH.

4 Q --- DID RONNIE AND FELITA EVER DRIVE OVER
5 TO YOUR HOUSE IN THE SAME CAR TOGETHER TO VISIT YA'LL THERE
6 AT OXFORD LANE?

7 A BEFORE THE INCIDENT?

8 Q YES, BEFORE MAY THE 9TH OF '07?

9 A YES, THEY DID.

10 Q DO YOU KNOW APPROXIMATELY HOW MANY TIMES
11 THAT WOULD HAVE OCCURRED?

12 A WELL, SEVERAL TIMES.

13 Q DID THEY USUALLY BRING THEIR CHILD WITH
14 THEM WHEN THEY CAME?

15 A YES, SIR, NOT UNLESS, NOT UNLESS THE
16 GRANDMOTHER QUEEN, QUEEN GRAHAM, NOT UNLESS SHE HAD HAD
17 HER, THAT'S THE ONLY TIME THAT THEY WOULD NOT BRING HER.

18 Q ALL RIGHT, NOW I'LL DIRECT YOUR ATTENTION
19 TO THE DAY OF THIS INCIDENT IN MAY THE 9TH OF 2007, ON
20 WEDNESDAY ON THAT DAY WHERE WERE YOU THAT DAY, THAT
21 MORNING?

22 A I WAS IN THE HOUSE.

23 Q AND WERE YOU NOT WORKING AT SANTEE COOPER A
24 & D CONSTRUCTION THAT DAY?

25 A NO, SIR, I WASN'T.

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

245

1 Q AND THAT JOB, DID YOU STILL HAVE THAT JOB
2 AT A & D CONSTRUCTION?

3 A NO, I DIDN'T.

4 Q DID THAT JOB END BEFORE THEN?

5 A YES, IT DID.

6 Q APPROXIMATELY WHEN DID YOUR JOB END OVER
7 THERE?

8 A WELL MY, IT DIDN'T ENDED FOR ME. WHAT
9 HAPPENED WITH ME WAS I, I LAID OUT A COUPLE OF DAYS SO THEY
10 LAID ME OFF AND RONNIE KEPT WORKING FOR ANOTHER COUPLE OF
11 WEEKS.

12 Q ALL RIGHT, WHEN DID YOU GET LAID OFF?

13 A I CAN'T REMEMBER THE APPROXIMATE DATE BUT
14 IT HAD, I ONLY WORKED A MONTH THERE, THREE WEEKS TO A MONTH
15 AT THAT JOB CAUSE WE WERE WORKING 12 SEVENS, SEVEN 12'S, 12
16 SEVENS, AND, AND I ONLY WORKED NO MORE THAN FOUR WEEKS AT
17 THAT JOB.

18 Q ALL RIGHT, AND YOU THINK YOU STARTED THERE
19 APPROXIMATELY WHEN?

20 A I BELIEVE IT WAS THE LAST WEEK OF FEBRUARY.

21 Q SO YOU WERE WORKING THROUGH LIKE THE LAST
22 WEEK OF MARCH?

23 A THAT WOULD BE CORRECT.

24 Q AND YOU SAY RONNIE KEPT WORKING AFTER YOU
25 WERE LAID OFF?

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

246

1 A YEAH, RONNIE, RONNIE, RONNIE WORKED A
2 COUPLE OF WEEKS AFTER I WAS LAID OFF.

3 Q AND THE JOB THEN ENDED?

4 A YES, IT DID.

5 Q ALL RIGHT, NOW THIS DAY WEDNESDAY MAY THE
6 9TH, 2007, YOU WERE AT YOUR HOUSE AT OXFORD LANE?

7 A YES, THAT'S CORRECT.

8 Q ALL RIGHT, WHEN DID YOU, DID YOU SEE RONNIE
9 AND FELITA THAT MORNING?

10 A YES, I DID.

11 Q TELL US HOW DID YOU COME TO SEE THEM THAT
12 DAY?

13 A WELL I WAS IN THE HOUSE THAT MORNING AND
14 THE DOORBELL RANG AND I OPENED THE DOOR FOR THEM AND IT WAS
15 RONNIE AND FELITA, I THOUGHT NOTHING OF IT. THEY CAME IN
16 THE HOUSE, BOTH OF THEM CAME IN THE HOUSE AT THE SAME TIME.
17 FELITA WENT AND USED THE RESTROOM, CAME BACK OUT THE
18 RESTROOM. I BELIEVE SHE WENT AND SAT ON THE PORCH AFTER
19 SHE USED THE RESTROOM. RONNIE WENT IN THE HOUSE, TOOK A
20 SHOWER, CHANGED CLOTHES, FELITA WAS STILL ON THE PORCH, I
21 THOUGHT NOTHING OF IT. ME AND ZANESHA WAS IN THE DEN.

22 Q ZANESHA THE CHILD?

23 A ZANESHA BEING MY NIECE, SHE WAS IN THE DEN.
24 I GOT HER SOME MILK AND COOKIES; ME AND HER SAT IN THE DEN
25 WHILE FELITA WAS STILL ON THE FRONT PORCH. RONNIE WAS

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE 247

1 CHANGING CLOTHES, TOOK ABOUT 30 MINUTES PROBABLY 15 TO 20
2 MINUTES AT THE MOST. HE WENT BACK OUTSIDE AND SAT WITH HER
3 ON THE FRONT PORCH.

4 Q SOMEBODY HAD MENTIONED, I THINK IT WAS ONE
5 OF THE DEPUTIES THERE WAS A BENCH THERE THAT THEY SEEN A
6 MAN AND A CHILD SITTING ON A BENCH IN THE FRONT YARD, SIDE
7 YARD, BACK YARD, WHERE'S THE BENCH?

8 A THAT HAD TO HAVE BEEN THE BACK YARD CAUSE
9 THERE'S NO BENCH IN THE FRONT YARD.

10 Q ARE THERE HOUSES BEHIND THE BACK OF YOUR
11 HOUSE?

12 A THAT IS CORRECT.

13 Q AND THEY'RE HOUSES ON THE OXFORD LANE
14 LOOKING AT THE FRONT OF YOUR HOUSE, IS THERE HOUSES TO THE
15 RIGHT SIDE OF YOUR HOUSE?

16 A THAT'S CORRECT.

17 Q AND YOUR HOUSE IS A CORNER LOT, IS THAT
18 CORRECT?

19 A THAT'S CORRECT.

20 Q DO YOU KNOW IF YOU'RE STANDING ON OXFORD
21 LANE LOOKING AT THE FRONT OF YOUR HOUSE DO YOU KNOW THE
22 STREET THAT'S TO THE LEFT OF YOUR HOUSE ON OXFORD LANE?

23 A TO THE LEFT OF MY HOUSE WOULD BE THIS LEFT,
24 WOULD BE LINCOLNSHIRE.

25 Q LINCOLNSHIRE?

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

248

1 A TO THE RIGHT, IF YOU'RE STANDING IN FRONT
2 OF MY DOOR TO THE RIGHT OF MY HOUSE IS PLAYER STREET, TO
3 THE LEFT WOULD BE LINCOLNSHIRE.

4 Q ALL RIGHT, SO IF YOU CAME OUT OF THE FRONT
5 DOOR OF YOUR HOUSE AND YOU KNOW YOU'RE GOING TO GO TOWARDS
6 ANDREWS IT WOULD BE PLAYER STREET ON THAT SIDE?

7 A THAT'S CORRECT.

8 Q IF YOU WERE GOING TO COME TO THE GEORGETOWN
9 COUNTY COURTHOUSE IT WOULD BE LINCOLNSHIRE THAT RAN INTO
10 OXFORD LANE?

11 A NO, THAT WOULD BE PLAYER STREET THAT RUNS
12 INTO IT. PLAYER STREET RUNS INTO IT OFF OF, OFF OF 521 YOU
13 RUN INTO PLAYER STREET ONTO OXFORD LANE.

14 Q AND IF YOU GET OFF OF PLAYER STREET AND GET
15 OFF OF OXFORD LANE WERE WOULD YOU GO OFF OF OXFORD LANE,
16 WHAT STREET DOES IT RUN INTO?

17 A IF YOU TURN, IF YOU TURN ON OXFORD LANE THE
18 NEXT STREET OVER WOULD BE LINCOLNSHIRE.

19 Q AND YOUR HOUSE IS BETWEEN PLAYER STREET AND
20 LINCOLNSHIRE STREET?

21 A THAT IS CORRECT.

22 Q ALL RIGHT, NOW DO YOU KNOW WHAT WERE YOU
23 DOING THAT MORNING WHEN THEY CAME? WERE YOU STILL IN BED,
24 WERE YOU WATCHING T.V., CUTTING THE GRASS, WHAT WERE YOU
25 DOING?

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE 249

1 A NO, I WAS ACTUALLY, I WAS ACTUALLY UP WHEN
2 THEY CAME OVER. I WAS, I BELIEVE I WAS, I WAS SITTING IN
3 THE DEN WATCHING T.V.

4 Q DO YOU REMEMBER APPROXIMATELY WHAT TIME IT
5 WAS?

6 A NO, I DON'T BUT I CAN ESTIMATE IT HAD TO
7 HAVE BEEN 8:15, 8:20 SOMEWHERE UP IN THAT AREA.

8 Q ALL RIGHT, DID YOU SEE THEM AS THEY DROVE
9 UP IN THE CAR?

10 A NO, SIR, I DIDN'T.

11 Q COULD YOU TELL WHO WAS DRIVING THE VEHICLE?

12 A NO, SIR, I COULDN'T.

13 Q WHERE DID THEY PARK WHEN THEY PARKED AT
14 YOUR HOUSE?

15 A I COULDN'T TELL YOU THAT CAUSE I DIDN'T SEE
16 WHEN THEY CAME UP.

17 Q DID YOU SEE THEM GETTING OUT OF THE CAR OR
18 DID YOU SEE THE CAR?

19 A NO, SIR, I DIDN'T.

20 Q DO YOU REMEMBER HOW MS. GRAHAM WAS DRESSED?
21 WAS SHE DRESSED IN ANY UNUSUAL FASHION OR ANYTHING?

22 A WELL NOT NOTICEABLY, SHE WAS, IT WAS
23 SOMETHING I'VE ALWAYS SEEN HER IN. I MEAN IF SHE'S IN THE
24 STREET SHE WOULD PROBABLY BE DECENT BUT I MEAN IT BEING HER
25 AND MY BROTHER, BOYFRIEND AND GIRLFRIEND AND MY NIECE I

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE 250

1 FIGURED IT WAS NOTHING GOING ON, LIKE I SAID EARLIER I
2 COULDN'T SEE NOTHING THAT WAS GOING ON.

3 Q COULD YOU SEE ANYTHING WRONG WITH MS.
4 GRAHAM'S FACE; DID YOU SEE HER FACE BLEEDING OR BRUISED OR
5 DAMAGED OR ANYTHING?

6 A NO, SIR, I DIDN'T.

7 Q THERE ARE SOME PICTURES WHICH ARE
8 PROSECUTION 5, 4, 5, 4, 3, AND 2, 1 PROSECUTION WITNESS,
9 ARE THESE PICTURES THE ACTUAL SIZE OF MS. GRAHAM'S FACE?

10 A WELL, IT LOOKS TO BE.

11 Q DO THESE PICTURES SEEM TO BE ANY REDUCED
12 FROM THE SIZE OF HER FACE BLOWN UP OR THE SAME SIZE OF HER
13 FACE?

14 A ACTUALLY THOSE PICTURES RIGHT THERE ARE
15 BLOWN UP.

16 Q DID YOU SEE ANYTHING WRONG WITH HER FACE
17 WHILE SHE WAS THERE?

18 A VISUALLY I COULDN'T SEE ANYTHING.

19 Q DID MS. GRAHAM TELL YOU, WERE YOU EVER
20 ALONE WITH MS. GRAHAM DURING THE TIME THEY WERE OVER THERE?

21 A NO, SIR, I WASN'T. THERE WAS ONE TIME WHEN
22 HER AND MY BROTHER WAS ON THE PORCH.

23 Q WERE YOU WITH MS. GRAHAM AND THE CHILD
24 WHILE MR. WILSON WAS IN THE BATHROOM TAKING A SHOWER?

25 A NO, SIR, WHILE HE WAS IN THE SHOWER SHE WAS

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE 251

1 ON THE PORCH AND ME AND MY NIECE WAS IN THE DEN.

2 Q AT ANY TIME DID MS. GRAHAM TELL YOU TO HELP
3 HER OR ANYTHING LIKE THAT?

4 A NO, SIR, SHE NEVER DID.

5 Q AT ANY TIME DID SHE SAY SHE WAS BEING
6 KIDNAPPED OR TRYING TO BE MURDERED?

7 A NO, SIR.

8 Q A KNIFE BEING HELD TO HER THROAT OR
9 ANYTHING LIKE THAT?

10 A NO, SIR, SHE NEVER DID.

11 Q DID SHE EVER SCREAM FOR YOU TO HELP HER?

12 A NO, SIR, SHE NEVER DID.

13 Q WHEN THEY LEFT HOW DID THEY LEAVE YOUR
14 HOUSE, OUT OF WHICH DOOR DID THEY GO OUT OF?

15 A WHEN THEY LEFT THE HOUSE THEY LEFT OUT THE
16 FRONT DOOR. THEY WENT AROUND THE SIDE, THE SIDE DOOR ROUND
17 THE ---

18 Q THE SIDE GOING TOWARDS ---

19 A THE LEFT SIDE, GOING TO THE LEFT SIDE OF
20 THE HOUSE THEY WALKED AROUND TO THE LEFT SIDE.

21 Q NOW THE LEFT SIDE IS IF YOU WERE ---

22 A FACING, FACING, FACING ME WOULD BE MY LEFT
23 SIDE.

24 Q ALL RIGHT, BUT IS THE LEFT SIDE, WOULD YOU
25 BE IN OXFORD STREET LOOKING AT YOUR HOUSE THAT'S ON THE

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

252

- 1 LEFT SIDE OR WOULD YOU BE COMING OUT OF THE FRONT DOOR AND
2 YOU WOULD BE COMING OUT IT WOULD BE ON THE LEFT SIDE?
3 A COMING OUT OF THE DOOR IT WOULD BE THE LEFT
4 SIDE.
5 Q COMING OUT OF YOUR FRONT DOOR WOULD BE THE
6 LEFT SIDE?
7 A COMING OUT OF MY DOOR WOULD BE MY LEFT
8 SIDE.
9 Q SO THEY WOULD GOING BACK TOWARD
10 LINCOLNSHIRE?
11 A YES, SIR, THAT'S CORRECT.
12 Q ALL RIGHT, THEY CAME OUT OF THE FRONT DOOR,
13 DID YOU COME OUT OF THE HOUSE WITH THEM?
14 A NO, SIR, I DIDN'T.
15 Q DID YOU SEE WHERE THEY WENT AFTER THEY WENT
16 OUT OF THE FRONT DOOR OF THE HOUSE?
17 A THEY WENT, THERE'S A, THERE'S A HOUSE ON
18 THE MIDDLE, IN THE MIDDLE ---
19 Q SPEAK UP NOW?
20 A THERE'S A HOUSE IN THE MIDDLE, MY MOM'S
21 HOUSE IS ON THE CORNER, THERE'S A MIDDLE HOUSE AND THERE'S
22 A HOUSE ON THE CORNER OF LINCOLNSHIRE. THEY WENT BETWEEN
23 THAT, BETWEEN BOTH HOUSES AND WENT INTO THE BACKYARD.
24 Q BETWEEN YOUR HOUSE AND THE HOUSE THAT'S ON
25 THE SIDE OF YOUR HOUSE?

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

253

1 A YES, SIR, THAT'S CORRECT.

2 Q AND WENT IN THE BACKYARD OF YA'LL'S HOUSE?

3 A THAT'S CORRECT.

4 Q AND IS THERE HOUSES BEHIND YA'LL'S HOUSE?

5 A THAT IS CORRECT.

6 Q IS THERE ANY KIND OF BARRIER BEHIND YOUR
7 HOUSE, BEHIND YOUR BACKYARD THAT WOULD KEEP PEOPLE FROM THE
8 NEXT HOUSE BEHIND FROM SEEING WHAT'S IN YOUR BACKYARD?

9 A NO, THERE'S NOT.

10 Q ALL RIGHT, WELL AFTER THEY WENT AROUND THE
11 SIDE OF YOUR HOUSE AND WENT IN THE BACKYARD DID YOU WALK
12 AROUND THERE WITH THEM?

13 A NO, I DIDN'T.

14 Q DID YOU SEE WHERE THEY WENT OR WHAT THEY
15 DID AFTER THEY WENT AROUND THE SIDE OF THE HOUSE?

16 A WELL WHEN YOU ASK ME A QUESTION DID I SEE
17 WHAT THEY DID JUST NOW THAT'S ASKING ME THE SAME QUESTION
18 TWICE. WHEN THEY WENT, I ASSUME THEY WENT IN THE BACKYARD
19 AND SAT DOWN. AFTER THAT I DIDN'T SEE WHAT THEY DID.

20 Q DID YOU SEE THEM WHEN THEY LEFT?

21 A I DID NOT SEE THEM WHEN THEY LEFT.

22 Q DID YOU EVER SEE THE CAR THERE, THE WHITE
23 BUICK, AT ALL? DID YOU SEE IT AT ALL?

24 A YES, I DID, THE CAR WAS PARKED IN THE
25 BACKYARD.

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

254

1 Q ALL RIGHT, NOW BEING PARKED IN THE BACKYARD
2 IS THAT ANYTHING UNUSUAL FOR WHERE YOU ALL PARK YOUR
3 VEHICLES?

4 A NO, SIR, IT'S NOT.

5 Q WHEN IT'S PARKED IN THE BACKYARD IS THAT
6 CAR CLEARLY VISIBLE TO ANYBODY DRIVING ON PLAYER STREET
7 DOWN THAT SIDE?

8 A YES, IT IS.

9 Q AT ANY TIME DID MS. GRAHAM ASK YOU TO CALL
10 911?

11 A NO, SIR, NO, SHE NEVER DID.

12 Q IF SHE HAD TOLD YOU THAT RONNIE WAS TRYING
13 TO KILL HER OR KIDNAP HER WOULD YOU HAVE DONE ANYTHING
14 ABOUT IT EVEN THOUGH IT'S YOUR BROTHER?

15 A YES, SIR, I WOULD HAVE.

16 Q WHAT WOULD YOU HAVE DONE?

17 A I WOULD HAVE, TO BE HONEST WITH YOU I WOULD
18 HAVE CALLED 911 FOR HER BECAUSE I WAS NOT RAISED TO BE A
19 WOMANIZER OR BEATING ON WOMEN, I WAS NOT RAISED THAT WAY
20 AND I DO NOT CONDONE IT.

21 Q WAS SHE CRYING OR ANYTHING WHILE SHE WAS
22 THERE IN FRONT OF YOU?

23 A SHE NEVER CRIED NOT ONCE.

24 Q NOW AFTER, ABOUT HOW LONG DID RONNIE AND
25 FELITA STAY THERE AT YOUR HOUSE?

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE 255

1 A PRESUMEDLY AN HOUR, HOUR AND A HALF AT THE
2 MOST.

3 Q NOW YOU HAVE HEARD YOUR MAMA TESTIFY THAT
4 WHEN YOU COME IN THE FRONT ROOM OF THE HOUSE THAT YOU,
5 LET'S SAY THE JURY IS YOUR HOUSE AND I'M WALKING RIGHT IN
6 THE CENTER OF THE HOUSE. PLAYER STREET IS RIGHT THERE
7 RUNNING THAT WAY. LINCOLNSHIRE IS OVER THERE RUNNING THAT
8 WAY, LINCOLNSHIRE IS RUNNNING LIKE SCREVEN STREET, RUNNING
9 LIKE SCREVEN STREET IS AND PLAYER STREET IS OVER THERE LIKE
10 BOARD STREET. THE NEXT STREET OVER RUNNING FROM FRONT
11 RIGHT ON THE HIGHMARKET AND STUFF AND THIS IS YOUR HOUSE
12 OVER HERE. YOUR MAMA SAID IF YOU COME IN THE CENTER OF THE
13 HOUSE THE FRONT DOOR IS HERE YOU WALK INTO THE LIVING ROOM.
14 DO YOU AGREE WITH THAT, IS THAT CORRECT?

15 A THAT IS CORRECT.

16 Q AND YOU CAN GO OUT THE DOOR OUT OF THE
17 LIVING ROOM AND YOU GO INTO THE KITCHEN ON THE LEFT OVER
18 THERE; IS THAT RIGHT?

19 A THAT'S CORRECT.

20 Q AND YOU GO OUT THE DOOR IN THE KITCHEN AND
21 YOU GO INTO THE DEN; IS THAT RIGHT?

22 A OUT THE DEN WOULD BE ON, ON SCREVEN STREET
23 SIDE.

24 Q ON THE SCREVEN STREET SIDE?

25 A YES, SIR.

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

256

- 1 Q ALL RIGHT, SO IF I GO OUT THE LIVING ROOM
2 WHAT ROOM IS TO THE RIGHT OF THE SCREVEN STREET SIDE OF THE
3 LIVING ROOM?
4 A THAT WOULD BE THE DEN.
5 Q AND IS THERE ANOTHER ROOM ON THE OTHER SIDE
6 OF THE DEN?
7 A NO, SIR, THERE ISN'T.
8 Q AND IF I GO TO THE LEFT OUT OF THE LIVING
9 ROOM WHAT ROOM DO I GO INTO?
10 A YOU WOULD GO INTO THE HALLWAY.
11 Q AND THIS WOULD BE GOING TOWARDS PLAYER
12 STREET OR TOWARDS BROAD STREET?
13 A THAT IS CORRECT.
14 Q SO YOUR MAMA HAD IT BACKWARDS; IS THAT
15 RIGHT?
16 A PROBABLY SHE DID.
17 Q ALL RIGHT, SO IF YOU GO OUT TO LEFT OF THE
18 LIVING ROOM YOU GO INTO THE HALL AND IS THAT WHERE THE
19 BEDROOMS ARE?
20 A THAT IS CORRECT.
21 Q HOW MANY BEDROOMS DOWN THERE?
22 A THERE'S FOUR BEDROOMS DOWN THERE.
23 Q AND WHERE IS THE BATH WHERE THE SHOWER IS
24 AT?
25 A ONCE YOU GO DOWN THE HALLWAY ALWAYS YOU GOT

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

257

1 ON YOUR RIGHT HAND SIDE YOU HAVE A ONE BEDROOM THEN YOU
2 HAVE THE RESTROOM.

3 Q NOW THE BATHROOM WOULD BE ON THE PLAYER
4 STREET SIDE AND BROAD STREET HERE IS SIDE OF THE HOUSE; IS
5 THAT CORRECT?

6 A THAT WOULD BE CORRECT.

7 Q THEN YOUR MAMA HAD MENTIONED THE LAUNDRY
8 ROOM WITH A DOOR GOING OUT OF THE LAUNDRY ROOM TO THE BACK
9 DOOR; IS THAT CORRECT?

10 A THAT'S CORRECT.

11 Q WHERE IS THE LAUNDRY ROOM SITUATED?

12 A THE LAUNDRY ROOM IS DIRECTLY BACK OFF THE
13 DEN.

14 Q THE DEN IS LOCATED TO MY RIGHT TOWARDS
15 SCREVEN STREET AND THE LAUNDRY ROOM IS BEHIND THAT?

16 A EXACTLY.

17 Q SO THE DEN AND THE BATHROOM ARE ON SEPARATE
18 ENDS OF THE HOUSE?

19 A THAT'D BE, THAT'S CORRECT.

20 Q AND THE PORCH YOU SAID IS OUT ON THE FRONT
21 OF THE HOUSE OR THE BACK OF THE HOUSE?

22 A THE PORCH IS ON THE FRONT.

23 Q AND WHILE MR. WILSON, YOUR BROTHER RONNIE,
24 WAS TAKING A SHOWER BACK THERE IN THE BATHROOM FELITA
25 GRAHAM WAS SEATED ON THE PORCH IN FRONT OF THE HOUSE?

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

258

1 A THAT'S CORRECT.

2 Q ALL RIGHT, NOW AFTER THEY LEFT YOU SAID
3 THEY STAYED THERE ABOUT HOW LONG?

4 A PRESUMEDLY AN HOUR, HOUR AND A HALF AT THE
5 MOST.

6 Q ALL RIGHT, WHEN THEY LEFT DID YOU TALK WITH
7 ANY POLICE OFFICERS AFTER YOUR BROTHER AND MS. GRAHAM LEFT?

8 A YES, I DID.

9 Q AND DID THE POLICE OFFICERS ASK YOU HAD
10 THEY SEEN YOUR BROTHER OR SEEN MS. GRAHAM?

11 A YES, THEY DID.

12 Q AND DID YOU TELL THEM WHAT YOU HAD SEEN?

13 A I TOLD THEM THEY TO HAVE BEEN SITTING IN
14 THE BACKYARD BECAUSE THAT'S THE LAST PLACE I THOUGHT THAT
15 THEY WERE AT SO I SENT THEM, ACTUALLY SENT THEM TO THE
16 BACKYARD.

17 Q YOU THOUGHT RONNIE AND FELITA WERE STILL
18 BACK THERE IN THE BACKYARD?

19 A YES, SIR.

20 Q ABOUT HOW LONG AFTER RONNIE AND FELITA
21 WALKED OUT OF THE FRONT DOOR OF THE HOUSE WAS IT BEFORE THE
22 POLICE OFFICERS DROVE UP?

23 A IT HAD TO HAVE BEEN NO MORE THAN 10
24 MINUTES, 5 OR 10 MINUTES AT THE MOST.

25 Q DID YOU KNOW EXACTLY WHEN RONNIE AND FELITA

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE 259

1 LEFT; DID YOU HEAR THEM CRANK UP THE CAR AND DRIVE AWAY OR
2 ANYTHING?

3 A NO, I DIDN'T, I WAS IN THE HOUSE.

4 Q AS THEY LEFT OUT THE FRONT DOOR DID THEY
5 HAVE THE BABY WITH THEM?

6 A YES, THEY DID.

7 Q YOUR MAMA HAD TESTIFIED THAT YOU HAD, DID
8 YOU HAVE A SISTER THAT GOT MARRIED IN MAY?

9 A YES.

10 Q DID YOU ATTEND THE WEDDING?

11 A YES, I DID.

12 Q WHAT DATE IN MAY WAS IT?

13 A MAY 12TH.

14 Q HAD YOU BEEN PRESENT WHEN ANY OF YOUR
15 FAMILY MEMBERS AND ALSO THE PROSECUTION WITNESS BEFORE MAY
16 THE 9TH, BEFORE THIS ARREST CHARGE DATE, HAD YOU BEEN
17 PRESENT WITH THE PROSECUTION WITNESS BEFORE THIS ARREST
18 CHARGE DAY, BEFORE MAY THE 9TH AND DISCUSSED THE UPCOMING
19 WEDDING?

20 A WE'D BEEN TOGETHER ONCE BUT WE DID NOT
21 DISCUSS THE WEDDING.

22 Q ALL RIGHT, WERE YOU AND RONNIE SUPPOSED TO
23 BE IN THE WEDDING?

24 A THAT'S CORRECT.

25 Q DID YOU HAVE TO RENT A TUXEDO?

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

260

1 A YES, I WAS SUPPOSED TO BUT I, I DIDN'T HAVE
2 THE MONEY SO I BACKED OUT.
3 Q YOU BACKED OUT OF THE TUXEDO?
4 A YES, I DID.
5 Q DID YOU STILL GO TO THE WEDDING?
6 A I STILL WENT TO THE WEDDING.
7 Q AND RONNIE HAD HE RENTED HIS TUXEDO?
8 A YES, HE DID.
9 Q WHEN THEY CAME IN THE HOUSE AT ANY TIME DID
10 YOU SEE RONNIE WILSON, YOUR BROTHER, CARRYING THIS STEAK
11 KNIFE?
12 A NO, I DIDN'T.
13 Q DID YOU EVER SEE THE CAR THERE AT ALL THAT
14 DAY, DID YOU EVER GO OUT AND LOOK AT THE CAR OR GO SIT IN
15 THE CAR OR ANYTHING?
16 A NO, I DIDN'T.
17 Q DID YOU EVEN KNOW IF THE CAR WAS THERE OR
18 NOT?
19 A WELL THE CAR WAS IN THE BACKYARD; LIKE I
20 HAD STATED EARLIER THE CAR WAS IN THE BACKYARD.
21 Q COULD YOU SEE IT IN THE BACKYARD?
22 A YEAH, I COULD SEE HAVE SEED IT.
23 Q DID YOU SEE ANY KIND OF -- CAN YOU REMEMBER
24 WHAT KIND OF TOP BLOUSE THE PROSECUTING WITNESS WAS WEARING
25 WHEN SHE WAS OVER THERE AT YOUR HOUSE THAT MORNING?

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE 261

1 A YOU ASKED ME WHAT COLOR?

2 Q COLOR, WHAT STYLE OR ANYTHING?

3 A NO, I NOTICED SOMETHING THAT SHE HAD ON, I
4 MEAN I DIDN'T, I DIDN'T PAY ATTENTION TO HER THAT CLOSE.

5 Q DID YOU NOTICE ANY KIND OF MARKS OR
6 ANYTHING AROUND HER NECK?

7 A NO, SIR, I DIDN'T.

8 Q DID YOU ASK HER ANYTHING ABOUT ANY MARKS
9 AROUND HER NECK?

10 A NO, I DIDN'T.

11 Q DID SHE SAY ANYTHING THAT SHE'S GOT MARKS
12 AROUND HER NECK SO HER NECK WAS HURTING OR ANYTHING?

13 A NO, I DIDN'T, NO, SHE DIDN'T.

14 Q WHILE THEY WERE OVER THERE AT THE HOUSE
15 DURING ANY OF THAT TIME DID YOU HEAR YOUR BROTHER MR.
16 WILSON THREATEN THE WOMAN IN ANY WAY?

17 A NO, SIR, I DIDN'T.

18 Q ANYTHING LIKE I'M GOING TO KILL YOU OR YOU
19 BETTER NOT CALL THE POLICE, YOU BETTER SHUT UP, YOU BETTER
20 SIT DOWN, ANY OF THAT KIND OF STUFF?

21 A NO, SIR.

22 Q DID YOU TELL HER ANYTHING LIKE THAT, DID
23 YOU THREATEN HER OR HARM HER IN ANY WAY?

24 A NO, SIR, I DIDN'T.

25 Q DID THERE SEEM TO BE ANYTHING DIFFERENT

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

262

1 THAT WAS GOING ON THEN THAN ANY OTHER TIME THAT YOU HAD
2 SEEN THEM TOGETHER?

3 A WELL THE ONLY THING DIFFERENT WAS THEY WERE
4 SITTING ON THE PORCH LOOKING AT EACH OTHER, THEY WERE BOTH
5 QUIET, THEY WERE JUST LOOKING AT EACH OTHER SO THAT'S
6 PROBABLY WHY I ASKED HER IF EVERYTHING IS OKAY AT THE TIME.
7 I DID ASK BOTH OF THEM THAT, NOT ONLY HER I ASKED BOTH OF
8 THEM IF EVERYTHING WAS OKAY BECAUSE THEY WERE JUST SITTING
9 THERE LOOKING AT EACH SO I WENT BACK ON IN THE HOUSE. ME
10 AND MY, ME AND MY NIECE ZANESHA WENT BACK INTO THE DEN AND
11 THEY SET ON THE PORCH FOR ANOTHER, HAD TO HAVE BEEN ANOTHER
12 20 MINUTES.

13 Q DID YOU ASK THEM IF THEY WANTED ANYTHING?

14 A I ASKED THEM IF THEY WANTED SOMETHING TO
15 DRINK.

16 Q DID EITHER OF THEM WANT ANYTHING TO DRINK?

17 A I BELIEVE I DID GET MY BROTHER RONNIE SOME,
18 I BELIEVE I DID GET MY BROTHER RONNIE A DRINK AND HE
19 OFFERED HER A DRINK AND I DON'T THINK SHE TOOK ONE.

20 Q WAS THIS LIQUOR OR A BEER OR A COCA COLA?

21 A NO, SIR, IT WAS JUST ORANGE JUICE.

22 Q ORANGE JUICE?

23 A IT WAS 8:15 IN THE MORNING.

24 Q THE JOB THAT YOU GOT WORKING AT SANTEE WHAT
25 WAS YOUR WAGE, DID YA'LL MAKE THE SAME THING?

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

263

1 A YES, SIR, WE WAS.

2 Q WHAT WERE YA'LL MAKING?

3 A WE WERE MAKING \$16.00 A HOUR.

4 Q DID YOU WORK 12 HOURS A DAY WHICH IS MORE
5 THAN 8 HOURS A DAY DID YOU GET PAID OVERTIME FOR THE 4
6 HOURS OR DID YOU NOT GET PAID OVERTIME?

7 A YES, SIR, WE GOT PAID OVERTIME.

8 Q AND YOU WORKED 8 HOURS AND GET \$16.00 A
9 HOUR AND YOU WORKED 4 HOURS EARNING TIME AND A HALF?

10 A NO, SIR, YOU WORK 40 HOURS AND EVERYTHING
11 AFTER 40 HOURS YOU GET TIME AND A HALF.

12 Q SO IF YOU WORK 7 DAYS A WEEK THERE'S 12
13 HOURS IN A DAY, 7 TIMES 12 IS WHAT, 84?

14 A THAT WOULD BE CORRECT.

15 Q SO YOU GOT PAID \$16.00 A HOUR FOR THE FIRST
16 40 HOURS, RIGHT?

17 A YES, SIR.

18 Q SO 16 TIMES 40, 10 TIMES 40 IS 400; IS THAT
19 CORRECT?

20 A THAT'S CORRECT.

21 Q 6 TIMES 40 IS 240, SO 240 AND 400 IS 640;
22 IS THAT CORRECT?

23 A THAT WOULD BE CORRECT.

24 Q SO \$640 FOR THE FIRST 40 HOURS AND IF YOU
25 WORK SEVEN, 84 HOURS A WEEK, SO FOR, KEEP A RECORD ON THIS,

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE

264

1 WRITE THIS DOWN. SO FOR THE FIRST 40 HOURS YOU SAID YOU
2 MADE \$640 A WEEK, WRITE THAT DOWN. FORTY IS \$640 AND THEN
3 THE OTHER 44 HOURS WOULD MAKE 84 AND YOU GOT TIME A HALF SO
4 ONE AND A HALF TIMES 44 IS 22 PLUS 44, THAT'S 66 MORE
5 HOURS, PUT THAT DOWN. SIXTY-SIX MORE HOURS AT \$16 AN HOUR
6 SO 10 TIMES 66 IS WHAT, 660?

7 A THAT'S CORRECT.

8 Q 660, PUT THAT DOWN. AND YOU WERE MAKING
9 16, THAT'S SIX TIMES 66. WELL WE KNOW SIX TIMES SIX IS 36,
10 SIX TIMES 60 IS 360, THAT'S ABOUT ANOTHER \$400?

11 A NO, YOU GOT THAT FIGURE AROUND THERE.

12 Q PUT 400 PLUS 660 PLUS 640 WHAT IS THAT
13 AROUND \$1700 A WEEK. IS THAT ABOUT WHAT YA'LL MADE IN
14 GROSS BEFORE TAXES?

15 A NO, SIR, WE WERE MAKING ABOUT BEFORE TAXES
16 IT WAS LIKE \$1400 A WEEK.

17 Q \$1400 A WEEK?

18 A BEFORE TAXES SOMETIMES.

19 Q HOW MUCH DID YA'LL CLEAR OUT OF THAT \$1400
20 A WEEK?

21 A OUT OF THAT 14 WE WOULD CLEAR ABOUT 11.

22 Q \$1100?

23 A SOMETIME A 1000 ACCORDING TO WHAT,
24 ACCORDING TO HOW MUCH TAX THEY TAKE OUT.

25 Q THERE WAS A PICTURE OF DEFENSE EXHIBIT 3

MS. OMEGA WILSON - DIRECT EXAMINATION BY MR. GOUDE 265

1 THAT SHOWS A, THE CAR THAT'S GOT THE KNIFE ON THE DASH IS
2 THAT A CD PLAYER ON THE DASH, TOO, THAT ROUND THING?

3 A YES, IT IS.

4 Q HAD YOU SEEN THAT THERE, THE CD PLAYER
5 BEFORE MAY THE 9TH OF '07?

6 A I HAVE SEEN THAT IN THE CAR.

7 Q NOT WHEN YOU ALL, YOU AND YOUR MOTHER WOULD
8 GO BY AND PICK UP RONNIE BEFORE RONNIE GOT THE CAR, BEFORE
9 HE GOT THE CAR THE END OF MARCH WOULD YOU AND YOUR MOTHER
10 WHEN YA'LL WOULD DRIVE OVER THERE TO THE APARTMENT AT 6:30
11 IN THE MORNING DID YA'LL GET OUT AND GO IN THE APARTMENT
12 AND CHIT CHAT AND EAT BREAKFAST AND STUFF?

13 A NO, WE DIDN'T.

14 Q YA'LL JUST STAYED IN THE CAR?

15 A YES, SIR.

16 Q WHAT DID YOU YA'LL DO BLOW THE HORN OR
17 SOMETHING?

18 A MOST OF THE TIME HE WAS READY.

19 Q WOULD HE BE OUTSIDE WAITING?

20 A NO, SIR, HE WOULD SEE THE CAR WHEN IT COME
21 UP, HE'D JUST COME OUTSIDE.

22 Q AND YA'LL, YOU AND YOUR MOTHER WOULD BRING
23 RONNIE BACK IN THE EVENING TO DRIVE WOULD YOU AND
24 YOUR MAMA GET OUT AND GO IN AND EAT SUPPER WITH THEM OR
25 SOMETHING LIKE THAT?

MS. OMEGA WILSON - CROSS EXAMINATION BY MR. BRYAN

266

1 A NO, SIR, WE DIDN'T.

2 Q HE WOULD JUST GET OUT OF THE CAR AND YA'LL
3 WOULD TAKE OFF?

4 A THAT'S CORRECT.

5 MR. GOUDE: NO OTHER QUESTIONS, YOUR HONOR.

6 THE COURT: YOUR WITNESS, SOLICITOR.

7 MR. BRYAN: THANK YOU, YOUR HONOR.

8 CROSS EXAMINATION

9 BY MR. BRYAN:

10 Q AFTERNOON?

11 A GOOD AFTERNOON.

12 Q SO YOU'RE RONNIE'S BROTHER?

13 A YES, SIR, THAT'S CORRECT.

14 Q AND YA'LL WORKED TOGETHER AND WOULD IT,
15 WOULD IT BE SAFE, COULD YOU AGREE THAT RONNIE, THAT YOU
16 TERMINATED YOUR EMPLOYMENT ON 3/25/07 AND THAT RONNIE
17 WORKED UNTIL 4/5/07; DOES THAT SOUND ABOUT RIGHT, COULD
18 THAT BE -- LET ME ASK A BETTER QUESTION --

19 A SAY IT ONE MORE TIME?

20 Q THAT'S A TERRIBLE QUESTION, LET ME START
21 OVER. WOULD YOU AGREE THAT YOU WERE LAID OFF ON 3/25/07?

22 A THAT WOULD BE THE 25TH OF MARCH?

23 Q MARCH 25TH OF '07?

24 A ALL RIGHT.

25 Q IS THAT POSSIBLE?

MS. OMEGA WILSON - CROSS EXAMINATION BY MR. BRYAN

267

1 A POSSIBLE.

2 Q ABOUT RIGHT?

3 A POSSIBLE.

4 Q AND RONNIE WILSON ON 4/5 OR APRIL THE 5TH

5 OF '07?

6 A THAT MIGHT BE CORRECT.

7 Q AND I'M GOING TO TRY TO GET A BETTER

8 PICTURE BUT FOR NOW I'M GOING TO SHOW YOU WHAT'S STATE'S 1.

9 DO YOU SEE THE, DO YOU SEE A PRINT THERE, A PINK PRINT

10 THING, I'M ASKING YOU ABOUT THE FABRIC -- THIS IS FELITA,

11 RIGHT?

12 A CORRECT.

13 Q AND YOU CAN SEE A LITTLE PIECE OF FABRIC,

14 YOU CAN KIND OF SEE WHAT KIND OF SHIRT SHE HAD ON?

15 A CORRECT.

16 Q DOES THAT SEEM LIKE THE SAME THING SHE HAD

17 ON WHEN SHE WAS OVER AT THE HOUSE THAT MORNING?

18 A I SAID EARLIER, SIR, I DON'T REMEMBER WHAT

19 SHE HAD ON THAT DAY BECAUSE I DID NOT VIVIDLY LOOK AT HER

20 THAT CLOSE.

21 Q DIDN'T VIVIDLY LOOK AT HER THAT CLOSE, EVEN

22 UPON SEEING WHAT SHE MAY HAVE HAD ON THAT DAY AND YOU STILL

23 DON'T REMEMBER WHAT SHE HAD ON?

24 A THAT'S CORRECT.

25 Q THAT DOESN'T RING ANY BELL?

MS. OMEGA WILSON - CROSS EXAMINATION BY MR. BRYAN

268

1 A THAT COULD BE WHAT SHE HAD ON.

2 Q MAYBE NOT, YOU REALLY JUST DON'T ---

3 A MAYBE NOT, I MEAN SHE TESTIFIED THAT, SHE
4 TESTIFIED EARLIER THAT THEY WENT BACK HOME CHANGED CLOTHES
5 TWICE SO I DON'T KNOW IF THAT'S WHAT SHE HAD OR NOT BECAUSE
6 THEY DID WENT BACK TO THE APARTMENT.

7 Q WELL I'M SAYING WHEN SHE WAS AT YOUR HOUSE.
8 MY QUESTION TO BE CLEAR IS REAL SIMPLE, WHEN SHE WAS AT
9 YOUR HOUSE DO YOU REMEMBER WHAT SHE HAD ON AND IS THAT IT?

10 A I DO NOT REMEMBER.

11 Q YOU JUST DON'T EVEN REMEMBER?

12 A NO, SIR.

13 Q SO WHO WAS THE OFFICER THAT YOU TALKED TO
14 WHEN, WHEN THEY CAME BY ON MAY THE 9TH OF '07, THE DAY THAT
15 RONNIE GOT ARRESTED?

16 A I DON'T KNOW, I DON'T KNOW HIS NAME OR HER
17 NAME. I KNOW IT WAS A DEPUTY SHERIFF FROM GEORGETOWN
18 COUNTY.

19 Q DEPUTY SHERIFF?

20 A YEAH, IT WAS A DEPUTY SHERIFF THAT WAS
21 THERE.

22 Q YOU'RE SURE IT WASN'T A CITY POLICEMAN,
23 LITTLE, A BLUE OUTFIT, WILLIE TISDALE? DO YOU KNOW WILLIE
24 TISDALE? HE'S AN OLDER GUY MAYBE IN HIS 40'S KIND OF
25 GRAYISH HAIR, A LITTLE PUDGY?

MS. OMEGA WILSON - CROSS EXAMINATION BY MR. BRYAN

269

1 A OH, YES, SIR, AT FIRST IT WAS WILLIE
2 TISDALE.

3 Q YEAH?

4 A AT FIRST IT WAS WILLIE TISDALE.

5 Q OKAY, YOU TALKED TO WILLIE?

6 A I SURE DID.

7 Q WHAT DID YOU TELL WILLIE?

8 A ACCORDING, WHAT YOU MEAN WHAT I TOLD HIM?

9 Q WHAT DID YOU SAY TO WILLIE TISDALE?

10 A WHAT DID HE ASK ME?

11 Q I'M ASKING YOU WHAT, YOU CAN TELL ME WHAT
12 YOU, WHAT HE ASKED YOU?

13 A WHAT HE ASK, WHAT HE ASKED, WHAT HE ASKED
14 ME WAS WAS, I BELIEVE WHAT HE ASKED ME WAS, WAS RONNIE IN
15 THE HOUSE?

16 Q AND WHAT DID YOU, WHAT DID YOU TELL HIM?

17 A I TOLD HIM, NO.

18 Q WHY DID YOU TELL HIM NO?

19 A BECAUSE HE WAS NOT THERE AT THAT TIME.

20 Q WHERE WAS HE AT THAT TIME?

21 A I HAVE NO IDEA.

22 Q HAD HE ALREADY LEFT?

23 A I DON'T KNOW.

24 Q YOU DON'T KNOW IF HE'D ALREADY LEFT, IS
25 THAT WHAT YOU SAID?

MS. OMEGA WILSON - CROSS EXAMINATION BY MR. BRYAN 270

1 A YOU GOT TO BECOME A LITTLE CLEARER WITH
2 YOUR QUESTIONS, SIR.

3 Q MY QUESTION IS, IF HE WASN'T THERE AND YOU
4 TOLD HIM HE WASN'T THERE HAD HE BEEN THERE EARLIER THAT
5 DAY?

6 A NO, HE WASN'T, WE TALKING, ACCORDING TO
7 WHAT TIME FRAME YOU TALKING, YOU'RE JUST ASKING A QUESTION
8 NOW.

9 Q HOW MANY TIMES DID YOU TALK TO WILLIE
10 TISDALE?

11 A I ONLY TALKED TO HIM ONCE.

12 Q OKAY, SO WHEN HE GOT THERE WHAT DID HE ASK
13 YOU WAS RONNIE THERE AND YOU SAID, NO?

14 A THAT'S CORRECT.

15 Q WITH ME SO FAR, AND THEN YOU SAID, I SAID,
16 WHERE WAS HE AND YOU SAID YOU DIDN'T KNOW, HE, HE HADN'T
17 BEEN THERE, RIGHT?

18 A EXACTLY.

19 Q SO YOU'RE SAYING THAT WHEN WILLIE GOT THERE
20 HE HAD NOT YET BEEN THERE, RONNIE HADN'T BEEN THERE YET
21 THAT DAY?

22 A WHAT TIME YOU TALKING?

23 Q WHEN WILLIE TISDALE GOT THERE?

24 A NO, HE HAD NOT BEEN THERE YET.

25 Q SO WHEN WILLIE TISDALE GOT THERE YOUR

MS. OMEGA WILSON - CROSS EXAMINATION BY MR. BRYAN

271

1 TESTIMONY TO THIS JURY IS THAT RONNIE WILSON HAD NOT YET
2 COME TO YOUR HOUSE?

3 A AT THAT TIME WILLIE TISDALE CAME TO MY
4 HOUSE IT HAD TO HAVE BEEN, THE INCIDENT WHEN THEY, WHEN
5 THEY FIRST CAME TO MY HOUSE IT WAS 8:15, 8:20 IN THE
6 MORNING.

7 Q OKAY?

8 A ALL RIGHT, HE HAD TO COME, HE HAD TO,
9 BECAUSE I THINK MS. QUEEN MADE A CALL TO SAY THAT HER
10 DAUGHTER WAS KIDNAPPED. HE MUST HAVE --

11 Q I DON'T KNOW, HOW WOULD YOU KNOW SHE MADE A
12 CALL?

13 A BECAUSE SHE CALLED THE HOUSE. SHE ACTUALLY
14 CALLED MY MOTHER'S HOUSE AND SHE ASKED IF FELITA AND THEM
15 WAS OUT THERE AND I TOLD HER, NO, THEY'RE NOT OUT HERE.
16 SHE CALLED THE HOUSE, SHE ACTUALLY CALLED MY MOTHER'S
17 HOUSE.

18 Q I'M NOT ASKING ANYTHING ABOUT MS. QUEEN OR
19 MS. GRAHAM OR ANYTHING, I'M ASKING ABOUT WILLIE TISDALE.
20 IT'S A REAL SIMPLE QUESTION. WHEN YOU TOLD WILLIE TISDALE
21 THEY'RE NOT HERE HAD HE ALREADY BEEN THERE AND LEFT ---

22 A NO.

23 Q --- OR HAD THEY NOT GOTTEN THERE YET?

24 A NO, HE WAS NOT THERE.

25 Q HAD THEY ALREADY COME AND LEFT?

MS. OMEGA WILSON - CROSS EXAMINATION BY MR. BRYAN

272

1 A NO, HE WAS NOT THERE.

2 Q HAD THEY ALREADY COME AND LEFT OR HAD THEY

3 NOT COME AT ALL?

4 A THEY HADN'T COME AT ALL.

5 Q THEY HADN'T COME YET THAT MORNING?

6 A NO, SIR.

7 Q THAT'S CLEAR?

8 A THAT'S CLEAR.

9 Q SO WHEN WILLIE GOT THERE WHAT YOU TOLD HIM

10 IS, HE AIN'T HERE AND HE HADN'T BEEN HERE?

11 A THAT WOULD PROBABLY BE CORRECT.

12 Q THAT WOULD PROBABLY BE CORRECT SO TO BE

13 CLEAR ON THE MORNING OF MAY THE 9TH DID YOU TELL WILLIE

14 TISDALE YOU JUST MISSED RONNIE AND FELITA; DID YOU SAY

15 THAT?

16 A I'M NOT SURE ABOUT THAT.

17 Q NOT SURE?

18 A NO, SIR.

19 Q DID YOU TELL WILLIE TISDALE THE MORNING OF

20 MAY THE 9TH RONNIE JUST DROVE OFF IN FELITA'S CAR?

21 A NO, I SHORE DIDN'T TOLD HIM THAT.

22 Q AND DID YOU ---

23 A THERE'S NO, THERE'S NO WAY I COULD HAVE

24 TOLD HIM THAT BECAUSE I WAS, I ANSWERED THE FRONT DOOR SO

25 THERE AIN'T NO WAY I COULD HAVE TOLD HIM. AFTER, AFTER

MS. OMEGA WILSON - CROSS EXAMINATION BY MR. BRYAN

273

1 JUST TESTIFYING TO THE FACT THAT I DIDN'T SEE HIM WHO DROVE
2 UP IN THE CAR THERE'S NO WAY I COULD TELL HIM RONNIE DROVE
3 OFF IN THE CAR BECAUSE I DIDN'T EVEN SEE WHO CAME UP IN THE
4 CAR.

5 Q CLEARLY NOT IF YOU'RE TELLING THE TRUTH?

6 A I'M NOT THE OFFICER.

7 Q SO DID YOU TELL ALSO WILLIE TISDALE, DID HE
8 ASK YOU DO YOU KNOW HOW WE CAN CONTACT WITH HIM, ANY WAY TO
9 CONTACT RONNIE AND YOU SAID, NO, DID THAT HAPPEN?

10 A I DON'T KNOW THAT, I CAN'T ANSWER THAT
11 QUESTION RIGHT THERE.

12 Q SO YOU DON'T KNOW IF YOU SAID YOU JUST
13 MISSED RONNIE AND FELITA?

14 A I KNOW I DID NOT SAY THAT.

15 Q YOU CAN'T ANSWER WHETHER YOU ---

16 A NO, I SAID, I DON'T SAY I DIDN'T KNOW, I
17 SAID I DID NOT SAY THAT.

18 Q NO, OKAY, WELL THE FIRST TIME WHEN I ASKED
19 YOU ---

20 A I DID NOT TOLD HIM THAT.

21 Q MY RECOLLECTION IS THE FIRST TIME I ASKED
22 YOU WHEN YOU SAID YOU JUST MISSED RONNIE AND FELITA YOU
23 SAID YOU DON'T KNOW. THEN I ASKED YOU DID YOU SAY RONNIE
24 HAD JUST DROVE OFF IN FELITA'S CAR AND YOU SAID, NO, I DID
25 NOT SAY THAT. SO YOU'RE CHANGING YOUR TESTIMONY YOU DID

MS. OMEGA WILSON - CROSS EXAMINATION BY MR. BRYAN

274

1 NOT SAY YOU JUST MISSED RONNIE AND FELITA?

2 A NO, I DID NOT SAY I JUST, NO. I DID NOT
3 TELL HIM HE JUST MISSED RONNIE AND FELITA.

4 Q NOR DID YOU TELL HIM THAT THEY JUST DROVE
5 OFF IN FELITA'S CAR?

6 A NOR DID I TOLD HIM THAT.

7 Q YOU TOLD HIM NEITHER ONE OF THOSE THINGS?

8 A THAT IS CORRECT.

9 Q OKAY, NOW YOU, YOU TESTIFIED YOU ASKED BOTH
10 OF THEM IF THEY ARE ALL RIGHT CAUSE THEY WERE SITTING THERE
11 SILENT; DID YOU TESTIFY TO THAT?

12 A THEY WERE SITTING, THEY WERE SITTING ON THE
13 FRONT PORCH.

14 Q AND DID YOU TESTIFY ON DIRECT EXAMINATION
15 THAT YOU ASKED THEM BOTH IF THEY ARE ALL RIGHT?

16 A I SAID IF EVERYTHING IS OKAY, YES, SIR, I
17 DID.

18 Q AND WHY WOULD YOU ASK SOMETHING LIKE THAT
19 IF EVERYTHING WAS ---

20 A BECAUSE MOST OF THE TIME WHEN THEY COME
21 AROUND THEY WOULD BE TWO CHEERY PEOPLE. THEY WOULD BE TWO
22 CHEERY PEOPLE. THIS PARTICULAR MORNING THEY BOTH WERE
23 QUIET SO I ASKED THE QUESTION WERE THEY ALL RIGHT.

24 Q FAIR ENOUGH, AND FINALLY YOU HAVE A
25 CONVICTION FOR PETTY LARCENY IN AUGUST, FROM AUGUST THE

MS. OMEGA WILSON - CROSS EXAMINATION BY MR. BRYAN

275

1 20TH OF '07, DON'T YOU?

2 A YES, SIR, I DO.

3 Q AND YOU TESTIFIED UNDER OATH THAT YOU WOULD
4 HAVE CALLED 911. NOW THE REAL REASON IS YOU, YOU, YOU KNOW
5 BETTER THAN TO CROSS RONNIE IN FRONT OF RONNIE, DON'T YOU?

6 A NO, RONNIE IS NOT A VIOLENT PERSON.

7 Q OKAY, AND YOU SAID YOU DID NOT CALL 911
8 BECAUSE YOU DO NOT CONDONE VIOLENCE AGAINST WOMEN, YOU
9 WEREN'T RAISED THAT WAY BUT YOU YOURSELF WERE CONVICTED OF
10 DOMESTIC VIOLENCE, WEREN'T YOU?

11 A THAT'S FOR BACK, IF YOU'RE TALKING BACK IN
12 1984, '85, '83 --

13 Q MY QUESTION TO YOU IS THOUGH YOU'VE TOLD
14 THIS JURY ---

15 A I WAS NEVER CONVICT ---

16 Q --- YOU DO NOT CONDONE ---

17 A I WAS NEVER CONVICTED OF THAT.

18 Q WHAT MY QUESTION IS TO YOU IS ALTHOUGH YOU
19 TOLD THIS JURY THAT YOU DO NOT CONDONE VIOLENCE TO WOMEN
20 YOU HAVE YOURSELF BEEN CONVICTED OF DOMESTIC VIOLENCE, HAVE
21 YOU NOT?

22 A SIR, IF I WAS I SAID I DON'T CONDONE IT AND
23 I STILL DON'T IT. WE'VE ALL, WE'VE ALL GO THROUGH
24 SOMETHING IN OUR LIFE BUT I DON'T CONDONE, I DON'T CONDONE
25 DOMESTIC VIOLENCE. I DO NOT CONDONE DOMESTIC VIOLENCE.

MS. OMEGA WILSON - REDIRECT EXAMINATION BY MR. GOUDE 276

1 MR. BRYAN: I DON'T HAVE ANY OTHER QUESTIONS.

2 REDIRECT EXAMINATION

3 BY MR. GOUDE:

4 Q MR. WILSON, SIR, I DON'T UNDERSTAND ABOUT
5 THE DEPUTIES AND WHEN THEY CAME AND WHAT YA'LL SAID AND ALL
6 THIS STUFF; DID THE, DID THE DEPUTIES OR THE POLICE OR THE
7 HIGHWAY PATROL OR THE UNITED STATES SECRET SERVICE, THE
8 PARK RANGERS, OR WHOEVER IT WAS, DID THESE GROUPS OF LAW
9 ENFORCEMENT PEOPLE ---

10 MR. BRYAN: OBJECTION TO THE FORM OF THE
11 QUESTION BEING A COMPOUND QUESTION AND CONFUSING TO THE
12 JURY.

13 MR. GOUDE: I THINK MOST JURORS KNOW ---

14 THE COURT: POSE THE QUESTION, PLEASE.

15 MR. GOUDE: IF HE CAN, IF HE CAN AND HE SAYS I
16 DON'T UNDERSTAND WHAT LAW ENFORCEMENT OFFICER OR SECRET
17 SERVICE OR WHATEVER HE CAN SAY THAT.

18 Q (CONTINUING) HOW MANY DIFFERENT TIMES DID
19 PEOPLE, LAW ENFORCEMENT PEOPLE COME TO YOUR HOUSE THAT
20 MORNING TO ASK ABOUT THE LOCATION OF RONNIE AND FELITA; WAS
21 IT ONE TIME, TWO TIMES, ZERO TIMES, OR 1800 TIMES, HOW MANY
22 TIMES?

23 A I BELIEVE THAT WOULD BE TWICE, SIR.

24 Q THERE WAS TWO DIFFERENT TIMES THE POLICE
25 CAME TO YOUR HOUSE AND ASKED ABOUT RONNIE AND FELITA THAT

MS. OMEGA WILSON - REDIRECT EXAMINATION BY MR. GOUDE 277

1 DAY, THAT MORNING?

2 A YES, SIR.

3 Q THE FIRST TIME DO YOU REMEMBER WHO THE
4 POLICE OFFICER WAS AND WHAT AGENCY IT WAS?

5 A THE FIRST TIME IT WAS DETECTIVE TISDALE.

6 Q AND DID YOU KNOW HIM BEFORE THAT DAY?

7 A I'VE, I'VE, I'VE HAD SOME QUIET WITH HIM.

8 Q AND IS HE A DEPUTY OR A POLICEMAN OR WHAT?

9 A I DON'T KNOW WHAT HIS POSITION IS BUT I
10 KNOW OFFICER TISDALE.

11 Q WAS HE WEARING A UNIFORM?

12 A YES, HE WAS.

13 Q WAS HE BY HIMSELF OR WITH OTHER PEOPLE?

14 A NO, I THINK HE HAD A COUPLE OF OTHER PEOPLE
15 WITH HIM.

16 Q DID THEY KNOCK ON THE DOOR?

17 A TISDALE DID.

18 Q WHAT DID THEY SAY TO YOU, COULD YOU TELL ME
19 WHAT HE SAID INSTEAD OF MY TRYING TO TELL YOU WHAT YOU AND
20 THEY SAID, WHAT DID THE OFFICERS AS BEST YOU REMEMBER SAY
21 TO YOU WHEN THEY CAME TO YOUR HOUSE?

22 A THE BEST, THE BEST TO MY, TO MY, TO MY
23 KNOWLEDGE THE ONLY THING I REMEMBER TISDALE ASKING ME IF
24 RONNIE WILSON WAS HERE AND I TOLD HIM, NO, RONNIE WILSON IS
25 NOT THERE, IS NOT HERE AND HE SAID, DO YOU KNOW THAT IF I'M

MS. OMEGA WILSON - REDIRECT EXAMINATION BY MR. GOUDE 278

1 HIDING SOMEBODY IN THE HOUSE DON'T YOU KNOW WE CAN LOCK YOU
2 UP AND I TOLD HIM SPECIFICALLY THERE WAS NOBODY IN HERE BUT
3 ME AND HE LEFT AFTER THAT.

4 Q DO YOU KNOW APPROXIMATELY WHAT TIME THAT
5 WAS?

6 A I CANNOT RECALL WHAT TIME THAT WAS.

7 Q WAS THAT BEFORE RONNIE AND FELITA CAME TO
8 YOUR HOUSE, WHILE THEY WERE THERE, AFTER OR SOME OTHER
9 TIME?

10 A I BELIEVE THAT WAS BEFORE, BEFORE RONNIE
11 AND FELITA CAME TO THE HOUSE.

12 Q AND YOU HAD SAID SOMETHING ABOUT MS.
13 GRAHAM, THE PROSECUTING WITNESS' MOM HAD CALLED YOUR HOUSE
14 EARLIER THAT MORNING?

15 A YES, SHE DID.

16 Q AND WHAT WAS THAT CONVERSATION ABOUT?

17 A SHE CALLED AND ASKED ME IF RONNIE AND
18 FELITA WAS OUT THERE AND I TOLD HER, NO, AND SHE WAS, SHE
19 WAS, AS A MATTER OF FACT SHE WAS IN A RAGE WHEN SHE CALLED
20 THAT MORNING AND I TOLD HER, NO. SHE SAID, WELL FELITA'S
21 MISSING AND THIS AND THAT, BLAH, BLAH, BLAH TO THE FACT. I
22 SAID WELL I HAVE NOTHING TO DO WITH IT. I DON'T KNOW WHAT
23 YOU'RE TALKING ABOUT. WELL SOMEBODY JUST CALLED, SOMEBODY
24 JUST CALLED MY HOUSE FROM THIS HOUSE. I SAID, IT CAN'T BE
25 NOBODY CALLING YOU FROM MY HOUSE BECAUSE I'M THE ONLY ONE

MS. OMEGA WILSON - REDIRECT EXAMINATION BY MR. GOUDE 279

1 IN THIS HOUSE AND I HANGED UP ON HER.

2 Q APPROXIMATELY WHAT TIME WAS THAT?

3 A I DON'T KNOW, I CAN'T REMEMBER WHAT, LET ME
4 SEE, THEY CAME AT, IT HAD TO HAVE BEEN AROUND 7:30 MAYBE
5 BECAUSE THEY CAME TO THE HOUSE AT ABOUT QUARTER AFTER 8.

6 Q NOW WHEN RONNIE AND FELITA CAME TO YOUR
7 HOUSE DID YOU TELL EITHER RONNIE OR FELITA THAT FELITA'S
8 MAMA HAD CALLED YOUR HOUSE WANTING TO KNOW WHERE THEY WERE?

9 A NO, I DIDN'T.

10 Q WAS THERE A REASON YOU DID NOT TELL THEM
11 THAT?

12 A I WASN'T EVEN THINKING ABOUT IT TO BE
13 HONEST WITH YOU BECAUSE I DIDN'T KNOW WHAT WAS GOING ON. I
14 DIDN'T KNOW, YOU KNOW, ALL THIS, ALL THIS COMMOTION WAS
15 GOING ON. I DIDN'T THINK ABOUT IT. WHEN THEY CAME UP,
16 LIKE I SAID WHEN THEY CAME UP I DIDN'T RECOGNIZE NOTHING
17 WAS GOING ON. THAT'S PROBABLY WHY I DIDN'T SAY NOTHING TO
18 THEM BECAUSE THEY WERE ACTING LIKE TWO NORMAL PEOPLE. THEY
19 WERE QUIET THAT MORNING BUT THEY WERE NORMAL. THEY WERE
20 JUST, JUST STRAIGHT UP NORMAL PEOPLE, LIKE A COUPLE WOULD
21 BE.

22 Q NOW AFTER THEY LEFT, AFTER RONNIE AND
23 FELITA AND THE CHILD LEFT YOUR HOUSE DID THE POLICE COME TO
24 YOUR HOUSE AGAIN?

25 A THAT'S WHEN THE DEPUTY SHERIFF CAME THE

MS. OMEGA WILSON - REDIRECT EXAMINATION BY MR. GOUDE 280

1 SECOND TIME.

2 Q AND WHEN THE POLICE CAME THE SECOND TIME
3 DID THEY KNOCK ON THE DOOR, THE FRONT DOOR, THE BACK DOOR,
4 WHAT HAPPENED THEN?

5 A YES, THEY DID, THEY KNOCKED ON THE FRONT
6 DOOR.

7 Q AND WHAT DID THE POLICE OFFICERS SAY TO YOU
8 THAT TIME?

9 A WHAT THEY SAID TO ME THE SECOND TIME WAS,
10 LET ME SEE, LET ME THINK WHAT THEY SAID BECAUSE, WHAT THEY
11 ASKED ME, WHAT THEY ASKED ME, WAS RONNIE AND FELITA WAS
12 THERE, WAS TO THE HOUSE AND I SAID, YES, THEY'RE SITTING IN
13 THE BACKYARD AND THEY HAVE, THEY MUST BE WENT IN THE
14 BACKYARD AND THEY WERE GONE AND ONE OF THEM CAME BACK UP
15 AND ASKED ME AGAIN. I SAID, WELL THEY HAD TO HAVE JUST
16 LEFT BECAUSE THEY WERE JUST SITTING IN THE BACKYARD.

17 Q DID THEY ASK YOU HOW THEY WERE, DID THE
18 DEPUTIES ASK YOU HOW RONNIE AND FELITA WERE TRAVELING OR
19 WHAT KIND OF VEHICLE THEY WERE IN OR WHO WAS DRIVING OR
20 ANYTHING LIKE THAT?

21 A NO, SIR, BECAUSE THEY ALREADY KNEW THAT
22 THEY WERE IN A WHITE CAR, THEY ALREADY KNEW THEY WERE IN A
23 WHITE BUICK. THEY DIDN'T HAVE TO ASK ME THAT QUESTION.

24 Q HOW DO YOU KNOW THEY KNEW THAT?

25 A FROM THE, FROM THE FACT THAT QUEEN, QUEEN

MS. OMEGA WILSON - REDIRECT EXAMINATION BY MR. GOUDE 281

1 GRANT HAD ALREADY TOLD THEM THAT THEY LEFT IN THE WHITE
2 CAR.

3 Q HOW DID YOU KNOW THAT QUEEN HAD TOLD THE
4 DEPUTIES THAT RONNIE AND FELITA WERE IN THE WHITE CAR?

5 A SPECULATION, SIR.

6 Q DID YOU ACTUALLY EVER SEE WHO DROVE AWAY
7 FROM YOUR HOUSE AND WHO WAS DRIVING THE CAR THAT LEFT YOUR
8 HOUSE?

9 A NO, SIR, I DID NOT.

10 Q DID ANY OF THE DEPUTIES ASK YOU SOMETHING
11 TO THE AFFECT THAT THEY MUST HAVE JUST DRIVEN AWAY OR
12 RONNIE AND FELITA MUST HAVE JUST DRIVEN AWAY OR THEY MUST
13 HAVE JUST DROVE AWAY OR SOMETHING LIKE THAT SINCE THEY WERE
14 NOT IN THE BACKYARD?

15 A ASK IT ONE MORE TIME, ASK THAT QUESTION?

16 Q DID THE DEPUTY SAY ANYTHING TO YOU LIKE
17 AFTER THEY CHECKED THE BACKYARD AND SAW RONNIE AND FELITA
18 WERE NOT THERE DID THE DEPUTIES SAY SOMETHING LIKE RONNIE
19 AND FELITA MUST HAVE JUST DRIVEN AWAY OR THEY MUST HAVE
20 JUST DRIVEN AWAY OR DID THEY JUST DRIVE AWAY OR SOMETHING
21 LIKE THAT?

22 A NO, THERE WAS NO MORE QUESTIONS AFTER THAT.

23 Q WHEN THE DEPUTIES WERE THERE THAT DAY ---

24 A EXCUSE ME, EXCUSE ME, YOU ASKED ME A
25 QUESTION EARLIER ABOUT HOW DID I KNOW THAT THEY WERE IN THE

MR. STEWART - DIRECT EXAMINATION BY MR. GOUDE

282

1 WHITE CAR, SERGEANT OR THE POLICE OFFICERS EARLIER
2 TESTIFIED THAT HE WAS LOOKING FOR RONNIE AND FELITA IN THE
3 WHITE BUICK SO THAT'S HOW THEY KNOWED THAT HE WAS IN THE
4 WHITE CAR. THE POLICE OFFICER EARLIER TESTIFIED IN HERE
5 EARLIER THAT THEY WERE LOOKING FOR HIM IN A WHITE BUICK SO
6 THEY HAD TO KNOW WHAT HE WAS DRIVING.

7 Q I GOT YOU, I UNDERSTAND THAT, YOU'VE HEARD
8 THAT HERE IN THE COURTROOM, BUT DID YOU KNOW BACK THEN MAY
9 THE 9TH WHEN THEY WERE AT YOUR HOUSE DID YOU KNOW THEN THAT
10 THE POLICE KNEW WHAT KIND OF CAR RONNIE AND FELITA WERE IN?

11 A I DON'T KNOW, SIR.

12 Q DID THEY ASK YOU, DEPUTIES ASK YOU WHAT
13 KIND OF CAR THEY WERE IN?

14 A NO, THEY DIDN'T.

15 MR. GOUDE: NO OTHER QUESTIONS, YOUR HONOR.

16 MR. BRYAN: NOTHING FURTHER, YOUR HONOR.

17 THE COURT: YOU MAY STEP DOWN, THANK YOU.

18 MR. GOUDE: WE WOULD CALL ROGER STEWART TO THE
19 STAND, YOUR HONOR.

20 ROGER C. STEWART

21 BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

22 MR. CLERK: STATE YOUR NAME FOR THE RECORD
23 SPELLING THE FIRST AND LAST, PLEASE.

24 THE WITNESS: ROGER C. STEWART, R-O-G-E-R C FOR
25 CORNELIUS, S-T-E-W-A-R-T.

MR. STEWART - DIRECT EXAMINATION BY MR. GOUDE

283

DIRECT EXAMINATION

BY MR. GOUDE:

Q ROGER, WHAT'S YOUR ADDRESS, WHERE DO YOU
LIVE?

A I LIVE IN GREEN ACRES 90 BRYAN TRAIL,
GEORGETOWN, SOUTH CAROLINA.

Q ARE YOU THE BOYFRIEND OF CLARA WILSON
DAVIS?

A FOURTEEN YEARS.

Q AND SHE IS THE SISTER OF RONNIE; IS THAT
CORRECT?

A TRUE.

Q AND CLARA IS SEATED ON THE OTHER ROW OVER
THERE IN THE BEIGE TOP; IS THAT CORRECT?

A TRUE.

Q NOW DO YOU KNOW FELITA GRAHAM, DO YOU
RECOGNIZE HER WHEN YOU SEE HER?

A YES, SIR.

Q ALL RIGHT, NOW HAD YOU BEEN TO OXFORD LANE,
44 OXFORD LANE ALMINA WILSON'S HOUSE, HAD YOU BEEN THERE
BEFORE, BEFORE THIS MAY THE 9TH, 2007, DATE?

A I ALL THE TIME GO TO MY MOTHER IN LAW'S
HOUSE.

Q ALL RIGHT, NOW HAS ALMINA LIVED THERE IN
OXFORD LANE THE WHOLE TIME YOU'VE BEEN BOYFRIEND TO CLARA?

MR. STEWART - DIRECT EXAMINATION BY MR. GOUDE

284

1 A TRUE.

2 Q HAVE YOU BEEN BEFORE THIS DATE, BEFORE MAY
3 THE 9TH OF '07, HAVE YOU BEEN TO 34 DRIVE WHERE
4 RONNIE WILSON AND FELITA GRAHAM LIVE?

5 A TRUE.

6 Q IS THAT BETWEEN FEBRUARY AND MAY OF THIS
7 YEAR?

8 A YES, SIR.

9 Q DO YOU KNOW ABOUT APPROXIMATELY HOW MANY
10 TIMES YOU WENT TO 34 DRIVE, WENT INSIDE THE
11 APARTMENT WHERE FELITA AND/OR RONNIE WERE?

12 A I NEVER BEEN INSIDE, I WAS THERE TWICE. I
13 TOOK RONNIE FROM HIS MOTHER HOUSE, HE ASKED ME TO TAKE HIM
14 OVER THERE. HE GOT OFF FROM WORK, TOOK HIS SHOWER. HE
15 SAID, ROGER, YOU TAKE ME HOME I'LL GIVE YOU SOME MONEY FOR
16 GAS. I TOOK HIM HOME, HE PAID ME SOME MONEY FOR GAS. I
17 SAID, RONNIE, YOU WANT TO STOP AND GET A BEER? HE SAID,
18 NO, I'M GOING TO PLAY WITH MY KID BEFORE I GO, BEFORE I GO
19 TO WORK IN THE MORNING SO I TOOK HIM HOME.

20 THE NEXT TIME I CAME BY IT WAS, IT WAS ONE
21 AFTERNOON I STOPPED BY AND BLOWED THE HORN, NOBODY CAME TO
22 THE DOOR. I KNOCKED THE DOOR, FELISHA CAME TO THE DOOR. I
23 SAID, COULD I SEE RONNIE, SHE WENT TO GET RONNIE AND RONNIE
24 CAME DOWN SHORT PANTS AND HIS SHIRT ON. I SAID, RONNIE
25 COULD I BORROW SOME MONEY. HE SAID, BOY, YOU DON'T GET

MR. STEWART - DIRECT EXAMINATION BY MR. GOUDE

285

1 TIRED OF DRINKING; I SAID, NOPE, LIKE THAT SO I LEFT.

2 Q WERE BOTH OF TIMES RONNIE STILL WORKING AT
3 SANTEE COOPER OR NOT?

4 A NO, HE WAS WORKING OUT THERE.

5 Q OKAY, NOW ON THE DAY OF MAY THE 9TH THE
6 TIME THAT THIS THING HAPPENED THAT MORNING DID YOU SEE
7 RONNIE OR FELITA THAT MORNING MAY THE 9TH OF 2007?

8 A THAT'S TRUE. AFTER THAT MORNING, I WORK AT
9 ROBINSON MARTIN ---

10 Q DO WHAT?

11 A I WORK AT ROBINSON AND MARTIN, WE BUILD
12 HOSPITALS.

13 Q ROBINSON --

14 A AND MARTIN IN GEORGETOWN, WE BUILD
15 HOSPITALS. WE BUILT WACCAMAW HOSPITAL. WE HAD A LAYOFF
16 CAUSE THEY WANTED TO SEND US TO CHARLESTON SO I GOT A PART
17 TIME JOB AT PAWLEYS PLANTATION GOLF COURSE. ON THAT
18 MORNING I GOT TO BE AT WORK AT 6:00. I WENT IN DID WHAT I
19 HAD TO DO, THE FOREMAN COME OUTSIDE, DIDN'T APPRECIATE WHAT
20 I WAS DOING. ME AND THE FOREMAN GOT INTO IT SO THE BOSS
21 MAN FIRED ME THAT DAY.

22 I CALLED 911, I CALL THE POLICE TO COME OUT TO
23 PAWLEYS PLANTATION CAUSE I DIDN'T LIKE THE WAY THEY TREATED
24 ME SO THE DEPUTY SHERIFF CAME OUT THERE. HE SAID THE BEST
25 THING YOU DO IS FILE A COMPLAINT AND THE NEXT THING COME TO

MR. STEWART - DIRECT EXAMINATION BY MR. GOUDE

286

1 MY MIND TO GO SEE MY SISTER IN LAW AND MY BROTHER IN LAW
2 CAUSE THEY KNOW MORE ABOUT THAT, RONNIE AND LAHOMA.

3 SO THAT MORNING I PICK UP A FRIEND SO I STOPPED
4 AT GENE WARD, ME AND THE FRIEND STOPPED AT GENE WARD WE GOT
5 TWO BEER. THE LADY IN GENE WARD SAY IT'S TOO EARLY FOR
6 YA'LL TO BE DRINKING. I SAID, MISS, THE THINGS I BEEN
7 GOING THROUGH I NEED TO DRINK SO I SAID I'M GOING TO MY
8 MOTHER IN LAW HOUSE GET RESPECT.

9 I DIDN'T SEE THE CAR IN THE YARD, MY MOTHER IN
10 LAW CAR, SO I CREEPED AROUND, I PULLED UP IN THE BACKYARD,
11 I SEE FELISHA, RONNIE AND THE BABY IN THE CAR SO I BLOWED
12 THE HORN. RONNIE AND FELISHA WAS SITTING LIKE LOVERS LIKE
13 THIS IN THE CAR. RONNIE WAS FACING FELISHA ON THE DRIVERS
14 SIDE. SHE WAS ON THE PASSENGER SIDE. THE BABY WAS IN THE
15 BACKSEAT PLAYING SO I BLOWED THE HORN AND DID THIS TO
16 RONNIE. I WAVED AT FELISHA, SHE WAVED BACK.

17 RONNIE GOT OUT THE CAR, STAND AND COME AND HE
18 SAY, WHAT'S GOING ON BROTHER IN LAW. I EXPLAINED WHAT
19 GOING ON. WE STAND THERE FOR AT LEAST 30 TO 45 MINUTES,
20 THAT BETWEEN 10 AND 10:30. WE SET THERE, WE TALKED, SO THE
21 BABY OPENED THE BACK DOOR, THE LITTLE GIRL, SAY, DADDY,
22 COME ON. RONNIE SAY, HOLD UP, I'LL BE THERE IN A MINUTE SO
23 RONNIE SAY, ROGER, LOOK HERE, I'M GOING TO SPEND SOME TIME
24 WITH MY FAMILY, TALK TO ME LATER SO I GOT IN THE CAR, ME
25 AND MY FRIEND, WE RIDE, SO ABOUT TWO HOURS LATER I GET A

MR. STEWART - DIRECT EXAMINATION BY MR. GOUDE

287

1 PHONE CALL FROM CLARA.

2 SHE SAY, RONNIE IS ARRESTED FOR KIDNAPPING. I
3 SAY, KIDNAPPING, I SAY WHO DID RONNIE KIDNAP LIKE THAT. I
4 SAY I JUST LEFT RONNIE AND FELISHA IN THE BACKYARD, THAT
5 BEEN BETWEEN 10 AND 10:30. ME AND RONNIE SIT THERE FOR AT
6 LEAST 30 TO 45 MINUTES TALKING AND THE BABY COME OUT THE
7 BACK, OPENED THE BACK DOOR AND SAY, DADDY, COME ON, SO
8 SOMEBODY, AND HER AND THE BABY WAS PLAYING IN THE CAR.

9 Q FELITA WAS PLAYING WITH THE BABY, HOW WAS
10 SHE PLAYING WITH THE BABY?

11 A LIKE THE BABY WAS IN THE BACK SEAT JUMPING
12 LIKE A REGULAR LITTLE THREE YEARS OLD PLAYING, THEY WAS
13 PLAYING BACK AND FORTH TILL THEY GOT TIRED PLAYING AND MUST
14 BE TELL HER TELL YOUR DADDY COME ON CAUSE THE BABY OPENED
15 THE BACK DOOR. SHE OPENED THE BACK DOOR, THE DRIVERS SIDE
16 IS SITTING HERE AND THE PASSENGER, I MEAN THE BACK ON THE
17 DRIVERS SIDE THE BACK DOOR OPENED AND THE LITTLE GIRL STICK
18 HER HEAD OUT AND SAY, DADDY, COME ON, AND RONNIE TURNED
19 AROUND AND SAID I'LL BE THERE IN A MINUTE. CLOSE THAT DOOR
20 AND GET BACK IN THE CAR AND RONNIE SAID, MAN, I'M GOING TO
21 SPEND TIME WITH MY FAMILY BUT WE'LL TALK ABOUT THAT LATER
22 AND I PULLED OFF. ME AND ANOTHER FRIEND BEEN TOGETHER AND
23 I GET THAT PHONE CALL ABOUT TWO HOURS, ABOUT AT LEAST TWO
24 HOURS LATER ON MY CELL PHONE. CLARA CALLED ME AND TELL ME
25 RONNIE GOT ARRESTED FOR KIDNAPPING.

MR. STEWART - CROSS EXAMINATION BY MR. BRYAN

288

1 Q DURING THE TIME THAT YOU WERE THERE TALKING
2 WITH MR. WILSON DID FELITA HOLLER AT YOU OR ASK YOU FOR
3 HELP OR ---

4 A NO, SIR, SHE TURNED AROUND, LIKE I SAY WHEN
5 I PULLED UP SHE WAVE, THE BABY, HER AND THE BABY WAS
6 PLAYING IN THE CAR CAUSE I, WHERE I'M SITTING AT MY CAR WAS
7 PARKED RIGHT HERE AND THEY WAS PARKED RIGHT WHERE THE BENCH
8 AT AND I COULD SEE EVERYTHING. I SEED THEM SITTING IN THE
9 BACK SEAT CAUSE THAT'S WHEN I BLOWED THE HORN RONNIE, BOTH
10 OF THEM TURNED AND LOOKED, EVEN THE BABY LOOKED AND I DID
11 LIKE THIS HERE TO RONNIE. I DID LIKE THAT AND SHE PICKED
12 HER HAND UP AND WAVED AND RONNIE, I AIN'T PAY NO ATTENTION.
13 RONNIE COME ON AS LIKE I SAY WE WERE SITTING THERE TALKING.
14 I WAS EXPLAINING WHAT WAS GOING ON AT THE JOB AND THAT WHEN
15 RONNIE TOLD ME, HE SAY, I GET BACK WITH YOU AND THE BABY
16 COME OUT AND SAY, COME ON, DADDY.

17 Q DID YOU KNOW AT THAT TIME YOU WERE THERE
18 THAT THE POLICE WERE LOOKING FOR RONNIE OR FELITA?

19 A NO, SIR, I DIDN'T SEE NO COPS.

20 MR. GOUDE: I HAVE NO OTHER QUESTIONS, YOUR
21 HONOR.

22 MR. BRYAN: THANK YOU, YOUR HONOR.

23 CROSS EXAMINATION

24 BY MR. BRYAN:

25 Q WHAT TIME WAS IT?

MR. STEWART - CROSS EXAMINATION BY MR. BRYAN

289

1 A BETWEEN 10 AND 10:30, GENE WARD CAUSE THE
2 LADY IN GENE WARD WANTED TO KNOW, SHE SAID, IT'S TOO EARLY
3 IN THE MORNING FOR YOU TO BE DRINKING BEER. I SAY, YOU
4 KNOW THE PROBLEM I WENT THROUGH, THAT BETWEEN 10 AND 10:30
5 CAUSE ALL THE TIMES I'M IN GENE WARD.

6 Q WHAT, DESCRIBE WHAT THE CHILD DID AGAIN?

7 A THE CHILD ---

8 Q THAT TIME, THE FIRST TIME YOU SAW HER
9 UNTIL, TILL SHE LEFT DESCRIBE WHAT THE CHILD DID?

10 A WHEN I PULL UP IN THE BACKYARD?

11 Q I'M JUST SAYING FROM THE TIME YOU SAW, YOU
12 KNOW ZANESHA, RIGHT, THEIR CHILD?

13 A UH-HUH.

14 Q SO THAT DAY AND YOU'RE SAYING YOU WERE
15 DRINKING A BEER AT 10:30 ---

16 A NO, I AIN'T NO BEER YET, I AIN'T OPENED THE
17 BEER CAN YET, OKAY, GET THAT STRAIGHT NOW.

18 Q YOU HAD OPENED THE BEER CAN BUT NOT DRANK
19 IT?

20 A NO, NO, NO, NO, NO, NO, I DIDN'T OPEN NO
21 BEER CAN. I SAY WE BOUGHT A BEER, OKAY, I SAID DIDN'T OPEN
22 IT.

23 Q OPENED THE BEER CAN NOT DRANK THE BEER, GET
24 THAT STRAIGHT?

25 A NO, NO, NO, NO, NO, ALL RIGHT.

MR. STEWART - CROSS EXAMINATION BY MR. BRYAN

290

1 Q SO FROM THE TIME ON THE DAY YOU FOUND OUT
2 THAT RONNIE WILSON GOT ARRESTED HOW MANY TIMES DID YOU SEE
3 TWO YEAR OLD ZANESHA?

4 A AFTER THAT?

5 Q HOW MANY TIMES DID YOU SEE HER THAT DAY?

6 A THAT DAY, WHO, THE BABY?

7 Q ZANESHA, THE BABY?

8 A I SAW HER WHEN I PULL UP THERE AT 10,
9 BETWEEN 10 AND 10:30.

10 Q YOU SAW HER ONE TIME?

11 A THAT'S IT IN THE CAR.

12 Q ALL I'M TRYING TO ASK YOU IS TELL THE JURY
13 WHAT YOU OBSERVED HER DO?

14 A WHO, THE BABY?

15 Q YES, SIR?

16 A THE BABY WAS JUMPING UP PLAYING WITH THE
17 MOM AND THE DADDY.

18 Q OKAY, AND THEN WHAT?

19 A THEN WHEN RONNIE CAME OUT THE CAR THE MOM
20 AND THE DAD, THE MOM AND THE BABY WAS IN THE BACK SEAT
21 PLAYING.

22 Q OKAY?

23 A THE BABY WAS IN THE BACK SEAT, SHE WAS IN
24 THE BACK SEAT PLAYING.

25 Q THEN WHAT?

MR. STEWART - CROSS EXAMINATION BY MR. BRYAN

291

1 A THEN THE BABY OPENED THE DOOR AND SAY,
2 DADDY, I'M READY, COME ON AND THAT WHEN RONNIE SAY I'LL BE
3 THERE IN A MINUTE.

4 Q SO DID THE BABY TELL HIM FROM THE CAR?

5 A NO, WE OPENED, SHE OPENED THE BACK DOOR
6 HERSELF, THAT'S A BIG KID.

7 Q OKAY, AND, AND THEN SHE OPENED THE DOOR AND

8 ---

9 A YEAH, SHE STICK HER HEAD OUT AND SAY,
10 DADDY, WHEN SHE CALLED DADDY --

11 Q RIGHT?

12 A UH-HUH.

13 Q AND SO SHE DID NOT GET OUT OF THE CAR?

14 A NO, SHE NOT GET OUT OF THE CAR.

15 Q SO WHAT YOU'RE SAYING IS THE TWO-YEAR-OLD
16 OPENED UP THE DOOR ---

17 A NO, AIN'T NO TWO-YEARS-OLD. NO, THIS A BIG
18 KID, YOU GOT, YOU GOT GRANDKIDS?

19 Q NO, SIR.

20 A ALL RIGHT THEN.

21 Q I GOT A THREE-YEAR-OLD AND A ONE-YEAR-OLD.

22 A OH, I GOT A THREE-YEARS-OLD THAT CAN DO A
23 LOT, TOO, OKAY.

24 Q I'M NOT OLD, MAYBE NOT AS OLD AS I LOOK ---

25 A ALL RIGHT.

MR. STEWART - CROSS EXAMINATION BY MR. BRYAN

292

1 Q --- BUT I'LL ASK ---

2 A SHE'S SMART, SHE'S SMART, SHE'S A SMART
3 KID.

4 Q --- YOU ANSWER. SO, MAN, THAT HURT, SO YOU
5 THREW ME OFF, OFF TRACK THERE.

6 A NOPE, BUT I'M TELLING YOU THE TRUTH, MAN,
7 AIN'T GOT NOTHING TO HIDE. I AIN'T GOT NOTHING AGAINST
8 NONE OF THEM BUT THAT'S THE TRUTH.

9 Q THE FIRST TIME, AFTER YOU FOUND OUT, RONNIE
10 IS YOUR FRIEND, RIGHT?

11 A RONNIE IS LIKE, RONNIE, RONNIE IS A FRIEND,
12 A BROTHER IN LAW AND EVERYTHING. FELISHA SHE, SHE COOL,
13 TOO, I AIN'T GOT NO PROBLEM WITH NONE OF THEM.

14 Q AND SO WHEN YOU FOUND OUT THAT RONNIE HAD
15 BEEN ARRESTED FOR KIDNAPPING ---

16 A I COULDN'T BELIEVE IT, I SAID, NOPE, NOT
17 RONNIE, I SAID, BOTH OF THEM IN THE BACKYARD SO I JUST
18 LEAVE IT.

19 Q YOU'RE, YOU WERE THINKING IT COULDN'T BE
20 POSSIBLE?

21 A I JUST LEAVE IT, JUST LEAVE IT, SO I'M ASK
22 YOU A QUESTION --

23 Q YOU DON'T ASK THE QUESTIONS.

24 A OKAY.

25 Q YOU CAN ANSWER ---

MR. STEWART - CROSS EXAMINATION BY MR. BRYAN

293

1 A ALL RIGHT.

2 Q --- WHAT I'M GOING TO ASK FAIRLY AND I'LL
3 LET YOU EXPLAIN HOWEVER YOU WANT TO RESPONSE TO IT ---

4 A ALL RIGHT.

5 Q --- THAT'S THE WAY IT WORKS IS I ASK YOU.

6 A UH-HUH.

7 Q SO, SO AT THAT POINT RONNIE GETS ARRESTED
8 FOR KIDNAPPING AND YOU CAN'T BELIEVE IT. YOU'RE LIKE, THAT
9 COULD NOT HAVE HAPPENED, RIGHT?

10 A I SAID, WHO HE KIDNAP.

11 Q RIGHT, YOU SAID THAT, BUT YOU BELIEVED IN
12 YOUR MIND IT COULD NOT HAVE HAPPENED, RIGHT?

13 A NO, BUT THE POINT IS IF SOMEBODY GOING TO
14 GET KIDNAPPED WHY YOU DIDN'T JUMP OUT THE CAR HOLLERING AND
15 A RUNNING.

16 Q FAIR ENOUGH?

17 A THERE WE GO.

18 Q THOSE OBSERVATIONS LEAD YOU TO THE
19 CONCLUSION OF WHAT YOU WANT THIS JURY TO BELIEVE OR WHAT
20 YOU'RE TRYING TO EXPRESS IS THAT DID NOT HAPPEN?

21 A THAT'S NOT TRUE.

22 Q OKAY, SO AT THAT POINT ONCE YOUR FRIEND'S
23 LOCKED UP AND IN JAIL FOR KIDNAPPING YOU WENT DOWN THAT DAY
24 AND TOLD THE POLICE OFFICERS THAT YOU HAD OBSERVED THEM ON
25 THIS STREET ACTING IN A, IN A FRIENDLY MANNER TOWARDS ONE

MR. STEWART - CROSS EXAMINATION BY MR. BRYAN

294

1 ANOTHER AND THIS HAD TO BE A FALSE ALLEGATION, RIGHT?

2 A EXCUSE ME, I NEVER TALKED TO NO POLICE,
3 THAT'S THE FIRST TIME I KNOW ABOUT COMING TO COURT, I AIN'T
4 TALK TO NO POLICE.

5 Q I KNOW BUT ---

6 A I, I, I, I NEVER TALKED TO NO POLICE.

7 Q WELL YOUR FRIEND'S SITTING IN JAIL, HE'S
8 YOUR BUDDY SITTING IN JAIL AND YOU KNOW THIS DIDN'T HAPPEN,
9 RIGHT?

10 A LISTEN, I DIDN'T TALK TO NO POLICE.

11

12 Q THAT'S WHAT I'M SAYING, YOU DIDN'T ---

13 A I DIDN'T TALK TO NO POLICE.

14 Q THIS IS THE FIRST TIME YOU ---

15 A THIS IS THE FIRST TIME, YOU KNOW, I GOT IN
16 TOUCH WITH RONNIE. I AIN'T NEVER TALKED TO RONNIE SINCE
17 THEN. IF SOMEBODY WANTED TO TALK TO ME FELISHA WOULD HAVE
18 TALKED TO ME TWO WEEKS AGO AFTER RONNIE GOT LOCKED UP IN
19 THE CLUB.

20 Q OKAY, AND SO DID ---

21 A OKAY.

22 Q YOU NEVER TOLD ANY LAW ENFORCEMENT ---

23 A NO, I NEVER TALKED TO NOBODY.

24 Q --- NEVER TOLD ANYBODY ---

25 A NO, I AIN'T NEVER TALKED TO NOBODY.

MR. STEWART - REDIRECT EXAMINATION BY MR. GOUDE

295

1 Q --- NEVER TALKED TO ANYBODY?

2 A NO, NO, NO, NO NO, NO.

3 Q YOU GOT A MAN WRONGLY ACCUSED SITTING IN
4 JAIL ---

5 A NO, NO, NO.

6 Q --- AND YOU NEVER SAID ANYTHING?

7 MR. BRYAN: THANK YOU, THAT'S ALL THE QUESTIONS
8 I HAVE.

9 REDIRECT EXAMINATION

10 BY MR. GOUDE:

11 Q MR. STEWART, HAD YOU DRANK ANY OF THE BEER?

12 A NO, SIR, I DIDN'T OPEN NO CAN OF BEER, I
13 DON'T DRINK AND DRIVE. MY MOTHER IN LAW LIVE RIGHT AROUND
14 THE CORNER FROM WHERE WE BOUGHT THE BEER. I GIVE HER
15 RESPECT IN HER YARD.

16 MR. GOUDE: I HAVE NO OTHER QUESTIONS, YOUR
17 HONOR.

18 MR. BRYAN: NOTHING FURTHER, YOUR HONOR.

19 THE COURT: THANK YOU, YOU MAY STEP DOWN, LET'S
20 TAKE A 10 MINUTE RECESS.

21 (WHEREUPON, THE JURY RETIRED TO THE JURY ROOM AT
22 3:10 P.M.)

23 (WHEREUPON, A RECESS WAS TAKEN AND THE FOLLOWING
24 TAKES PLACE ON THE RECORD FOLLOWING THE RECESS.)

25 THE COURT: BRING THEM IN.

MS. DAVIS - DIRECT EXAMINATION BY MR. GOUDE

296

1 (WHEREUPON, THE JURY RETURNS TO THE COURTROOM AT
2 3:26 P.M.)

3 MR. GOUDE: YOUR HONOR, WE WOULD CALL CLARA
4 DAVIS TO THE STAND.

5 CLARA DAVIS

6 BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

7 MR. CLERK: STATE YOUR NAME FOR THE RECORD AND
8 SPELLING YOUR FIRST AND LAST.

9 THE WITNESS: MY NAME IS CLARA DAVIS, THAT'S C-
10 L-A-R-A D-A-V-I-S.

11 DIRECT EXAMINATION

12 BY MR. GOUDE:

13 Q CLARA, WHAT'S YOUR ADDRESS, WHERE DO YOU
14 LIVE?

15 A 90 BRYAN TRAIL, GEORGETOWN, SOUTH CAROLINA.

16 Q WHAT RELATION ARE YOU TO RONNIE WILSON?

17 A I'M HIS SISTER, OLDER SISTER.

18 Q WHAT RELATION ARE YOU TO ALMINA WILSON?

19 A THAT'S MY MOTHER.

20 Q WHAT RELATION ARE YOU TO OMEGA WILSON?

21 A MY BROTHER.

22 Q WHAT RELATION ARE YOU TO LAHOMA WILSON?

23 A MY SISTER.

24 Q WHAT RELATION ARE YOU TO MONICA WILSON

25 BRUNSON?

MS. LAHOMA WILSON - DIRECT EXAMINATION BY MR. GOUDE 297

1 A THAT'S MY BABY SISTER.

2 Q THERE'S BEEN SOME TESTIMONY ABOUT MARCH
3 31ST, '07, RONNIE BOUGHT THIS BUICK, WHITE 1992 CAR WE'VE
4 BEEN TALKING ABOUT, HOW ARE YOU INVOLVED IN PURCHASING THAT
5 VEHICLE?

6 A IT WAS ONE AFTERNOON ME AND MY MOTHER WENT
7 TO PICK RONNIE UP FROM WORK AND ON OUR WAY BACK WE SAW A
8 CAR WAS, WAS IN MARYVILLE, IT WAS PARKED ON THE SIDE, IT
9 WAS A WHITE CAR, WHITE BUICK, AND IT HAD EITHER 900 OR 995
10 ON IT.

11 MR. BRYAN: YOUR HONOR, WE'LL STIPULATE RONNIE
12 WILSON PAID FOR THE CAR IF THAT WILL SPEED THINGS ALONG.

13 MR. GOUDE: ALL RIGHT, THANK YOU, SIR.

14 Q DURING FEBRUARY TO MAY DID YOU VISIT EITHER
15 YOUR BROTHER OR FELITA AT 34 DRIVE?

16 A I WENT TO FELITA HOUSE ONCE TO SEE RONNIE.

17 Q AND DID YOU GO INTO THE APARTMENT AT ALL?

18 A YEAH, I WAS IN THE DOORWAY.

19 Q AND WAS RONNIE THERE, WAS HE LIVING IN THE
20 APARTMENT AT THAT TIME?

21 A YES, HE WAS.

22 Q NOW DID YOU ATTEND YOUR SISTER MONICA'S
23 WEDDING?

24 A YES, I DID.

25 Q AND A WEEK OR TWO WEEKS BEFORE THE WEDDING

MS. LAHOMA WILSON - DIRECT EXAMINATION BY MR. GOUDE 298

1 DID YOU AND ANY OF THE REST OF THE FAMILY TALK WITH RONNIE
2 AND FELITA ABOUT ALL OF YA'LL ATTENDING THE WEDDING?

3 A YES, IT WAS A WEEKEND BEFORE THE WEDDING,
4 WE WERE AT MY SISTER LAHOMA HOUSE, WE WERE JUST SITTING
5 AROUND TALKING, TALKING ABOUT THE WEDDING AND EVERYTHING,
6 JUST TALKING ABOUT WHAT WE GOING TO WEAR AND STUFF LIKE
7 THAT AND FELITA WAS THERE AND RONNIE WAS THERE.

8 Q HAD THEY COME TO LAHOMA'S HOUSE TOGETHER?

9 A YES, THEY DID.

10 Q DO YOU KNOW WHAT KIND OF VEHICLE THEY WERE
11 DRIVING THEN?

12 A THEY WAS DRIVING A WHITE CAR, THE WHITE CAR
13 RONNIE BOUGHT.

14 MR. GOUDE: NO OTHER QUESTIONS, YOUR HONOR.

15 MR. BRYAN: NO QUESTIONS, YOUR HONOR.

16 THE COURT: YOU MAY STEP DOWN, THANK YOU.

17 A OKAY, THANK YOU.

18 MR. GOUDE: YOUR HONOR, WE WOULD CALL LAHOMA
19 WILSON.

20 LAHOMA WILSON

21 BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

22 MR. CLERK: PLEASE STATE YOUR NAME FOR THE
23 RECORD SPELLING YOUR FIRST AND LAST NAME.

24 THE WITNESS: MY NAME IS LAHOMA WILSON, THAT'S
25 L-A-H-O-M-A W-I-L-S-O-N.

MS. LAHOMA WILSON - DIRECT EXAMINATION BY MR. GOUDE 299

1 DIRECT EXAMINATION

2 BY MR. GOUDE:

3 Q LAHOMA, WHAT IS YOUR ADDRESS, WHERE DO YOU
4 LIVE?

5 A I LIVE AT 59 DANDELION COURT, IT'S IN
6 GEORGETOWN.

7 Q WHAT SECTION OF GEORGETOWN IS THAT LOCATED
8 IN?

9 A IT'S IN THE LINCOLNSHIRE SUBDIVISION AREA.

10 Q HOW FAR FROM YOUR MOTHER'S HOUSE AT 44
11 OXFORD LANE DO YOU LIVE?

12 A IT'S ABOUT A BLOCK, ONE BLOCK, SOMETHING
13 LIKE THAT.

14 Q DO YOU KNOW, AND YOU'RE, WHAT RELATION ARE
15 YOU TO RONNIE WILSON?

16 A RONNIE IS MY BROTHER.

17 Q HOW OLD ARE YOU, LAHOMA?

18 A I'M 40 YEARS OLD.

19 Q NOW DO YOU KNOW FELITA GRAHAM?

20 A YES, I DO.

21 Q NOW BEFORE FEBRUARY, BEFORE RONNIE STARTED
22 STAYING WITH FELITA HAD YOU BEEN VISITING FELITA IN HER
23 APARTMENT AT DRIVE BEFORE RONNIE STARTED STAYING
24 WITH HER IN FEBRUARY?

25 A YES, REGULAR.

MS. LAHOMA WILSON - DIRECT EXAMINATION BY MR. GOUDE 300

1 Q HOW LONG HAD YOU BEEN VISITING HER THERE?

2 A PROBABLY ALL OF 2006 IN AND OUT JUST GOING
3 GET THE BABY AND VISITING HER AND THE BABY, JUST YOU KNOW
4 IN AND OUT.

5 Q HOW OFTEN WOULD YOU SAY LIKE IN 2006 AND
6 JANUARY 2007 BEFORE RONNIE STARTED STAYING THERE HOW OFTEN
7 OR REGULARLY WOULD YOU GO THERE, LIKE ONCE A DAY, ONCE A
8 WEEK, ONCE EVERY TWO WEEKS, ONCE A MONTH?

9 A IN 2006 PROBABLY LIKE, IT WASN'T AS OFTEN
10 AS 2007. 2006 PROBABLY WAS LIKE MAYBE ONCE EVERY TWO
11 MONTHS OR, IT, IT WASN'T AS REGULAR IN 2006, BUT 2007 IT
12 WAS PRETTY, IT WAS OFTEN.

13 Q 2007 HOW OFTEN WAS IT, THIS YEAR?

14 A I HAD BEEN GOING, LIKE I SAID, TO GET THE
15 BABY AND, YOU KNOW, TAKING THE BABY LIKE DURING, LIKE 2006
16 AND TAKING THE BABY GIFTS AND THINGS LIKE THAT AND, YOU
17 KNOW, SHE, SHE STAYED IN OUR HOUSE SEVERAL TIMES, PLENTY,
18 PLENTY OF TIMES.

19 Q THAT'S THE BABY?

20 A THE BABY HAS STAYED TO MY HOUSE LIKE I SAID
21 IT'S OFTEN, I'VE GOTTEN, LET'S SEE ZANESHA PROBABLY IN 2007
22 I'VE GOTTEN ZANESHA, I DON'T KNOW, PROBABLY THREE OR FOUR
23 TIMES AND LIKE I SAID IT WAS, I'VE BEEN GOING SO OFTEN I,
24 YOU KNOW, REALLY WASN'T KEEPING UP WITH IT BUT IT, IT WAS
25 OFTEN.

MS. LAHOMA WILSON - DIRECT EXAMINATION BY MR. GOUDE 301

1 Q DID YOU CONTINUE TO VISIT THE DRIVE
2 APARTMENT AFTER RONNIE STARTED STAYING WITH FELITA?

3 A YES, I DID.

4 Q AND WHILE RONNIE WAS LIVING WITH FELITA HOW
5 OFTEN DID YOU GO OVER TO THE DRIVE APARTMENT WHILE
6 THEY WERE LIVING TOGETHER?

7 A PROBABLY WENT LIKE ONCE A WEEK OR ONCE
8 EVERY TWO WEEKS OR SOMETHING LIKE THAT. IT, IT WAS KIND.
9 THERE WERE TIMES WHEN I WENT AND DIDN'T GO IN BUT THERE
10 WERE TIMES THAT I WOULD GO IN, YOU KNOW, YOU KNOW, JUST TO
11 BE WITH ZANESHA OR, YOU KNOW, JUST TO TALK TO FELITA.

12 Q DID YOU ALSO ATTEND YOUR SISTER MONICA'S
13 WEDDING?

14 A YES, I WAS IN THE WEDDING.

15 Q WHAT DATE WAS THAT?

16 A MAY THE 12TH, 2007.

17 Q PRIOR TO THE WEDDING DID YOU EVER HAVE A,
18 WERE YOU EVER TOGETHER WITH RONNIE AND FELITA AND ANY OF
19 YOUR OTHER FAMILY MEMBERS TO DISCUSS YOU ALL'S ATTENDANCE
20 OF THE UPCOMING WEDDING OF YOUR SISTER?

21 A YES, FELITA CAME TO, THEY WERE KIND OF LIKE
22 IN AND OUT JUST, YOU KNOW, DURING THE TIME OF SETTING UP
23 THE WEDDING. EVERYBODY WAS LIKE PROBABLY IN AND OUT, YOU
24 KNOW. FELITA CAME INTO MY HOUSE TWO WEEKS, I THINK, BEFORE
25 THE WEDDING AND WE ALL WAS JUST SITTING AT MY HOUSE

MS. LAHOMA WILSON - DIRECT EXAMINATION BY MR. GOUDE 302

1 TALKING. IT COULD HAVE BEEN A WEEK BEFORE THE WEDDING,
2 SOMEWHERE IN THAT NATURE. SHE CAME BY, SHE AND RONNIE CAME
3 BY AND THEY ALSO CAME TO MONICA'S HOUSE. AS A MATTER OF
4 FACT WE HAD A DINNER AT MONICA'S HOUSE, I THINK IT WAS A
5 DINNER AT MY MOTHER'S HOUSE. SHE, AS A MATTER OF FACT SHE
6 FIXED A COUPLE OF DISH SO SHE WAS OFTEN COMING, YOU KNOW,
7 AROUND.

8 Q NOW THESE DINNERS AT YOUR MOTHER'S HOUSE OR
9 YOUR HOUSE WERE THOSE FOR YOUR SISTER MONICA'S WEDDING?

10 A NO, THE DINNER, WE, WE DIDN'T HAVE A DINNER
11 AT MY HOUSE. IT WASN'T, WE WERE ALL JUST SITTING AROUND
12 AND BEFORE YOU KNOW IT I SAY FELITA AND RONNIE JUST CAME
13 UP. ACTUALLY FELITA SAID SHE WAS LOOKING FOR MY MOTHER AND
14 MY MOTHER WASN'T AT HOME SO THEY FIGURED SHE WOULD BE TO MY
15 HOUSE SO WE WERE ALL JUST SITTING THERE TALKING, JUST
16 SITTING THERE TALKING.

17 Q DID FELITA INDICATE THAT SHE WAS COMING TO
18 MONICA'S WEDDING WITH RONNIE?

19 A SHE, SHE NEVER ENTERTAINED THAT TO ME BUT I
20 KNOW THAT SHE WAS COMING TO THE WEDDING. SHE NEVER JUST
21 CAME OUT EXACTLY AND SAID SHE WAS COMING TO THE WEDDING
22 BUT, YOU KNOW, FROM OUR GATHERINGS JUST BEING TOGETHER, YOU
23 KNOW, WE ALL WERE PLANNING THE WEDDING, EVERYBODY WAS
24 PLANNING. I KNOW SHE AND RONNIE WERE PLANNING THE WEDDING,
25 TO BE, WELL RONNIE WAS SUPPOSED TO BE IN THE WEDDING.

DEFENSE MOTION FOR DIRECTED VERDICT

303

1 BEING THAT THEY WERE TOGETHER, YOU KNOW, HE WAS TELLING ME,
2 YOU KNOW, THEY WERE, YOU KNOW, GOING TO TRY TO BE
3 COMPETIBLE OR, YOU KNOW, WHAT TO WEAR AND ALL THAT STUFF
4 LIKE THAT SO --

5 MR. GOUDE: NO OTHER QUESTIONS, YOUR HONOR.

6 MR. BRYAN: I DON'T HAVE NO QUESTIONS.

7 THE COURT: YOU MAY STEP DOWN, THANK YOU.

8 MR. GOUDE: YOUR HONOR, THE DEFENSE HAS NO OTHER
9 EVIDENCE, WE'D REST.

10 THE COURT: ANYTHING IN REPLY OR REBUTTAL?

11 MR. BRYAN: NOT AT THIS TIME. MAY WE APPROACH,
12 YOUR HONOR?

13 (WHEREUPON, A BENCH CONFERENCE WAS HELD OFF THE
14 RECORD IN THE PRESENCE OF THE JURY, BUT OUT OF THE HEARING
15 OF THE JURY.)

16 THE COURT: AFTER LAST NIGHT, WE'RE NOT GOING TO
17 TAKE THAT RISK AGAIN THIS EVENING. I'M GOING TO LET YA'LL
18 GO ON. WE'VE GOT A MATTER OF LAW OR TWO TO TAKE CARE OF
19 AND WE'RE GOING TO STOP FOR THE EVENING AND THEN WE WILL,
20 WE WILL -- LET'S, DOES ANYBODY HAVE ANY PROBLEM BEING HERE
21 AT 9:30 IN THE MORNING? WE SHOULD BE ABLE TO VERY QUICKLY
22 GET INTO THE ARGUMENTS AND CHARGE AND HAVE YOU WORKING ON
23 THIS CASE BY EARLY LUNCH TIME, HOPEFULLY. SO WITH THAT
24 SAID I'LL REPEAT WHAT YOU HEARD ME SAY BEFORE, PLEASE DO
25 NOT DISCUSS THIS CASE WITH ANYONE, DON'T LET ANYBODY

CLOSING ARGUMENT BY DEFENSE

304

1 CONTACT YOU ABOUT IT. YA'LL HAVE A GOOD NIGHT AND WE'LL
2 SEE AT 9:30 IN THE MORNING.

3 (WHEREUPON, THE JURY WAS EXCUSED FOR THE EVENING
4 AT 3:41 P.M.)

5 MR. BRYAN: I DON'T ANTICIPATE I'LL CALL ANY
6 REPLY. I THINK I'VE DECIDED NOT TO.

7 MR. GOUDE: JUDGE, WE WOULD MAKE A MOTION FOR A
8 DIRECTED VERDICT OF NOT GUILTY ON THE GROUNDS OF
9 INSUFFICIENCY OF THE EVIDENCE.

10 THE COURT: ONCE AGAIN EVERYTHING THAT'S BEFORE
11 THE COURT, I'M GOING TO HAVE TO TAKE INTO CONSIDERATION ALL
12 OF IT, I'LL HAVE TO DENY THAT MOTION.

13 MR. GOUDE: THANK YOU, YOUR HONOR, THAT'S ALL I
14 HAVE AT THIS TIME.

15 THE COURT: THANK YOU ALL FOR WORKING THROUGH
16 THIS TESTIMONY AND WE WILL WRAP IT UP IN THE MORNING.

17 MR. GOUDE: THANK YOU, SIR.

18 MR. BRYAN: THANK YOU, YOUR HONOR.

19 (WHEREUPON, COURT WAS ADJOURNED FOR THE EVENING
20 AND RESUMES ON NOVEMBER 29, 2007 AT 9:30 A.M.)

21 THE COURT: ARE WE READY?

22 MR. GOUDE: YES, SIR.

23 MR. BRYAN: YES, SIR, YOUR HONOR.

24 (WHEREUPON, THE JURY RETURNS TO THE COURTROOM AT
25 9:42 A.M.)

CLOSING ARGUMENT BY DEFENSE

305

1 THE COURT: GOOD MORNING, WE'RE READY TO GET
2 STARTED, THE NEXT PHASE IS THE CLOSING ARGUMENTS.

3 CLOSING ARGUMENT

4 BY MR. GOUDE:

5 LADIES AND GENTLEMEN, WHEN I FINISH TALKING WITH
6 YOU THE PROSECUTOR WILL TALK WITH YOU THEN THE JUDGE IS
7 GOING TO TALK WITH YOU AND TELL YOU WHAT THE LAW IS IN THIS
8 CASE, WHAT THE SOUTH CAROLINA LEGISLATURE PASSED AND WHAT
9 THE CHARGE FOR BURGLARY IS AND WHAT THE ELEMENTS OF IT ARE,
10 WHAT THE CHARGE FOR KIDNAPPING IS AND WHAT THE ELEMENTS OF
11 IT ARE, WHAT THE CHARGE IS FOR CRIMINAL DOMESTIC VIOLENCE
12 OF A HIGH AND AGGRAVATED NATURE IS AND WHAT THE ELEMENTS OF
13 IT ARE AND WHAT THE CHARGE OF POSSESSION OF A WEAPON IS AND
14 THE ARGUMENTS OF IT ARE, THE ELEMENTS OF IT ARE.

15 THE JUDGE WILL ALSO TELL YOU THAT RONNIE WILSON
16 IS THE ONE THAT'S BEING TRIED AND RONNIE WILSON IS THE ONLY
17 ONE THAT CAN BE FOUND NOT GUILTY AND ACCEPT THE PENALTY IF
18 HE GETS A DIFFERENT KIND OF VERDICT. RONNIE WILSON'S
19 INTENT IS THE ONE THAT'S ON TRIAL, WHAT WAS HIS INTENT.

20 A FAIR EXAMPLE IF YOU'RE DRIVING BY THE HIGHWAY
21 AND YOU SEE A CAR BURNING UP ON THE SIDE OF THE ROAD YOU
22 CAN JUMP OUT OF THE CAR AND THERE'S A BABY IN THE BACK SEAT
23 AND YOU OPEN THE DOOR AND TAKE THE BABY OUT OF THE CAR.
24 WELL THAT WOULD NOT BE KIDNAPPING OF THE BABY BECAUSE YOU
25 DID NOT HAVE AN INTENT TO KIDNAP THE BABY OR YOU WOULD NOT.

CLOSING ARGUMENT BY DEFENSE

306

1 BE CHARGED WITH BREAKING AND ENTERING OR YOU WOULD NOT BE
2 GUILTY OF BREAKING AND ENTERING THE CAR OR TO MAKE IT MORE
3 APPLICABLE TO THIS CASE, LET'S SAY THERE WAS A TRAILER WITH
4 PEOPLE LIVING IN IT AND YOU WOULD PASS BY IN YOUR CAR AND
5 YOU SAW THE TRAILER ON FIRE AND YOU RAN IN THERE AND YOU
6 HEARD A BABY CRYING IN THE HOUSE AND YOU OPEN THE DOOR AND
7 WENT IN AND TOOK THE BABY OUT. YOU WOULD NOT BE GUILTY OF
8 KIDNAPPING THE BABY BECAUSE YOU HAD NO INTENT TO DO
9 SOMETHING WRONG AND KIDNAP THE BABY. YOU WOULD NOT BE
10 GUILTY OF BURGLARY, BURGLARIZING THE TRAILER BECAUSE YOU
11 HAD NO INTENT TO COMMIT A CRIME BY BEING IN THE TRAILER.

12 IF YOU WERE DRIVING BY THE ROAD AND YOU SAW A
13 BABY'S FACE IN THE WINDOW AND YOU WANTED THAT BABY CAUSE
14 YOU HAD NO CHILDREN AND YOU STOPPED YOUR CAR AND WENT UP
15 THERE AND YOU OPENED THE DOOR AND WENT IN TO GET THE BABY
16 YOU WOULD BE GUILTY OF BURGLARY, BURGLARIZING THE TRAILER,
17 AND IF YOU TOOK THE BABY OUT OF THE TRAILER AND TOOK THE
18 BABY IN YOUR CAR YOU'D BE GUILTY OF KIDNAPPING THE BABY.

19 YOU WOULD BE DOING EXACTLY THE SAME THING IN
20 THOSE TWO CASES, GETTING OUT OF YOUR CAR, OPENING THE DOOR
21 OF THE TRAILER, GOING IN THE TRAILER TAKING THE BABY OUT OF
22 THE TRAILER AND TAKING THE BABY TO YOUR TRAILER, TO YOUR
23 CAR. YOU WOULD BE DOING THE EXACT SAME PHYSICAL THINGS BUT
24 IF A T.V. CAMERA WAS VIEWING YOU IN BOTH CASES YOU'D BE
25 DOING EXACTLY THE SAME THING. THE ONLY DIFFERENCE IN THE

CLOSING ARGUMENT BY DEFENSE

307

1 CASE THERE IN THAT EXAMPLE IS YOUR INTENT, WHAT WAS YOUR
2 INTENT FOR DOING IT. WHAT IF THE TRAILER WASN'T ON FIRE?
3 SAY THE VIDEO CAMERA COULDN'T SEE A FIRE. SAY IT WAS 100
4 DEGREES AND THE TRAILER HAD NO INSULATION AND NO SPRINKLER
5 AND THE BABY WAS IN THE WINDOW SCREAMING AND THE SWEAT IS
6 POURING OFF THE BABY'S FACE.

7 THE POINT OF THAT IS IN A CRIMINAL TRIAL AND IN
8 THIS CRIMINAL TRIAL, WHICH THEY'RE ALL OF THE SAME LAW, THE
9 CRIME THAT YOU'VE GOT TO DETERMINE IS THE INTENT OF THE
10 PERSON CHARGED AND THE INTENT OF RONNIE WILSON, NOT THE
11 INTENT OF THE PROSECUTOR OR THE JUDGE OR YOUR INTENT OR MY
12 INTENT OR THE COURT REPORTER'S OR THE PROSECUTING WITNESS
13 FELITA GRAHAM'S INTENT OR HER MAMA'S INTENT OR OMEGA
14 WILSON'S INTENT OR ALMINA WILSON OR LAHOMA WILSON OR CLARA
15 WILSON DAVIS OR ROGER STEWART, NONE OF THOSE INTENTS, OR
16 THE POLICE OFFICERS INTENTS. THE ONLY INTENT THAT'S BEING
17 TRIED IS RONNIE WILSON'S INTENT. DID HE INTEND TO GO INTO
18 THE APARTMENT? DID HE INTEND TO WRONGLY GO IN THE
19 APARTMENT? DID HE THINK HE HAD NO PERMISSION TO GO IN THE
20 APARTMENT? DID HE THINK IT WOULD BE WRONG TO GO INTO THE
21 APARTMENT? WHEN HE WAS GOING INTO THE APARTMENT WAS HE
22 GOING INTO THE APARTMENT TO CAUSE A CRIME, TO COMMIT A
23 CRIME, DO A WRONG DOING? THAT'S THE BURGLARY.

24 ON THE KIDNAPPING DID HE INTENTIONALLY KEEP THE
25 WOMAN FROM GOING SOMEWHERE SHE WANTED TO GO OR DID HE MAKE

CLOSING ARGUMENT BY DEFENSE

308

1 HER GO SOMEWHERE SHE WANTED NOT TO GO OR DID NOT WANT TO GO
2 TO? WELL SHE SAID HE DID AND HE'S PLED NOT GUILTY SO THAT
3 MEANS HE'S GOT A GENERAL DENIAL HE DIDN'T.

4 WELL IS THE LAW EVERY TIME ANYBODY SAYS ANYBODY
5 DID ANYTHING WRONG DOES THAT MEAN THAT YOU ALWAYS HAVE TO
6 GO ALONG WITH WHAT THE PROSECUTION WITNESS SAYS? NO,
7 BECAUSE IF THAT WAS THE LAW OF AMERICA YOU WOULDN'T HAVE
8 THE TRIAL LAW. YOU'D JUST HAVE A LAW THAT SAYS IF ANYBODY
9 GOES TO THE POLICE STATION AND SAYS SOMEBODY DID SOMETHING
10 WRONG TO THEM THE POLICE IS SUPPOSED TO PICK THAT PERSON UP
11 AND TAKE THEM TO JAIL. YOU WOULDN'T EVEN HAVE, YOU'D BE
12 LIKE RUSSIA OR IRAQ USED TO BE OR MOST OF THE COUNTRIES IN
13 THE WORLD WHERE IF YOU SAY SOMEBODY DID SOMETHING WRONG
14 THEY WOULD PICK THEM UP AND TAKE THEM TO PRISON AND NOT
15 HAVE A TRIAL. HERE YOU HAVE TO, THE PERSON THAT CHARGES
16 YOU HAS TO PROVE THAT RONNIE WILSON INTENDED TO DO
17 SOMETHING WRONG BEFORE YOU PEOPLE WHO'S GOT NOTHING TO DO
18 WITH IT, YOU'RE NOT PAID TO BE A POLICEMAN, YOU'RE NOT PAID
19 TO BE A PROSECUTOR, YOU'RE NOT PAID TO BE A JUDGE, YOU'RE
20 NOT PAID TO BE A DEFENSE LAWYER, YOU REALLY DON'T CARE AS
21 FAR AS PERSONALLY WHETHER RONNIE WILSON IS FOUND NOT GUILTY
22 OR ANY OTHER THING. YOU REALLY DON'T CARE PERSONALLY,
23 THAT'S WHY YOU WERE SELECTED. YOU DIDN'T KNOW ANYTHING
24 ABOUT THE CASE. THAT'S WHAT YOU'RE TO BE AN IMPARTIAL
25 JURY, THAT'S WHY THEY CALL IT AN IMPARTIAL JURY.

CLOSING ARGUMENT BY DEFENSE

309

1 NOW HOW CAN YOU TELL IF WHAT THE PROSECUTION
2 WITNESS IS SAYING IS CORRECT SO YOU CAN VOTE BASED ON THAT
3 OR HOW CAN YOU HAVE A DOUBT OF WHETHER WHAT THE PROSECUTION
4 WITNESS SAYS IS CORRECT? IF YOU HAVE A DOUBT, A REASONABLE
5 DOUBT, SENSIBLE DOUBT, AND YOU DON'T KNOW FOR SURE THEN THE
6 JUDGE SAYS, WELL IN THAT CASE WHEN YOU HAVE A DOUBT, HAVE A
7 REASONABLE DOUBT, YOU HAVE A SENSIBLE DOUBT, A DOUBT THAT
8 WOULD MAKE SENSE TO YOU, A DOUBT THAT YOU'RE NOT SURE THAT
9 YOU WOULD HESITATE TO ACT, THEN YOU WOULD VOTE NOT GUILTY.
10 THAT'S THE WAY IT WORKS.

11 THEN YOU SAY, WELL, MR. GOUDE, WE'VE HEARD THE
12 PROSECUTION WITNESS SAY WHAT SHE SAID, SHOULDN'T WE JUST
13 BASE THE DECISION ON THAT, SHOULDN'T THAT BE THE END OF THE
14 CASE. WELL, NO, THAT'S NOT THE WAY THE WORLD WORKS. AS
15 YOU KNOW PEOPLE ARE MISTAKEN, YOU KNOW NONE OF US ARE
16 PERFECT. WE KNOW PEOPLE MAKE MISTAKES. I DOUBT THAT
17 EVERYBODY WHO EVER THROUGH SCHOOL MADE 100 ON EVERY TEST
18 THAT THEY EVER TOOK FROM THE FIRST GRADE TO THE TWELFTH,
19 PEOPLE MAKE MISTAKES.

20 PEOPLE ALSO TELL FIBS. I GUESS NONE OF US COULD
21 EVER SAY THAT WE HAVE DOUBTED THAT ANYBODY ON EARTH THAT'S
22 EVER TOLD A FIB IN THEIR LIFE HAS MISREPRESENTED YA'LL. I
23 THINK MOST PEOPLE HAVE THEIR OWN BEST INTEREST AT HEART AND
24 THAT'S NOT REALLY WRONG. YOU DON'T HAVE TO BE BAD TO HAVE
25 YOUR OWN SELF INTEREST.

CLOSING ARGUMENT BY DEFENSE

310

1 WHEN YOU GO TO WORK YOU GO TO WORK TO BUY
2 GROCERIES SO YOU CAN EAT, SO YOU CAN LIVE, THAT'S NOT
3 SELFISH, THAT'S TAKING CARE OF YOURSELF. WHEN YOU GO TO
4 WORK YOU MAKE MONEY SO YOU CAN BUY CLOTHES, BUY A HOUSE TO
5 LIVE IN SO YOU DON'T BE IN THE RAIN AND COLD. THAT'S YOUR
6 SELF BEING SELFISH BUT IT'S NOT BAD, IT'S JUST YOUR DUTY.
7 IF EVERYBODY WOULD GO TO WORK MAKE SOME MONEY BUY CLOTHES
8 OR HOUSES YOU WOULDN'T HAVE A LOT OF WELFARE. IF EVERYBODY
9 WOULD BE SELFISH, GO TO WORK, MIND THEIR OWN BUSINESS, GO
10 ON YOU WOULDN'T HAVE CRIME, YOU WOULDN'T HAVE THESE COURTS.
11 SO THE POINT IS THAT A PROSECUTION WITNESS CANNOT BE RELIED
12 UPON TO GIVE YOU THE EXACT CORRECT INFORMATION. THAT'S WHY
13 YOU HAVE TRIALS AND THAT'S WHY THERE'S 12 OF YOU INSTEAD OF
14 ONE THAT COULD BE WRONG AND NOT SMART, REAL SMART, BOUGHT
15 OFF, OR WHATEVER ELSE THAT'S WHY YOU GOT 12 PEOPLE.

16 SO ARE THERE ANY DOUBTS IN YOUR MIND, WELL LET'S
17 SEE, LET'S TAKE THE STORY. REMEMBER PROSECUTION WITNESS
18 SAID ON DIRECT WHEN THE PROSECUTOR WAS ASKING THE QUESTION,
19 HOW DID YOU MEET RONNIE? WELL WE STAYED TOGETHER SOME IN
20 MYRTLE BEACH BUT WE NEVER LIVED TOGETHER BACK IN
21 GEORGETOWN, NEVER LIVED TOGETHER BACK IN GEORGETOWN. ON
22 PAGE TWO OF THESE NOTES RIGHT AFTER THE TESTIMONY STARTED,
23 WELL LATER WHEN WE WERE ASKING QUESTIONS THEY DID LIVE
24 TOGETHER BACK IN GEORGETOWN. THEY LIVED TOGETHER AT
25 DRIVE IN THE APARTMENT FROM FEBRUARY, MARCH, APRIL, 2007.

CLOSING ARGUMENT BY DEFENSE

311

1 THE PROSECUTION WITNESS DIDN'T TELL THE POLICE
2 THAT, DIDN'T SAY THAT TO THE PROSECUTOR. WELL IT HAD BEEN
3 SEVERAL YEARS AGO THAT WE STAYED TOGETHER ON THIS DAY IN
4 MAY HE POPS AT MY HOUSE ON MAY THE 9TH, BREAKS INTO MY
5 HOUSE, KIDNAPS ME AT KNIFE POINT, DRIVES ME ALL OVER THE
6 COUNTY. I'M VERY SHAKEN, I'M VERY SCARED. I'VE GOT MANY
7 SCRATCHES ON MY FACE, I'VE GOT BRUISES ON MY FACE AND BODY.
8 I CALLED THE AMBULANCE, I GET IN THE AMBULANCE OR THE
9 POLICE CALL THE AMBULANCE. I GET IN THE AMBULANCE, I GO TO
10 THE HOSPITAL. THEY CHECK ME OUT THAT SAME DAY BUT, OH, NO,
11 WE DIDN'T HAVE ANYTHING TO DO WITH EACH OTHER AFTER THAT.
12 IN '03 AND '04 I MET HIM AND I REALIZED THAT I LIKED HIM SO
13 I DIDN'T HAVE ANYTHING TO DO WITH HIM AFTER THAT.

14 WELL I BELIEVE IT WAS PAUL HARVEY WHO ALWAYS
15 SAID, THE REST OF THE STORY. THE REST OF THE STORY IS IF
16 THEY MET IN '03 OR '04 AND LIVED TOGETHER BOYFRIEND AND
17 GIRLFRIEND, CONCEIVED A CHILD, THE WOMAN HAD THE CHILD IN
18 AUGUST OF '04 AND SHE SAID THAT THEY GOT BACK TOGETHER LIKE
19 IN SEPTEMBER OR OCTOBER OF '04 AND WAS TOGETHER SOME THEN.

20 THEN IN FEBRUARY HE COMES TO GEORGETOWN AND STAYS
21 WITH HIS MAMA AND HIS BROTHER, ALMINA AND OMEGA, AT THEIR
22 HOUSE OVER IN THE LINCOLNSHIRE SECTION, NOT TOO FAR AWAY
23 FROM THE THE PROSECUTION WITNESS' HOUSE. THOSE ARE THE
24 PICTURES YOU'LL SEE ON THIS DEFENSE EXHIBIT 2 THAT
25 DRIVE IS HERE WHERE I'M POINTING TO WITH MY POINTER OVER

CLOSING ARGUMENT BY DEFENSE

312

1 THERE AT THE HOUSING PROJECTS BEHIND MERRIMAN AND ANTHUAN
2 MAYBANK BOULEVARD WHICH USED TO BE CALLED NORTH STREET.
3 THAT'S WHAT IT STILL IS ON THIS MAP, ACROSS FROM THE
4 GEORGETOWN HIGH SCHOOL THE HOUSING PROJECT. AND AS YOU SEE
5 IN THE PHOTOGRAPHS THAT WE HAVE PUT INTO EVIDENCE THERE ARE
6 LITERALLY DOZENS OF APARTMENTS, DOZENS, FOUR SEPARATE
7 APARTMENTS IN EVERY BUILDING AND A DOZEN OR MORE BUILDINGS
8 WITH FOUR APARTMENTS IN EACH BUILDING, A DOZEN TIMES FOUR
9 WOULD BE 48 APARTMENTS. JUST THAT YOU CAN SEE WITH AN
10 INSTANT CAMERA THAT YOU CAN SEE PLAINLY WITH A LITTLE
11 INSTANT CAMERA RIGHT AROUND ONE OF THE APARTMENTS.

12 ALL RIGHT, SHE LIVES THERE SO IN FEBRUARY RONNIE
13 WILSON COMES AND STAYS WITH HIS MOTHER AND BROTHER OMEGA
14 WILSON AND ALMINA WILSON NOT TOO FAR AWAY. THIS IS OVER
15 REMEMBER WHERE THE GEORGETOWN HIGH SCHOOL IS, DRIVE
16 BEHIND FOOD LION AND ALL OVER THERE, BETWEEN FOOD LION AND
17 THE HIGH SCHOOL, WHERE THE PROSECUTION WITNESS IS AND THEN
18 YOU DRIVE DOWN ANTHUAN MAYBANK BOULEVARD, COME OUT TO
19 HIGHMARKET STREET, TAKE A RIGHT, GO DOWN ONE, TWO, THREE,
20 FOUR, FIVE, SIX, SEVEN BLOCKS, TURN RIGHT ON PLAYER STREET,
21 AS THE PROSECUTION WITNESS SAID AND GO DOWN INTO
22 LINCOLNSHIRE AND OXFORD LANE, THAT YOU SEE IS LIKE ONE,
23 TWO, THREE MAYBE THREE BLOCKS OFF OF HIGHMARKET STREET,
24 OXFORD LANE. IT'S WHERE, OVER WHERE MCDONALD SCHOOL IS,
25 MCDONALD ELEMENTARY SCHOOL, OXFORD LANE. ITS A LITTLE LANE

CLOSING ARGUMENT BY DEFENSE

313

1 THAT OMEGA WILSON TESTIFIED BETWEEN LINCOLNSHIRE AND PLAYER
2 STREET.

3 ALL RIGHT, SO RONNIE GOES AND STAYS WITH HIS MAMA
4 AND HIS BROTHER AND HE AND HIS BROTHER, OMEGA, GET A GREAT
5 JOB OUT AT A & D CONSTRUCTION AT SANTEE COOPER MAKING \$16
6 AN HOUR, 12 HOURS A DAY, SEVEN DAYS A WEEK, 84 HOURS A
7 WEEK, TIME AND A HALF FOR EVERYTHING OVER 40. WE
8 CALCULATED ON THE STAND IT'S ABOUT \$1400 GROSS A WEEK,
9 ABOUT THOUSAND OR ELEVEN HUNDRED A WEEK CLEAR MONEY.

10 REMEMBER OMEGA SAID AND ALMINA WHEN HE CAME THERE IN
11 FEBRUARY WITH THEM WAS THERE A WEEK OR SO AND GOT A JOB AND
12 MOVED IN WITH THE PROSECUTION WITNESS THEN IN FEBRUARY,
13 TOO. BUT JUST ABOUT THE SAME TIME THAT RONNIE AND OMEGA
14 GET THE JOB MAKING 1400 A WEEK, RONNIE MOVES IN WITH THE
15 PROSECUTION WITNESS, MAYBE SHE LIKES HIM AGAIN NOW, AND
16 THEN LIVES WITH THE PROSECUTION WITNESS THERE IN
17 DRIVE, IN HER HOUSING PROJECT NUMBER 34, WHICH IS IN PLAIN
18 NUMBERS ON DEFENSE EXHIBIT 4, NUMBER 34. YOU CAN
19 SEE IT'S THE LEFT HAND UNIT IN THIS FOUR APARTMENT COMPLEX
20 AND WE GOT THE PARKING SPACES RIGHT THERE SMACK DAB IN
21 FRONT OF THE DOOR, SO HE GOES THERE AND LIVES WITH HER.

22 NOW RIGHT NOW THEY HAVE NO VEHICLE, THIS WAS IN
23 FEBRUARY. HE'S GOING TO WORK EARLY SO HIS MAMA ALMINA, AND
24 THIS IS THE, THIS IS THE PROSECUTION WITNESS NOW THAT TOLD
25 THE PROSECUTOR ON DIRECT THAT WE DIDN'T LIVE TOGETHER BACK

CLOSING ARGUMENT BY DEFENSE

314

1 IN GEORGETOWN. I SAW HIM THREE OR FOUR YEARS AGO, A LONG
2 TIME AGO AND THEN THIS DAY IN MAY THIS MAN JUST POPS UP IN
3 MY HOUSE. I DON'T KNOW HARDLY EVEN REMEMBER HIM IT WAS SO
4 LONG AGO WE WERE TOGETHER, AND SCARES ME TO DEATH AND
5 KIDNAPS ME AND BURGLARIZES MY HOUSE.

6 OKAY, WELL HE MOVED INTO THIS, FORGOT THE PART
7 ABOUT HE LIVED WITH HER UP UNTIL THIS THING HAPPENED, BUT
8 HE MOVES IN WITH HER IN FEBRUARY, COINCIDENTAL SHE LIKES
9 HIM AGAIN NOW THAT HE'S GOT A \$1400 A WEEK JOB, GETS THE
10 JOB AND MOVES IN THERE RIGHT AT THE SAME TIME. USUALLY YOU
11 KNOW BEFORE YOU START WORKING THAT YOU'VE GOT A JOB,
12 USUALLY YOU GO APPLY FOR IT AND IF THEY SAY, OKAY, YOU CAN
13 START NEXT WEEK. IF IT WAS TWO WEEKS FROM MONDAY OR
14 SOMETHING LIKE THAT YOU'D START YOUR JOB SO YOU KNOW YOU
15 GOT A JOB, YOU KNOW WHAT YOU'RE GOING TO MAKE, HE GETS THE
16 JOB. THEY REKINDLE THEIR AFFECTION FOR SOME REASON. IT
17 WOULDN'T HAVE ANYTHING TO DO WITH THAT JOB.

18 OKAY, HE IS ON THE NO TRESPASS NOTICE AT THE
19 HOUSING AUTHORITY BEFORE HE MOVES IN. OMEGA SAYS THE
20 HOUSING OFFICE OPENS AT 8:30 IN THE MORNING MONDAY THROUGH
21 FRIDAY, CLOSES AT 5 P.M. AND THE HOUSING PEOPLE, YOU CAN
22 USE YOUR OWN COMMON KNOWLEDGE IF YOU DRIVING THROUGH THE
23 HOUSING AUTHORITY THEY GOT JANITORS GOING THROUGH THERE OR
24 MAINTENANCE PEOPLE, OFFICERS FROM THE HOUSING AUTHORITY
25 THAT KEEP INSPECTING THE HOUSING TO MAKE SURE THEY DON'T

CLOSING ARGUMENT BY DEFENSE

315

1 HAVE 10 DRUG DEALERS IN THERE OR PEOPLE LIVING IN AN
2 APARTMENT OR SOMETHING THEY ARE NOT TEARING THE WALLS OUT.
3 IF THE HOUSING AUTHORITY FINDS OUT RONNIE WILSON IS STAYING
4 IN THE APARTMENT WITH THE PROSECUTION WITNESS WHO'S FOUND
5 LOVE IN HER HEART AGAIN AND THE REASON THAT HE'S MAKING
6 \$1400 A WEEK HAS GOT NOTHING TO DO WITH THAT, THIS IS TRUE
7 LOVE THE REASON SHE LET HIM COME BACK INTO HER HOUSE.

8 NOW IF THE HOUSING AUTHORITY FINDS OUT THAT THE
9 PROSECUTION WITNESS HAS GOT A MAN THAT'S ON THE NO TRESPASS
10 LIST OF THE HOUSING AUTHORITY LIVING IN HER APARTMENT THAT
11 SHE'S PAYING \$50 A MONTH FOR AND IF SHE GOES OUT ON THE
12 FAIR MARKET VALUE AND RENTS AN APARTMENT SHE SAYS IT'S
13 GOING TO COST HER 650 TO \$1,000 A MONTH FOR A BRICK TWO
14 BEDROOM, LIVING ROOM AND KITCHEN APARTMENT, WHERE SOMEBODY
15 CUTS THEIR GRASS AND SOMEBODY ELSE BLOWS THE LEAVES OFF THE
16 SIDEWALKS, SOMEBODY ELSE CLEANS THE PARKING LOT, SOMEBODY
17 ELSE CLEANS THE OUTSIDE OF THE BUILDING, PRESSURE WASHES
18 AND PAINTS THE OUTSIDE OF THE WINDOWS, YOU DON'T HAVE TO DO
19 THAT YOURSELF. IF THE HOUSING AUTHORITY FINDS OUT THAT MR.
20 WILSON WHO IS ON THE NO TRESPASS LIST, IS IN HER APARTMENT
21 SHE LOOSES THAT. SHE THEN HAS TO THE GREAT PRIVILEGE AND
22 HONOR TO MARCH OUT OF THE HOUSING AUTHORITY PROJECTS AND GO
23 DOWN TO SOMEWHERE ELSE AND RENT A \$650 A MONTH TO A \$1,000
24 A MONTH, THESE ARE HER FIGURES, APARTMENT AND HAS THE
25 PRIVILEGE AND HONOR TO PAY THAT RENT EACH MONTH.

CLOSING ARGUMENT BY DEFENSE

316

1 SO AFTER THEY FIRED RONNIE WILSON, THEY BEING THE
2 PROSECUTION WITNESS THAT HAS LOST THE HOUSE, THE OCCUPANT
3 OF THE HOUSE, THE RENTER OF THE HOUSE, PAYING THAT \$50 A
4 MONTH WHICH NOW IS \$1,000. WELL HE'S GOING TO WORK, HIS
5 MAMA PICKS HIM UP AT 6:30 IN THE MORNING WHICH IN FEBRUARY
6 AND MARCH IT'S IN THE WINTER TIME. IT'S DARK AND IT'S
7 BEFORE 8:30 WHEN THE HOUSING OFFICE PEOPLE OPEN AND COME TO
8 WORK WHEN THEY'RE GOING TO BE IN THE HOUSING AUTHORITY SO
9 AT 6:30 IN THE MORNING HE'S GONE FROM THE APARTMENT, THEY
10 WORK TILL 7 IN THE EVENING.

11 THE HOUSING PEOPLE KNOCK OFF AT 5 AND ALMINA
12 PICKS HIM UP FROM FEBRUARY AND MARCH AND BRINGS HIM BACK TO
13 THE APARTMENT AT 7:30 WHEN HE GETS BACK HERE FROM
14 PENNYROYAL ROAD WINYAH GENERATING PLANT, DRIVES BACK TO
15 GEORGETOWN TO THE HOUSING AUTHORITY AT 7:30. THE HOUSING
16 PEOPLE HAVE KNOCKED OFF. THEY'RE GONE AND FEBRUARY AND
17 MARCH IT'S DARK AT 7:30, TOO, SO BY WORKING AND BEING GONE
18 FROM 6:30 IN THE MORNING TO 7:30 AT NIGHT THE HOUSING
19 PEOPLE WILL NOT SEE HIM AND THEY HIDE IT. HE STAYS IN THE
20 APARTMENT.

21 NOW THEY'VE GOT THEIR LOVE AFFAIR GOING ON, THE
22 BOYFRIEND AND GIRLFRIEND. HE'S MAKING \$1,000, HE BEING
23 RONNIE WILSON IS MAKING \$1,000 A WEEK CLEAR MONEY, THAT IS
24 GREAT MONEY, THAT'S \$50,000 A YEAR IF YOU GET TO KEEP THE
25 JOB RIGHT ON BUT HE'S IN A SHORT TIME MAINTENANCE REPAIR

CLOSING ARGUMENT BY DEFENSE

317

1 JOB. THEY'VE GOT A DURN APARTMENT THAT THEY'RE PAYING
2 NOTHING FOR, \$50 A MONTH, PLUS HE HAD A FOOD STAMP CARD
3 BEFORE HE GOT THE JOB MAKING THIS \$1,000 A WEEK. SHE'S IN
4 THE HOUSING PROJECT MAKING VERY LITTLE MONEY, MEDICAID FOR
5 THE KID, FOOD STAMPS, MAN, THEY GOT IT MADE. THEY HAVE A
6 HAPPY, LITTLE COZY AFFAIR.

7 ALL RIGHT, THIS IS FEBRUARY AND MARCH, THEN MR.
8 WILSON STARTS MAKING THIS MONEY. HE'S LIVING IN THE
9 APARTMENT WITH HIS GIRLFRIEND. HE'S LIVING IN THE
10 APARTMENT WITH HIS DAUGHTER. HE'S GOT A GOOD JOB, HE'S
11 HAPPY. WHAT DOES HE DO, WHY DON'T I, BABY DOLL, GO BUY A
12 CAR. I'VE GOT SOME MONEY, COME HOME. I DON'T HAVE TO
13 BOTHER MY MAMA TO PICK ME UP EVERY EVENING, PICK ME UP
14 EVERY MORNING AND OMEGA, THAT WAY WE CAN GO TO GET
15 GROCERIES, TAKE OUR FOOD STAMP CARD AND GO GET GROCERIES,
16 OR YOU CAN TAKE MY \$1,000 CASH AND GO GET GROCERIES, GO TO
17 WAL-MART, GO OUT FOR SUPPER, GO TO FAMOUS PIZZA, GO TO THE
18 RIVER ROOM, GO TO WHATEVER.

19 LIFE IS GOOD SO WE BUY, I BUY A CAR, ME RONNIE
20 WILSON, I BUY THE CAR MARCH THE 31ST, 2007, BEGINNING DATE,
21 BUY THIS CAR RONNIE WILSON AND FELITA GRAHAM. I THINK THE
22 PROSECUTOR SAID HE STIPULATED, THE PROSECUTION STIPULATES
23 THAT RONNIE BOUGHT AND PAID FOR THE CAR. I THINK HIS MAMA
24 AND CLARA DAVIS, HIS SISTER, SAID HE PAID NINE HUNDRED AND
25 SOME DOLLARS FOR THE CAR HE SAW OVER ON THE SIDE OF THE

CLOSING ARGUMENT BY DEFENSE

318

1 ROAD OVER THERE AT SAMPIT RIVER PARKED WITH A SIGN ON IT
2 FOR SALE, TRIED IT OUT, LIKED IT, BOUGHT IT. RONNIE PAID
3 THE \$500 FOR THE CAR INSURANCE.
4 NOW WHAT HAS ALL THIS GOT TO DO WITH MAY THE 9TH.
5 WELL THIS SHOWS WHAT WAS GOING ON BEFORE MAY THE 9TH.
6 RONNIE WILSON KNEW ALL THIS STUFF HAD BEEN GOING ON BEFORE
7 MAY THE 9TH. ALL THIS DETERMINES HIS INTENT, DETERMINES
8 WHAT HE WAS THINKING ON MAY THE 9TH WHEN HE GOES TO THE
9 APARTMENT THAT HE HAD BEEN LIVING IN FOR THE LAST FEBRUARY
10 AND MARCH AND APRIL. IT GOES TO HIS INTENT WHERE HE GOES
11 TO HIS APARTMENT IS WHERE HIS CAR IS PARKED THAT HE BOUGHT
12 AND PAID FOR AND PAID THE INSURANCE ON IT AT HIS
13 GIRLFRIEND'S APARTMENT THAT HE'S LEAVING HIS CAR THERE THAT
14 HE PUT IN HER NAME BECAUSE AS THE MAMA AND THE GIRLFRIEND
15 SAID RONNIE'S LICENSE WERE SUSPENDED AND ALSO HE HAD BAD
16 EYE VISION. REMEMBER THE PROSECUTION WITNESS SAID HE
17 COULDN'T SEE AND HIS MAMA SAID HE COULDN'T SEE WHEN HE TOOK
18 THE DRIVING TEST AND THE PROSECUTION WITNESS SAID HE WENT
19 TO WAL-MART AND PAID \$400 FOR A SET OF GLASSES BECAUSE HE
20 COULDN'T SEE WHEN HE TOOK THE DRIVING TEST CAUSE HIS
21 LICENSE HAD BEEN SUSPENDED AND IT WAS SUSPENDED AND THEY
22 DIDN'T WANT TO WAIT UNTIL HE GOT GLASSES AND EYE EXAMS,
23 CAME BACK TO TAKE THE TEST. SO THEY WENT AHEAD AND PUT THE
24 CAR IN BOTH OF THEM'S NAME, THEY BEING RONNIE SINCE HE'S
25 THE ONE THAT PAID FOR AND HAD THE CAR. OF COURSE THE

CLOSING ARGUMENT BY DEFENSE

319

1 PROSECUTION WITNESS NOW SHE FIGURES IT'S HERS SINCE SHE
2 GETS TO KEEP IT AND HE'S IN JAIL SO HE CAN'T REALLY DRIVE
3 NOW SINCE SHE'S GOT HIM CHARGED WITH THESE CHARGES SO SHE
4 IS GRACIOUSLY KEEPING THE CAR THAT HE PAID FOR AND
5 GRACIOUSLY AND COURTEOUSLY KEEPING THE CAR THAT HE PAID ALL
6 THE INSURANCE ON THAT HIS MAMA SPENT HER GAS MONEY AND THE
7 MAMA'S CAR, ALMINA, TO DRIVE THE PROSECUTION WITNESS
8 COURTEOUSLY AROUND TO INSURANCE AGENCY, TO PAY THE
9 INSURANCE AGENCY THE \$500 INSURANCE THAT RONNIE WILSON
10 WORKED 12 HOURS A DAY SEVEN DAYS A WEEK TO EARN GRINDING
11 TURBINES AND BOILERS, WHATEVER OMEGA SAID IT WAS, TO GET
12 THE INSURANCE ON HIS CAR THAT SHE IS GRACIOUSLY KEEPING HIS
13 CAR AND HIS INSURANCE, VERY NICE, VERY NICE.

14 OKAY, HE BUYS THE CAR, PAYS FOR THE INSURANCE,
15 HIS MAMA TAKES THE PROSECUTION WITNESS TO PUT THE INSURANCE
16 ON IT. WELL NOW LET'S SEE WHAT SHE'S GOT NOW. WELL NOW
17 SHE'S GOT THE CAR THAT SOMEBODY ELSE PAID FOR, INSURANCE
18 THAT SOMEBODY ELSE PAID FOR, LIVING IN THE HOUSING PROJECTS
19 THAT SOMEBODY ELSE HAS BUILT AND PAID FOR, GOT MEDICAID
20 THAT SOMEBODY ELSE HAS PAID FOR, GOT A JOB. WELL JOBS COME
21 AND GO, SHE'S LOST THAT JOB NOW, SHE HAD ANOTHER ONE AT THE
22 BEACH AND SHE GOT THIS ONE WITH CROSBY LAW FIRM THAT LASTED
23 A MONTH OR TWO, THAT'S ENDED. IT HAD NOTHING TO DO WITH
24 THIS, OMEGA SAID, WAS FIRED ON MAY THE 9TH, BOYFRIEND HAD
25 KIDNAPPED HER, NO, THAT AIN'T THE REASON. BUT SHE'S STILL

CLOSING ARGUMENT BY DEFENSE

320

1 GOT THE FREE APARTMENT, FREE FOOD STAMPS, I GUESS, AND
2 MEDICAID, AND THE FREE CAR. SHE MAY HAVE TO START PAYING
3 THE INSURANCE ON IT NOW SINCE RONNIE'S IN JAIL.

4 ALL RIGHT, SO SHE GETS FIXED, THEY ALL HAPPY,
5 IT'S MARCH THE 31ST, NOW WE GO INTO APRIL. I THINK OMEGA'S
6 JOB HE SAID HE WAS LAID OFF OR HE HAD AN ARGUMENT WITH HIS
7 BOSS OR DIDN'T DO SOMETHING RIGHT OR WHATEVER AND HE WAS
8 LAID OFF THE END OF MARCH, THE FIRST OF APRIL OR SOMEWHERE
9 IN THERE AND OMEGA SAID THAT RONNIE WORKED ABOUT ANOTHER
10 WEEK ON THE JOB, THAT'S ANOTHER WEEK OR SO BEFORE THE JOB
11 ENDED, BUT RONNIE WAS WORKING SOMETIME IN APRIL.

12 ALL RIGHT, NOW RONNIE'S JOB ENDED, AFTER MARCH
13 THE 31ST HIS JOB ENDED LIKE A WEEK OR TWO WEEKS, SOMETHING
14 LIKE THAT, NOW RONNIE AND THE PROSECUTION WITNESS HAVE THE
15 BUICK CAR SO SHE CAN DRIVE HIM TO WORK. HE DIDN'T HAVE HIS
16 LICENSE YET, AND PICK HIM UP IN THE EVENING OR SOMETIME HE
17 CATCHES A RIDE AND COMES BACK WITH THE COWORKERS, SO NOW
18 HIS JOB ENDS SOMETIME IN APRIL.

19 HE GOES OUT ONE NIGHT SOWING WILD OATS, WHETHER
20 HE JUST WANTS TO GO OUT AND DRINK A BEER OR SHOOT POOL OR
21 WATCH THE BALL GAME OR WHATEVER HE WANTS TO DO. MAMA AND
22 THE PROSECUTION WITNESS AND OMEGA SAID HE WAS OUT ONE NIGHT
23 TILL 2, 3, OR 4:00 IN THE MORNING, NOT THERE IN THE
24 APARTMENT WHERE HE WAS STAYING IN WITH THE PROSECUTION
25 WITNESS IN APRIL AND SHE GETS MAD AND THINKING HE'S WITH A

CLOSING ARGUMENT BY DEFENSE

321

1 GIRL, ANOTHER WOMAN, OR SHE THOUGHT THAT SHE HAD TO KEEP
2 HIS CAR WHICH IS PARKED RIGHT THERE, SHE SAID IN THE
3 PARKING LOT AT THE APARTMENT PROJECT. IF HE HAD HAD THE
4 CAR SHE THOUGHT HE HAD THE KEY TO IT OR SOMETHING AND HER
5 MEDICINE FOR HER ASTHMA OR SOMETHING WAS IN THE CAR. AND
6 SO SHE GETS MAD AT HIM AND SAYS GET OUT OR I'M GOING TO
7 CALL THE POLICE CAUSE IF SHE CALLS THE POLICE HE'S ON THE
8 NO TRESPASS LIST AT THE HOUSING AUTHORITY. ALL SHE'S GOT
9 TO DO IS CALL AND THEM AND SAY, HEY, FOR ANY REASON, EVEN A
10 911 OR CALL THE HOUSING AUTHORITY. I'LL TELL ON HIM. I'LL
11 TELL MAMA. I'LL TELL THE POLICE YOU'RE ON THE HOUSING
12 AUTHORITY NO TRESPASS LIST AND THEY'LL COME AND PUT YOU IN
13 JAIL FOR 30 DAYS FOR TRESPASSING SO HE CALLS HIS MAMA AND
14 HE GOES AND STAYS WITH HIS MAMA A FEW DAYS. I THINK THAT
15 THE MAMA SAID, ALMINA SAID A WEEK OR TWO WEEKS OR SOMETHING
16 LIKE THIS BEFORE MAY THE 9TH.

17 HIS CLOTHES AND ALL ARE AT THE APARTMENT. HE
18 DIDN'T OWN, HE DOESN'T OWN THE HOUSE OR ANYTHING. THE CAR
19 WAS PUT IN HIS GIRLFRIEND'S NAME, THE CLOTHES AND STUFF, I
20 THINK ALMINA SAID THE STUFF, THE MAMA THAT SHE, THE
21 PROSECUTION WITNESS ASKED HER TO COME GET HIS CLOTHES AND
22 IN A WEEK OR TWO BEFORE THIS INCIDENT OCCURRED.

23 ALSO RONNIE'S SISTER, MONICA, IS GETTING MARRIED
24 SATURDAY MAY THE 12TH, 2007, MAY, 2007, 12TH, SATURDAY.
25 THIS INCIDENT MAY THE 9, 2007, WEDNESDAY, ONE, TWO, THREE,

CLOSING ARGUMENT BY DEFENSE

322

1 THREE DAYS LATER RONNIE AND THE PROSECUTION WITNESS IS
2 GOING TO A WEDDING. THEY HAD MET A WEEK BEFORE, THE
3 WEEKEND BEFORE AT LAHOMA'S, ALMINA SAID IT WAS ABOUT A WEEK
4 BEFORE THE WEDDING. CLARA SAID SHE THOUGHT IT WAS THE
5 WEEKEND BEFORE THE WEDDING THAT THEY HAD ALL TALKED.
6 LAHOMA SAID IT WAS ONE OR TWO WEEKENDS BEFORE THE WEDDING
7 THAT THEY WERE ALL TALKING, RONNIE WILSON, THE PROSECUTION
8 WITNESS, LAHOMA, CLARA, ROGER STEWART, BROTHERS AND SISTERS
9 ALL THERE TALKING ABOUT MONICA'S UPCOMING WEDDING THEY WERE
10 ALL GOING TO.

11 THE PROSECUTION WITNESS IS AT RONNIE WILSON'S
12 SISTER'S HOUSE WITH RONNIE WILSON, COMES UP THERE WITH HIM,
13 WITH RONNIE WILSON, TO GO TO RONNIE WILSON SISTER'S WEDDING
14 THAT THE PROSECUTION WITNESS HAD A DRESS ON LAYAWAY. THE
15 MAMA, ALMINA THOUGHT THE DRESS SHE SAID LAYAWAY. SHE
16 THOUGHT SHE SAID THE DRY CLEANERS, TO TAKE IT OUT THE DRY
17 CLEANERS OR LAYAWAY OR WHATEVER. BUT THE PROSECUTION HAS A
18 DRESS ON LAYAWAY TO GO WITH BIG BAD RONNIE WILSON TO A
19 WEDDING OF HIS SISTER.

20 NOW I GUESS THEY'RE GOING TO SAY, WELL I WAS JUST
21 DOING THAT OUT OF LOVE FOR MY THREE-YEAR-OLD DAUGHTER WHO
22 IS THE NIECE OF LAHOMA AND I WANTED TO DATE AND GET
23 ESCORTED BY MEAN OLD RONNIE WILSON WHO I HATE, CAN'T STAND,
24 IS A TERRIBLE VINDICTIVE AND VICIOUS PERSON BUT I AM DOING
25 THAT JUST SO ME AND MY LITTLE DAUGHTER, HE, HE CAN BE WITH

CLOSING ARGUMENT BY DEFENSE

323

1 HIS LITTLE DAUGHTER AT THE WEDDING. THAT'S THE REASON I
2 WAS DOING THAT. YES, UH-HUH, GIVE ME A BREAK, PLEASE. YOU
3 WERE DOING THAT BECAUSE YOU WAS HIS GIRLFRIEND. DON'T
4 PEOPLES GIRLFRIEND AND BOYFRIENDS LIKE TO GO TO WEDDINGS
5 TOGETHER, PARTICULAR IF IT'S YOUR OWN FAMILY.

6 THIS IS A WEEK BEFORE MAY THE 12TH WHICH IS, IF
7 IT'S THE WEEKEND BEFORE MAY THE 12TH, IT'S ONLY SINCE
8 WEDNESDAY IS, IF THIS IS THE WEEKEND I GUESS IT'S SATURDAY
9 OR SUNDAY SO THAT WOULD BE THE WEEKEND OF THE 4TH WOULD BE,
10 THE 5TH, THAT WOULD BE FIVE, ONE, FIVE, SIX, SEVEN, EIGHT,
11 LIKE FOUR OR FIVE DAYS BEFORE THIS INCIDENT RONNIE WAS WITH
12 THE GIRL AT HIS SISTER'S HOUSE. HE AND HER, HE AND HIS
13 GIRLFRIEND CAME TOGETHER TO HIS SISTER'S HOUSE TALKING
14 ABOUT THEIR GOING TO THE WEDDING NEXT SATURDAY TOGETHER
15 WHERE SHE HAS HER DRESS ON LAYAWAY, WHERE HE HAS ALREADY
16 WENT WITH HIS MAMA CAUSE HIS GIRLFRIEND IS KEEPING HIS CAR
17 EVERY DAY FOR HIM. SHE'S KIND ENOUGH TO DO THAT CAUSE
18 ALMINA TAKES RONNIE TO GET HIS TUXEDO FROM THE WEDDING AND
19 THINGS DOWN HERE ON KING STREET. PAYS THE \$131 THAT ALMINA
20 REMEMBERED AND THEN THEY DISCUSS IT THE WEEKEND BEFORE THE
21 WEDDING. WE'RE ALL GOING TO GO, WHAT TIME TO GO, AND HE
22 WAS IN THE WEDDING. REMEMBER LAHOMA SAID THAT RONNIE WAS
23 IN THE WEDDING, WAS SCHEDULED TO BE AN USHER OR WHATEVER.

24 NOW ISN'T IT POSSIBLE FOR PEOPLE TO BE HAPPY AND
25 LOVING AND WONDERFUL UP UNTIL TWO SECONDS BEFORE HE BECAME

CLOSING ARGUMENT BY DEFENSE

324

1 VERY MEAN AND BROKE INTO HER HOUSE AND PUT A KNIFE TO HER
2 THROAT AND KIDNAPPED HER? ISN'T THAT POSSIBLE, WELL, YES,
3 IT IS POSSIBLE.

4 THE JUDGE WILL, UNLESS THEY HAVE CHANGED THE
5 RULES, THE JUDGE WILL READ THE INSTRUCTIONS ON THESE
6 CHARGES. IF IT IS POSSIBLE THAT MR. WILSON DID THIS THEN
7 YOU MUST SAY HE DID IT, THAT WILL NOT BE THE RULE OF THE
8 DEFENSE. THE RULE THAT WILL COME FROM THE DEFENSE WILL BE
9 YOU MUST BE CONVINCED WITH NO REASONABLE DOUBT IN YOUR
10 BRAIN THAT THAT'S WHAT HAPPENED, THAT RONNIE WILSON
11 INTENDED TO DO CRIME THAT MORNING.

12 THE JUDGE WILL TELL YOU NOT THESE SPECIFIC WORDS
13 BUT THE MEANING WILL BE IF YOU THINK RONNIE WILSON IN HIS
14 MIND THOUGHT HE WAS DOING SOMETHING OKAY OR NORMAL OR
15 REGULAR OR ROUTINE THAT HE AND THE GIRL HAD BEEN DOING FOR
16 MONTHS THEN YOUR QUICK SWIFT JURY VERDICT IS GOING TO BE
17 NOT GUILTY. SO LET'S GO TO THAT MORNING.

18 ALL RIGHT, THAT MORNING MAY THE 9TH AFTER HE
19 WALKED OVER TO THE HOUSE CAUSE THE CAR IS ALREADY THERE,
20 REMEMBER THE WOMAN SAID SHE HAD OPENED THE DOOR, IT'S MAY
21 THE 9TH. SHE'S GOT BAD ASTHMA, MY GOSH, SHE WAS CHOKING
22 RIGHT HERE ON THE WITNESS STAND, NOT EVEN MOVING, SITTING
23 DOWN, NO STRESS, NO EXERTION AT ALL, MAYBE SOME ANXIETY
24 FROM BEING IN THE COURTROOM TESTIFYING. AND SO SHE'S THERE
25 IN HER APARTMENT, OPENS THE DOOR, HAS THE DOOR OPEN. SHE

CLOSING ARGUMENT BY DEFENSE

325

1 SAID IT WAS A SCREEN DOOR I THINK ON IT. RONNIE WILSON
2 JUST A WEEK OR SO BEFORE WAS LIVING RIGHT IN THE APARTMENT,
3 HAD BEEN THERE. ALL HIS CLOTHES HAD BEEN THERE UNTIL A
4 WEEK OR SO BEFORE. A WEEKEND BEFORE THIS, WHICH WAS FOUR
5 DAYS AGO, TUESDAY, MONDAY, SUNDAY, THREE OR FOUR DAYS AGO,
6 SATURDAY HE AND SHE ARE TOGETHER AT HIS SISTER'S HOUSE
7 TALKING ABOUT THEIR UPCOMING DATE IN THREE MORE DAYS TO GO
8 TO HIS SISTER'S WEDDING WITH MY TUXEDO AND YOUR NICE DRESS
9 YOU'RE GETTING OUT OF LAYAWAY.

10 DIDN'T WE ASK HER ON THE STAND, DIDN'T HE
11 MENTION, HAVE YOU GOTTEN YOUR DRESS OUT OF LAYAWAY OR
12 SOMETHING? AND SHE SAID, I THINK HE MENTIONED SOMETHING
13 LIKE THAT WHEN HE GOT THERE THAT MORNING. NOW HIS JOB HAD
14 ENDED, LAID OFF, AND WASN'T WORKING. THEY DON'T, HE
15 DOESN'T LIVE VERY FAR DOWN THE ROAD, A MILE OR SO, AND HE
16 WALKED OVER THERE FROM OXFORD LANE.

17 TELL YOU WANT, IS THIS POSSIBLE, IS THIS REAL?
18 LISTEN, HE WALKS OVER TO THE DOOR WHERE HE'D BEEN LIVING
19 FOR THE LAST THREE MONTHS UNTIL THE LAST WEEK AGO WHEN THEY
20 HAD A TIFF AND SHE THOUGHT HE WAS OUT WITH ANOTHER GIRL 3
21 OR 4:00 IN THE MORNING. GOES UP TO THE DOOR, IT'S MAY,
22 GETTING WARM, IT'S A BRIGHT AND SUNNY DAY. SHE SAID IT WAS
23 7:30 OR SOMETHING LIKE THAT IN THE MORNING. ALL THE KIDS
24 IN THE HOUSING PROJECTS, 50 APARTMENTS AROUND THIS ONE,
25 WALKING ACROSS GEORGETOWN HIGH SCHOOL, GEORGETOWN MIDDLE

CLOSING ARGUMENT BY DEFENSE

326

1 SCHOOL. MAMA'S IN THE HOUSING PROJECTS DRIVING THEIR KIDS
2 RIGHT BY THE APARTMENT TO GO ACROSS THE HIGHWAY ON ANTHUAN
3 MAYBANK BOULEVARD TO GEORGETOWN MIDDLE SCHOOL AND
4 GEORGETOWN HIGH SCHOOL WHERE THE POLICE ARE SITTING RIGHT
5 THERE ON THE STREET IN THEIR CARS DIRECTING TRAFFIC AND
6 STUFF AND MAKING PEOPLE ARE NOT SPEEDING OVER 25 MILES AN
7 HOUR FOR THE MORNING 7 TO 8:30 OR WHATEVER TIME IT ENDS FOR
8 KIDS TO GO TO SCHOOL ON WEDNESDAY MORNING MAY THE 9TH.

9 HE GOES RIGHT UP TO THE APARTMENT AND WHERE THE
10 KIDS ARE JUST WALKING RIGHT BY THE DOOR AND COMING OUT OF
11 THE OTHER THREE APARTMENTS IN THIS SAME BUILDING AND IN THE
12 BUILDING RIGHT BEHIND IT AND IN THE BUILDINGS RIGHT ACROSS
13 THE PARKING LOT FROM IT AND THE ONES OVER IN THIS AREA AND
14 THAT AREA, ALL AROUND IT. THEY'RE SURROUNDED BY OTHER
15 BUILDINGS AS YOU SEE IN THE PICTURES.

16 SO HE GOES RIGHT UP TO THE THING BROAD DAYLIGHT
17 THE PEOPLE GOING TO WORK NOT EVEN JUST GOING TO SCHOOL, ALL
18 THE NEIGHBORS THAT HAS JOBS, HOUSEKEEPERS, WORKING AT WAL-
19 MART, WORKING IN THE COURTHOUSE, CARPENTERS, CONSTRUCTION
20 WORKERS, MAIDS, WHATEVER, THEY COMING OUT OF THEIR COMPLEX
21 AS HE GOES RIGHT UP TO THE DOOR. THERE'S A SCREEN DOOR
22 OPEN UNLOCKED, APPARENTLY WAS, SHE DIDN'T SAY HE TORE IT
23 OFF THE HINGES OR SOMETHING TO GET IN THE HOUSE. IT WASN'T
24 LOCKED, OPENS THE SCREEN DOOR. IF YOU'VE BEEN DATING
25 SOMEBODY AND LIVING WITH HER FOR FOUR MONTHS AND YOU AND

CLOSING ARGUMENT BY DEFENSE

327

1 SHE ARE GOING TO A WEDDING THREE DAYS FROM NOW AND YOU BEEN
2 HAVING SEX FOR THE LAST THREE MONTHS AND YOU GOT A KID
3 TOGETHER THAT WAS THREE YEARS OLD AND YOU BEEN GOING OVER
4 TO YOUR MAMA HOUSE FOR THE LAST SEVERAL MONTHS AND YOU'VE
5 BEEN GOING TO YOUR SISTER'S HOUSE, LAHOMA'S, FOR THE LAST
6 SEVERAL MONTHS AND THIS GIRL HAS BEEN TAKING YOU TO WORK
7 AFTER THEY GOT THE CAR MARCH THE 31ST, DRIVING YOU THERE
8 AND PICKING YOU UP LIKE SHE SAID, THIS IS NOT SOMETHING
9 THAT'S BEING MADE UP TO SOUND GOOD FOR HIS CASE. IT'S ALL
10 WHAT CAME OFF OF THE WITNESS STAND.

11 WOULD YOU THINK THAT YOU WERE DOING SOMETHING
12 ILLEGAL BY OPENING THE SCREEN DOOR AND WALKING IN THE
13 APARTMENT, WOULD YOU? WOULD A NORMAL PERSON THINK THAT?
14 WOULD HE HAVE TO THINK THAT HE'S COMMITTING A CRIME BY
15 OPENING THE SCREEN DOOR WHICH IS NOT LOCKED WITHOUT
16 KNOCKING? WOULD YOU KNOCK ON THE DOOR IF YOU LIVED WITH
17 SOMEBODY THREE MONTHS AND YOU LIVED IN THE HOUSE? THIS IS
18 NOT A FIRST DATE. THIS IS NOT A BLIND DATE WHERE YOU'RE
19 GOING TO SOME STRANGERS HOUSE THEN YOU WOULD KNOCK ON THE
20 DOOR AND SAY I'M RONNIE WILSON, HOW ARE YOU, YOU KNOW.

21 YOU OPEN THE SCREEN DOOR, YOU GO IN THE
22 APARTMENT. HEY, WHAT'S GOING ON, IT'S 7:30 IN THE MORNING,
23 YOU GOT THE DRESS OUT OF LAYAWAY, WHY DON'T WE SPEND A
24 LITTLE TIME TOGETHER. WELL I GOT A JOB, TELL THEM YOU GOT
25 ASTHMA, TELL THEM YOU'RE HAVING AN ASTHMA ATTACK AND YOU

CLOSING ARGUMENT BY DEFENSE

328

1 CAN'T GO IN THIS MORNING. SHOOT, LET'S JUST RIDE AROUND,
2 LET'S GO OVER TO MY HOUSE OR SOMETHING. I JUST WALKED OVER
3 HERE, LET'S TAKE A RIDE, OKAY.

4 THAT PHONE IS RINGING, DURN, THAT'S MY MAMA,
5 THAT'S YOUR MAMA, MAN. WE GOT TO GET OUT OF HERE BEFORE
6 TOO MUCH DAYLIGHT CAUSE I'M ON THE NO TRESPASS LIST. IF
7 THE HOUSING PEOPLE COME IN AT 8:30 WE'VE GOT TO LEAVE
8 BEFORE 8:30. IT'S 7 OR 7:30 NOW, WE NEED TO LEAVE BEFORE
9 THE HOUSING PEOPLE COME IN OR THEY'LL, SOME OF THEM WILL
10 SEE US HERE. LET'S GET IN THE CAR, LET'S GO. OKAY, LET'S
11 GO. WELL, MAN, I AM NOT DRESSED TO GO TO CHURCH, I AM NOT
12 DRESSED TO GO TO COURT. I DON'T HAVE MY BLUE BLOUSE AND
13 COAT ON, RED SHIRT, MY BROWN PANTS AND MY BROWN HIGH HEEL
14 SHOES. I AM NOT DRESSED FOR COURT. WELL WE'RE NOT GOING
15 TO COURT, BABY, WE'RE GOING OVER TO MY MOM'S HOUSE. WE'LL
16 GO OVER THERE AND LET OMEGA SEE THE BABY. WE'LL GO OVER
17 THERE AND TALK, SHOOT THE BREEZE, HAVE A LITTLE TIME
18 TOGETHER THIS MORNING.

19 IS IT UNUSUAL FOR PEOPLE TO GO A FEW BLOCKS OR A
20 MILE AWAY TO THEIR MAMA'S HOUSE OR THEIR BROTHER OR
21 SISTER'S HOUSE OR THEIR COUSIN'S HOUSE IF THEY'RE WITH THEM
22 ALL OF THE TIME TO WEAR THEIR SWEATPANTS THAT THEY SLEPT IN
23 LAST NIGHT, PULL ON YOUR TENNIS SHOES OR EVEN WALK IN YOUR
24 FLIP FLOPS AND KEEP ON THE SWEATSHIRT THAT YOU SLEPT IN
25 LAST NIGHT WHEN YOU GO OVER THERE AND IF YOU'RE A WOMAN TO

CLOSING ARGUMENT BY DEFENSE

329

1 HAVE YOUR PAJAMAS OR IF YOU SLEPT IN SWEATPANTS AND YOUR
2 HAD A NIGHT COAT OR A ROBE, WHATEVER YOU WANT TO CALL IT?
3 YOU CAN CALL IT WHATEVER YOU WANT TO IT'S THE SAME THING,
4 IT'S CLOTH, JUST LIKE THIS COAT I'VE GOT ON RIGHT NOW IT'S
5 CLOTH, MY PAJAMAS, IT'S MY PAJAMA TOP, THIS SAME THING AS
6 THIS BLACK SHIRT I'M WEARING, THIS BLACK SHIRT THEY'RE BOTH
7 CLOTH AND THEY'RE BOTH OF THEM COVER YOUR BODY. IT'S THE
8 ONLY PURPOSE OF CLOTHES IS YOU COVER YOUR NAKED BODY
9 WHETHER THEY PAJAMAS OR SWEATPANTS, JOGGING PANTS, FLANNEL
10 SWEATPANTS OR YOU GOT ON A NICE OUTFIT. IS THAT UNUSUAL
11 FOR PEOPLE WHEN THEY'RE GOING TO FAMILY MEMBERS, YOU SEE
12 THEM GOING TO WAL-MART AND THE POST OFFICE, MY GOD, WEARING
13 HOUSECOATS GOING TO THE POST OFFICE OR TO WAL-MART AND
14 WOMEN WITH THEIR CURLERS STUCK IN THEIR HAIR. YOU'VE SEEN
15 THAT YOURSELF A MILLION TIMES. IF YOU'LL GO OUT LIKE THAT
16 IN PUBLIC YOU THINK IT'S WRONG TO GO TO YOUR DURN MOTHER IN
17 LAW'S HOUSE PRETTY MUCH, THE GRANDMAMA OF YOUR BABY, THE
18 UNCLE OF YOUR KID, YOUR BROTHER IN LAW SO TO SPEAK, OMEGA.
19 THERE'S NOTHING UNUSUAL ABOUT THAT.

20 I WAS TRYING TO LOOK ON THIS PICTURE OF WHERE THE
21 PERSON WHERE THE SCRATCHES ON THE FACE AND THE MARK AROUND
22 THE NECK THAT WAS SITTING IN THIS THING HERE, THE THING
23 THEY WOULD CARRY PEOPLE THAT DIE OF HEART ATTACKS AND BOTH
24 LEGS ARE CUT OFF BY THE RAILROAD TRACK OR SOMETHING IN THE
25 SAME KIND OF BUGGY THEY'RE IN. I WAS TRYING TO SEE IF YOU

CLOSING ARGUMENT BY DEFENSE

330

1 COULD SEE THE BLOUSE, SEE THE PAJAMA TOP OR SOMETHING LIKE
2 THAT OR SWEATSHIRT TOP. I CAN'T REALLY SEE IT ON THAT, ON
3 THAT PICTURE. BUT ANYWAY, OKAY, YOU GO OUTSIDE YOU GET IN
4 THE CAR AND YOU GO RIGHT UP TO -- REMEMBER THE PROSECUTION
5 WITNESS SAID IT WAS 8:18 SHE LOOKED ON THE CAR CLOCK AT
6 LINCOLNSHIRE WHEN THEY WERE IN A LITTLE CIRCLE WHERE THERE
7 WAS PEOPLE WORKING, 8:18. WELL NATURALLY IT HAD TO BE
8 BEFORE 8:18 BEFORE THEY GOT OVER THERE. YOU DRIVE RIGHT
9 OUT OF, YOU DRIVE RIGHT OUT OF DRIVE, YOU'LL SEE ON
10 THAT MAP, YOU DRIVE RIGHT OUT DOWN DRIVE RIGHT ONTO
11 ANTHUAN MAYBANK BOULEVARD, RIGHT ACROSS FROM THE HIGH
12 SCHOOL AND MIDDLE SCHOOL. TURN LEFT GO TO OXFORD, TO
13 HIGHMARKET THEN TO OXFORD, RIGHT THERE WHERE THE SCHOOL IS
14 NOW 7:30 AND 8:00 IN THE MORNING, STUDENTS ARE CROSSING THE
15 HIGHWAY. THE ROAD GUARDS WERE OUT THERE STOPPING THE
16 TRAFFIC SO THE KIDS COULD WALK ACROSS THE STREET. THE
17 POLICE CARS ARE PARKED THERE MAKING SURE NOBODY IS SPEEDING
18 DOWN ANTHUAN MAYBANK BOULEVARD. THE WOMAN WAS BEING
19 KIDNAPPED AND MURDERED WITH THE KNIFE AT HER THROAT. SHE
20 IS AFRAID, BITCH, I'M HERE TO KILL YOU.

21 MR. BRYAN: OBJECTION, YOUR HONOR, I DON'T THINK
22 THERE'S EVER BEEN ANY ASSERTION OR REASONABLE FOUNDATION
23 FROM WHICH HE CAN ASSERT SHE'S BEEN MURDERED.

24 MR. GOUDE: (CONTINUING)

25 SHE IS AFRAID OF BEING MURDERED. SHE SAID

CLOSING ARGUMENT BY DEFENSE

331

1 THERE'S THIS KNIFE AT MY THROAT, I'M AFRAID OF BEING
2 MURDERED CAUSE HE SAID, BITCH, I'M GOING TO KILL YOU. ALL
3 RIGHT, NOW IF YOU'RE IN THE CAR THIS KNIFE HAS BEEN AT YOUR
4 THROAT, YOU'RE IN THE CAR, THIS KNIFE HAS BEEN AT YOUR
5 THROAT, YOU DRIVE RIGHT OUT ANTHUAN MAYBANK BOULEVARD, YOU
6 STOP RIGHT THERE AT THE STOP SIGN ---

7 MR. BRYAN: YOUR HONOR, I'M GOING TO OBJECT TO
8 THAT, TOO. THERE'S NOTHING IN THE RECORD ABOUT THE KNIFE
9 BEING AT THE THROAT, NEVER, CAUSE HE'S HOLDING A KNIFE UP
10 TO HIS THROAT IN FRONT OF THE JURY WHEN THAT'S NOT IN
11 EVIDENCE AND NOT REASONABLE TO ASSUME FROM THE EVIDENCE.

12 THE COURT: ALL RIGHT, THE JURY WILL HAVE TO
13 DETERMINE THE EVIDENCE FROM WHAT'S BEEN PRESENTED FROM THE
14 WITNESS STAND AND THE EVIDENCE AND NOT BY WHAT THE
15 ATTORNEYS SAY IS ABOUT THE ONLY THING I CAN DO TO HELP FOR
16 THAT, SOLICITOR.

17 MR. BRYAN: THANK YOU, YOUR HONOR.

18 MR. GOUDE: (CONTINUING)

19 LET'S SAY THE WOMAN SAID THE GUY HAS GOT THE
20 KNIFE AND APPARENTLY SHE SAID HE'S THREATENING HER WITH IT.
21 I RECKON THAT'S WHY THEY TOOK THE KNIFE INTO EVIDENCE. IF
22 IT'S IRRELEVANT THEN MAYBE THEY SHOULDN'T HAVE PUT THE
23 KNIFE INTO EVIDENCE. I THOUGHT THAT THEY WERE SAYING MY
24 CLIENT WAS THREATENING THE WOMAN WITH THIS KNIFE AND THAT'S
25 WHY THEY PUT IT INTO EVIDENCE, MAYBE THEY WERE NOT SAYING

CLOSING ARGUMENT BY DEFENSE

332

1 THAT, MAYBE THEY'RE SAYING IT WAS JUST ACCIDENTALLY IN THE
2 CAR, IF IT WAS ACTUALLY IN THE CAR, BUT IF AT SOME POINT
3 WHILE SHE SAYS HE WAS IN HER APARTMENT HE THREATENED HER
4 WITH THIS KNIFE PICTURE YOURSELF. YOU'RE IN THE CAR
5 DRIVING DOWN YOU GET RIGHT THERE TO ANTHUAN MAYBANK
6 BOULEVARD, NORTH STREET WHICH TURNS LEFT TO GO TO OXFORD
7 WITH GEORGETOWN MIDDLE AND GEORGETOWN HIGH SCHOOL STRAIGHT
8 ACROSS THE STREET IN FRONT OF YOU AND ROAD GUARDS AND
9 POLICE CARS STOPPED AND CARS STOPPING FOR KIDS TO WALK
10 ACROSS THE STREET. YOU'RE AFRAID HE'S GOING TO TAKE YOU
11 SOMEWHERE AND KILL YOU, YOU'RE SCARED TO DEATH, YOU'VE HAD
12 AN ASTHMA ATTACK, SO WHILE YOU'RE DRIVING 20 MILES AN HOUR
13 OR YOU'RE STOPPED FROM THE ROAD GUARD FOR THE KIDS TO CROSS
14 YOU JUST SIT THERE IN THE CAR. YOU SEE POLICE ALL AROUND
15 YOU, DOZENS OF PEOPLE ALL AROUND YOU, OTHER CARS ALL AROUND
16 YOU, TEACHERS GOING IN AND OUT OF THE HIGH SCHOOL, YOU'RE
17 SCARED YOU'RE GOING TO BE MURDERED. SHE SAID, HE SAID I'M
18 GOING TO KILL YOU, SO YOU JUST, WHILE YOU'RE SURROUNDED BY
19 THESE PEOPLE THAT IF YOU JUST ROLL YOUR WINDOW DOWN AND SAY
20 HELP I'M BEING KIDNAPPED, SAVE ME, MAYBE THEY CAN CALL SOME
21 OF THE DEPUTIES OR SOMETHING, THE PEOPLE RIGHT NEXT DOOR TO
22 YOU ON THE SIDEWALK, WALKING DOWN THE SIDEWALK GOING TO THE
23 GEORGETOWN NURSING HOME.
24 ON THE RIGHT HAND SIDE OF THE CAR THAT COMES FROM
25 THE HOUSING PROJECTS THAT'S ON THE CONWAY SIDE OF ANTHUAN

CLOSING ARGUMENT BY DEFENSE

333

1 MAYBANK BOULEVARD WALKING DOWN THE STREET COMING TO THE
2 SCHOOL COMING ACROSS POURING IN FROM ALL THE SECTIONS OF
3 GEORGETOWN THESE STUDENTS THAT ARE DRIVING CARS RIGHT IN
4 AND THE ROAD GUARD IS RIGHT IN THE MIDDLE OF THE HIGHWAY,
5 WOULDN'T YOU THINK IF YOU WERE SCARED TO DEATH AND SOMEBODY
6 WAS GOING TO KILL YOU THAT YOU WOULD AT LEAST ROLL YOUR
7 DURN WINDOW DOWN OR OPEN YOUR DURN DOOR AND GET RIGHT OUT
8 OF THE CAR.

9 YOU SEE DRIVE. IT DRIVES RIGHT UP TO
10 NORTH STREET AND YOU KNOW THAT THERE'S A STOP SIGN EVERY
11 TIME A SIDE STREET, YOU DON'T HAVE TO GET A CONSTRUCTION IN
12 HERE TO COME IN HERE AND TELL YOU WHAT YOUR COMMON SENSE
13 TOLD YOU ALL YOUR LIFE, YOU GOT STOP SIGNS AT ALL THESE
14 STREETS, YOU GOT TO STOP. WHY DIDN'T SHE JUST OPEN THE
15 DOOR AND GET OUT OF THE CAR.

16 WELL YOU SAY, WELL MY LITTLE BABY WAS IN THE BACK
17 SEAT OF THE CAR AND I THOUGHT HE MIGHT DO SOMETHING. WELL
18 HE NEVER, DID SHE EVER SAY THAT HE EVER THREATENED THE BABY
19 IN ANY WAY, NO, NEVER, DIDN'T SAY THAT. DID SHE EVER SAY
20 SHE WAS AFRAID HE WOULD HURT THE BABY, NO, SHE NEVER SAID
21 THAT EITHER. DID HE EVER, SHE EVER SAY THAT HE ACTED LIKE
22 HE WAS GOING TO, NO, NEVER.

23 SO YOU SAY, WELL WHY DO YOU SAY ALL THIS, REUBEN
24 GOUDE? WE KNOW IT DIDN'T HAPPEN. WHAT'S IT GOT TO DO WITH
25 ANYTHING? IT SHOWS IS EVERYTHING THAT'S PRESENTED BY THE

CLOSING ARGUMENT BY DEFENSE

334

1 PROSECUTION WITNESS CORRECT AND BELIEVABLE BECAUSE YOU USE
2 YOUR COMMON SENSE TO PUT YOURSELF IN THE SAME SITUATION.
3 IF I WAS THERE AND I THOUGHT I WAS BEING KIDNAPPED AND MAY
4 BE MURDERED, MAY BE MURDERED WITH A KNIFE WHEN SHE'S
5 SETTING IN THE CAR. WOULDN'T I TRY TO DO SOMETHING TO SAVE
6 MYSELF? WHEN I CAME OUT OF THE 34 DRIVE AND THEY'VE
7 GOT 50 APARTMENTS RIGHT AROUND MY HOUSE, FOUR DIRECTLY
8 BEHIND IT, THREE ON THE SAME BUILDING AS ME, ABOUT FOUR OR
9 FIVE BUILDINGS STRAIGHT ACROSS THE, BEHIND MY BUILDING,
10 SEVERAL OVER TO THE RIGHT OF MY BUILDING 4-F, SEVERAL DOWN
11 THE STREET TO THE LEFT FROM MY BUILDING IN 4-E, WOULDN'T I
12 AT LEAST HOLLER OR SOMETHING TO THE PEOPLE DRIVING BY ON
13 THE STREET GOING THE SCHOOL OR WORK OR THE KIDS WALKING?
14 WE GO, SHE SAYS I SIT IN THE CAR AND HE GOES
15 AROUND AND GETS IN THE DRIVERS SIDE. WELL WHEN HE GOES
16 AROUND THE CAR IF A COMMON SENSE PERSON THAT'S SCARED HE'S
17 GOING TO HURT ME AND HAD KIDNAPPED ME, I DON'T KNOW WHERE
18 HE'S GOING TO TAKE ME, JUST HAD A KNIFE ON, HE JUST CHOKED
19 ME, HE JUST SCRATCHED ME, WHEN HE WALKS AROUND THE CAR
20 WOULDN'T YOU AT LEAST OPEN YOUR DURN CAR DOOR AND GET OUT
21 OF THE CAR WHEN HE'S ON HIS SIDE OF THE CAR AND STAY ON
22 YOUR SIDE OF THE CAR AND WHEN HE TRIES, WHAT'S HE GOING TO
23 DO COME THROUGH THE CAR? WELL IF HE COMES THROUGH THE CAR
24 YOU CAN WALK AROUND THE FRONT OR RUN AROUND THE FRONT OF
25 THE CAR TO GET AWAY FROM HIM OR RUN AROUND TO THE BACK OF

CLOSING ARGUMENT BY DEFENSE

335

1 THE CAR. WHAT IF HE RUNS AROUND THE FRONT TO GET ME CAN'T
2 I RUN AROUND THE BACK TO GET AWAY FROM HIM? IF HE RUNS
3 AROUND THE BACK TO GET ME CAN'T I RUN AROUND THE FRONT OF
4 THE CAR TO GET AWAY FROM HIM. AREN'T THESE PEOPLE AROUND
5 US GOING TO SEE ALL THIS MESS? AREN'T ALL THESE OTHER
6 OCCUPANTS AND STUDENTS WALKING TO SCHOOL AND MAMAS AND
7 DADDIES GOING TO SEE THIS MESS AND CALL THE POLICE OR
8 EITHER COME OVER SAY, HEY, WHAT YA'LL DOING, PLAYING? YOU
9 KNOW THAT'S THE GREAT THING ABOUT COMMON SENSE, IF
10 SOMETHING DOES NOT JIVE WITH COMMON SENSE THEN THAT'S WHAT
11 DOUBT IS.

12 ALL RIGHT, SO SHE'S IN THE CAR. NOW THEY DRIVE
13 OVER TO LINCOLNSHIRE AND MCDONALD ROAD NEAR RONNIE'S MAMA'S
14 HOUSE AND THEY PARK THERE FOR A MINUTE OR TWO AND SHE SAYS
15 IT'S 8:18 THEN THEY DRIVE A BLOCK OR SO AWAY FROM WHERE
16 THERE'S CONSTRUCTION GOING ON AND A GUY THAT'S DOING
17 CONSTRUCTION IN HIS TRUCK WHERE WORKERS ARE. THEY BACKED
18 UP A TIME AND LOOK AT THEM AND SHE THREW UP ON THE PAVEMENT
19 OR SOMETHING AND THEN THEY GO TO RONNIE WILSON'S HOUSE
20 WHICH, YES, HE'S GOING TO KIDNAP, RONNIE'S GOING TO KIDNAP
21 THE WOMAN, THREATEN TO HURT HER, SO HE TAKES, HE TAKES HIS
22 GIRLFRIEND AND HIS DAUGHTER, LET ME SEE NOW, I AM
23 KIDNAPPING HER. I AM KIDNAPPING THE WOMAN, THE GIRLFRIEND
24 AND THE DAUGHTER. NOW LET ME SEE, I'M GOING TO GO HIDE
25 SOMEWHERE WHERE THERE'S NO WAY IN THE WORLD THEY'RE GOING

CLOSING ARGUMENT BY DEFENSE

336

1 TO FIND ME CAUSE I'VE GOT THIS KNIFE HERE AND I'M GOING TO
2 HURT SOMEBODY. LET ME SEE NOW, WHERE IS THE LEAST LIKELY
3 PLACE ON EARTH THAT THE POLICE ARE GOING TO LOOK FOR HER
4 AND THE LEAST LIKELY PLACE ON EARTH THAT FELITA'S MAMA IS
5 GOING TO CALL OR TELL THE POLICE THAT SHE'S WORRIED? LET
6 ME SEE, THE LEAST LIKELY PLACE WOULD IT BE WHERE I AM
7 STAYING FOR THE LAST FEW DAYS WITH MY MAMA, ALMINA, YEAH,
8 THEY WOULD NEVER THINK TO LOOK THERE SO I'M GOING TO GO
9 OVER TO 44 OXFORD LANE AND PARK THE CAR RIGHT ON THE STREET
10 WHERE WE NORMALLY PARK SO IF YOU'RE DRIVING DOWN THE STREET
11 LIKE ROGER STEWART WAS HE COULD JUST SEE US RIGHT THERE IN
12 THE CAR. SO IF THE MAMA CALLS THE POLICE THEY DRIVE RIGHT
13 DOWN THE STREET AND THEY'LL SEE US SITTING THERE IN THE
14 WHITE BUICK CAR, YEAH, I'M GOING TO GO OVER THERE CAUSE
15 THAT'S WHERE THEY WOULD NEVER LOOK FOR US. THAT'S THE MOST
16 OBVIOUS PLACE IN THE WORLD IF HE WAS DOING SOMETHING WRONG
17 NOT TO GO TO BUT THAT'S WHERE HE WENT SO THEY GO THERE TO
18 ALMINA'S.

19 THEN WHEN THEY'RE THERE, WHILE THEY'RE THERE A
20 LITTLE WHILE NOW OMEGA SAID THAT THEY'RE NORMALLY A CHEERY
21 COUPLE NOW THEY'RE WERE QUIET. HE SAID, DO YA'LL WANT
22 SOMETHING, ARE YA'LL OKAY, DO YA'LL WANT SOMETHING TO
23 DRINK, YOU WANT SOME JUICE OR SOMETHING. NOW REMEMBER THE
24 WOMAN HAD JUST TOLD RONNIE A WEEK OR SO BEFORE THAT WHEN HE
25 WAS OUT TILL 4:00 IN THE MORNING, LEAVE HER, LEAVE OR I'M

CLOSING ARGUMENT BY DEFENSE

337

1 GOING TO CALL THE POLICE AND SHE'S STILL GOT SOME DOUBTS IN
2 HER MIND. WAS HE SEEING ANOTHER WOMAN, YOU KNOW? DO YOU
3 LIKE HIM? HIS JOB HAS ENDED AND NOW HE DOESN'T HAVE HIS
4 MONEY COMING IN. HE PROBABLY HAD SAVED UP FOR A WEEK OR
5 TWO AT HIS JOB AND NOW HE'S BROKE AND NO ONE CARES BUT HIS
6 MAMA. DO I NEED HIM? IS HE OF ANY USE TO ME? CAN HE BE
7 OF ANY HELP? AND THERE'S NOTHING WRONG WITH THINKING,
8 THERE'S NOTHING WRONG WITH DATING PEOPLE THAT CAN HELP YOU.
9 LIFE IS EXPENSIVE, YOU'VE GOT GROCERIES, BILLS. IT'S
10 PERFECTLY LEGAL TO WANT A BOYFRIEND OR A GIRLFRIEND THAT
11 HAS A JOB OR HAS GOOD HEALTH AND LOOKS GOOD, OR WHATEVER
12 YOU WANT SO SHE'S THINKING THAT, NOT SURE IF HE WAS SEEING
13 A GIRL OR NOT SO SHE'S NOT, YOU KNOW, GOING TOGETHER
14 SATURDAY NIGHT TO THE WEDDING, WE'RE STILL FRIENDS AND
15 SUCH, NOT SO SURE, BUT ANYWAY THEY'RE QUIET.

16 WHILE THEY'RE THERE IF YOU WERE BEING KIDNAPPED
17 WOULDN'T YOU TELL OMEGA TO HELP YOU. WHEN YOU'RE SITTING
18 IN THE CAR AND ROGER STEWART AND ANOTHER MAN DRIVES UP ON
19 THE STREET AND SEES THEM THERE IN BROAD DAYLIGHT WOULDN'T
20 YOU TELL ROGER AND THE GUY TO HELP YOU.

21 WHEN THEY GET TO THE HOUSE AND ALMINA, I ASKED
22 HER, YOU KNOW, DIRECTIONS TO THE ROOM SO I COULD PRESENT IT
23 TO YOU WHEN I'M TALKING WITH YOU RIGHT NOW, AND ALMINA SAID
24 WELL IF YOU'RE IN THE HOUSE IT WAS ON THE, THE DEN WAS ON
25 THE LEFT END AND OMEGA SAID IT WAS ON THE RIGHT END. I

CLOSING ARGUMENT BY DEFENSE

338

1 THINK, I WAS THINKING ABOUT THAT THING THIS MORNING IN THE
2 SHOWER HOW COULD SHE NOT KNOW HER OWN ROOMS IN HER HOUSE?
3 AND I SAID, WELL IF SHE TURNED AROUND AND WAS COMING OUT
4 THE FRONT DOOR, CAUSE I ASKED HER IF YOU WERE AT THE FRONT
5 DOOR WHICH END WOULD THESE THINGS BE ON, WELL THEN THE DEN
6 WOULD BE ON THE LEFT JUST LIKE SHE SAID ON THE STAND WHICH
7 I WAS TRYING TO SAY IF YOU'RE COMING INTO THE LIVING ROOM
8 SHE SAID IT WOULD BE ON THE LEFT WHICH WOULD BE ON A
9 DIFFERENT END OF THE HOUSE FROM WHERE IT REALLY IS? BUT
10 YOU CAN SEE IN THE PICTURES THAT SHE SAID THEY CLOSED IN
11 HER CARPORT AND USED THAT FOR THE DEN SO YOU CAN TELL ON
12 OUR EXHIBIT 8(B) WHERE YOU CAN SEE THE FRONT OF THE HOUSE
13 AND YOU CAN SEE THE DRIVEWAY THAT COMES RIGHT UP AT ONE END
14 OF THE HOUSE SO THAT WOULD BE WHERE THE DEN IS, THE CLOSED
15 IN, THAT HAD BEEN A CARPORT THAT'S NOW CLOSED IN. AND YOU
16 CAN SEE THE DRIVEWAY COMING THERE AT THE END OF THE
17 DRIVEWAY AND THAT'S WHERE THE DEN IS. AND REMEMBER ALMINA
18 SAID WE HAD A TELEPHONE IN THE DEN ON THAT END OF THE HOUSE
19 AND THEY BOTH, ALMINA AND OMEGA, SAID THE BATHROOM IS ON
20 THE OPPOSITE END OF THE HOUSE FROM THE DEN WHERE THE
21 BEDROOMS ARE AND ALMINA SAID WE ALSO HAD A TELEPHONE IN MY
22 BEDROOM DOWN THERE. SO THERE'S A PHONE IN EACH END OF THE
23 HOUSE, ONE WHERE THE BATHROOM IS ONE ON THE OTHER END WHERE
24 THE DEN IS.

25 REMEMBER THE WOMAN AND OMEGA SAID RONNIE WAS IN

CLOSING ARGUMENT BY DEFENSE

339

1 THE BATHROOM. HE TOOK A SHOWER AND THE WOMAN, THE
2 PROSECUTION WITNESS IS SITTING ON A LITTLE BENCH. YOU CAN
3 SEE IN 8(A), IN FRONT OF THE HOUSE MAY THE 9TH NOW AND
4 OMEGA SAID IT WAS ABOUT 8:15 OR 8:20 WHEN THEY GOT THERE
5 AND THE WOMAN HAD SAID IT WAS 8:18 ON THE CAR CLOCK WHEN
6 THEY GOT TO THAT SECTION OF LINCOLNSHIRE SO IT MUST HAVE
7 BEEN ABOUT 8:20 WHEN THEY GOT TO THE HOUSE JUST LIKE OMEGA
8 SAID.

9 SUNNY DAY, MAY, SHE'S SITTING ON THE FRONT PORCH,
10 RONNIE GOES IN THE BATHROOM AND TAKES A SHOWER. NOW WOULD
11 ANYBODY THAT IS BEING KIDNAPPED AND THEIR HOUSE HAS BEEN
12 BURGLARIZED AND THEY'VE HAD A KNIFE ON THEM, WOULD ANYBODY
13 SIT IN FRONT OF THE HOUSE ON THE BENCH WHILE RONNIE'S IN
14 THE BATHROOM TAKING A SHOWER AND YOU JUST SIT THERE AND
15 WAIT ON HIM TO TAKE A SHOWER, PUT CLOTHES ON, FRESH CLOTHES
16 ON, I THINK HE SAID HE CHANGED HIS CLOTHES, AND COME BACK
17 OUT TO THE PORCH TO GET YOU? IF YOU WERE AFRAID AND SCARED
18 WOULDN'T YOU GO TO THE END, TO THE OTHER SIDE OF THE HOUSE
19 FROM THE BATHROOM AND CALL 911? WOULDN'T YOU GO IN ONE OF
20 THE BEDROOMS WHEN RONNIE WAS IN THE SHOWER TAKING A BATH
21 AND CALL 911? WOULDN'T YOU WALK OFF OF THE BENCH INTO ONE
22 OF THE NEIGHBORING HOUSES? ALL OF THEM THEN ALMINA SAID
23 WAS OCCUPIED, AND ONE NOW THE PEOPLE STRAIGHT ACROSS THE
24 HIGHWAY IS NOT LIVING THERE, BUT THEN SHE SAID EVERY HOUSE
25 AT THEM WAS OCCUPIED AND YOU CAN SEE FROM 8(C) IT SHOWS

CLOSING ARGUMENT BY DEFENSE

340

1 LINCOLNSHIRE AND OXFORD THE HOUSES ARE VERY CLOSE TOGETHER
2 AND YOU CAN SEE FROM 8(B) THE HOUSES EVEN ACROSS THE STREET
3 ON PLAYER ARE EVEN VISIBLE WITH THIS LITTLE INSTANT CAMERA
4 PICTURE AND THE HOUSES DOWN THE STREET ON PLAYER IN THE
5 BACKYARD AS IF THE BACKYARD HAS SOME KIND OF THING TO HIDE
6 FROM. YOU CAN SEE THE STREET GOES RIGHT BY THE BACKYARD AS
7 WELL AS IT DOES THE FRONT YARD AND THAT THERE IS HOUSES
8 RIGHT BEHIND THE BACK OF THE HOUSE. THERE'S NO WALL OR
9 NOTHING TO STOP YOU. THERE'S NOWHERE TO HIDE.
10 WOULDN'T YOU AT LEAST, THERE'S NOWHERE TO HIDE, NOWHERE TO
11 HIDE THE VEHICLE FROM THE SHERIFF'S DEPUTIES RIDING ON THE
12 STREET OR FROM ANY OF THE NEIGHBORS THAT'S LOOKING IF
13 THERE'S ANYTHING GOING ON. WOULDN'T YOU AT LEAST, IF YOU
14 WERE BEING KIDNAPPED AND IN FEAR OF YOUR LIFE, IF SOMEBODY
15 TOLD YOU THEY WERE GOING TO KILL YOU AND HAD A KNIFE IN
16 THEIR HAND AND THEY SAID THAT WOULDN'T YOU AT LEAST LEAVE
17 THE HOUSE AND GO HIDE BEHIND THE NEIGHBOR'S HOUSE?
18 WOULDN'T YOU AT LEAST HAVE KNOCKED ON THE DOOR, WOULD YOU,
19 PLEASE, CALL THE POLICE, I'VE BEEN KIDNAPPED AND THREATENED
20 WITH MY LIFE, A MAN'S GOT A KNIFE ON ME? WOULDN'T YOU DO
21 THAT, WOULDN'T ANYBODY WITH ANY HORSE SENSE, NOT EVEN HORSE
22 SENSE, A HORSE KNOWS TO RUN WHEN THEY'RE SCARED, YOU'D HAVE
23 TO HAVE NO SENSE AT ALL? YOU'D HAVE TO HAVE THE SENSE LESS
24 THAN A EARTHWORM AND AN EARTHWORM IF YOU'VE EVEN WENT TO
25 DIG FISH BAIT AND YOU DIG THAT HOLE IN THE GROUND THE

CLOSING ARGUMENT BY DEFENSE

341

1 EARTHWORMS WILL RUN FROM YOU, THEY TRY TO GET BACK IN THE
2 DIRT. WOULDN'T EVEN A HUMAN BEING THAT'S WORKING IN A LAW
3 OFFICE HAVE SENSE ENOUGH TO HAVE USED ONE OF THOSE PHONES
4 OR TO LEAVE THAT HOUSE AND GO HIDE?

5 OMEGA IS PLAYING WITH THE BABY, WELL I'M HERE TO
6 PROTECT, HOW IS SHE PROTECTING THE BABY. IF RONNIE IS
7 GOING TO KILL HER WITH THE KNIFE HOW IS THAT GOING TO
8 PROTECT THE BABY.

9 THIS STUFF IS SO OBVIOUS THAT I ASSUME ALL OF YOU
10 KNOW EVERYTHING I'M SAYING BUT THIS IS TO DO MY JOB IS TO
11 MAKE SURE THAT IT'S PERFECTLY CLEAR I'M SAYING ALL THIS
12 STUFF.

13 ALL RIGHT, LET'S SAY THEY'RE TALKING. ALL RIGHT,
14 HE FINISHES THE SHOWER, CHANGES HIS CLOTHES, ABOUT 10 OR
15 10:30, WHENEVER THERE AT LINCOLNSHIRE AT 8:18. ROGER
16 STEWART SAID IT'S ABOUT 10 OR 10:30 HE DRIVES BY WITH HIS
17 FRIEND AND HE SEE RONNIE THERE, HEY, RONNIE. RONNIE COMES
18 OVER AND TALKS WITH HIM, HEY MAN I LOST MY JOB, I DID
19 SOMETHING WRONG AT THE GOLF COURSE OR WHATEVER AND STOPPED
20 AND BOUGHT A BEER AND GOING TO DRINK IT WHEN I GET HOME AND
21 RONNIE SAYS, WELL I BEEN SPENDING TIME WITH MY FAMILY AND
22 THE LITTLE GIRL, THREE-YEAR-OLD OPENS THE DOOR AND SAYS,
23 DADDY, LET'S GO. DOES THE LITTLE GIRL, I THOUGHT THAT WAS
24 KIND OF IMPORTANT, DOES THE LITTLE GIRL SAY, MAMA IS
25 CRYING? THREE YEAR OLDS CAN TALK, YOU KNOW, CAUSE THAT

CLOSING ARGUMENT BY DEFENSE

342

1 EVIDENCE CAME OFF THE STAND THAT THE THREE-YEAR-OLD WAS
2 TALKING AND IT WAS MAY, AUGUST, THREE, JUNE, JULY, AUGUST,
3 IN TWO OR THREE MONTHS SHE WOULD HAVE BEEN THREE. THE
4 WITNESS SAID THAT'S WHAT THE CHILD SAID.

5 IF THE MAMA WAS SCARED TO DEATH AND RONNIE WILSON
6 HAS GOT A KNIFE THAT'S IN THE CAR AND SHE'S AFRAID HE'S
7 GOING TO USE ON HER, WHICH IS THIS EXHIBIT IN THIS PLASTIC
8 BAG, AND IT'S LAYING ON THE DASH OF THE CAR BESIDE A CD
9 PLAYER THAT'S ON THE DASH OF THE CAR, IT'S NOT A BUILT IN
10 ONE BUT A LAYING ON THE DASH CD PLAYER, IF THE WOMAN,
11 WOULDN'T SHE BE SCARED TO DEATH? WELL NOW WE'RE LEAVING
12 THIS SAFE HOUSE AND HE'S GOING TO TAKE US INTO THE WOODS OR
13 SOMEWHERE AND KILL ME, WOULDN'T THE WOMAN HAD HOLLERED TO
14 ROGER STEWART AND THE OTHER GUY? WOULDN'T SHE SAY, HELP?
15 WOULDN'T SHE HAVE GOTTEN OUT THE CAR AND GRABBED THE BABY
16 AND RUN AROUND THE HOUSE?. RONNIE WILSON IS BACK THERE AT
17 THE CAR WITH ROGER STEWART.

18 WOULDN'T THE LITTLE BABY, IF THE BABY SAID
19 SOMETHING LIKE, MAMA IS CRYING, DADDY IS BEATING MAMA,
20 DADDY HIT MAMA. REMEMBER SHE SAID, THE PROSECUTING WITNESS
21 SAID RONNIE CHOKED ME IN THE HOUSE THAT MORNING AT THE
22 APARTMENT, COME THERE AND CHOKED ME AND SCRATCHED ME AND
23 THE BABY WAS RIGHT THERE, WOULDN'T THE BABY HAVE SAID WHEN
24 THEY GOT TO OMEGA'S HOUSE, DADDY CHOKED MAMA? BECAUSE KIDS
25 WILL TELL EVERYTHING THAT THEY SEE, DADDY CHOKED MAMA,

CLOSING ARGUMENT BY DEFENSE

343

1 DADDY BEAT MAMA, DADDY MADE MAMA CRY. ISN'T THAT THE WAY
2 THREE YEAR OLDS DO? OMEGA IS THE UNCLE, THE CHILD'S UNCLE,
3 BUT THE CHILD SAID SOMETHING LIKE THAT TO ROGER INSTEAD OF
4 DADDY COME ON LET'S GO.

5 ALL RIGHT, THEN THEY LEAVE, THEN REMEMBER THE
6 PROSECUTING WITNESS SAID THEY HE DROVE TO SAMPIT, WAS GOING
7 TO VISIT RONNIE'S UNCLE THAT LIVED IN SAMPIT AND COULDN'T
8 LOCATE THE HOUSE AND SO HE STOPPED AT THE HEALTH CLINIC
9 PARKING LOT AND TALKED A FEW MINUTES.

10 ALL RIGHT, WEDNESDAY, MAY THE 9TH, THE MIDDLE OF
11 THE WEEK THE HEALTH CLINIC IN SAMPIT NOW IT'S, ROGER SAID
12 HE WAS THERE BETWEEN 10 AND 10:30. OMEGA SAYS THEY STAYED
13 THERE AN HOUR, HOUR AND A HALF OR SO ABOUT 10:30 TO 10:00,
14 ROGER STEWART SAID THAT HE SAW THEM THERE BETWEEN 10 AND
15 10:30 AND THEY DRIVE TO SAMPIT. REMEMBER THE POLICEMAN
16 SAID IT WAS ABOUT 12:15 NOON THEY ARRESTED, FOUND THE KNIFE
17 AND ARRESTED RONNIE, SO FROM 10 OR 10:30 THERE AT THE HOUSE
18 WHERE ROGER STEWART SAID THEY LEAVE AND THEY DRIVE TO
19 SAMPIT. YOU'LL SEE, WITH COMMON KNOWLEDGE SAMPIT IS IN THE
20 SOUTHERN PORTION OF THE COUNTY LIKE IF YOU'RE GOING TO
21 ANDREWS YOU TAKE A LEFT GOING TO LAMBERTOWN SECTION, SAINTS
22 DELIGHT SECTION, TURN LEFT OVER IN THERE WHERE PENNYROYAL
23 ROAD AND ST. POWELL ROAD AND ALL THAT STUFF IS THAT'S
24 SAMPIT AND YOU CAN SEE ON THE MAP THAT ON OUR EXHIBIT 2 IF
25 YOU LEAVE GEORGETOWN YOU DRIVE DOWN HIGHMARKET AND 17A AND

CLOSING ARGUMENT BY DEFENSE

344

1 521 TURN LEFT ON 17A SAINTS DELIGHT ROAD, DRIVE DOWN AND
2 YOU TURN LEFT ON POWELL ROAD OVER THERE WHERE SAMPIT IS
3 WHICH LOOKS TO BE MAYBE 10 MILES OR SO ON THIS MAP EACH WAY
4 COME BACK THAT'S 15 MILES, 15 MINUTE DRIVE THERE, 15 MINUTE
5 DRIVE BACK, 30 MINUTES AND THEY STOP AT THE HEALTH CLINIC
6 AND WOULDN'T THERE PEOPLE AROUND AT THE HEALTH CLINIC
7 PARKING LOT THAT YOU COULD HAVE HOLLERED FOR HELP OR
8 SOMETHING.

9 WOULDN'T THERE BE A LOT OF STOP SIGNS OR
10 SOMETHING LEAVING, WELL YOU DON'T EVEN HAVE TO WORRY ABOUT
11 STOP SIGNS ANYMORE IF YOU'RE NOT GOING TO RUN WHEN YOU'RE
12 SITTING ON A BENCH AND THE MAN IS IN THE BATHROOM TAKING A
13 SHOWER, NAKED AS A JAY BIRD, WONDER IF HE CARRIED THE KNIFE
14 IN THE SHOWER WITH HIM, SEE THERE'S ANY RUST ON THIS BLADE
15 FROM WATER FROM THE SHOWER. NO, I DON'T SEE ANY. WONDER
16 IF HE LEFT THE KNIFE IN THE CAR WHEN HE WENT INTO THE
17 SHOWER. OMEGA DIDN'T SAY ANYTHING ABOUT HAVING A KNIFE,
18 SEEING RONNIE WITH A KNIFE.

19 WONDER IF RONNIE HAD THE KNIFE, I THINK THE WOMAN
20 SAID HE TOOK IT OUT OF HIS LEFT BACK POCKET, WONDER IF HE
21 HAD THE BLADE POINTED UP WHEN HE HAD IT IN HIS LEFT BACK
22 POCKET SO THAT IF HE SIT DOWN IN THE CAR WITH IT OR SIT
23 DOWN ANYWHERE WITH IT LIKE AT HIS HOUSE HE COULD STAB
24 HIMSELF VERY NICELY IN THE BACK KIDNEY OR IF HE HAD THE
25 BLADE POINTED DOWN IN HIS POCKET, IN HIS BACK POCKET SAY IF

CLOSING ARGUMENT BY DEFENSE

345

1 HE SAT DOWN LIKE THAT IN THE CAR OR IN HIS HOUSE HE CAN
2 STAB HIMSELF VERY NICELY IN THE LEG OR PUNCTURE THROUGH HIS
3 TROUSERS INTO THE SEAT OF THE CAR OR THE COUCH HE WAS
4 SITTING ON?

5 WONDER IF HE LEFT IT IN THE CAR WHILE HE WENT IN
6 AND TOOK A SHOWER OR WENT INTO HIS HOUSE SO HIS BROTHER
7 OMEGA WOULDN'T SEE IT AND HE LEFT IT IN THE CAR? WELL
8 WONDER WHY THE WOMAN COULDN'T GO BACK TO THE CAR WHILE HE'S
9 TAKING, RONNIE IS TAKING A SHOWER AND GET THE KNIFE OFF THE
10 DASH AND GO GET HER KID FROM OMEGA AND JUST WALK DOWN THE
11 STREET, GOING BACK TO MY 34 DRIVE THE KNIFE IN ONE
12 HAND AND THE BABY IN THE OTHER HAND AND RONNIE WILSON BIG
13 BAD COMING OUT THERE IN BROAD DAYLIGHT BETWEEN 8:30 AND
14 10:00 IN THE MORNING WITH CARS PASSING BY, THE SHERIFF'S
15 DRIVING DOWN THE ROAD, AND SAYS, I'M GOING TO KILL YOU, GET
16 BACK IN THAT CAR, COULDN'T SHE JUST SAY COME ON AND I'LL
17 GIVE YOU SOME OR SOMETHING LIKE THAT WITH THE KNIFE IN HER
18 HAND. WHAT WOULD PREVENT HER FROM DOING THAT.

19 WITH THIS STUFF THAT'S I'M SAYING YOU GOT TO HAVE
20 A PHYSICS DEGREE FROM MASSACHUSETTS INSTITUTE OF
21 TECHNOLOGY, NO. EVERYTHING I'M SAYING IS PURE COMMON HORSE
22 SENSE TO ANYBODY THAT'S 20 YEARS OLD IS GOING TO KNOW. IF
23 THEY'VE NEVER BEEN TO SCHOOL A DAY IN THEIR LIFE THEY'RE
24 GOING TO KNOW TO DO THAT YOU GOT TO PROTECT YOURSELF. YOU
25 DON'T HAVE TO GO TO SCHOOL TO HAVE SELF PRESERVATION. CAVE

CLOSING ARGUMENT BY DEFENSE

346

1 MEN HAD SELF PRESERVATION; THEY DIDN'T HAVE ANY EDUCATION.
2 THEY DIDN'T HAVE LAWYERS. THEY DIDN'T HAVE LEGAL PADS
3 WHERE YOU DRAW UP ALL THESE NOTES THAT SAY ALL THIS GENIUS
4 STUFF, IF IT IS GENIUS STUFF OR IGNORANT STUFF, IT'S
5 IGNORANT STUFF. EVERYBODY KNOWS HOW TO SURVIVE. WOULDN'T
6 SHE HAVE DONE THAT.

7 ALL RIGHT, SO THEY'RE IN THE CAR AND THEY DRIVE -
8 - NOW HE'S KIDNAPPED HER, THREATENED TO KILL HER AT HER
9 HOUSE, HAS THEM IN THE CAR AND THE KNIFE SO HE CAN KILL HER
10 WHENEVER THE WHIM COMES TO HIM IN THE CAR.

11 NOW WE WENT TO THE ONE PLACE ON EARTH THAT THE
12 POLICE WOULD NEVER THINK TO LOOK FOR ME WHICH IS MY HOME
13 THAT ALMINA'S, THE PROSECUTING WITNESS' MAMA KNOWS WHERE I
14 LIVE SINCE SHE CALLED OVER THERE THAT MORNING. WE'VE BEEN
15 BOYFRIEND AND GIRLFRIEND'S FOR A LONG TIME, EVERYBODY KNOWS
16 WHERE EACH OTHER IS LIVING SO I AM SO STUPID THAT I'LL GO
17 TO MY HOUSE AND TAKE A SHOWER WHEN I'M KIDNAPPING HER THEN
18 WHERE IS THE NEXT MOST LESS LIKELY PLACE ON EARTH THAT
19 ANYBODY WOULD EVER GO TO GET EVIDENCE OF THE KIDNAPPING OF
20 THIS WOMAN OR TO MAKE SURE SHE WASN'T IN HER OWN HOUSE AND
21 THAT THERE REALLY WAS NO KIDNAPPING, WHERE WOULD THAT BE.
22 WHERE COULD I GO TO HIDE SO THAT I'D BE SURE THE POLICE
23 WOULDN'T CATCH ME AND ARREST ME. I KNOW I'LL GO BACK TO
24 HER HOUSE WHERE THE POLICE ARE PROBABLY THERE SEARCHING FOR
25 FINGERPRINTS OR EVIDENCE OR CLUES OR SOMETHING AND THAT WAY

CLOSING ARGUMENT BY DEFENSE

347

1 I CAN HIDE. THAT IS SO STUPID TO GO RIGHT BACK, TAKE HER
2 RIGHT BACK TO HER APARTMENT.

3 SPEAKING OF FINGERPRINTS WAS THERE ANY EVIDENCE
4 OR TESTIMONY THAT THIS KNIFE THAT WAS ON THE DASH OF THE
5 CAR WAS EVER FINGERPRINTED OR HAD ANY FINGERPRINTS OF
6 RONNIE CAUGHT ON IT? NOPE, NOT A WORD, AND THE OLD KNIFE
7 SINCE WE'RE TALKING ABOUT IT WHERE IN THE BELOVED
8 PHOTOGRAPH TAKEN BY THE POLICE THAT MORNING FRESH FROM THE
9 SCENE WHERE IS THE KNIFE LOCATED IN THE CAR. ISN'T THE
10 KNIFE LOCATED ALMOST TOTALLY TO THE PASSENGER SIDE FRONT
11 WINDOW? ISN'T IT EVEN TO THE RIGHT OF THE DOOR OF THE
12 GLOVE BOX IN THE CAR? ISN'T THAT RIGHT WHERE THE
13 PROSECUTION WITNESS WAS SITTING, RIGHT IN FRONT OF HER.
14 WELL WHY WOULD HE PUT THE KNIFE, RONNIE PUT THE KNIFE RIGHT
15 IN FRONT OF HER WHERE SHE COULD KILL HIM IF HE WAS
16 THREATENING HER?

17 WHAT DO YOU SAY, REUBEN GOUDE? THERE IS A KNIFE
18 THERE, WE SEE IT WITH OUR EYES. THAT MEANS IT GOT THERE
19 SOME WAY AT SOME TIME AND BELONGED TO SOMEBODY. NOW IF
20 YOU'RE SO SMART WHAT IS THE ANSWER TO THAT? WELL NOBODY
21 EXACTLY SAID IT OTHER THAN THE PROSECUTING WITNESS SO THIS
22 WOULD HAVE TO BE TRUE. WELL IF THE PROSECUTION WITNESS HAS
23 NOT BEEN EXACTLY TRUTHFUL BECAUSE OF THE LOVING BOYFRIEND
24 HAS BOUGHT HER ALL THIS STUFF AND LIVED WITH HER FOR SO
25 LONG, HAD A KID WITH HER AND WAS THERE IN HER APARTMENT AND

CLOSING ARGUMENT BY DEFENSE

348

1 IS ON THE NO TRESPASS LIST AND THEY HERE AND THE GIRL
2 THINKS TO HERSELF, AND THIS IS NOT SOMETHING SHE HAD TO
3 THINK OF THEN, THEY'VE THOUGHT OF THIS FOR MONTHS CAUSE
4 HE'D BEEN COMING VIOLATING THE NO TRESPASS LIST FOR MONTHS
5 SO YOU KNOW THEY THOUGHT OR SHE'S THOUGHT WHAT TO DO IF
6 SOMETHING HAPPENS IN THE LAST FEW MONTHS. SHE DOES NOT
7 WANT TO LEAVE THAT APARTMENT.

8 THEY GOT DOORS AND THEY'VE GOT EYES AND THEY SEE
9 THIS POLICE AND HER AUNT, REMEMBER SHE SAID HER AUNTS WERE
10 THERE, HER MOTHER'S SISTER, WHO HER MAMA DON'T LIKE RONNIE.
11 SHE HAS CALLED AROUND TO THE HOUSE AND THE DAUGHTER'S NOT
12 THERE AT 7:30 IN THE MORNING IN THE APARTMENT WHEN HER MAMA
13 CALLS AND THE MAMA IS THE ONE THAT CALLED THE POLICE
14 BECAUSE AT 7:30 SHE CALLED HER AND SHE'S NOT THERE WHEN SHE
15 CALLED HER AND SHE'S NOT HERE. NOW IT'S WORK TIME AND THE
16 MAMA CALLS THE POLICE OR WHATEVER, THE POLICE DISPATCH 911.

17 SO THE GIRL SEES THE POLICE, KNOWS THAT RONNIE,
18 IT'S NOW 12:15 NOON, THE HOUSING AUTHORITY PEOPLE ARE IN
19 THEIR OFFICE AND ARE AROUND AND ABOUT. THE POLICE ARE
20 HERE. THEY'RE LAWFUL PEOPLE. IF THEY COME IN OR SEE
21 SOMETHING AND MAKE A REPORT THEY'RE GOING TO REPORT THAT
22 RONNIE WILSON IS HERE, THE HOUSING AUTHORITY IS GOING TO
23 SEE THIS, KNOW ABOUT IT, EXPEL ME FROM THIS \$50 A MONTH
24 PROJECT AND MAKE ME GO PAY 650 TO 1000 THAT I NOW HAVE NO
25 BOYFRIEND THAT'S MAKING ANY MONEY SO I DON'T HAVE ANY MONEY

CLOSING ARGUMENT BY DEFENSE

349

1 TO BUY ONE, THAT MEANS I'M GOING TO HAVE TO GO HOME WITH
2 MOM. I GO SOMEWHERE TO GET MORE MONEY TO GET ANOTHER
3 APARTMENT SO I THINK THE POLICE OFFICER SAID THAT THE
4 PERSON WAS SHAKING WHEN THEY CAME TO THE DOOR AND LOOKED
5 LIKE THEY HAD BEEN CRYING OR WAS CRYING.

6 NOW WHEN YOU SHAKE, WHEN YOU START SHAKING THIS
7 IS BECAUSE YOU ARE A SUDDEN FRIGHT OR YOU GET SCARED RIGHT
8 NOW. OMEGA DIDN'T SAY ANYTHING ABOUT SEEING HER SHAKING
9 WHEN SHE WAS OVER THERE FOR AN HOUR AND A HALF. DO WE
10 THINK SHE SHOOK FROM 7:30 TO 12:15 WHICH IS ALMOST FIVE
11 HOURS, WAS SHE SHAKING THE WHOLE TIME?

12 WOULDN'T A SUDDEN FRIGHT THE POLICE ARE HERE,
13 RONNIE IS IN THE APARTMENT, I'M GOING TO LOSE MY APARTMENT,
14 WOULDN'T THAT BE ENOUGH TO GIVE A WOMAN WHO HAS ASTHMA THE
15 THOUGHTS OF LOOSING THIS APARTMENT? WOULDN'T THAT BE
16 ENOUGH TO UPSET YOU? SHE GOT UPSET AND CHOKED YESTERDAY ON
17 THE WITNESS STAND. THAT'S ANXIETY, WELL LOOSING YOUR
18 APARTMENT IS ANXIETY.

19 YOU SAY, WELL WHY DIDN'T SHE JUST SAY WELL RONNIE
20 IS RIGHT HERE, EVERYTHING IS FINE, EVERYTHING IS LOVELY,
21 BUT I'LL LOSE THE APARTMENT. DID SHE SAY, WELL HE'LL SPEND
22 30 DAYS IN JAIL FOR TRESPASSING AGAINST THE HOUSING
23 AUTHORITY BUT SHE WOULD LOSE THE APARTMENT SO IT'S DOWN TO
24 HER AND HER BABY AND A LOT OF PEOPLE WILL THINK, DO
25 SOMETHING LIKE THAT AND THEY WILL SAY, WELL REALLY I'M

CLOSING ARGUMENT BY DEFENSE

350

1 LOOKING OUT FOR MY BABY SO EVEN THOUGH RONNIE, THE
2 BOYFRIEND, TOOK CARE ME AND MY BABY. I'LL BLAME IT ALL ON
3 THE BABY. I'VE GOT TO MAKE A DECISION FOR MY BABY. HE'LL
4 JUST HAVE TO GO TO PRISON SO MY BABY CAN HAVE THIS
5 APARTMENT. I SHOULDN'T HAVE BEEN SEEING OLD RONNIE. I
6 SHOULD HAVE TOLD THE HOUSING AUTHORITY WHEN HE FIRST CAME
7 OVER IN FEBRUARY. I SHOULD HAVE CALLED THEM AND SAID HE'S
8 GOING TO COME BACK TONIGHT OR TOMORROW HAVE A DEPUTY WAIT
9 RIGHT THERE AND THEY CAN ARREST HIM AND PUT HIM IN JAIL FOR
10 30 DAYS. I SHOULD HAVE DONE THAT BUT, NO, THE POLICE ARE
11 HERE, I'M IN THE APARTMENT AND I'M SCARED AND I'M CRYING.
12 WELL THEY SAY SHE ALSO HAD A SCRATCH ON HER FACE.
13 YOU WILL SEE THAT THESE PICTURES ARE BLOWN UP ABOUT AS BIG
14 AS THEY CAN BE BLOWN UP. YOU CAN COUNT DOTS, LITTLE BUMPS
15 ON HER FACE. THE OPENING OF HER NOSE ON THAT PICTURE IS
16 THAT LONG, MY FINGERTIP, ALMOST TO MY FIRST JOINT. MY NOSE
17 OPENING IS NOT THAT BIG. WHAT DOES THAT MEAN, WELL THAT
18 MEANS THE PICTURE IS BLOWN UP SO THAT YOU CAN SEE IF THERE
19 IS ANYTHING, ANY TYPE OF SCRATCH ON HER FACE.
20 WHAT I SEE IS I SEE ONE SCRATCH HERE WHICH IS THE
21 SIZE OF A PIMPLE WHICH IS ON THE LEFT, THE LEFT PART OF HER
22 FACE, ABOUT WHERE I'M POINTING ON MY FACE BETWEEN THE NOSE
23 AND THE MIDDLE AND I SEE TWO RED MARKS UNDER THE LEFT
24 NOSTRIL HERE. ON THE LEFT NOSTRIL I SEE TWO SCRATCHES IN
25 THIS BLOWN UP PICTURE WHERE HER LIPS ARE AS BIG NEARLY

CLOSING ARGUMENT BY DEFENSE

351

1 ABOUT AS MY WHOLE HEAD IS WIDE.

2 THE POINT OF THAT IF YOU LOOK AT SOMEBODY IN REAL
3 LIFE THAT PIMPLE SIZE MARK IS NOT GOING TO BE THAT BIG.
4 IT'S GOING TO BE THE SIZE OF MAYBE A GNAT OR A FLEA, LIKE A
5 PIMPLE THAT YOU POPPED ON YOUR FACE, THAT WAS THE SIZE OF
6 THESE MARKS IN REAL LIFE, BUT THERE IS A SCRATCH LOOKS TO
7 ME LIKE OR SOMETHING RED, IT LOOKS LIKE A SCRATCH. I THINK
8 THE DOCTOR SAID THERE'S A SCRATCH OVER IN THIS PICTURE
9 ABOVE THE LIP AND THERE MAY BE A LITTLE SOMETHING UNDER
10 THIS EYE.

11 HE SAID THEY TOOK X-RAYS AND STUFF AND THERE WAS
12 NO, HOW DO YOU CALL IT, NO MUSCULAR OR NO TISSUE, NO TISSUE
13 DAMAGE AND NO BONE DAMAGE. THE MARK ON THE NECK IN EXHIBIT
14 5 YOU CAN SEE SOMETHING FRESH? VERY LITTLE AND ON EXHIBIT 4
15 THERE'S A LITTLE SOMETHING ON THE SIDE OF THE NECK. NOW
16 WHAT THAT CAME FROM, WHETHER THAT CAME FROM HANDS, HIS
17 HANDS, HER HANDS, SLEEPING WITH A PAJAMA TOP TOO TIGHT
18 AROUND YOUR NECK. IF YOU'VE EVER WOKEN UP AT NIGHT WHEN
19 THE PAJAMA TOP OR YOUR SWEATSHIRT TOP IS PULLED AROUND YOUR
20 NECK THAT YOU CAN'T HARDLY BREATHE, WHETHER THE SCRATCHES
21 CAME FROM HANDS THAT SHE SCRATCHED HERSELF OR THE BABY
22 SCRATCHED HER WHEN THEY WERE PLAYING IN THE CAR WHEN ROGER
23 STEWART SAID THE BABY WAS JUMPING UP AND DOWN IN THE BACK
24 SEAT PLAYING WITH THE PROSECUTION WITNESS WHEN ROGER
25 STEWART WAS TALKING WITH RONNIE.

CLOSING ARGUMENT BY DEFENSE

352

1 NOW THE KNIFE, HOW WOULD THE KNIFE BE IN THE CAR
2 IF HE DIDN'T PUT IT THERE. DID YOU EVER USE A KNIFE TO
3 OPEN GLOVE BOXES ON CARS WHERE IT WOULDN'T PRY OPEN. HAVE
4 YOU EVER USED A KNIFE TO PRY OPEN A CD PLAYER WHEN IT WON'T
5 OPEN. HAVE YOU EVER USED A KNIFE TO TEAR SOMETHING OPEN,
6 ONE OF THESE LITTLE TIN TOOL KNIVES AND THE SCREWDRIVER AND
7 STUFF ON YOUR BELT THAT YOU CAN'T CARRY IN COURT. BUT IF
8 YOU'VE EVER CARRIED ONE LIKE THAT TO TAKE THE PLACE OF A
9 SCREWDRIVER BLADE OR MAYBE USED YOUR KNIFE BLADE TO EAT AN
10 APPLE OR HAD ONE IN YOUR CAR AND USING IT FOR SOME REASON
11 AND LEFT IT ON THE DASH OF THE CAR.

12 IF RONNIE WILSON WAS KIDNAPPING THE WOMAN AND
13 USING THE KNIFE WITH THREAT AND FORCE TO GET HER TO DO WHAT
14 HE WANTED TO DO WASN'T HE STILL KIDNAPPING HER WHEN HE WENT
15 BACK INTO HER APARTMENT AT 12:00 NOON WHEN SHE SAID THAT WE
16 WERE ONLY THERE 10 MINUTES BEFORE THE POLICE CAME? WOULDN'T
17 HE STILL CARRY HIS KNIFE IN THERE WITH THEM TO USE AS A
18 THREAT AND A FORCE TO HER SO SHE'D SUBMIT TO HIS WILL AND
19 DO WHAT HE TOLD HER TO DO?

20 WHEN THE JUDGE, WHEN THE PROSECUTOR MAKES HIS
21 STATEMENTS TO YOU AND THE JUDGE INSTRUCTS YOU ON THE LAW
22 HE'S GOING TO TELL ON THE BURGLARY FIRST DEGREE CHARGE THAT
23 MR. WILSON, THE PROSECUTOR HAS TO PROVE THAT MR. WILSON HAD
24 THE INTENT TO COMMIT A CRIME WHEN HE WENT INTO THE
25 APARTMENT, BUT IF MR. WILSON WAS THERE FOR OTHER REASONS

CLOSING ARGUMENT BY DEFENSE

353

1 WE'VE TALKED ABOUT THEN IT'S YOUR JOB TO FIND HIM NOT
2 GUILTY.

3 THE JUDGE WILL TELL YOU ON THE CHARGE OF
4 KIDNAPPING THAT MR. WILSON, RONNIE WILSON, DID NOT HAVE THE
5 INTENT TO KIDNAP HER WAS NOT INTENDING TO DO ANY OF THIS
6 STUFF, HOLD HER AGAINST HER WILL AND THREATEN TO MAKE HER
7 GO WHERE SHE DIDN'T WANT TO GO, AND IF HE THOUGHT SHE WAS
8 GOING WITH HIM FREELY AND VOLUNTARILY AND HE THOUGHT THEY
9 WERE JUST TALKING ABOUT GETTING THE CLOTHES OUT OF THE DRY
10 CLEANERS AND SHE THOUGHT SHE WAS, HE THOUGHT SHE WAS
11 INTENTIONALLY GOING OVER TO HIS HOUSE WHERE HE LIVED JUST
12 AS SHE HAD BEEN MANY TIMES WITH HIM BEFORE, IF HE THOUGHT
13 HE WAS DOING STUFF WILLINGLY THEN YOU WILL HIM VOTE NOT
14 GUILTY. IF HE THOUGHT BY GOING BACK TO HER APARTMENT AT
15 12:00 NOON IN BROAD DAYLIGHT WHERE IF HE THOUGHT HE WAS
16 DOING SOMETHING WRONG HE WOULD KNOW THE POLICE WOULD
17 EXACTLY BE THERE THEN THE WHITE CAR PARKED RIGHT IN THE
18 EXACT THE PERFECT LEGAL SPOT IF YOU WERE BILLY GRAHAM
19 PARKING THE WHITE BUICK AT HER APARTMENT YOU WOULD PARK IT
20 EXACTLY WHERE HE PARKED IT RIGHT THERE IN THAT SPACE WHERE
21 ANYBODY COULD SEE HIM. IT WASN'T HIDDEN IN A BUILDING
22 THREE OR FOUR BUILDINGS OVER AND HE KEPT CREEPING ACROSS
23 THE STREET WITH HER. IF YOU THINK HE DID NOT THINK HE WAS
24 DOING ANYTHING WRONG THEN IT'S YOUR JOB TO VOTE NOT GUILTY.

25 REMEMBER THE PROSECUTION WITNESS WHAT'S IN HER

CLOSING ARGUMENT BY STATE

354

1 BRAIN OR WHAT THE PROSECUTION WITNESS WAS THINKING THEN OR
2 NOW IS NOT WHAT YOU'RE CONCERNED WITH. WE'RE NOT GOING TO
3 TRY THE PROSECUTION WITNESS. THE PROSECUTION WITNESS IS
4 NOT TO BE FOUND NOT GUILTY OR ANY OTHER THING. THE
5 PROSECUTION WITNESS DOES NOT GO FREE OR GO TO PRISON TODAY.
6 THE PROSECUTION WITNESS IS NOT ON TRIAL. YOU'VE GOT TO USE
7 YOUR BRAIN WHEN YOU'RE THINKING ABOUT AND WHO YOU'RE
8 LOOKING INTO TO SEE WHAT THEY WERE INTENDING AND THINKING
9 AND THOUGHT THEY WERE DOING THAT DAY CAUSE THIS PERSON.
10 HIS IS THE ONLY ONES WHOSE NAME IS ON THE INDICTMENT AND
11 HE'S THE ONLY ONE THAT'S BEING CHARGED. HE'S THE ONLY ONE
12 THAT WILL GO BACK THERE TO WHERE HE SHOULD BE WHICH IS FREE
13 IF YOU FIND HIM NOT GUILTY OR SUFFER A PENALTY IF YOU HAVE
14 A DIFFERENT VERDICT.

15 THE JUDGE WILL TELL YOU ON THE POSSESSION OF A
16 WEAPON IF YOU'RE, WE DON'T KNOW WHAT THE KNIFE WAS DOING ON
17 THE CAR. WE DON'T THINK THE KNIFE WAS IN THE CAR. THERE'S
18 NO OTHER EVIDENCE OTHER THAN THE PROSECUTION WITNESS SAYING
19 THAT RONNIE HAD IT. NO OTHER EVIDENCE SAYING IT CAME FROM
20 THIS HOUSE OR HIS MAMA HAD A SET OF KNIVES LIKE THIS OR
21 SEARCHED HIS HOUSE AND THERE WAS ONE STEAK KNIFE MISSING
22 OUT OF ALL THE SET OF STEAK KNIVES THAT WAS AT HIS HOUSE
23 CAUSE THESE ARE THE ONLY TWO PLACES HE WAS STAYING AT THEN
24 YOU'RE TO VOTE NOT GUILTY ON THAT CHARGE.

25 CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND

CLOSING ARGUMENT BY STATE

355

1 AGGRAVATED NATURE, WE DON'T KNOW HOW THESE BRUISES CAME ON
2 THE PROSECUTION WITNESS' FACE AND NECK AND IT WILL BE YOUR
3 JOB TO DECIDE AND TO VOTE NOT GUILTY ON THOSE CHARGES AND
4 THAT'S WHAT WE ASK YOU TO DO IS VOTE NOT GUILTY ON ALL
5 CHARGES. THANK YOU FOR YOUR TIME AND THANK YOU FOR USING
6 YOUR COMMON SENSE IN THIS CASE, THANK YOU.

7 THE COURT: ANYBODY ON THE JURY NEED A BRIEF
8 RECESS? LET'S TAKE 10 MINUTES AND COME BACK AND WE WILL
9 COMPLETE THE ARGUMENT, REMEMBER DO NOT DISCUSS THE CASE.

10 (WHEREUPON, THE JURY RETIRED TO THE JURY ROOM AT
11 11:07 A.M.)

12 (WHEREUPON, A RECESS WAS TAKEN BY COURT PERSONNEL
13 AND THE FOLLOWING TAKES PLACE ON THE RECORD.)

14 THE COURT: ARE WE READY?

15 MR. BRYAN: YES, SIR, YOUR HONOR.

16 THE COURT: BRING THE JURY BACK IN, PLEASE.

17 (WHEREUPON, THE JURY RETURNS TO THE COURTROOM AT
18 11:20 A.M.)

19 THE COURT: SOLICITOR.

20 MR. BRYAN: THANK YOU, YOUR HONOR, PLEASE THE
21 COURT.

22 CLOSING ARGUMENT

23 BY MR. BRYAN:

24 I AGREE WITH MR. GOUDE ON ONE THING AND THAT IS
25 THAT, YES, WE BOTH WANT YOU TO USE YOUR COMMON SENSE SO

CLOSING ARGUMENT BY STATE

356

1 OTHER THAN THAT OUR PERCEPTIONS OF THE EVIDENCE PART
2 COMPANY.

3 IT SEEMS PRETTY OBVIOUS FROM LOOKING AT THE
4 PICTURES AND FROM THE TESTIMONY FROM THE DOCTOR THAT MS.
5 GRAHAM WAS ATTACKED BY SOMEBODY. IT SEEMS ALSO PRETTY
6 OBVIOUS THAT HER ATTACKER IS THE PERSON SITTING AT THAT
7 TABLE OVER THERE RONNIE WILSON SO WHETHER SOME OF THESE
8 SCRATCHES ARE THE SIZE OF A PIMPLE OR NOT I GUESS IS FOR
9 YOU TO DETERMINE AS THE JUDGES OF THE FACTS, HOWEVER, WHAT
10 I DON'T THINK YOU'LL DISAGREE WITH IS THAT THERE'S
11 SCRATCHES ON BOTH SIDES OF HER FACE UNDER HER NOSE, UNDER
12 HER EYE.

13 WHAT MR. GOUDE WOULDN'T TALK ABOUT FOR VERY LONG,
14 IF AT ALL, WAS THESE MARKS ON HER NECK WHICH I THINK ARE
15 THE MOST SIGNIFICANT MARKS AND AT FIRST HE'S HAVING HER IN
16 HER HOUSECOAT CAUSE SHE'S JUST GOING OVER TO THE HOUSE FOR
17 A LITTLE WHILE AND THEN HE'S SAYING SHE COULD HAVE GOTTEN
18 THESE FROM SLEEPING, BOTH SIDES OF HER NECK. THOSE SEEM
19 LIKE PRETTY SIGNIFICANT MARKS.

20 THE DOCTOR SAID SHE WAS HOARSE AND THAT HE
21 PRESCRIBED HER ANTI-INFLAMMATORY AS WELL AS TOOK PICTURES,
22 X-RAYS, OF HER NECK. X-RAYS, NEGATIVE X-RAYS DON'T, BY THE
23 WAY, MEANS THAT HER NECKS NOT BROKEN, IT'S NOT AN MRI SO IT
24 DOESN'T MEAN THAT THERE'S NOT LIGAMENT DAMAGE. THE DOCTOR
25 TESTIFIED THAT THESE ARE NOT SELF INFLICTED WOUNDS AND OF

CLOSING ARGUMENT BY STATE

357

1 HER TESTIMONY OR THE MEDICAL HISTORY HE RECEIVED WAS
2 CONSISTENT WITH HER PHYSICAL EXAM, THAT HISTORY BEING I GOT
3 CHOKED ALMOST UNCONSCIOUS, SO I THINK YOUR COMMON SENSE
4 TELLS YOU THAT SHE WAS CHOKED LIKE SHE SAID SHE WAS. SHE
5 WAS ASSAULTED IN HER OWN HOME AND THEN WHAT YOU HAVE TO DO
6 IS -- YOU KNOW FOR A MINUTE I DID THINK THE VICTIM WAS ON
7 TRIAL -- BUT WHEN YOU'RE LOOKING AT THE EVIDENCE THAT YOU
8 USE YOUR COMMON SENSE YOU HAVE TO REALIZE THAT MAYBE IF
9 RONNIE WILSON DOES THIS TO YOU OR TO YOU OR TO YOU MAYBE
10 THERE'S A DIFFERENT OUTCOME, MAYBE YOU'D DO A DIFFERENT
11 THING. MAYBE ALL 12 OF YOU WOULD, WOULD HAVE A DIFFERENT
12 REACTION TO RONNIE WILSON WALKING INTO YOUR HOUSE WITH A
13 KNIFE OR TELLING YOU COME WITH ME BUT WHAT YOU HAVE TO
14 REALIZE IS WE'RE TALKING ABOUT FELITA GRAHAM.

15 WE'RE TALKING ABOUT A VICTIM WITH DOMESTIC
16 VIOLENCE WHO HAD A CHILD IN COMMON WITH THIS DEFENDANT,
17 STILL DOES HAVE A CHILD IN COMMON WITH THIS DEFENDANT, AND
18 THAT SHE'S BEING ASSAULTED IN HER OWN HOME AND THAT THE
19 COMMON REACTION, THE LARGE MAJORITY OF VICTIMS OF DOMESTIC
20 VIOLENCE GO ALONG WITH WHAT'S HAPPENING TO KEEP FROM
21 GETTING BEAT UP OR HURT WORSE. AND SO ALTHOUGH MR. GOUDE
22 WOULD TELL YOU THAT, WELL SHE'S, HECK, SHE SHOULD HAVE JUST
23 TOLD THE DEFENDANT'S BROTHER HE'S KIDNAPPING ME, HE'S HELD
24 A KNIFE TO MY, TO ME AND THREATENED TO KILL ME. I WOULD
25 SUBMIT TO YOU THAT WOULD BE A STUPID THING TO DO AND THAT'S

CLOSING ARGUMENT BY STATE

358

1 SHE'S SITTING HERE ON THE FRONT ROW INSTEAD OF IN A CASKET
2 BECAUSE SHE DIDN'T DO THAT STUPID THING AND AT WORSE MAYBE
3 HE WOULDN'T HAVE KILLED HER. WHEN SHE'S IN PUBLIC MAYBE HE
4 WOULD HAVE JUST REACHED OVER AND STABBED HER A FEW TIMES
5 BUT YOU HAVE TO REALIZE THAT RONNIE WILSON WAS IN
6 POSSESSION OF THIS, ONE, THAT'S ONE THING, AND, TWO, HE IS
7 RONNIE WILSON, TAKE A LOOK AT RONNIE WILSON. NOW TAKE A
8 LOOK AT FELITA GRAHAM. NOW I ASK YOU, IF YOU WERE FELITA
9 GRAHAM WOULD YOU TAKE OFF RUNNING FROM RONNIE WILSON?

10 MR. GOUDE TELLS YOU THAT EVERYBODY HAS GOT AN
11 INSTINCT TO RUN, EVEN AN EARTHWORM HAS AN INSTINCT TO RUN.
12 WELL FORTUNATELY FOR MS. GRAHAM SHE'S SMARTER THAN AN
13 EARTHWORM BECAUSE EARTHWORMS GET SQUASHED. THAT'S ABOUT
14 WHAT SHE WOULD HAVE GOTTEN FROM RONNIE WILSON HAD SHE RUN
15 FROM HIM.

16 I'D SUBMIT TO YOU THAT SHE MADE A GOOD CHOICE NOT
17 RUNNING FROM RONNIE WILSON WHILE HE'S, WHILE HE'S
18 THREATENING HER WITH A KNIFE AND I'D SUGGEST TO YOU THAT
19 WE'D HAVE MAYBE SOME MORE SIGNIFICANT INJURIES TO BE
20 TALKING ABOUT HAD SHE TRIED TO RUN AWAY. AND TO SUGGEST TO
21 YOU THAT SHE SHOULD TELL OMEGA WILSON, MISTER I'D HAVE
22 CALLED 911 CAUSE I DON'T CONDONE DOMESTIC VIOLENCE.
23 MEANWHILE HE HAS TO ADMIT TO YOU FIVE MINUTES LATER THAT HE
24 HAD BEEN CONVICTED OF DOMESTIC VIOLENCE.

25 NOW THE OTHER CORROBORATIVE EVIDENCE WHICH I

CLOSING ARGUMENT BY STATE

359

1 THINK IS, I THINK THE PAJAMAS ARE PRETTY GOOD, PRETTY GOOD
2 EVIDENCE THAT SHE DIDN'T LEAVE HER HOUSE WILLINGLY. MR.
3 GOUDE SAYS THAT IT'S A COMMON THING TO LEAVE YOUR HOUSE AND
4 GO TO YOUR MAMA'S HOUSE WITH YOUR PAJAMAS ON. I'VE TAKEN
5 MY KIDS OUT OF THE HOUSE, MAYBE I SHOULDN'T DO THAT, BUT IN
6 THEIR PAJAMAS LIKE CHRISTMAS DAY, MAYBE WE'D GET UP EARLY,
7 THEY'RE CUTE, AND GO TO MY GRANDPARENTS HOUSE, BUT I, I
8 CHANGE CLOTHES. I GET IN MY REGULAR CLOTHES WHEN I LEAVE
9 THE HOUSE IF I AM LEAVING BECAUSE I'VE DECIDED TO. THE
10 FACT THAT SHE'S HAULING ALL OVER TOWN WITH HER PJ'S
11 CARRYING HER DAUGHTER WITH NOTHING BUT A DIAPER AND A TEE
12 SHIRT ON I THINK IS VERY, VERY, VERY GOOD EVIDENCE OF THE
13 FACT THAT SHE DID NOT LEAVE WILLINGLY.

14 THE FACT THAT MR. WILSON TOOK A SHOWER AT, WELL
15 I'M GOING TO COME BACK TO THAT, BUT, WELL I'LL ASK YOU
16 THIS, IF MR. WILSON IS LIVING AT 34 DRIVE WHY WOULD
17 HE IN THE MORNING BE TAKING A SHOWER AT HIS MAMA'S HOUSE
18 AFTER COMING FROM 34 DRIVE SO HERE'S HOW IT PLAYS
19 OUT?

20 YOU'RE AT YOUR HOME, YOU WAKE UP, YOUR SPOUSE OR
21 SIGNIFICANT OTHER IS THERE. YOUR SPOUSE, YOUR SIGNIFICANT
22 OTHER LEAVES THE HOUSE IN THEIR JAMMIES, YOU DON'T DRESS
23 YOUR KIDS AND YOU DECIDE, HEY, ALTHOUGH I LIVE HERE AND MY
24 DEODORANT AND TOOTHBRUSH, SOAP AND ALL MY OTHER PRODUCTS
25 ARE UPSTAIRS AND MY CLEAN CLOTHES ARE HERE BECAUSE I LIVE

CLOSING ARGUMENT BY STATE

360

1 HERE I THINK WHAT I'LL DO IS I'LL PACK UP ALL MY BAGS, GRAB
2 MY DEODORANT, THROW MY TOOTHBRUSH IN A BAG, AND GO OVER TO
3 MY MAMA'S HOUSE TO TAKE A SHOWER.

4 DOES THAT, DOES THAT MAKE SENSE? DOES THAT MAKE
5 COMMON SENSE TO YOU OR IS IT MORE LIKELY THAT HE TOOK A
6 SHOWER AT HIS MAMA'S HOUSE BECAUSE HE DIDN'T LIVE THERE?
7 HE DIDN'T LIVE AT 34 DRIVE OR ELSE HE'D HAVE GOT UP
8 ON THE MORNING AND SHOWERED LIKE EVERYBODY ELSE DOES IN
9 THEIR OWN HOUSE WHERE ALL THEIR, WHERE ALL THEIR OWN THINGS
10 ARE.

11 THE DEFENSE CASE I FOUND TO BE CONFUSING IN
12 GENERAL OR I DON'T KNOW IF IT WAS PURPOSEFUL BUT WHEN MR.
13 GOUDE ASKED QUESTIONS HIS QUESTIONS SEEMED TO BE ALMOST
14 ALWAYS BETWEEN FEBRUARY AND MAY, BETWEEN FEBRUARY AND MAY.
15 WELL SHE TESTIFIED, THE VICTIM TESTIFIED THAT SHE PUT HIM
16 OUT ABOUT THREE WEEKS BEFORE THE INCIDENT. OMEGA WILSON,
17 THE DEFENDANT'S BROTHER TESTIFIED THAT HE CAME HOME A
18 COUPLE OF WEEKS BEFORE THIS. THE DEFENDANT'S MOTHER
19 TESTIFIED THAT SHE, THAT HE CAME HOME A COUPLE OF WEEKS
20 BEFORE THE INCIDENT.

21 SHE TESTIFIED THAT HE CALLED HER AT 4 A.M. IN THE
22 MORNING IN GEORGETOWN, I DON'T KNOW WHAT HE WOULD BE DOING
23 AT 4 A.M. IN GEORGETOWN. IF YOU WERE IN A BIG CITY WHERE I
24 THINK THERE'S THINGS TO DO YOU'RE PROBABLY GETTING IN
25 TROUBLE AT 4 A.M. IF YOU'RE IN GEORGETOWN ON THE STREET AT

CLOSING ARGUMENT BY STATE

361

1 4 A.M. THERE AIN'T NOTHING GOING TO HAPPEN. I DON'T KNOW
2 WHAT HE'S DOING OUT THERE AT 4 A.M. BUT HE CALLS HIS MOM
3 AND HE TELLS HIS MOTHER COME GET ME. HIS MOM SAYS, I AIN'T
4 COMING TO GET YOU, YOU GOT TO COME GET ME, FELITA SAID IF I
5 GO OVER THERE SHE'S GOING TO CALL THE POLICE, SO THAT TELLS
6 YOU, THAT'S OUT OF HIS MOM'S MOUTH ABOUT WHAT RONNIE WILSON
7 TOLD HER.

8 NOW THAT OUGHT TO BE A PRETTY GOOD INDICATION IF
9 SOMEBODY TELLS YOU THEY'RE GOING TO CALL THE POLICE IF YOU
10 COME BACK THAT OUGHT TO IN A NORMAL PERSON TRIGGERED A
11 RESPONSE THAT YOU'RE NOT WELCOME, YOU DON'T HAVE CONSENT TO
12 BE THERE, SO I THINK WE CAN ESTABLISH FROM THE DEFENSE
13 WITNESSES THAT AS OF TWO WEEKS PRIOR TO THE INCIDENT RONNIE
14 WILSON WAS NO LONGER WELCOME AT THE HOUSE.

15 NOW THE PROSECUTION WITNESS, MS. FELITA GRAHAM,
16 THE VICTIM, HAS SAID THAT THREE WEEKS PRIOR TO THE INCIDENT
17 SHE PUT HIM OUT, SHE TOLD HIM DON'T COME BACK ANY MORE.
18 NOW DOES THAT MAKE HER A BAD PERSON; DOES THAT MAKE HER A
19 MONEY GRABBER? I'M NOT GOING TO BE HERE THREE HOURS TRYING
20 TO DEFEND EVERYTHING THE DEFENSE SAID BUT, BUT I WOULD LIKE
21 TO MAKE THIS POINT.

22 THE FACT THAT SHE'S A SINGLE MOTHER WITH A CHILD
23 AND TRYING TO RAISE THE CHILD AND TRYING TO GET AFFORDABLE
24 INCOME AND AGREEING TO STAY WITH THE PERSON WHO FATHERED
25 HER CHILD DOES NOT MAKE HER A BAD PERSON NOR DOES IT MAKE

CLOSING ARGUMENT BY STATE

362

1 HER OUT FOR FINANCIAL GAIN WHEN SHE GETS TO BE THE VICTIM
2 OF A KIDNAPPING AND SOMETHING HAPPENS AND COMMON SENSE, I
3 WOULD ASK YOU TO WHAT DOES SHE GAIN IF, IF SHE GETS HIM
4 CONVICTED OF ALL THESE OFFENSES AND HE GOES OFF TO JAIL FOR
5 A LONG TIME, WHAT'S THE GAIN FOR HER. HE'S NOT GOING TO BE
6 PAYING CHILD SUPPORT. HE'S CERTAINLY NOT GOING TO BE
7 FINANCIALLY RESPONSIBLE FOR HIS CHILD IF SHE ACCOMPLISHES
8 HER GOAL OF MAKING UP THIS, THIS BIG RUSE TO GET HIM
9 CONVICTED OF SOMETHING HE DIDN'T DO. SO THERE IS NO
10 FINANCIAL GAIN FOR HER TO COME IN AND MAKE THIS ALLEGATION
11 OTHER THAN WHAT MR. GOUDE SAYS IS AFFORDABLE HOUSING WHICH,
12 OKAY, SHE'S PROBABLY GUILTY OF THAT. I'D LIKE TO PAY LESS
13 MORTGAGE, TOO, BUT THE FACT THAT SHE PUT HIM AND SHE TOOK
14 HIM BACK AND THEN SHE PUT HIM OUT I THINK PROBABLY SOME OF
15 YOU ON THE JURY KNOW THAT THAT'S NOT GOOD FOR, WELL
16 ANYBODY, MUCH LESS PEOPLE WHO HAVE THIS KIND OF A DYNAMIC
17 OF A RELATIONSHIP.

18 BUT I GOT TO TELL YOU I'M NOT A GRANDPA. I HAVE
19 A ONE-YEAR-OLD AND A THREE-YEAR-OLD AND MY WIFE IS SICK.
20 SHE'S BEEN THROWING UP ABOUT 20 TIMES YESTERDAY BEFORE SHE
21 WOKE ME UP AT 5 A.M. SO I BATHED THE ONE-YEAR-OLD. I
22 BATHED THE THREE-YEAR-OLD AND I GOT THEM BREAKFAST AND THEN
23 I MADE THE LUNCH FOR THE THREE-YEAR-OLD TO TAKE HIM OFF AND
24 THEN I DROVE THIS ONE OVER HERE AND I DROVE THAT ONE OVER
25 THERE AND TRIED TO FIND SOMEBODY TO WATCH HIM AND I GOT TO

CLOSING ARGUMENT BY STATE

363

1 TELL YOU I'VE NEVER BEEN SO APPRECIATIVE OF MY WIFE AS I AM
2 TODAY AND YESTERDAY BECAUSE THAT IS HARD WORK AND TO ALSO
3 HAVE TO WORK. I DON'T KNOW THAT I COULD DO IT ON MY OWN.
4 I DON'T KNOW IF I WOULD BE ABLE TO PROVIDE FOR MY KIDS AND
5 GIVE THEM THE SECURITY THAT I WOULD LIKE THEM TO HAVE BY
6 MYSELF.

7 SO MAYBE THE FACT THAT SHE'S WILLING TO, YOU KNOW
8 IT'S NOT A PERFECT WORLD I GUESS SHE, SHE MADE MAYBE A POOR
9 CHOICE TO FATHER, TO HAVE A CHILD WITH RONNIE WILSON AND SO
10 FOR THE REST OF HER LIFE THAT'S WHETHER, YOU KNOW UNTIL
11 ONE, ONE PARTY DIES THEY'RE GOING TO BE SHARING A CHILD AND
12 THAT'S NOT SOMETHING THAT SHE CAN, SHE CAN TAKE AWAY. I
13 MEAN IF THEY SHARE THAT CHILD THEN THEY'RE GOING TO HAVE TO
14 DO THE BEST THEY CAN SO THE FACT THAT SHE'S WILLING TO TRY
15 TO WORK IT OUT WITH HIM AND ACCEPT A CAR TO DRIVE THE CHILD
16 AROUND IN, TO TAKE SOME MONEY TO FEED THE CHILD, TO BUY THE
17 CHILD CLOTHING, I DON'T THINK, YOU KNOW, MR. GOUDE MAKES IT
18 SOUND LIKE SHE'S LIVING THE HIGH LIFE OVER THERE.

19 I DON'T THINK LIVING IN THE PROJECTS RAISING A
20 ONE YEAR OLD IS THE HIGH LIFE. I DON'T THINK THAT SHE WAS
21 REALLY, YOU KNOW, LIVING IT UP AT THE, BECAUSE HER SUGAR
22 DADDY IS OVER THERE SUPPORTING HER AND MAKING IT EASY ON
23 HER. I THINK SHE MADE A DIFFICULT DECISION STAYING WITH
24 HIM AND THAT'S WHAT THEY WERE DOING UNTIL HE'S RUNNING THE
25 STREET.

CLOSING ARGUMENT BY STATE

364

1 HE'S GOT NO JOB AND NOW HE'S RUNNING THE STREETS.
2 HE'S OUT AT 4 A.M., AND WE KNOW HE'S OUT AT 4 A.M. THAT ONE
3 NIGHT, BUT MAYBE THAT'S NOT THE FIRST TIME AND MAYBE AT
4 SOME POINT YOU DECIDE THAT YOU'RE NOT GOING TO HAVE -- AND
5 BY THE WAY MR. GOUDE KEEPS TALKING ABOUT ALL THE MONEY HE'S
6 BRINGING IN, HE AIN'T WORKING. SINCE, SINCE APRIL THE 5TH,
7 OVER A MONTH BEFORE THE INCIDENT HE HADN'T HAD A JOB. HE'S
8 GOT SOME FREE RENT. HE'S STAYING IN THE PROJECTS. HE
9 AIN'T WORKING; HE AIN'T LOOKING AND HE'S OUT AT 4 A.M.
10 RUNNING THE STREETS.

11 WELL AT SOME POINT MAYBE I WOULD HAVE A PROBLEM
12 IF MY WIFE AIN'T GOING TO HELP AT ALL I MIGHT THINK ABOUT
13 TRYING TO GO A DIFFERENT DIRECTION, TOO, BUT I MEAN I WOULD
14 HOPE I WOULDN'T HAVE TO CROSS THAT BRIDGE BUT OBVIOUSLY
15 SHE'S MADE A DECISION WELL MR. WILSON IS RUNNING THE
16 STREETS, HE AIN'T WORKING AND HE'S JUST FREE LOADING OFF OF
17 HER, HE'S NOT HELPING ANY SO SHE PUT HIM OUT, OKAY, I DON'T
18 THINK THAT THAT IS REASON NOT TO BELIEVE HER TESTIMONY.

19 AND FINALLY WITH RESPECT TO THE TRUTH OF VERACITY
20 OF HER SHE DIDN'T GET CAUGHT LYING. SHE TOLD YOU
21 EVERYTHING THAT SHE SAID. SHE TOLD YOU THAT HE WAS LIVING
22 THERE. OH, IF SHE ADMITS THAT SHE'S GOT HIM IN THE
23 PROJECTS SHE'S GOING TO GET KICKED OUT. WELL SHE SAID IT
24 UNDER OATH, SHE ADMITTED IT. SHE AIN'T LYING ABOUT IT.
25 SHE'S TELLING THE TRUTH SO REALLY MR. GOUDE'S ARGUMENT IS

CLOSING ARGUMENT BY STATE

365

1 KIND OF ABSURD BECAUSE WHAT HE'S SAYING IS SHE WOULDN'T
2 WANT TO TELL YOU THAT SHE'S GOT HIM IN THE PROJECTS CAUSE
3 SHE'S GOING TO GET KICKED OUT WHILE SHE'S STANDING UP THERE
4 UNDER OATH SAYING THAT SHE HAD HIM IN THE PROJECTS SO THAT
5 DOESN'T MAKE ANY SENSE, AND I DON'T KNOW THIS STUFF ABOUT
6 FEBRUARY TO MAY I'D ASK YOU TO SET IT ALL ASIDE. IT'S A
7 CONFUSION, IT'S A DISTRACTION WHO DROVE WHO TO WORK.
8 THAT'S JUST, I, I HAVE NO IDEA WHAT IT STANDS FOR.

9 ANYTHING THAT HAPPENED THREE WEEKS OUT AND IN IS WHAT
10 WE NEED TO BE TALKING ABOUT BECAUSE THAT'S THE POINT AT
11 WHICH HE QUIT HIS, HE AIN'T WORKING ANYMORE. HE'S RUNNING
12 THE STREETS AT NIGHT AND AT SOME POINT THEY PARTED COMPANY.
13 THAT'S HER HOUSE, SHE TOLD HIM NOT TO COME BACK. SHE TOLD,
14 YOU KNOW THROUGH HER OWN, HIS OWN MOTHER SHE SAID SHE'D
15 CALL THE LAW THEN SHE SAID SHE'S GETTING HARASSED, HE'S
16 DRIVING HER CRAZY SO SHE TELLS HER BOSS. HEY, BOSS, I NEED
17 THIS GOOD JOB BUT MY HUSBAND IS HARASSING ME. HE'S CALLING
18 ME AT WORK, HE WON'T STOP AND I'M AFRAID SOMETHING BAD IS
19 GOING TO HAPPEN AND THEN JOE CROSBY COMES UP HERE AND TELLS
20 YOU THAT HE HAD TO PUT HIS FOOT IN THE DOOR TO KEEP MR.
21 WILSON FROM JUST COMING INTO HIS PLACE OF BUSINESS
22 UNWANTED. HE TOLD YOU THAT HE HAD TO THREATEN TO CALL THE
23 POLICE.

24 NOW THAT'S TWO PEOPLE OUT OF JUST A FEW PEOPLE
25 WHO TESTIFIED THAT TOLD YOU THAT TO GET MR. WILSON TO DO

CLOSING ARGUMENT BY STATE

366

1 SOMETHING YOU GOT TO THREATEN TO CALL THE POLICE. I'D ASK
2 YOU HOW MANY OF YOU HAVE HAD TO, HAVE HAD TO HAVE SOMEBODY
3 CALL THE POLICE ON YOU OR THREATEN YOU. I MEAN MOST PEOPLE
4 YOU SAY DON'T COME IN MY OFFICE, THEY DON'T COME IN YOUR
5 OFFICE. MOST PEOPLE SAY, YOU SAY DON'T COME IN MY HOME,
6 THEY DON'T COME IN YOUR HOME. RONNIE WILSON IS COMING
7 WHEREVER HE WANTS WHENEVER HE WANTS AND DOING WHATEVER HE
8 WANTS TO WHOMEVER HE WANTS BECAUSE HE'S RONNIE WILSON AND
9 IF YOU THREATEN TO CALL THE POLICE IT MIGHT GET IT DONE OR
10 A COUPLE OF WEEKS LATER YOU MAY BE IN YOUR KITCHEN WITH A
11 STEAK KNIFE TELLING YOU COME WITH ME AND THAT'S WHAT
12 HAPPENED TO HER. I'D ASK YOU WHAT, WHAT JOE CROSBY WOULD
13 BENEFIT BY LYING. WHY WOULD HE BE UP THERE LYING AND
14 SAYING THAT SO ALL THAT STUFF ABOUT FEBRUARY TO MAY,
15 FEBRUARY TO MAY IS JUST A BUNCH OF DISTRACTION.

16 WHAT HAPPENED IS SHE PUT HIM OUT. IT'S CLEAR SHE
17 PUT HIM OUT. A COUPLE OF PEOPLE HAVE TESTIFIED THAT SHE
18 WAS GOING TO CALL THE POLICE IF HE CAME BACK IN THE HOUSE.
19 I WOULD SAY THAT THAT IS NOT CONSENT, SO IF HE DOESN'T HAVE
20 CONSENT HE CAN'T COME IN THE BUILDING, IN HER RESIDENCE AND
21 HE COMES IN WITH A KNIFE AND SAYS, BITCH, I'M GOING TO KILL
22 YOU THAT'S ENTERING WITHOUT CONSENT WITH THE INTENTION TO
23 COMMIT A CRIME ARMED WITH A DEADLY WEAPON.

24 NOW THE IMPLICATION THAT SHE'S NOT BEING HONEST
25 REALLY IS HARD FOR ME TO SWALLOW INASMUCH AS, LET'S TAKE A

CLOSING ARGUMENT BY STATE

367

1 LOOK AT THE DEFENSE WITNESSES. OMEGA, WELL I'M NOT GOING
2 TO JUST SPEND, I'M NOT GOING TO SPEND AN HOUR TALKING ABOUT
3 OMEGA. I WOULD ASK YOU TO BE THE JUDGES OF THE FACTS, TO
4 TAKE INTO CONSIDERATION WHAT THEY SAID, HOW THEY SAID IT
5 AND WHETHER THEY WERE CONSISTENT, AND WHETHER THEIR
6 DEMEANOR INDICATED THAT THEY WERE BEING TRUTHFUL IN
7 ADDITION TO THE FACT THAT HE ADMITTED THAT HE WAS CONVICTED
8 OF CDV AFTER SAYING HE DOESN'T CONDONE IT AND HE'S GOT A
9 CONVICTION FOR PETTY LARCENY INDICATING HIS INABILITY TO
10 TELL THE TRUTH.

11 HE DID SAY SOMETHING INTERESTING ABOUT THAT
12 WHOLE, THAT WHOLE THING ABOUT HE ASKED THEM ARE THEY OKAY,
13 CAUSE NORMALLY THEY'RE CHIRPY OR CHATTY OR SOMETHING AND
14 HE, HE, HE KIND OF SLIPPED UP AND LET YOU KNOW SOMETHING
15 WASN'T RIGHT BECAUSE THE OBVIOUS QUESTION IS WHEN YOU ASK
16 TWO PEOPLE IS EVERYTHING OKAY THEN IT'S PROBABLY BECAUSE
17 YOU HAVE AN OBSERVATION THAT NOT EVERYTHING IS OKAY, BUT
18 WHEN HE SAID THAT HE TRIED TO BACK OUT OF THAT STATEMENT
19 BUT I'D SUGGEST TO YOU HE WASN'T VERY RELIABLE. HE
20 COULDN'T TELL YOU, HE KNEW A LOT OF THINGS ON DIRECT WHEN
21 HIS LAWYER WAS ASKING HIM QUESTIONS. WHEN I WAS ASKING HIM
22 QUESTIONS HE COULDN'T EVEN REMEMBER WHAT SHE HAD ON.

23 THE THING ABOUT WILLIE TISDALE I THOUGHT WAS
24 OBVIOUS THAT HE WAS LYING. MR. GOUDE TRIED TO RESURRECT
25 HIS TESTIMONY A COUPLE OF TIMES AND HE GOT THE ANSWER HOW'D

CLOSING ARGUMENT BY STATE

368

1 YOU KNOW THAT, AH, SPECULATION, AND THEN WHEN HE FIGURED
2 OUT THAT DIDN'T COME OFF TOO GOOD ABOUT 10 MINUTES LATER
3 WHEN THEY WERE TALKING ABOUT SOMETHING TOTALLY DIFFERENT HE
4 CAME BACK AND SAID, NO, IT WAS BECAUSE THE OFFICER
5 TESTIFIED. MR. GOUDE DID A GOOD JOB OF CATCHING HIM IN
6 THAT LIE, TOO, HE SAID, WELL IF THE QUESTION WAS ON MAY 9TH
7 HOW DID YOU KNOW WHAT CAR IT WAS, HOW WOULD THE OFFICERS
8 TESTIMONY BE HOW YOU KNEW THAT. HE DIDN'T REALLY HAVE A
9 GOOD ANSWER FOR THAT SO I THINK MR. OMEGA WILSON'S
10 TESTIMONY WAS PRETTY OBVIOUSLY IN LINE WITH WHAT HE THOUGHT
11 HE WAS SUPPOSED TO SAY TO HELP HIS BROTHER WHICH IS AGAIN
12 ANOTHER GOOD INDICATION THAT THIS VICTIM MADE A GOOD
13 DECISION NOT SAYING, HEY, OMEGA, CALL 911.

14 HIS MOM, I TALKED ABOUT WHAT SHE SAID, YOU KNOW,
15 THAT'S HIS MOTHER. I DON'T THINK SHE WAS VERY CONVINCING
16 IN HER TESTIMONY. SHE DID ADMIT THAT HE'S BEEN BACK WITH
17 HER FOR TWO WEEKS OR SO BEFORE THE INCIDENT AND RONNIE HAD
18 TOLD HER THAT SHE WAS GOING TO CALL THE POLICE IF HE CAME
19 BACK.

20 ROGER STEWART, THE WHOLE THING ABOUT ROGER
21 STEWART I THINK REUBEN TALKED LONGER ABOUT ROGER STEWART'S
22 TESTIMONY THAT HE TESTIFIED OR MR. GOUDE ABOUT A TWO-YEAR-
23 OLD. THE TWO-YEAR-OLD COULD JUST JUMP OUT OF THE CAR AND
24 SAID, HEY, COME ON DADDY LET'S GO. I'D, I'D JUST SUBMIT TO
25 YOU THAT THAT WAS NOT CREDIBLE CONVINCING TESTIMONY AND

CLOSING ARGUMENT BY STATE

369

1 HEAR MR. GOUDE TELL IT I PROBABLY SHOULD CONSIDER INDICTING
2 THAT TWO-YEAR-OLD FOR ACCESSORY INASMUCH AS SHE DIDN'T WHIP
3 OUT HER CELL PHONE AND CALL 911, SO I DON'T THINK WHAT
4 ROGER STEWART SAID WAS IN ANY WAY CONVINCING.

5 THE KNIFE, MR. GOUDE HELPED ME A LOT WITH THAT
6 BECAUSE HE'S RIGHT HOW DID THE KNIFE GET IN THE CAR. IF
7 SHE MADE ALL THIS UP HOW, HOW COULD SHE POSSIBLY, HOW COULD
8 SHE POSSIBLY THINK THAT FAST? IT'S JUST NOT POSSIBLE.
9 EITHER SHE'S A LIAR AND SHE GOT THE KNIFE OUT THERE OR SHE
10 PUT TOGETHER THIS ELABORATE STORY AND MARKED HERSELF UP
11 WHILE THE POLICE WERE STANDING OUTSIDE AND I THINK THE FACT
12 THAT SHE WASN'T SCREAMING IN PUBLIC A SMALL THING, A VERY
13 SUBTLE THING THAT SHE TESTIFIED TO AND THE OFFICERS
14 TESTIFIED TO WHEN THEY GOT ON, THEY KNOCKED AND THEY
15 KNOCKED AND THEY KNOCKED AND THESE, YOU KNOW, THE OFFICER
16 SAYS HE'S AT THE BACK DOOR. HE'S TRYING TO RUN OUT OF THE
17 BACK DOOR THEN HE'S HIDING IN THE BATHROOM AND EVEN, THIS
18 IS HOW A CDV VICTIM WORKS, EVEN WITH THE POLICE STANDING
19 THERE WITH HER, RIGHT, SHE STILL DON'T CALL HIS NAME OR SAY
20 ANYTHING, SHE JUST POINTS. IS RONNIE INSIDE, WHERE IS HE?
21 SHE'S SCARED TO DEATH EVEN WITH THE POLICE THERE.

22 SHE'S SHAKING BECAUSE IT'S OVER AND SHE'S GLAD
23 THAT SOMEBODY HAS COME AND SAVED HER AND HER DECISION NOT
24 TO RUN EARLIER, NOT TO TRY TO RUN WHEN SHE WAS AT HIS
25 HOUSE, NOT TO DO ANYTHING BUT WAIT FOR SOMEBODY TO HELP HER

CLOSING ARGUMENT BY STATE

370

1 WHICH IS FINALLY WHAT HAPPENED PAID OFF FOR HER AND I TELL
2 YOU JUST THE FACT THAT TIFFANY KINLOCH CAME IN HERE AND
3 SAID THAT SHE RAN UP TO ME AND HUGGED ME JUST ABOUT GIVES
4 ME CHILLS.

5 IF YOU ARE NOT CONVINCED BY THE FACT THAT SHE'S,
6 SHE'S OUT THERE IN HER PAJAMAS, SHE'S, SHE'S BEEN ALL OVER
7 TOWN IN HER PAJAMAS, SHE'S MARKED UP BOTH SIDES OF HER FACE
8 UNDER HER EYES, BEEN CHOKED, AND THEN WHEN THE OFFICERS GET
9 THERE HE TRIES TO RUN OUT THE BACK DOOR AND THEN SHE WHEN
10 EVERYTHING IS SAFE RUNS UP TO THE OTHER DEPUTY AND HUGS HER
11 BEFORE SHE ENDS UP, YOU KNOW, SHE TELLS THEM THAT THE KNIFE
12 IS IN THE CAR AND THEN LO AND BEHOLD HOW FORTUNATE FOR HER.
13 WHAT A, WHAT AN INCREDIBLE COINCIDENCE THAT THERE WAS A
14 STEAK KNIFE IN THE CAR FOR, TO CORROBORATE HER STORY THAT
15 HE THREATENED HER AT KNIFE POINT TO GET HER TO LEAVE. SO I
16 THINK WHEN YOU ADD ALL THOSE THINGS TOGETHER, THE FACT THAT
17 YOU'VE GOT THE PICTURE OF THE KNIFE, YOU GOT THE KNIFE THAT
18 WAS RECOVERED, YOU GOT THE TESTIMONY FROM THE OFFICERS
19 ABOUT HOW FRIGHTENED AND AFRAID SHE WAS, THE PHYSICAL
20 INDICATIONS, THE DOCTOR'S TESTIMONY, THERE'S OBVIOUSLY JUST
21 ONE COGNIZANT VERDICT THAT YOU CAN RENDER.

22 WE'D ASK THAT YOU USE YOUR COMMON SENSE AND BRING
23 BACK A VERDICT THAT SPEAKS THE TRUTH ON ALL COUNTS,
24 KIDNAPPING WHICH IS, AS THE JUDGE WILL TELL YOU, IT IS TO
25 TAKE OR CARRY AWAY SOMEBODY AGAINST THEIR WILL. IT DOESN'T

JURY CHARGE

371

1 HAVE TO BE WITH PHYSICAL FORCE. YOU CAN INVEIGLE SOMEBODY,
2 MEANING TO TRICK THEM, SO YOU CAN DO IT BY FRAUD. YOU
3 DON'T EVEN HAVE TO PHYSICALLY LAY A HAND ON SOMEBODY. SO
4 THE FACT THAT HE'S GOT THE KNIFE AND HE'S JUST PULLING HER
5 AROUND DOESN'T MEAN IT'S NOT KIDNAPPING. IF YOU TAKE
6 SOMEBODY AWAY AGAINST THEIR WILL THEN THAT IS KIDNAPPING
7 AND I THINK THE FACTS AND CIRCUMSTANCE IN THIS CASE SCREAM
8 THAT THIS IS A KIDNAPPING.

9 THE BURGLARY, THE FACT THAT HE'S GIVEN HER SOME
10 FINANCIAL SUPPORT FOR HER AND THE KIDS IN THE PAST DOES NOT
11 GIVE HIM THE RIGHT TO SHOW UP IN HER HOUSE ANY TIME HE
12 WANTS AFTER SHE'S TOLD HIM SHE'D CALL THE POLICE AND DO
13 WHATEVER HE WANTS. NOW THAT'S WHAT'S REALLY GOING ON HERE.
14 THE BOTTOM LINE IS RONNIE'S GIVING HER A LITTLE BIT OF CASH
15 AND RONNIE OWNS HER AND RONNIE CAN DO WHATEVER RONNIE WANTS
16 TO. THAT'S WHAT'S GOING ON WITH RONNIE. WELL HE DOESN'T
17 HAVE A RIGHT TO GO IN HER HOUSE THE FIRST THING IN THE
18 MORNING AND TELL HER COME ON, B, YOU'RE COMING WITH ME, AND
19 I'D ASK YOU TO BRING BACK A VERDICT THAT SPEAKS THE TRUTH
20 AND A FAIR AND JUST VERDICT IN THIS CASE, THANK YOU.

21 THE COURT: THANK YOU, GENTLEMEN. MR. FOREMAN,
22 LADIES AND GENTLEMEN OF THE JURY, I WANT TO THANK YOU FOR
23 YOUR PATIENCE, FOR YOUR ATTENTION IN THIS CASE. I THANK
24 COUNSEL FOR THEIR REPRESENTATION AND THEIR PRESENTATION IN
25 THE CASE.

JURY CHARGE

372

1 NOW MY DUTY UNDER OUR CONSTITUTION OF THIS STATE
2 CHARGE AND INSTRUCT YOU THE LAW APPLICABLE TO THIS CASE AND
3 IT'S YOUR DUTY AS JURORS TO ACCEPT AND APPLY THE LAW AS I
4 STATE IT TO YOU AT THIS TIME.

5 AS JURORS IT'S YOUR EXCLUSIVE DUTY TO DECIDE ALL
6 THE ISSUES AND FACTS IN THIS CASE AND FOR THAT PURPOSE TO
7 DETERMINE THE AFFECT AND THE VALUE AND THE WEIGHT AND THE
8 TRUTH OF THE EVIDENCE.

9 BOTH THE STATE AND THE DEFENDANT HAVE A RIGHT TO
10 EXPECT THAT YOU WILL CONSCIENTIOUSLY CONSIDER AND EVALUATE
11 THE EVIDENCE AND APPLY THE LAW OF THE CASE THERETO TO THE
12 END THAT BOTH THE STATE OF SOUTH CAROLINA AND THE DEFENDANT
13 WILL RECEIVE AND OBTAIN A FAIR AND IMPARTIAL TRIAL IN THIS
14 CASE.

15 WHEN I USE THE WORD DEFENDANT I REFER TO MR.
16 RONNIE W. WILSON. THE STATE OF SOUTH CAROLINA BY THE BILLS
17 OF INDICTMENT IN THIS CASE CHARGE THE DEFENDANT RONNIE W.
18 WILSON WITH THE OFFENSES OF BURGLARY, KIDNAPPING, CRIMINAL
19 DOMESTIC VIOLENCE HIGH AND AGGRAVATED NATURE, AND
20 POSSESSION OF A WEAPON DURING THE COMMISSION OF A VIOLENT
21 CRIME.

22 TO THESE CHARGES THE DEFENDANT HAS ENTERED THE
23 PLEAS OF NOT GUILTY. A PLEA OF NOT GUILTY BY THE DEFENDANT
24 PLACES THE BURDEN OF PROOF ON THE STATE TO PROVE BY
25 EVIDENCE THE GUILT OF THE DEFENDANT BEYOND A REASONABLE

JURY CHARGE

373

1 DOUBT BEFORE YOU THE JURY CAN FIND THE DEFENDANT GUILTY.

2 THE DEFENDANT IS PRESUMED IN LAW INNOCENT OF THE
3 CHARGE CONTAINED IN THE INDICTMENTS.

4 IT IS A CARDINAL FUNDAMENTAL RULE OF THE LAW OF
5 EVIDENCE THAT A DEFENDANT IRRESPECTIVE OF THE ENORMITY OF
6 THE CHARGE AGAINST HIM WILL ALWAYS BE PRESUMED INNOCENT OF
7 THE CRIME FOR WHICH HE'S INDICTED UNLESS AND UNTIL THE
8 GUILT OF THE DEFENDANT HAS BEEN PROVED BY EVIDENCE THAT
9 SATISFIED YOU THE JURY OF HIS GUILT BEYOND A REASONABLE
10 DOUBT.

11 THE PRESUMPTION OF INNOCENCE IS NOT A MERE LEGAL
12 THEORY AND IS NOT JUST A LEGAL PHRASE. THE PRESUMPTION OF
13 INNOCENCE IS A SUBSTANTIAL RIGHT WHICH EVERY ACCUSED IS
14 ENTITLED.

15 OUR SUPREME COURT HAS DECLARED THAT THE
16 PRESUMPTION OF INNOCENCE IS LIKE A ROBE OF RIGHTEOUSNESS
17 PLACED ABOUT THE SHOULDERS OF A DEFENDANT AND IT REMAINS
18 WITH HIM AND ASSIGNS HIM TO THAT CLASS THE INNOCENT UNTIL
19 THAT PRESUMPTIVE ROBE OF RIGHTEOUSNESS HAS BEEN STRIPPED
20 FROM HIS PERSON BY EVIDENCE SATISFYING YOU THE JURY OF THE
21 GUILT OF THE DEFENDANT BEYOND A REASONABLE DOUBT.

22 THE PRESUMPTION OF INNOCENCE ACCOMPANIES THE
23 DEFENDANT FROM THE TIME OF HIS ARRAIGNMENT AND APPEARANCE
24 IN THE COURT AND CONTINUES WITH THE DEFENDANT THROUGHOUT
25 EVERY STAGE OF THE TRIAL AND CONTINUES WITH THE DEFENDANT

JURY CHARGE

374

1 AFTER YOU RETIRE TO THE JURY ROOM TO DELIBERATE YOUR
2 VERDICT.

3 THE PRESUMPTION OF INNOCENCE CONTINUES IN
4 EXISTENCE TO THE BENEFIT OF THE DEFENDANT UNTIL YOU THE
5 JURY REACH A CONCLUSION THAT THE STATE HAS PROVED THE GUILT
6 OF THE DEFENDANT BEYOND A REASONABLE DOUBT.

7 THE STATE IS NOT REQUIRED TO PROVE THE GUILT OF A
8 DEFENDANT BEYOND ALL DOUBT OR BEYOND EVERY DOUBT BUT BEYOND
9 A REASONABLE DOUBT.

10 SOME OF YOU MAY HAVE SERVED AS JURORS IN CIVIL
11 CASES WHERE YOU WERE TOLD THAT IT WAS ONLY NECESSARY TO
12 PROVE THAT A FACT WAS MORE LIKELY TRUE THAN NOT TRUE. IN
13 CRIMINAL CASES THE GOVERNMENT'S PROOF MUST BE MORE POWERFUL
14 THAN THAT AND IT MUST BE BEYOND A REASONABLE DOUBT.

15 PROOF BEYOND A REASONABLE DOUBT IS PROOF THAT
16 LEAVE YOU FIRMLY CONVINCED OF THE DEFENDANT'S GUILT.

17 THERE ARE VERY FEW THINGS IN THIS WORLD THAT WE
18 KNOW WITH ABSOLUTE CERTAINTY AND IN CRIMINAL CASES THE LAW
19 DOES NOT REQUIRE PROOF THAT OVERCOMES EVERY POSSIBLE DOUBT.

20 IF BASED ON YOUR CONSIDERATION OF THE EVIDENCE
21 YOU ARE FIRMLY CONVINCED THAT THE DEFENDANT IS GUILTY OF
22 THE CRIME CHARGED YOU MUST FIND HIM GUILTY.

23 IF ON THE OTHER HAND YOU THINK THERE IS A REAL
24 POSSIBILITY THAT HE IS NOT GUILTY YOU MUST GIVE HIM THE
25 BENEFIT OF THE DOUBT AND FIND HIM NOT GUILTY.

JURY CHARGE

375

1 A DEFENDANT IS ENTITLED TO EVERY REASONABLE DOUBT
2 ARISING IN THE CASE. IF UPON ANY ISSUE OF FACT ESSENTIAL
3 TO CONVICTION IN A VERDICT OF GUILTY YOU HAVE A REASONABLE
4 DOUBT AS TO HOW THAT ISSUE SHOULD BE RESOLVED IT WOULD BE
5 YOUR DUTY TO RESOLVE THAT REASONABLE DOUBT IN FAVOR OF THE
6 DEFENDANT.

7 A DEFENDANT IS NOT REQUIRED TO PROVE HIS
8 INNOCENCE BUT THE STATE IS REQUIRED IN LAW TO PROVE EVERY
9 ESSENTIAL ELEMENT OF THE EVENTS CHARGED AGAINST THE
10 DEFENDANT BY EVIDENCE THAT SATISFIES YOU THE JURY OF THE
11 GUILT OF THE DEFENDANT BEYOND A REASONABLE DOUBT BEFORE YOU
12 CAN CONVICT THE DEFENDANT AND FIND HIM GUILTY.

13 IF THEN UPON THE WHOLE CASE YOU HAVE A REASONABLE
14 DOUBT AS TO THE GUILT OR THE INNOCENCE OF THE DEFENDANT HE
15 IS ENTITLED TO THAT REASONABLE DOUBT AND WOULD BE ENTITLED
16 TO AN ACQUITTAL AND A VERDICT OF NOT GUILTY, BUT ON THE
17 OTHER HAND IF UPON THE WHOLE CASE YOU FIND THAT THE STATE
18 HAS PROVE BY EVIDENCE WHICH SATISFIES YOU THE JURY OF THE
19 GUILT OF THE DEFENDANT BEYOND A REASONABLE DOUBT THEN IN
20 SUCH CIRCUMSTANCES IT WOULD EQUALLY BE YOUR DUTY TO CONVICT
21 THE DEFENDANT AND FIND HIM GUILTY.

22 I INSTRUCT YOU AT THIS TIME THAT THE INDICTMENTS
23 IN THIS CASE WHICH YOU WILL HAVE LATER ON IS NOT EVIDENCE,
24 ARE NOT EVIDENCE, AND CANNOT BE CONSIDERED BY THE JURY AS
25 EVIDENCE IN THE CASE.

JURY CHARGE

376

1 AN INDICTMENT IS SIMPLY THE FORMAL WRITTEN
2 INSTRUMENT WHICH CONTAINS THE CHARGE AGAINST THE DEFENDANT
3 AND IT SERVES AS THE FORMAL DOCUMENT BY WHICH THE CASE WAS
4 PROCESSED INTO THE COURT SYSTEM.

5 DURING THIS TRIAL EACH OF US, YOU AND I, HAVE
6 CERTAIN DUTIES TO PERFORM. AS THE TRIAL JUDGE IT IS MY
7 RESPONSIBILITY TO PRESIDE OVER THE TRIAL OF THIS CASE AND I
8 ALSO HAVE THE DUTY TO RULE UPON OR PASS UPON THE
9 ADMISSIBILITY OF THE EVIDENCE OFFERED DURING THE PROGRESS
10 OF THE TRIAL.

11 YOU ARE TO CONSIDER ONLY THE COMPETENT EVIDENCE
12 BEFORE YOU AND YOU ARE TO DISREGARD AND DISABUSE FROM YOUR
13 MIND ANY TESTIMONY ORDERED STRICKEN FROM THE RECORD IN THE
14 CASE DURING THE PROGRESS OF THE TRIAL IF THERE BE ANY.

15 YOU ARE TO CONSIDER ONLY THE TESTIMONY WHICH HAS
16 BEEN PRESENTED FROM THE WITNESS STAND TOGETHER WITH ANY
17 EXHIBITS WHICH HAVE BEEN ADMITTED TO THE RECORD IN THE CASE
18 AND ANY STIPULATION THAT COUNSEL MADE INTO THE RECORD IF
19 THERE BE ANY.

20 IN OTHER WORDS YOU DECIDE THIS CASE BASED UPON
21 THE EVIDENCE THAT IS BEFORE YOU THAT IS TO THE EVIDENCE YOU
22 THE JURY MUST GIVE THE PROPER WEIGHT TO THE EVIDENCE AS YOU
23 SEE FIT.

24 NOW THE ATTORNEYS ARGUMENTS AND WHAT THE
25 ATTORNEYS SAY ARE NOT NECESSARILY THE EVIDENCE. THEY MAY

JURY CHARGE

377

1 QUOTE FROM SOME OF THE EVIDENCE. THEY MAY MENTION THE
2 EVIDENCE. THEY MAY REFER TO THE EVIDENCE BUT AN ATTORNEYS
3 STATEMENT, ATTORNEYS ARGUMENT IS NOT EVIDENCE IN THE CASE.

4 NOW I HAVE AN ADDITIONAL DUTY TO CHARGE YOU THE
5 APPLICABLE LAW OF THE CASE. AS THE PRESIDING JUDGE I AM
6 THE SOLE JUDGE OF THE LAW IN THE CASE AND IT'S YOUR DUTY TO
7 ACCEPT AND APPLY THE LAW AS I STATE IT TO YOU.

8 IF YOU HAVE A PRECONCEIVED IDEA AS WHAT THE LAW
9 IS OR WHAT THE LAW OUGHT TO BE IN THIS CASE AND IT DOESN'T
10 AGREE WITH WHAT I TELL YOU IT IS YOU'RE OBLIGATED UNDER
11 YOUR OATH TO ABANDON THIS PRECONCEPTION ON YOUR PART
12 BECAUSE YOU ARE SWORN TO ACCEPT THE LAW PRECISELY AS THE
13 COURT STATES IT TO YOU.

14 IN EVERY CASE TRIED IN THIS COURT BEFORE A JURY
15 THE JURY BECOMES THE SOLE AND EXCLUSIVE JUDGE OF THE FACTS
16 OF THE CASE. YOU THE JURY ARE THE JUDGE OF THE FACTS IN
17 THIS CASE. THE COURT IS THE JUDGE OF THE LAW IN THE CASE.

18 OUR CONSTITUTION IN SOUTH CAROLINA HAS DECLARED
19 THAT THE TRIAL JUDGE SHALL NOT INTIMATE, STATE, COMMENT
20 UPON, OR MAKE ANY STATEMENT TO A TRIAL JURY ABOUT THE FACTS
21 OF THE CASE.

22 SINCE YOU ARE THE SOLE JUDGES OF THE FACT YOU ARE
23 NOT TO INFER FROM ANYTHING THAT I'VE SAID DURING THE
24 PROGRESS OF THIS TRIAL IN RULING UPON THE ADMISSIBILITY OF
25 EVIDENCE OR OTHERWISE OR ANYTHING THAT I NOW SAY DURING THE

JURY CHARGE

378

1 COURSE OF THIS CHARGE TO YOU THAT I HAVE AN OPINION ABOUT
2 THE FACTS IN THE CASE.

3 THE LAW DOES NOT PERMIT ME TO HAVE AN OPINION
4 ABOUT THE FACTS. THAT IS A MATTER SOLELY FOR YOU THE JURY
5 TO DETERMINE.

6 AS JURORS THEN IT IS YOUR DUTY TO DETERMINE AS I
7 HAVE STATED TO YOU THE AFFECT, THE VALUE, THE WEIGHT, AND
8 THE TRUTH OF THE EVIDENCE PRESENTED DURING THE COURSE OF
9 THIS TRIAL.

10 NECESSARILY THEN YOU MUST ASSESS THE CREDIBILITY
11 OF THE WITNESSES WHO HAVE TESTIFIED IN THIS CASE.

12 CREDIBILITY IS SIMPLY A LEGALISTIC TERM WHICH
13 MEANS BELIEVABILITY. IT BECOMES YOUR DUTY THEN TO ANALYZE
14 AND EVALUATE THE EVIDENCE AND DETERMINE THAT EVIDENCE WHICH
15 CONVINCES YOU OF ITS TRUTH.

16 I CHARGE YOU THAT IN DETERMINING AND QUESTIONING
17 THE CREDIBILITY OR BELIEVABILITY OF WITNESSES YOU MAY
18 BELIEVE ONE WITNESS AS AGAINST SEVERAL WITNESSES OR SEVERAL
19 WITNESSES AS AGAINST ONE WITNESS.

20 YOU MAY BELIEVE A PART OF THE TESTIMONY OF A
21 WITNESS AND REJECT THE REMAINING PART OF THE TESTIMONY OF
22 THAT SAME WITNESS.

23 YOU MAY BELIEVE THE TESTIMONY OF A WITNESS IN ITS
24 ENTIRETY OR REJECT THE TESTIMONY OF A WITNESS IN ITS
25 ENTIRETY.

JURY CHARGE

379

1 YOU MAY CONSIDER WHETHER ANY WITNESS HAS
2 EXHIBITED ANY INTEREST, ANY BIAS, OR ANY PREJUDICE IN THE
3 CASE.

4 IN OTHER WORDS YOU CAN DETERMINE WHO HAS THE MOST
5 REASON TO BE TELLING YOU A LIE OR TO MISLEAD YOU ABOUT THE
6 TRUTH.

7 YOU MAY CONSIDER THE DEMEANOR OF A WITNESS, THE
8 APPEARANCE OF A WITNESS, AND YOU MAY CONSIDER THE
9 OPPORTUNITY FOR KNOWLEDGE CONCERNING THOSE THINGS ABOUT
10 WHICH A WITNESS TESTIFIED AND IN DOING SO AND EXERCISING
11 YOUR MENTAL PROCESS IN DETERMINING WHAT YOU CONSIDER TO BE
12 TRUE THE LAW SIMPLY REQUIRES THAT YOU EXERCISE YOUR GOOD
13 COMMON SENSE, YOUR SENSE OF LOGIC, YOUR GOOD JUDGMENT, AND
14 YOUR EXPERIENCES IN LIFE.

15 YOU THEN APPLY THESE ATTRIBUTES OF ABILITY TO THE
16 EVIDENCE AND DETERMINE WHAT YOU CONSIDER THE TRUTHFUL
17 EVIDENCE AND TO THESE TRUE STATE OF FACTS AS DETERMINED BY
18 YOU THE JURY YOU TAKE AND APPLY THE LAW AS I STATE IT TO
19 YOU AND THUS ARRIVE AT A TRUE VERDICT IN THIS CASE.

20 IN JUST A FEW MINUTES I'M GOING TO GIVE YOU THE
21 CHARGE OF THE LAW ON THE INDIVIDUAL OFFENSES THAT ARE
22 ALLEGED IN THE INDICTMENTS.

23 I WANT TO INSTRUCT YOU AT THIS TIME AND EMPHASIZE
24 TO YOU THAT THE ELECTION OF A DEFENDANT IN A TRIAL OF A
25 CRIMINAL CASE NOT TO TESTIFY ON HIS OWN BEHALF IS NOT A

JURY CHARGE

380

1 FACTOR TO BE CONSIDERED BY YOU IN ANY WAY IN YOUR
2 DELIBERATION IN YOUR CONSIDERATION ON THE QUESTION OF THE
3 GUILT OR THE INNOCENCE OF THE ACCUSED.

4 IT MUST NOT BE CONSIDERED BY YOU IN ANY MANNER
5 WHATSOEVER AGAINST THE DEFENDANT OR MITIGATE AGAINST HIM IN
6 ANY RESPECT WHATSOEVER.

7 A DEFENDANT HAS THE CONSTITUTIONAL RIGHT TO
8 REMAIN SILENT AND THE ASSERTION OF SUCH CONSTITUTIONAL
9 RIGHT CANNOT AND MUST NOT BE CONSIDERED BY YOU IN YOUR
10 DELIBERATIONS.

11 UNDER YOUR OATH THEN YOU ARE TO REACH NO
12 INFERENCE AND DRAW NO CONCLUSION WHATSOEVER FROM THE FACT
13 THAT A DEFENDANT IN THE CASE DID NOT HIMSELF TESTIFY. THIS
14 SHOULD NOT EVEN BE DISCUSSED IN THE JURY ROOM.

15 THE BURDEN OF PROOF AS I HAVE STATED TO YOU IS
16 UPON THE STATE. IT IS NOT INCUMBENT UPON THE ACCUSED TO
17 PROVE HIS INNOCENCE.

18 THE FIRST INDICTMENT THAT I COME TO IS A BURGLARY
19 FIRST DEGREE. UNDER SECTION 16-11-311 OF THE SOUTH
20 CAROLINA CODE BURGLARY IN THE FIRST DEGREE IS DEFINED AS
21 THE ENTERING OF THE DWELLING HOUSE OF ANOTHER WITHOUT
22 CONSENT WITH THE INTENT TO COMMIT A CRIME THEREIN AS I WILL
23 DEFINE FOR YOU IN WHICH IS ACCOMPANIED BY ONE OF THE
24 FOLLOWING CIRCUMSTANCES.

25 WHEN ENTERING OR WHILE IN THE HOUSE OR IN

JURY CHARGE

381

1 FLEEING, OR IN FLEEING THE DEFENDANT OR HIS ACCOMPLICE IS
2 ARMED WITH A DEADLY WEAPON OR EXPLOSIVE CAUSES PHYSICAL
3 HARM OR INJURY TO ANYONE NOT PARTICIPATING IN THE CRIME
4 USES OR THREATENS TO USE A DANGEROUS OBJECT OR DISPLAYS
5 WHAT IS OR APPEARS TO BE A KNIFE, PISTOL, REVOLVER, RIFLE,
6 SHOTGUN, MACHINE GUN, OR OTHER FIRE.

7 THERE ARE FOUR ESSENTIAL ELEMENTS TO THE
8 REQUIREMENT THAT THE DEFENDANT ENTER INTO THE DWELLING
9 HOUSE OF ANOTHER WITHOUT CONSENT WITH INTENT TO COMMIT A
10 CRIME. THEY ARE THAT:

11 ONE, THERE MUST BE AN ENTERING. THE STATE MUST
12 PROVE THAT THERE WAS AN ENTERING. THAT IS THE DEFENDANT
13 ACTUALLY WENT INSIDE THE HOUSE OR SOME PART OF IT. IT IS
14 NOT NECESSARY, HOWEVER, THAT THE ENTIRE BODY OF THE
15 DEFENDANT ENTER THE HOUSE. THE SMALLEST ENTRY IS
16 SUFFICIENT AND IT MAY BE ANY PART OF THE BODY OF A HAND OR
17 FOOT OR EVEN AN IMPLEMENT SUCH AS A HOOK OR OTHER
18 INSTRUMENT. NO FORCE NEED TO BE USED TO GAIN ENTRY.

19 TWO, THE ENTRY MUST BE WITHOUT CONSENT. ASIDE
20 FROM THE USUAL AND NORMAL UNDERSTANDING OF THE PHRASE
21 WITHOUT CONSENT THE TERM ENTRY ALSO MEANS TO ENTER A
22 BUILDING BY USING DECEPTION, ARTIFICE, TRICK, OR
23 MISREPRESENTATION AND GAIN CONSENT TO ENTER FROM THE PERSON
24 UNLAWFUL POSSESSION.

25 THREE, THE PLACE ENTERED MUST BE A DWELLING

JURY CHARGE

382

1 HOUSE. THE TERM DWELLING HOUSE MEANS ANY BUILDING
2 INHABITED BY A PERSON OR PERSONS AND IN WHICH THEY
3 CUSTOMARILY SLEEP. A BUILDING CONSTRUCTED AS A DWELLING
4 THAT HAS NEVER BEEN OCCUPIED CANNOT BE CONSIDERED AS A
5 DWELLING WITHIN THE DEFINITION BUT A TEMPORARY ABSENCE OF
6 THE INHABITANT OR INHABITANTS DOES NOT AFFECT THE BUILDINGS
7 CHARACTER AS SUCH. THE TERM DWELLING ALSO MEANS A LIVING
8 QUARTERS OF A BUILDING USED OR NORMALLY USED FOR SLEEPING,
9 LIVING OR LODGING BY A PERSON. ALL HOUSES, OUTHOUSES,
10 BUILDINGS, SHEDS, AND ERECTIONS THAT ARE WITHIN 200 YARDS
11 OF A DWELLING SHALL BE CONSIDERED A PART OF IT.

12 FOUR, THE DEFENDANT MUST HAVE AN INTENT TO COMMIT
13 A CRIME. THE MERE ENTRY INTO A DWELLING HOUSE WITHOUT
14 CONSENT IS NOT A VIOLATION OF THIS BURGLARY STATUTE. IT IS
15 ONLY WHERE THERE IS AN INTENT TO COMMIT A CRIME WHETHER IT
16 BE A FELONY OR A MISDEMEANOR THAT THE CRIME IS COMPLETE.
17 PROOF OF INTENT NECESSARILY RESTS ON INFERENCE FROM
18 CONDUCT. IT IS ESSENTIAL THAT THE FELONIOUS INTENT EXIST
19 AT THE TIME OF ENTRY. IT IS NOT SUFFICIENT THAT THE
20 FELONIOUS INTENT IS FORMED AFTERWARDS. ON THE OTHER HAND
21 WHERE THE INTENT EXIST AT THE TIME OF ENTRY IS NO DEFENSE
22 THAT THE INTENT WAS ABANDONED AFTER THE ENTRY. IT DOES NOT
23 MATTER THAT THE INTENDED CRIME WAS NOT COMPLETED.

24 THE NEXT INDICTMENT I WILL COVER FOR YOU IS THE
25 CRIMINAL DOMESTIC VIOLENCE HIGH AND AGGRAVATED NATURE. I'M

JURY CHARGE

383

1 GOING TO READ TO YOU FROM TWO SECTIONS OF THE LAW OF THE
2 STATE OF SOUTH CAROLINA CRIMINAL CODE.

3 16-25-20: IT IS UNLAWFUL TO CAUSE PHYSICAL HARM
4 OR INJURY TO A PERSON'S OWN HOUSEHOLD MEMBER OR OFFER OR
5 ATTEMPT TO CAUSE PHYSICAL HARM OR INJURY TO A PERSONS OWN
6 HOUSEHOLD MEMBER WITH APPARENT PRESENT ABILITY UNDER THE
7 CIRCUMSTANCES REASONABLY CREATING FEAR OF IMMINENT PERIL.

8 THEN 16-25-65: A PERSON WHO VIOLATES SECTION 16-
9 25-20 THAT I JUST QUOTED TO YOU, IS GUILTY OF THE OFFENSE
10 OF CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED
11 NATURE WHEN ONE OF THE FOLLOWING OCCURS:

12 THE PERSON COMMIT, ONE, AN ASSAULT AND BATTERY
13 WHICH INVOLVES THE USE OF A DEADLY WEAPON OR RESULTS IN
14 SERIOUS BODILY INJURY TO THE VICTIM;

15 OR, TWO, AN ASSAULT WITH OR WITHOUT AN
16 ACCOMPANYING BATTERY WHICH WOULD REASONABLY CAUSE A PERSON
17 TO FEAR IMMINENT SERIOUS BODILY INJURY OR DEATH.

18 AS TO THE INDICTMENT FOR KIDNAPPING SECTION 16-3-
19 910 AS AMENDED THAT'S CAPTIONED KIDNAPPING IT READS IN
20 PART, WHOEVER SHALL UNLAWFULLY SEIZE, CONFINE, INVEIGLE,
21 DECOY, KIDNAP, ABDUCT OR CARRY AWAY ANY OTHER PERSON BY ANY
22 MEANS WHATSOEVER WITHOUT AUTHORITY OF LAW SHALL BE GUILTY
23 OF A FELONY KIDNAPPING.

24 THE WORD UNLAWFULLY APPLIES TO EACH OF THE
25 SUBSEQUENT WORDS OF SEIZE, CONFINE, INVEIGLE, DECOY,

JURY CHARGE

384

1 KIDNAP, ABDUCT OR CARRY AWAY AND ALSO TO ANY OTHER PERSON.

2 ALSO EACH OF THE WORDS STARTING WITH SEIZE
3 THROUGH CARRY AWAY RELATES TO AND INCLUDES ONLY ANY OTHER
4 PERSON.

5 THE TERM UNLAWFULLY MEANS AGAINST THE LAW OR
6 ILLEGAL WITHOUT AUTHORITY OF LAW. IT MEANS WITHOUT
7 AUTHORIZATION OF LAW OR WITHOUT THE LEGAL POWER UNDER THE
8 LAW OR WITHOUT BASIS OR SANCTION OF THE LAW.

9 SEIZE MEANS TAKE HOLD OF FORCIBLY.

10 CONFINE MEANS TO IMPRISON OR SHUT UP OR RESTRAIN.

11 KIDNAPPING IS A FORCIBLE TAKING AND REMOVABLE OF
12 A PERSON FROM ONE PLACE TO ANOTHER AGAINST HIS OR HER WILL
13 UNLAWFULLY AND WITHOUT AUTHORITY OF LAW.

14 ABDUCT MEANS TO TAKE A PERSON AWAY UNLAWFULLY AND
15 BY FORCE OR TO KIDNAP AND WITHOUT CONSENT.

16 CARRY AWAY MEANS MOVING FROM ONE PLACE TO ANOTHER
17 UNLAWFULLY WITHOUT AUTHORITY OF LAW AND WITHOUT THE CONSENT
18 OF THE PERSON BEING CARRIED AWAY.

19 THE CARRYING AWAY NEED NOT BE OF ANY SPECIFIC
20 DISTANCE IF IT IS OF SUFFICIENT LENGTH TO ESTABLISH THAT IT
21 WAS UNLAWFULLY AND WITHOUT AUTHORITY OF LAW AND WITH A
22 PURPOSE TO VIOLATE THE LAW.

23 UNDER THE STATUTE THE STATE NEED NOT PROVE EACH
24 OF THE TERMS SEIZE, CONFINE, INVEIGLE, DECOY, KIDNAP,
25 ABDUCT OR CARRY AWAY. PROOF OF ANY ONE IS SUFFICIENT

JURY CHARGE

385

1 PROVIDED THE STATE PROVES THAT SUCH WAS DONE THAT IT WAS
2 DONE UNLAWFULLY AND WITHOUT AUTHORITY OF LAW AND WITHOUT
3 THE CONSENT IN THIS CASE OF THE KIDNAPPED PERSON.

4 THIS IS THE CAUSE OF ALL THE TERMS UNDER THIS
5 STATUTE THAT I'VE JUST READ TO YOU ARE EMBRACED WITHIN THE
6 CAPTION KIDNAPPING. EACH OF THE TERMS, HOWEVER, REQUIRES A
7 TAKING AND CARRYING AWAY WITHOUT CONSENT AND I HAVE CHARGED
8 THAT CONSENT ONCE GIVEN MAY BE WITHDRAWN.

9 THE STATE DOES NOT HAVE TO PROVE A MOTIVE.

10 I CHARGE YOU, FURTHER CHARGE YOU THAT RANSOM IS
11 NOT AN ELEMENT OF OUR KIDNAPPING LAW.

12 THE LAST INDICTMENT POSSESSION OF A WEAPON DURING
13 THE COMMISSION OF A CRIME SECTION 16-23-490 OF THE SOUTH
14 CAROLINA CODE MAKES IT ILLEGAL TO VISIBLY DISPLAY A KNIFE
15 DURING THE COMMISSION OF A VIOLENT CRIME.

16 SECTION 16-1-60 PROVIDES A LIST OF THE VIOLENT
17 CRIMES IN THE STATE OF SOUTH CAROLINA. I CHARGE YOU THAT
18 BURGLARY FIRST DEGREE, KIDNAPPING, POSSESSION, EXCUSE ME,
19 CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE
20 ARE CONTAINED IN THAT LIST OF VIOLENT CRIMES.

21 FOR YOU TO FIND THE DEFENDANT GUILTY OF THIS
22 SEPARATE STATUTORY OFFENSE OF POSSESSING A KNIFE DURING A
23 VIOLENT CRIME YOU MUST FIRST FIND THE DEFENDANT GUILTY OF A
24 VIOLENT CRIME.

25 IF YOU FIND THE DEFENDANT GUILTY OF A VIOLENT

JURY CHARGE

386

1 CRIME THEN YOU MUST DETERMINE WHETHER THE STATE HAS PROVED
2 BEYOND A REASONABLE DOUBT THAT THE DEFENDANT VISIBLY
3 DISPLAYED A KNIFE DURING THE COMMISSION OF A VIOLENT CRIME.

4 AS USED IN SECTION 16-23-490 OF THE SOUTH
5 CAROLINA CODE A KNIFE IS DEFINED AS AN INSTRUMENT OR TOOL
6 CONSISTING OF A SHARP CUTTING BLADE WHETHER OR NOT FASTENED
7 TO A HANDLE WHICH IS CAPABLE OF BEING USED TO INFLICT A
8 CUT, SLASH OR WOUND.

9 ALL RIGHT, I HAVE COVERED ALL THE SPECIFIC
10 ALLEGED OFFENSES.

11 LADIES AND GENTLEMEN, YOU ARE NOT CARDINALS OR
12 ADVOCATES OF THE STATE OF SOUTH CAROLINA OR THE DEFENDANT.
13 YOU DO NOT SERVE AS JURORS TO REWARD FRIENDS OR PUNISH
14 ENEMIES. OBVIOUSLY SUCH A PERVERTED SYSTEM OF JUSTICE
15 WOULD BE INTOLERABLE IN OUR SOCIETY.

16 YOU HAVE BEEN SELECTED BY BOTH THE STATE AND THE
17 DEFENDANT AS FAIR AND IMPARTIAL JURORS. IT IS YOUR DUTY
18 THEN BY YOUR JOINT DELIBERATIONS TO DETERMINE THE TRUTH IN
19 THIS CASE GIVING TO THE DEFENDANT THE BENEFIT OF EVERY
20 REASONABLE DOUBT ON EACH AND EVERY ISSUE AND ON EACH AND
21 EVERY INDICTMENT.

22 THEN TO THE FACTS THAT YOU DETERMINE TO BE TRUE
23 YOU THEN TAKE AND APPLY THE LAW WHICH HAS BEEN GIVEN TO YOU
24 BY THE COURT AND THUS ARRIVE AT A VERDICT WHICH DOES SPEAK
25 THE TRUTH IN THE CASE FOR AS I TOLD YOU BEFORE THE WORD

JURY CHARGE

387

1 VERDICT IS A LATIN DERIVATIVE WORD WHICH MEANS IN AFFECT A
2 TRUE SAYING FOR WHEN YOU HAVE ACCOMPLISHED THESE
3 RESPONSIBILITIES YOU WILL HAVE SATISFIED YOUR OATH AS
4 JURORS AND YOU WILL HAVE DISCHARGED YOUR DUTY TO THE COURT.

5 YOU WILL TAKE UP EACH OF THESE INDICTMENTS. I
6 NOW INSTRUCT YOU AS TO THE FORM OF THE VERDICT IN THIS
7 CASE. AS I SAID YOU'LL TAKE UP EACH INDICTMENT. IF THE
8 STATE HAS FAILED TO PROVE THE GUILT OF THE DEFENDANT BEYOND
9 A REASONABLE DOUBT YOUR VERDICT WOULD BE TWO WORDS, NOT
10 GUILTY.

11 IF THE STATE HAS PROVED THE GUILT OF THE
12 DEFENDANT BEYOND A REASONABLE DOUBT YOUR VERDICT WOULD BE
13 ONE WORD, GUILTY.

14 THE VERDICT THAT YOU RENDER IN THIS CASE AND ON
15 THESE INDICTMENTS MUST BE THE VERDICT OF EACH AND EVERY
16 JUROR. IT MUST BE YOUR UNANIMOUS VERDICT. ALL 12
17 DELIBERATING JURORS MUST AGREE ON THE VERDICT WHICH YOU IN
18 EFFECT AUTHORIZE MR. FOREMAN TO WRITE THE VERDICT FOR YOU.

19 MR. FOREMAN, ON EACH OF THESE INDICTMENTS ON THE
20 BACK BOTTOM LEFT SIDE THERE'S A SECTION THERE THAT SAYS
21 VERDICT. IT WILL BE YOUR DUTY TO WRITE IN THE APPROPRIATE
22 VERDICT ON EACH AND EVERY ONE OF THESE INDICTMENTS ONCE THE
23 JURY HAS DELIBERATED AND REACHED A VERDICT, SIGN YOUR NAME
24 AND PUT THE DATE ON HERE, PLEASE, OKAY.

25 THERE WILL BE A BAILIFF STATIONED NEAR THE DOOR

JURY CHARGE

388

1 IF YOU NEED ANY ASSISTANCE. I THINK LUNCH HAS BEEN
2 ARRANGED AND HOPEFULLY WILL BE HERE IN JUST A FEW MINUTES.
3 I'M GOING TO ASK YOU TO STEP BACK, THE 12 FIRST JURORS TO
4 STEP BACK TO THE JURY ROOM, RELAX A FEW MINUTES. DO NOT
5 BEGIN YOUR DELIBERATIONS UNTIL WE SEND THE EXHIBITS BACK TO
6 YOU. I'VE GOT TO CHECK IN WITH COUNSEL. WE'VE GOT TO
7 CHECK THE EXHIBITS OFF BUT WHEN WE SEND THOSE EXHIBITS BACK
8 WITH THESE INDICTMENTS YOU MAY BEGIN YOUR DELIBERATIONS.

9 THE TWO ALTERNATE JURORS I WANT TO KEEP YOU IN
10 PLACE FOR A WHILE BUT WE WILL ARRANGE A SEPARATE ROOM AND
11 WE WILL GET LUNCH TO YOU IN JUST A FEW MINUTES BUT YOU WILL
12 NOT BE INVOLVED IN THE DELIBERATIONS AT THIS TIME, OKAY.

13 ALL RIGHT, THE BAILIFFS WILL HAVE TO TAKE CARE OF
14 ARRANGING THIS EXTRA ROOM AND THE JURY MAY STEP BACK.

15 (WHEREUPON, THE JURY RETIRED TO THE JURY ROOM AT
16 12:10 P.M.)

17 THE COURT: ALL RIGHT, THE JURY IS CLEAR
18 ANYTHING FOR THE RECORD AT THIS TIME?

19 MR. BRYAN: YES, SIR, WE'D ASK FOR THE
20 DEFINITION OF HOUSEHOLD MEMBER TO BE CHARGED THE REASON
21 BEING THAT WE BOTH SPENT A LOT OF TIME TALKING ABOUT, WELL
22 I SPENT A LOT OF TIME TALKING ABOUT THE FACT THAT HE DIDN'T
23 LIVE THERE AND THAT MIGHT LEAD A REASONABLE PERSON TO
24 ASSUME THAT HE WASN'T A HOUSEHOLD MEMBER ALTHOUGH OBVIOUSLY
25 UNDER THE STATUTE HE WAS. I UNDERSTAND THE DEFENSE CONCERN

JURY CHARGE

389

1 MIGHT BE THAT IT WOULD HIGHLIGHT THAT FACT BUT THAT
2 SHOULDN'T BE A CONCERN INASMUCH AS WE AGREE ON THAT FACT SO
3 WE SHOULD REALLY BE ABLE TO JUST AGREE ON THE FACT THAT
4 THEY, THAT HE HAD LIVED THERE. WE BOTH ACCEPTED THAT
5 VERSION OF THE FACT SO IT SHOULDN'T BE PREJUDICIAL.

6 THE COURT: THE DEFINITION OF HOUSEHOLD?

7 MR. BRYAN: YES, SIR.

8 MR. GOUDE: I HAVE NO OBJECTION TO THAT REQUEST.
9 JUDGE, I HAD, I HIGHLIGHTED THESE THREE THINGS, DID THE
10 COURT INSTRUCT THE JURY ON THE VERDICT WAS TO BE UNANIMOUS
11 AND, SECONDLY, I DIDN'T HAVE CHECKED OFF THAT WE TOLD THEM
12 ABOUT CREDIBILITY OF WITNESSES, AND THE THIRD THING I HAD
13 DOWN THAT WE DIDN'T INSTRUCT THEM ON THEY COULD NOT COMMENT
14 ON THE FAILURE TO DEFENDANT TO TESTIFY.

15 THE COURT: I DID.

16 MR. GOUDE: YOU DID?

17 THE COURT: I DID SAY UNANIMOUS, UNANIMOUS
18 VERDICT. YEAH, I GOT YOU COVERED ON THOSE.

19 MR. GOUDE: ALL RIGHT, SIR.

20 THE COURT: HOUSEHOLD MEMBER, ALL RIGHT, LET ME
21 FIND THE DEFINITION.

22 MR. GOUDE: THAT'S THE FIRST PARAGRAPH TO THAT
23 STATUTE. HOUSEHOLD MEMBER IS THE FIRST PARAGRAPH OF THAT
24 STATUTE.

25 MR. BRYAN: WAS IT IN THERE, DID HE READ IT?

JURY CHARGE

390

1 MR. GOUDE: I DON'T KNOW IF HE READ IT BUT I
2 KNOW THAT'S WHERE IT'S AT.

3 MR. BRYAN: I DON'T THINK HE CHARGED THAT. I
4 THOUGHT IT'S IN THE DEFINITION SECTION.

5 MR. GOUDE: FIRST PARAGRAPH.

6 THE COURT: ALL RIGHT, BRING THEM IN, WE NEED
7 ALL OF THEM BACK. I NEED THE JURORS AND THE TWO ALTERNATES
8 ALL BACK.

9 (WHEREUPON, THE JURY RETURNS TO THE COURTROOM AT
10 12:15 P.M.)

11 THE COURT: LADIES AND GENTLEMEN, I APOLOGIZE
12 FOR BRINGING YOU BACK BUT I LEFT OUT A DEFINITION.

13 I CHARGE YOU THE APPLICABLE STATUTE ABOUT
14 CRIMINAL DOMESTIC VIOLENCE HIGH AND AGGRAVATED NATURE. I
15 USED THE TERM WITHIN THAT STATUTE OF HOUSEHOLD MEMBER. I
16 NEED TO DEFINE THAT FOR YOU.

17 UNDER 16-25-10 OF OUR CODE OF LAWS AS USED IN
18 THIS ARTICLE HOUSEHOLD MEMBER MEANS:

19 ONE, A SPOUSE;

20 TWO, A FORMER SPOUSE;

21 THREE, PERSONS WHO HAVE A CHILD IN COMMON;

22 OR FOUR, A MALE AND FEMALE WHO ARE COHABITATING

23 OR FORMERLY HAVE COHABITATED.

24 DOES THAT TAKE CARE OF IT, COUNSEL?

25 MR. BRYAN: YES, SIR, YOUR HONOR.

JURY CHARGE

391

1 THE COURT: YOU MAY RETURN TO YOUR JURY ROOM,
2 I'M GOING TO ASK COUNSEL AS SOON AS YA'LL HAVE STEPPED BACK
3 WE WILL CHECK OFF THE EXHIBITS AND WE'LL PUT YOU TO WORK.

4 (WHEREUPON, THE JURY RETIRED TO THE JURY ROOM AT
5 12:16 P.M.)

6 MADAM COURT REPORTER: MR. GOUDE?

7 MR. GOUDE: YES, MA'AM, I'M GETTING MY LITTLE
8 LIST HERE.

9 MADAM COURT REPORTER: I HAVE A LIST HERE.

10 (WHEREUPON, THE VERDICT FORMS AND EXHIBITS WERE
11 DELIVERED TO THE JURY ROOM AND DELIBERATIONS BEGAN AT 12:23
12 P.M.)

13 (WHEREUPON, THE JURY KNOCKED WITH A QUESTION AT
14 1:45 P.M.)

15 (THE JURY KNOCKED AT 1:50 P.M. WITH A NOTE TO
16 DISREGARD THE PREVIOUS REQUEST.)

17 (WHEREUPON, COURT'S EXHIBITS NUMBERS 1 AND 2
18 MARKED FOR IDENTIFICATION.)

19 (WHEREUPON, THE JURY KNOCKED WITH A QUESTION AT
20 2:35 P.M.)

21 (WHEREUPON, COURT'S EXHIBIT NUMBER 3 MARKED FOR
22 IDENTIFICATION.)

23 (WHEREUPON, BY AGREEMENT OF THE PARTIES A COPY OF
24 THE KIDNAPPING STATUTE WAS MARKED AS COURT'S EXHIBIT NUMBER
25 4 AND DELIVERED TO THE JURY AT 2:45 P.M.)

ALLEN CHARGE

392

1 (WHEREUPON, THE JURY KNOCKED WITH A NOTE AT 3:22
2 P.M.)

3 THE COURT: ALL RIGHT, I'VE GOT TO BRING THE
4 JURY BACK.

5 (WHEREUPON, THE JURY RETURNS TO THE COURTROOM AT
6 3:27 P.M.)

7 THE COURT: MR. FOREMAN AND LADIES AND GENTLEMEN
8 OF THE JURY, I'M IN RECEIPT OF YOUR NOTE AND YOUR NOTE
9 STATES WE CANNOT COME TO A DECISION ON THE KIDNAPPING
10 CHARGE, WHAT DO YOU WE DO. I'M GOING TO GIVE YOU AN
11 ADDITIONAL CHARGE AT THIS TIME AND IT HAS TO DO WITH THE
12 PROBLEM OF TRYING TO REACH A VERDICT CAUSE HOPEFULLY YOU
13 CAN MAKE ANOTHER EFFORT AND REACH A VERDICT IN THIS MATTER.

14 I'M GOING TO BE VERY BRIEF WITH YOU AND MAKE SOME
15 COMMENTS TO YOU AND LET YOU KNOW THAT BY THIS FURTHER
16 INSTRUCTION IT MAY BE OF A BENEFIT TO YOU IN BEING ABLE TO
17 REACH A VERDICT ON THE KIDNAPPING CHARGE.

18 I'VE ALREADY TOLD YOU THAT YOU ARE THE SOLE JUDGE
19 OF THE FACTS AND THE EVIDENCE IN THE CASE AND AS THE JUDGE
20 I'VE ALREADY TOLD YOU I'M NOT PERMITTED TO EVEN GIVE YOU A
21 HINT AS TO HOW I MAY FEEL ABOUT ANY FACTS OF THE MATTER AND
22 I CERTAINLY CAN GIVE YOU NO HINT ABOUT WHAT VERDICT YOU
23 OUGHT TO BRING IN THIS PARTICULAR CASE. IT IS MY DUTY TO
24 STATE THE LAW OF THE CASE TO YOU AS I DID AND IT IS YOUR
25 DUTY TO BRING IN A VERDICT IF AT ALL POSSIBLE.

ALLEN CHARGE

393

1 NOW I CAN SAY THIS, WHEN A MATTER IS IN DISPUTE
2 IT IS NOT ALWAYS EASY FOR TWO PEOPLE TO AGREE, TWO MEN OR
3 TWO WOMEN, AND THEN WHEN YOU GOT 12 THAT MUST AGREE IT
4 BECOMES OBVIOUSLY CORRESPONDENTLY EVEN MORE DIFFICULT BUT
5 IT IS IMPORTANT FOR LITIGATION, AND THIS IS LITIGATION, BE
6 ENDED IF IT MAY BE ENDED WITHOUT A SINGLE ONE OF YOU DOING
7 VIOLENCE TO YOUR CONSCIOUS.

8 NO JUROR IS EXPECTED TO GIVE UP AN OPINION BASED
9 ON REASONING SATISFACTORY TO HIMSELF OR HERSELF MERELY FOR
10 THE PURPOSE OF BEING IN AGREEMENT AND I WANTED TO BE
11 CLEARLY UNDERSTOOD ON THAT.

12 YOU'RE NOT CALLED UPON OFTEN TO TRY CASES AND
13 THERE ARE OVER 40 CIRCUIT JUDGES WHOSE WORK IT IS TO TRY
14 CASES FROM DAY TO DAY THROUGHOUT THE YEAR AND IT IS VERY
15 UNUSUAL ALMOST HEARD OF FOR A JURY TO GO OUT AND PROMPTLY
16 RETURN WITH A VERDICT. THIS IS WHAT WOULD HAPPEN IF A JURY
17 NORMALLY WAS IN AGREEMENT TO BEGIN WITH.

18 AT THE SAME TIME WE USUALLY DO GET A VERDICT.
19 WHAT THAT MEANS IS THAT IT IS NORMAL FOR JURORS TO DISAGREE
20 AT FIRST BUT THE FACT THAT WE NORMALLY GET A VERDICT ALSO
21 MEANS THAT AFTER REASONABLE PERSONS LAY ASIDE ALL
22 EXTRANEOUS MATTERS AND DETERMINE TO DECIDE A CASE ON THE
23 BASIS OF THE LAW AND EVIDENCE THEY DO COME TO A COMMON
24 UNDERSTANDING AND WRITE A VERDICT.

25 IT HAS NEVER BEEN INTENDED THAT THE VERDICT OF A

VERDICT

394

1 JURY SHOULD BE THE VERDICT OF ANY ONE PERSON. ON THE OTHER
2 HAND THE VERDICT OF A JURY IS THE COLLECTIVE REASONING OF
3 ALL PERSONS PUT TOGETHER AND THAT IS WHY WE HAVE A JURY SO
4 THAT WE MAY HAVE THE BENEFIT OF COLLECTIVE THOUGHT AND
5 COLLECTIVE REASONING. IT BECOMES YOUR DUTY TO TELL THE
6 OTHER JURORS HOW YOU FEEL ABOUT THE CASE AND WHY YOU THINK
7 AS YOU DO AND I'M SURE THAT YOU'VE BEEN DOING JUST THAT.

8 ON THE OTHER HAND IT BECOMES THE OTHER JURORS
9 DUTY TO EXCHANGE VIEWS WITH YOU AND YOU SHOULD LISTEN TO
10 EACH OTHER AND GIVE TO THE OTHERS THOUGHTS SUCH MEANING AS
11 YOU THINK IT SHOULD HAVE AND SO TO SOME DEGREE IT CAN BE
12 SAID THAT JURY SERVICE IS A MATTER OF GIVE AND TAKE.

13 IF YOU DO NOT AGREE ON A VERDICT IT DOESN'T MEAN
14 THAT ANYBODY WINS. IT JUST MEANS THAT IN SOME FUTURE TERM
15 OF COURT BEFORE SOME OTHER JUDGE PERHAPS THAT SOME OTHER
16 JURY WILL SIT WHERE YOU ARE, THE SAME PARTICIPANTS WILL
17 COME AND THE SAME LAWYERS PROBABLY WILL COME AND THEY WILL
18 ASK BASICALLY THE SAME QUESTIONS AND PRESUMEDLY AND
19 PROBABLY THEY WILL GET MUCH THE SAME ANSWERS AND WE WILL GO
20 THROUGH THE WHOLE PROCESS AGAIN.

21 I HAVE NO REASON NOW TO THINK THAT ANY OTHER 12
22 CITIZENS OF GEORGETOWN COUNTY WOULD BE MORE CAPABLE OF
23 SOLVING THIS CONTROVERSY THAN THE 12 OF YOU SO I'M GOING TO
24 ASK YOU AT THIS TIME TO GO BACK TO THE JURY ROOM DELIBERATE
25 FURTHER AND SEE IF YOU CANNOT WRITE A VERDICT IN THIS CASE

VERDICT

395

1 AND I WANT TO CLOSE THIS STATEMENT OUT TO YOU BY REMINDING
2 YOU AGAIN THAT WHILE IT IS IMPORTANT THAT LITIGATION BE
3 ENDED IT SHOULD BE ENDED IN THE FORM OF A VERDICT BY NO
4 JURORS DOING VIOLENCE TO HIS OWN OR HER OWN CONSCIOUS.

5 NO JUROR IS EXPECTED TO GIVE UP AN OPINION BASED
6 ON REASONING SATISFACTORY TO HIM OR HERSELF MERELY FOR THE
7 PURPOSES OF BEING IN AGREEMENT AND WITH THAT ADDED
8 INSTRUCTION I'M GOING TO ASK YOU TO STEP BACK, RETIRE TO
9 THE JURY ROOM AND CONTINUE TO DELIBERATE FURTHER.

10 (WHEREUPON, THE JURY RETIRED TO THE JURY ROOM AT
11 3:32 P.M.)

12 THE COURT: ANY EXCEPTIONS OR ADDITIONS TO THE
13 ALLEN CHARGE?

14 MR. BRYAN: NO, YOUR HONOR.

15 MR. GOUDE: NO, SIR.

16 (WHEREUPON, COURT'S EXHIBIT NUMBER 5 MARKED FOR
17 IDENTIFICATION.)

18 (WHEREUPON, THE JURY KNOCKED WITH A VERDICT AT
19 3:55 P.M.)

20 (WHEREUPON, THE JURY ENTERED THE COURTROOM AT
21 4:00 P.M. TO DELIVER ITS VERDICT.)

22 THE COURT: MR. CLERK.

23 MR. CLERK: DEFENDANT, PLEASE, STAND.

24 INDICTMENT NUMBER 2007-GS-22-739 THE STATE OF SOUTH
25 CAROLINA V. RONNIE WILSON INDICTMENT FOR BURGLARY FIRST

VERDICT

396

1 DEGREE WE THE JURY FIND THE DEFENDANT NOT GUILTY.

2 INDICTMENT NUMBER 2007-GS-22-738 THE STATE OF
3 SOUTH CAROLINA V. RONNIE WILSON INDICTMENT FOR POSSESSION
4 OF A WEAPON DURING A VIOLENT CRIME WE THE JURY FIND THE
5 DEFENDANT NOT GUILTY.

6 INDICTMENT NUMBER 2007-GS-22-737 THE STATE OF
7 SOUTH CAROLINA V. RONNIE WILSON INDICTMENT FOR CRIMINAL
8 DOMESTIC VIOLENCE OF HIGH AND AGGRAVATED NATURE WE THE JURY
9 FIND THE DEFENDANT GUILTY.

10 INDICTMENT NUMBER 2007-GS-22-740 THE STATE OF
11 SOUTH CAROLINA V. RONNIE WILSON INDICTMENT FOR KIDNAPPING
12 WE THE JURY FIND THE DEFENDANT GUILTY.

13 THE COURT: MR. FOREMAN AND LADIES AND GENTLEMEN
14 OF THE JURY, IS THIS YOUR VERDICT, WAS YOUR VERDICT, AND IS
15 STILL YOUR VERDICT, IF SO, PLEASE SIGNIFY BY RAISING YOUR
16 RIGHT HAND.

17 (WHEREUPON, ALL JURORS RESPONDED AFFIRMATIVELY.)

18 THE COURT: THANK YOU VERY MUCH, ANYTHING
19 FURTHER OF THE JURY?

20 MR. GOUDE: NO, YOUR HONOR.

21 MR. BRYAN: NO, YOUR HONOR.

22 THE COURT: LADIES AND GENTLEMEN OF THE JURY, I
23 WANT TO THANK YOU FOR YOUR SERVICE ON THIS CASE. NORMALLY
24 AT THIS TIME SOME OF THE JUDGES WOULD DISMISS YOU AND LET
25 YOU GO, THAT'S FINE, IF YOU WOULD LIKE TO LEAVE AT THIS

DEFENSE MOTION FOR NEW TRIAL

397

1 TIME, BUT I DIDN'T WANT YOU TO LEAVE UNTIL WE DID THANK YOU
2 FOR YOUR SERVICE AND YOUR PATIENCE WITH THE COURT AND
3 APPRECIATE YA'LL TAKING THIS CASE AND RESOLVING IT.

4 IF YOU WOULD LIKE TO STAY THE NEXT PHASE, OF
5 COURSE, IS WHAT WE CALL MITIGATION AND SENTENCING WHERE WE
6 WILL HEAR FROM BOTH SIDES OF THE CASE AS FAR AS WHAT TO DO
7 ABOUT SENTENCING. IF YOU WOULD LIKE TO STAY YOU MAY REMAIN
8 WHERE YOU ARE AND IF YOU WOULD LIKE TO LEAVE THAT WILL BE
9 FINE, TOO. I'LL GIVE YOU A MINUTE OR TWO TO STEP OUT AND
10 YOU COULD GO THROUGH CHAMBERS, IF NECESSARY. MADAM BAILIFF
11 WILL ASSIST YOU OUT IF YOU'D LIKE TO LEAVE BUT IF YOU'D
12 LIKE TO STAY WE'LL BE HERE FOR A FEW MORE MINUTES ON THIS
13 CASE.

14 (WHEREUPON, THE JURY WAS EXCUSED FOR THE EVENING
15 AT 4:04 P.M.)

16 THE COURT: ANYTHING CONCERNING ANY MITIGATION
17 OF SENTENCING?

18 MR. BRYAN: THANK YOU, YOUR HONOR, THE ---

19 MR. GOUDE: JUDGE, CAN WE MAKE OUR MOTION BEFORE
20 WE DO THAT?

21 THE COURT: YES, SIR.

22 MR. GOUDE: WE'D MAKE A MOTION FOR A NEW TRIAL,
23 JUDGE, ON THE KIDNAPPING AND THE CDV CHARGE ON THE GROUNDS
24 OF THE INSUFFICIENCY OF THE EVIDENCE.

25 THE COURT: YOUR MOTION IS NOTED AND BASED ON

SENTENCING

398

1 WHAT'S BEFORE THE COURT AT THIS TIME I'LL HAVE TO DENY THE
2 MOTION.

3 MR. GOUDE: THANK YOU, JUDGE.

4 MR. BRYAN: PLEASE THE COURT, YOUR HONOR, THE
5 DEFENDANT PRIOR CRIMINAL HISTORY IS A 1995 CRIMINAL SEXUAL
6 CONDUCT THIRD DEGREE; ALSO ON THAT OFFENSE HE HAD A
7 PROBATION REVOCATION INDICATING HE'S NOT A GOOD CANDIDATE
8 FOR A SUSPENDED SENTENCE.

9 HE'S GOT A '95 THREATEN THE LIFE OF A PUBLIC
10 OFFICIAL AND ESCAPE IN THAT 1995.

11 A '96 RESISTING ARREST.

12 2000 RESISTING ARREST.

13 A 2000 VIOLATION OF A RESTRAINING ORDER AND
14 RESISTING ARREST.

15 AND A 2004 CRIMINAL DOMESTIC VIOLENCE AND
16 TRESPASS.

17 IN 2005, I'M SORRY, HE ALSO HAD A BURGLARY.

18 IN 2000 HE WAS CONVICTED OF BURGLARY AND
19 THREATENED THE LIFE OF A PUBLIC OFFICIAL,

20 AND THEN IN 2005 HE WAS CONVICTED OF ASSAULT ON A
21 CORRECTIONAL OFFICER WHICH RESULTED IN A 4 YEAR SENTENCE SO
22 THAT MUST HAVE BEEN A FAIRLY SIGNIFICANT INCIDENT.

23 OBVIOUSLY FROM HIS RECORD AND HIS CONDUCT YOU CAN
24 TELL THAT HE HAS A PATTERN OF CONDUCT IN REFERENCE IN
25 VIOLENCE TOWARDS WOMEN AND LAW ENFORCEMENT AND SHOWS A

SENTENCING

399

1 CONSISTENT LACK OF CONFORMING HIS CONDUCT TO THE
2 REQUIREMENTS OF THE LAW AND ANY RESPECT FOR AUTHORITY SO WE
3 DON'T ASK, MAKE A REQUEST ABOUT A SPECIFIC SENTENCE. WE'D
4 ASK THAT YOU SENTENCE HIM APPROPRIATELY BASED ON HIS RECORD
5 AND THE VERY SERIOUS CONDUCT. I'VE NOT ASKED THE VICTIM,
6 MS. GRAHAM, THE VICTIM ADVOCATE, SHE DOES NOT WISH TO
7 ADDRESS THE COURT; IS THAT RIGHT?

8 MS. GRAHAM: SHE DOES NOT.

9 MR. BRYAN: SHE DOES NOT WISH TO ADDRESS THE
10 COURT, YOUR HONOR, BUT OBVIOUSLY, YOU KNOW, YOU HEARD THE
11 FACTS BUT IT'S ON TWO OCCASIONS HE WAS INFORMED NOT TO GO
12 AROUND AND HE JUST WILL NOT ACCEPT OTHER PEOPLES WORDS
13 ABOUT WHAT HE SHOULD DO. IT SEEMS CLEAR THAT HE'S GOING TO
14 DO WHAT HE'S GOING TO DO AND SO IN THIS CASE HE THREATENED
15 SOMEBODY'S LIFE, TOOK THEM AWAY AT KNIFE POINT ACCORDING TO
16 THE JURY'S VERDICT AND COMMITTED AN AGGRAVATED CDV AND WE'D
17 ASK YOU TO SENTENCE HIM APPROPRIATELY, THANK YOU, YOUR
18 HONOR.

19 THE COURT: MR. GOUDE.

20 MR. GOUDE: JUDGE, MR. WILSON IS 44 YEARS OF
21 AGE. HE HAS BEEN IN JAIL SINCE, SINCE THIS EVENT ALLEGED
22 OCCURRED WHICH IS MAY THE 9TH. I CALCULATE THAT AS MAY,
23 JUNE, JULY, AUGUST, SEPTEMBER, OCTOBER, NOVEMBER, I THINK
24 THAT'S AROUND 205 DAYS.

25 THE COURT: NOT SINCE JULY 9TH?

SENTENCING

400

1 MR. GOUDE: SINCE MAY THE 9TH.

2 THE COURT: MAY THE 9TH.

3 MR. GOUDE: YES, SIR, MAY THE 9TH OF '07. HE
4 WAS WORKING CONSTRUCTION, AS THE BROTHER AND MOTHER
5 TESTIFIED, HAS TWO YEARS OF COLLEGE AND THE COURT HAS HEARD
6 THE EVIDENCE IN THE CASE, RECEIVED THE JURY'S VERDICT,
7 WE'VE PRESENTED OUR SIDE OF THE STORY, THE JURY HAS DONE
8 ITS JOB AND BROUGHT BACK THE VERDICT, WITH IT BROUGHT BACK
9 WE WOULD ASK YOU TO SENTENCE MR. WILSON WHAT YOU THINK IS
10 FAIR TO DO SO IN THE CASE.

11 MR. WILSON MAY WISH TO ADDRESS THE COURT.

12 THE COURT: MR. WILSON?

13 DEFENDANT WILSON: HOW YOU DOING, SIR, FIRST I'D
14 LIKE TO, I'D LIKE TO, I WOULD LIKE TO SAY THE NAME OF ALLAH
15 OUR MOST GRACIOUS, MOST MERCIFUL AND BE A WITNESS THAT
16 THERE IS NO OTHER GOD BUT ALLAH AND THAT THE PERFECT
17 MOHAMMED SENT ISLAM AS THE MESSENGER OF ALLAH AND NEXT I
18 WOULD LIKE TO, I WOULD LIKE TO SAY GOD IS GOOD, HE'S GREAT,
19 THAT'S WHAT I WOULD LIKE TO SAY. MY SOUL IS IN GOD'S HANDS
20 AND I BELIEVE THAT WHATEVER HAPPENS TO ME TODAY, I TRULY
21 BELIEVE THIS FROM MY HEART, WHATEVER SENTENCE YOU GIVE ME
22 IS FROM GOD. THAT'S WHAT I BELIEVE.

23 EARLIER BEFORE WE EVEN GOT STARTED I BELIEVED
24 THAT I WAS BEING WRONGFULLY TREATED AND I SIT DOWN AND I
25 WAS PATIENT AND I LET MR. REUBEN GOUDE, YOU LET MR. REUBEN

SENTENCING

401

1 GOUDE, WE LET MR. REUBEN GOUDE AND MR. BEAU BRYAN WE ALL
2 DID OUR THING, WE DID WHAT WE HAD TO DO, BUT IN MY HEART I
3 FELT LIKE I HAD NO OTHER CHOICE BUT TO DO THIS. THAT'S
4 WHAT I FELT.

5 MR. BEAU BRYAN WOULDN'T LET ME GO SO WHAT DO YOU
6 DO WHEN YOU TRY TO TALK TO SOMEONE WHO HAS THE KEY TO LET
7 YOU OUT OF A JAIL CELL.

8 YOUR HONOR, IF I'M, IF I MAY, IF IT MAY PLEASE
9 THE COURT, I THINK I WAS PATIENT ENOUGH HERE ALL DAY AND
10 I'M NOT PLANNING ON ACTING UP BUT I ASK YOU TO BEAR WITH ME
11 AND HEAR WHAT I GOT TO SAY, HERE WHAT'S ON MY HEART BECAUSE
12 ITS MY LIFE AND I ASK YOU TO BEAR WITH ME.

13 AGAIN I SAY WHAT DO YOU SAY TO A MAN WHO HAS THE
14 KEY TO LET YOU OUT, THAT'S YOU, YOUR HONOR, BECAUSE HE WAS
15 THE NEXT MAN AND NOW YOU ARE THE MAN NOW. YOU SAY TO HIM
16 I'M DEEPLY, DEEPLY SORRY. YOU SAY TO HIM, I APOLOGIZE FOR
17 WHAT HAS HAPPENED. YOU SAY TO HIM, WOULD YOU PLEASE TELL
18 THE VICTIM THAT I APOLOGIZE FOR WHAT HAS HAPPENED. THAT'S
19 WHAT YOU SAY TO HIM AND THEN YOU SAY, IF YOU WILL, WILL YOU
20 PLEASE, SEE YOU USE THE WORDS PLEASE BECAUSE THAT'S, THAT'S
21 THE RIGHT, THAT'S THE PROPER WORD, SO I SAY PLEASE SET ME
22 FREE.

23 I TELL YOU WHY I SAY SET ME FREE, YOUR HONOR,
24 BECAUSE I'M HUMAN AND I LOVE LIFE. I REALIZE I MADE PLENTY
25 MISTAKES, PLENTY. I MADE SO MUCH MISTAKES, YOUR HONOR,

SENTENCING

402

1 UNTIL IT MADE ME LEARN HOW TO DO RIGHT. THAT'S HOW MUCH
2 MISTAKES I'VE MADE AND DID I HAVE CONTROL OF THEM MISTAKES,
3 NO, SIR, BUT I HAD CHOICES TO MAKE.

4 MERCY IS WHAT WE CALL IT, YOUR HONOR, WE CALL IT
5 MERCY. IF YOU THINK I'M ASKING YOU TO HAVE PITY ON ME YOU
6 CAN SAY THAT, TOO.

7 I'M 44 YEARS OLD. I DON'T WANT TO MAKE YOU MAD,
8 BUT YOU KNOW WHEN I PLAN BY THE GRACE OF GOD TO HAVE A
9 LITTLE GIRL BY THE NAME OF ZANESHA GRAHAM BACK IN THE YEAR
10 2003, MAN, I TRIED SO HARD, MAN, I TRIED SO HARD. I TRIED
11 SO HARD. I NEVER, EVER HAD A LITTLE GIRL, 44 YEARS OLD,
12 AND WENT FROM 2003 TO 2007 OF ALL THE THINGS, THE WRONG
13 THINGS THAT I WENT THROUGH AND AS I'M GOING THROUGH THESE
14 THINGS I'M REALIZING, I'M TELLING MYSELF YOU CAN'T DO THAT
15 AND YOU CAN'T DO THIS, YOU GOT TO GET YOURSELF TOGETHER AND
16 GET YOUR HEAD RIGHT FOR YOUR DAUGHTER, YOU KNOW. THIS IS
17 WHAT I'M DOING AND THIS IS WHAT I'M THINKING AND ALL THIS
18 TIME I'M THINKING I'M GETTING MYSELF RIGHT FOR MY DAUGHTER.
19 I'M THINKING I'M GOING TO RAISE MY DAUGHTER, THANK YOU, GOD
20 FOR GIVING ME ZANESHA AND THIS IS WHAT I'M THINKING, YOUR
21 HONOR, AND EVERY OBSTACLE GETS IN MY WAY, YOU KNOW, I'M
22 TRYING THE MOVE THESE OBSTACLES OUT MY WAY.

23 MAN, ALLAH, FORGIVE ME IF I BRING ANY HARM TO
24 ANYBODY BUT IT WASN'T INTENTIONAL, YOUR HONOR, AND IT
25 WASN'T DELIBERATELY AND I DIDN'T DO IT WITH NO MALICE AND I

SENTENCING

403

1 FEEL FREE TO SAY ALL THAT I JUST SAID. YOU'RE THE JUDGE.

2 YOUR HONOR, BEAR WITH ME JUST FOR A FEW MORE
3 MINUTES. YOU KNOW WE GOT, WE GOT A THING CALLED FAITH,
4 RIGHT, AND THEY SAY THAT IF YOU BELIEVE, THEY SAY IF YOU
5 BELIEVE IN TWO OF THE MOST READ BOOKS IN THE WORLD, THEY
6 SAID IF YOU BELIEVE WHAT YOU PRAY FOR, SAY IF YOU BELIEVE
7 IT WITH ALL YOUR HEART AND YOUR BODY AND YOUR SOUL GOD SAY
8 HE WILL GIVE IT TO YOU. THAT'S WHAT GOD SAID.

9 IS THERE A GOD, THAT'S UP TO YOUR BELIEF, LET GOD
10 WILL BE DONE BECAUSE I BELIEVE THAT GOD IS GOING TO GIVE ME
11 FREEDOM AND THAT'S WHAT I BELIEVE, YOUR HONOR, AND JESUS
12 CHRIST SAID, BEAR WITH ME, LET THOSE WHO HAVE NOT SINNED
13 CAST THE FIRST STONE, THAT JESUS WALKED THE FACE OF THIS
14 EARTH, BEAR WITH ME, PARDON ME OF MY SINS AND MY WRONGDOING
15 AND MY CRIME, YOUR HONOR, BECAUSE GOD HAS GIVEN YOU THE
16 POWER TO DO THAT AND IT LIES IN YOUR HANDS, SIR, AND ALL I
17 WANT TO DO, ALL I EVER WANTED TO DO SINCE ZANESHA WAS BORN
18 WAS DO THE RIGHT THING AND TRY TO BE A GOOD FATHER TO HER.
19 THAT'S ALL I EVER WANTED TO DO BUT I HAD ALL THESE OTHER
20 THINGS IN MY WAY THAT I JUST HAD TO GET OUT MY WAY AND
21 MAYBE I MIGHT HAVE BEEN ABOUT THEM THE WRONG WAY, YOUR
22 HONOR. BUT ALL I EVER WANTED, I SEE, I SEE A LOT OF THINGS
23 BUT IT'S NOT FOR ME, YOUR HONOR, I GUESS IT'S NOT FOR ME.

24 I'M NOT PREJUDICE AND I'M NOT A RACIST. I DO NOT
25 SEE COLOR BUT I JUST THOUGHT THAT I COULD STAY IN THAT RACE

SENTENCE

404

1 AND DO LIKE WHAT EVERYBODY ELSE IS DOING AND, YOU KNOW,
2 IT'S, IT'S A LOT OF FUN TO WATCH PEOPLE RAISE THEIR KIDS,
3 MAN, AND WATCH THEM GO SHOPPING FOR THEM AND DO ALL THIS
4 GOOD STUFF, ALL THESE GOOD THINGS, MAN, AND HERE I AM ALL
5 THIS TIME AND I GET ME A NICE LITTLE, PRETTY LITTLE
6 DAUGHTER AND I WANT TO PROTECT HER FROM THE HOODLUMS. I
7 WANT, I WANT TO RAISE HER AND TEACH HER THINGS, THAT'S MY
8 HEART, THAT'S WHAT'S IN MY HEART AND THAT WHAT IN MY HEART
9 SINCE 2003 AND NOW HERE I AM SENTENCED, HERE I AM I, I GOT
10 A KIDNAPPING ON ME. HERE I GOT, I GOT A ASSAULT AND
11 BATTERY, I GOT, I GOT A, A, I GOT TWO CHARGES ON ME THAT
12 CARRIES A TRUCKLOAD OF TIME, I MEAN A BARREL LOAD, BARREL
13 FULL OF TIME.

14 NOW YOU KNOW WHAT I GOT TO DO NOW, I GOT TO SEE
15 HOW I'M GOING TO GET OUT OF THIS ONE TO GET BACK TO
16 ZANESHA, THAT'S A LONG TIME, AND I REALLY DON'T WANT TO GO
17 THROUGH, I'M 44, SO 5 YEARS FROM NOW AND I'LL BE 50, 10
18 YEARS FROM NOW AND I'LL BE 50, 55, 60 AND ZANESHA IS GOING
19 TO BE WAY UP THERE AND THAT'S A DREAM, THAT'S A DREAM THAT
20 JUST WHAT WE CALL SATAN TRYING TO KILL IN MY LIFE, TRYING
21 TO MAKE ME LOOK LIKE I'M A BAD PERSON, I'M A VIOLENT
22 PERSON, I DON'T HAVE NO REMORSE OR NO RESPECT, NO RESPECT
23 FOR THE HUMAN RACE, NO, I MEAN JUST LOOK AT HIM, HE'S,
24 HE'S, HE'S RIDICULOUS. I MEAN HE'S, HE'S, HE'S, HE'S, HE'S
25 JUST WENT TOO FAR, BUT, YOUR HONOR, I APPRECIATE YOU AND I

SENTENCE

405

1 APPRECIATE GOD PUTTING YOU BEFORE ME ALL THE GOOD NEWS THAT
2 I'VE HEARD ABOUT YOU AND I ASK YOU, I KNOW, I KNOW, YOUR
3 HONOR, WHAT WE SEEKETH, WE SEEKING, WE SEEKING TO DO THE
4 RIGHT THING AND I KNOW YOU, YOU MIGHT NOT WANT TO BUST MY
5 BUBBLE BUT THIS IS MY LAST CHANCE AND THEN I GOT TO FIGHT
6 ALL OVER AGAIN SO I MIGHT AS WELL BE THE MAN THAT I AM NOW
7 AND JUST GO AHEAD AND ASK YOU, WILL YOU PLEASE SET ME FREE,
8 WILL YOU, WILL YOU PLEASE LET ME GO HOME TO MY LITTLE
9 DAUGHTER.

10 YOU KNOW I UNDERSTAND THE SENTENCING GUIDELINES
11 AND ALL THIS GOOD STUFF BUT I'M NOT A BAD PERSON, YOUR
12 HONOR, AND I KNOW HOW TO LIVE IN SOCIETY AND I UNDERSTAND
13 HOW MUCH TIME THE CHARGES CARRY. I UNDERSTAND ALL THIS,
14 YOUR HONOR, I UNDERSTAND THAT, BUT YOU'RE THE JUDGE AND,
15 AND I'M, I'M, I'M TALKING TO YOU THE BEST WAY I KNOW HOW,
16 BE RATIONAL.

17 WE HEARD MY RECORD. EVERYBODY IN THE COURTHOUSE
18 HEARD MY RECORD, I'M NOT NO MONSTER AND, SIR, IF YOU WILL I
19 KNOW WHAT KIDNAPPING CARRY AND I KNOW WHAT THE OTHER CHARGE
20 CARRY, SIR, BUT IF YOU WILL AND THE PROBATION OFFICE RIGHT
21 HERE, YOU KNOW, YOU, YOU COULD PUT ME ON PROBATION, YOU
22 KNOW, YOU, YOU CAN DO THAT.

23 THE COURT: MR. WILSON, THERE'S A LOT OF PEOPLE
24 IN THIS COURTROOM THAT THINK YOU SHOULD RECEIVE THE MAXIMUM
25 SENTENCE BUT I DON'T THINK THAT'S THE CASE AND YOU'RE RIGHT

SENTENCE

406

1 THE DECISION COMES DOWN TO ME AND I HAVE TO PROTECT THE
2 CITIZENS OF THIS STATE. I HAVE TO LOOK, LOOK AT ALL ANGLES
3 OF IT WITH RESPECT TO THE VICTIM'S ANGLE AND WITH RESPECT
4 TO YOUR ANGLE. I CANNOT AFFORD TO LET YOU BACK ON THE
5 STREETS OF GEORGETOWN COUNTY. TOO MUCH WATER HAS GONE OVER
6 THE DAM WITH THAT PRIOR RECORD. THERE'S BEHAVIOR THERE
7 GIVES EVERYBODY INCLUDING MYSELF A LOT OF CONCERN.

8 ON CRIMINAL DOMESTIC VIOLENCE HIGH AND AGGRAVATED
9 THE SENTENCE IS 10 YEARS.

10 ON THE SENTENCE OF KIDNAPPING BE A CONCURRENT
11 SENTENCE OF 22 YEARS.

12 YOU'LL GET CREDIT FOR YOUR JAIL TIME BACK FROM
13 MAY THE 9TH, 2007.

14 APPELLATE RIGHTS RUN 10 DAYS ON SENTENCING SO YOU
15 WOULD NEED, IF YOU WISH TO APPEAL THIS MATTER, YOU NEED TO
16 MAKE SURE THAT A NOTICE OF APPEAL IS FILED WITH THE
17 APPROPRIATE COURT WITHIN 10 DAYS.

18 DEFENDANT WILSON: IF I MAY, YOUR HONOR?

19 THE COURT: GOOD LUCK TO YOU.

20 DEFENDANT WILSON: IF I MAY SAY SOMETHING ELSE?

21 THE COURT: NO, SIR, YOU'RE NOT GOING TO SAY
22 ANYTHING ELSE, IT'S OVER.

23 END OF TRANSCRIPT - - - -

24

25

CERTIFICATE OF REPORTER

I, THE UNDERSIGNED BRENDA R. BABB, OFFICIAL COURT REPORTER THE SOUTH CAROLINA COURT ADMINISTRATION, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE, ACCURATE, AND COMPLETE TRANSCRIPT OF RECORD OF ALL PROCEEDINGS HAD AND EVIDENCE INTRODUCED IN THE HEARING OF THE CAPTIONED CASE, RELATIVE TO APPEAL, IN THE COURT OF GENERAL SESSIONS FOR GEORGETOWN COUNTY, SOUTH CAROLINA.

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

April 5, 2008

Brenda R. Babb
BRENDA R. BABB, CVR

OFFICIAL REPORTER

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Georgetown County

Paul M. Burch, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RONNIE W. WILSON,

APPELLANT

FINAL BRIEF OF APPELLANT

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TABLE OF CONTENTS

TABLE OF CONTENTS	1
TABLE OF AUTHORITIES.....	2
STATEMENT OF ISSUES ON APPEAL.....	3
STATEMENT OF THE CASE.....	4
ARGUMENT.....	5
CONCLUSION.....	8

TABLE OF AUTHORITIES

Cases

<u>State v. Council</u> , 335 S.C. 1, 515 S.E.2d 508 (1999).....	6
<u>State v. Lyle</u> , 125 S.C. 406, 416, 118 S.E.2d 803, 807 (1923).....	6
<u>State v. White</u> , 371 S.C. 439, 639 S.E.2d 160 (Ct.App. 2006)	6
<u>State v. Gore</u> , 283 S.C. 118, 322 S.E.2d 12 (1984)	7

STATEMENT OF ISSUES ON APPEAL

Did the judge err in refusing to grant a mistrial when the prosecuting witness testified that, on a prior occasion, the appellant grabbed her neck leaving bruises, when prior to trial appellant moved to exclude prior acts of physical abuse and the State agreed this evidence would not be introduced?

STATEMENT OF THE CASE

In July of 2007, the Georgetown County Grand Jury indicted Wilson for criminal domestic violence of a high and aggravated nature, possession of a weapon during the commission of a violent crime, burglary first degree and kidnapping. November 26, 2007, Wilson proceeded to jury trial before the Honorable Paul M. Burch. On November 29, 2007, the jury returned verdicts of not guilty of burglary first degree and possession of a weapon during the commission of a violent crime. The jury returned verdicts of guilty of criminal domestic violence of a high and aggravated nature and kidnapping. Judge Burch sentenced Wilson to 22 years for kidnapping and 10 years concurrent for criminal domestic violence of a high and aggravated nature. A timely notice of intent to appeal was filed on December 4, 2007. This appeal follows.

ARGUMENT

The judge erred in refusing to grant a mistrial when the prosecuting witness testified that, on a prior occasion, the appellant grabbed her neck leaving bruises, when prior to trial appellant moved to exclude prior acts of physical abuse and the State agreed this evidence would not be introduced.

Prior to trial, counsel for Wilson moved to exclude testimony about prior allegations of physical abuse. (R. p. 2, lines 6-16). The assistant solicitor responded stating, "Your Honor, just to be clear to make sure I understand correctly that's on a 2004 incident you're referencing. I've spoken to my victim Felita Graham previously and she's, she understands that that would be a prior bad act which could not be elicited on direct examination." (R. p. 2, lines 17-22).

At trial, however, Ms. Graham testified:

Other than, you know, I had on several attempts left him. I, like I said I did live with him in Myrtle Beach, when I realized that he, that there was going to be a problem with him being violent towards me I chose to try to end the relationship so that there would not be any altercation. There was one at one time that he did grab me by my neck. There were physical bruises and I went to my mother's house at that time, this is just before I left to go to Pleasant Hill to live with my aunt, there were bruises on my neck and my mother asked me where the bruises came from. He did not want me to tell her where they came from so . . .

(R. p. 10, lines 13-25). Counsel for Wilson objected and outside of the presence of the jury, moved for a mistrial. (R. p. 11, lines 1- p.12, p. 69). Trial counsel argued that a curative instruction could not cure the error. (R. p. 12, lines 13-19). When specifically asked about when the choking incident took place, Ms. Graham stated that it was after 2004. (R. p. 14, lines 8-12). After hearing arguments from both the defense and the State, the judge denied the motion for a mistrial. (R. pp. 11-15). The judge stated:

I was listening very carefully to the testimony and she didn't say anything about 2004. She was involved in that incident and this was more or less leading up to this incident. I don't see that there's that much harm to it but I will instruct the prosecution at this time let's avoid any of those previous incidences where it could be construed that it was criminal domestic violence or an assault of that type where we're not concerned about what happened then. I don't mind, you know, the background but we know there's fine line in there where the Court of Appeals and the Supreme Court - - -

(R. p. 15, lines 25 – p. 16, lines 1-10). The judge erred.

Counsel's pre-trial motion to exclude testimony in regard to prior allegations of physical abuse was clearly intended to apply to all prior allegations and was not limited to one specific instance in 2004. Regardless of the pre-trial motion, the evidence was improper. Generally, evidence of prior crimes or bad acts is not admissible to prove the crime for which the defendant is charged. State v. Lyle, 125 S.C. 406, 416, 118 S.E.2d 803, 807 (1923). The State did not argue that the testimony met an exception under Lyle. Instead, the State argued that the testimony was not covered by the pre-trial motion. (R. p. 13, lines 5-15). The testimony was improper. The judge erred in refusing to grant a mistrial when the prosecuting witness testified that, on a prior occasion, the appellant grabbed her neck leaving bruises.

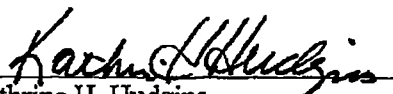
Whether to grant or deny a mistrial motion is a matter within the trial court's sound discretion, and the court's decision will not be disturbed on appeal absent an abuse of discretion amounting to an error of law. State v. Council, 335 S.C. 1, 12-13, 515 S.E.2d 508, 514 (1999); State v. White, 371 S.C. 439, 443-44, 639 S.E.2d 160, 162 (Ct.App. 2006). It is only in cases of abuse of discretion which result in prejudice that an appellate court will intervene and grant a new trial. White, 371 S.C. at 444, 639 S.E.2d at 162.

The judge's failure to grant a mistrial constitutes an abuse of discretion resulting in prejudice. Ms. Graham's testimony about a prior allegation of physical abuse was improper. Wilson was prejudiced by the improper testimony because he was on trial for criminal domestic violence of a high and aggravated nature against Ms. Graham. When the prior bad acts are "strikingly similar to the one for which the appellant is being tried, the danger of prejudice is enhanced. State v. Gore, 283 S.C. 118, 121, 322 S.E.2d 12, 13 (1984). The judge erred in refusing to grant the mistrial.

CONCLUSION

Based on the above argument, Wilson's sentence and conviction should be reversed and the case remanded for a new trial.

Respectfully submitted,


Kathrine H. Hudgins
Appellate Defender

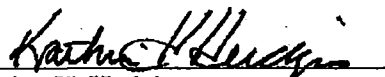
ATTORNEY FOR APPELLANT.

This 13th day of April, 2009.

CERTIFICATE OF COUNSEL

The undersigned certifies that to the best of my ability this Final brief of Appellant complies with Rule 211(b), SCACR, and the August 13, 2007, order from the South Carolina Supreme Court entitled "Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings."

April 13, 2009



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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Georgetown County

Paul M. Burch, Circuit Court Judge

THE STATE,

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RONNIE W. WILSON,

APPELLANT

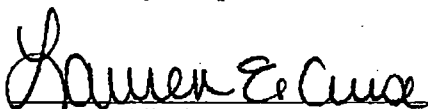
CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Final Brief of Appellant in the above referenced case has been served upon Christina J. Catoe, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 13th day of April, 2009.


Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR APPELLANT.

SUBSCRIBED AND SWORN TO before me
this 13th day of April, 2009.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: August 23, 2014

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Georgetown County
The Honorable Paul M. Burch, Circuit Court Judge

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

v.

RONNIE W. WILSON,

APPELLANT.

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TABLE OF CONTENTS

TABLE OF CONTENTS	1
TABLE OF AUTHORITIES	2
STATEMENT OF ISSUE ON APPEAL.....	3
STATEMENT OF THE CASE	4
ARGUMENT	5
CONCLUSION	11

AUTHORITIES CITED

Cases:

<u>State v. Adams</u> , 354 S.C. 361, 580 S.E.2d 785 (Ct. App. 2003)	8
<u>State v. Benton</u> , 338 S.C. 151, 526 S.E.2d 228 (2000)	5-6
<u>State v. Broadus</u> , 361 S.C. 534, 605 S.E.2d 579 (Ct. App. 2004)	10
<u>State v. Brown</u> , 344 S.C. 70, 543 S.E.2d 552 (2001)	10
<u>State v. Caldwell</u> , 378 S.C. 268, 662 S.E.2d 474 (Ct. App. 2008)	8
<u>State v. Creech</u> , 314 S.C. 76, 441 S.E.2d 635 (Ct. App. 1994)	9
<u>State v. Dawkins</u> , 297 S.C. 386, 377 S.E.2d 298 (1989)	11
<u>State v. Edwards</u> , 373 S.C. 230, 644 S.E.2d 66 (Ct. App. 2007)	9
<u>State v. Ferguson</u> , 376 S.C. 615, 658 S.E.2d 101 (2008)	5, 6
<u>State v. Jones</u> , 325 S.C. 310, 479 S.E.2d 517 (Ct. App. 1996)	5, 6
<u>State v. Lyle</u> , 125 S.C. 406, 118 S.E.2d 803 (1923)	8
<u>State v. Mitchell</u> , 330 S.C. 189, 498 S.E.2d 642 (1998)	5
<u>State v. Patterson</u> , 324 S.C. 5, 482 S.E.2d 760 (1997)	5
<u>State v. Richardson</u> , 358 S.C. 586, 595 S.E.2d 858 (Ct. App. 2004)	10
<u>State v. Schumpert</u> , 312 S.C. 502, 435 S.E.2d 859 (1993)	10
<u>State v. Stanley</u> , 365 S.C. 24, 615 S.E.2d 455 (Ct. App. 2005)	6
<u>State v. Sweat</u> , 362 S.C. 117, 606 S.E.2d 508, (Ct. App. 2004)	9
<u>State v. White</u> , 371 S.C. 439, 639 S.E.2d 160 (Ct. App. 2006)	6

STATEMENT OF ISSUE ON APPEAL

Whether Appellant's mistrial motion was properly denied was not preserved for review where trial counsel refused a curative instruction; but, in any event, the trial judge properly denied the motion where he determined that the testimony did not violate the pre-trial agreement and was not so harmful as to warrant a mistrial.

STATEMENT OF THE CASE

Appellant was indicted in Georgetown County in July 2007 for first-degree burglary, kidnapping, criminal domestic violence of a high and aggravated nature ("CDVHAN"), and possession of a weapon during the commission of a violent crime. (R. p. 18, line 23 – p. 19, line 12; p. 21-24). On November 26-29, 2007, Appellant proceeded to trial, and the jury found him guilty of CDVHAN and kidnapping. (See R. p. 18, line 23 – p. 19, line 12). The Honorable Paul M. Burch sentenced Appellant to twenty-two years for kidnapping and ten years, concurrent, for CDVHAN. (R. p. 20, lines 8-13). A Notice of Appeal was timely served on December 4, 2007.

ARGUMENT

Whether Appellant's mistrial motion was properly denied was not preserved for review where trial counsel refused a curative instruction; but, in any event, the trial judge properly denied the motion where he determined that the testimony did not violate the pre-trial agreement and was not so harmful as to warrant a mistrial.

Appellant argues on appeal that the trial court erred in denying his motion for mistrial because certain testimony of the victim violated the State's pre-trial agreement not to elicit such testimony. This issue was not properly preserved for appellate review. Although defense counsel objected to the testimony and made a motion for mistrial outside the presence of the jury, following denial of the motion, he rejected the court's offer for a curative instruction, stating, "I'd just rather leave it alone, Your Honor." (R. p. 16, lines 18-21). Appellant should have moved to strike the testimony, and should have requested an instruction to cure the alleged error. If unsatisfied, he should have then renewed his motion for mistrial. See State v. Patterson, 324 S.C. 5, 18, 482 S.E.2d 760, 766 (1997) (issue is not preserved where counsel does not move to strike the testimony and does not request a curative instruction); State v. Ferguson, 376 S.C. 615, 618, 658 S.E.2d 101, 103 (2008) (party moving for mistrial should make contemporaneous objection to the sufficiency of a curative instruction and/or renew his motion for mistrial following the instruction).

Instead, Appellant accepted the court's ruling and did not wish for the trial judge to attempt to cure the alleged error. See State v. Jones, 325 S.C. 310, 316, 479 S.E.2d 517, 520 (Ct. App. 1996) (a curative instruction will generally cure any alleged error); State v. Mitchell, 330 S.C. 189, 195, 498 S.E.2d 642, 645 (1998) (Appellant cannot complain on appeal where counsel previously acquiesced in the judge's ruling); State v. Benton, 338 S.C. 151, 156-57, 526 S.E.2d 228, 231 (2000) (issue not preserved where

Appellant previously conceded the issue). Therefore, this Court should find that the issue was not preserved for review.

In any event, the trial court did not abuse its discretion in denying a mistrial. "A mistrial should only be granted in cases of manifest necessity and with the greatest caution for very plain and obvious reasons." State v. White, 371 S.C. 439, 444, 639 S.E.2d 160, 162 (Ct. App. 2006) (citations omitted). The granting of a motion for mistrial is an extreme measure that should be taken only where an incident is so harmful that the prejudicial effect can be removed in no other way. See State v. Stanley, 365 S.C. 24, 34, 615 S.E.2d 455, 460 (Ct. App. 2005). The trial judge is in the best position to determine the potential effect of the testimony, State v. Jones, supra, and must be given wide latitude in ruling upon a mistrial motion. See, e.g., State v. Ferguson, supra (citation omitted). "The decision to grant or deny a mistrial is within the sound discretion of the trial judge and will not be overturned on appeal absent an abuse of discretion amounting to an error of law." State v. White, supra.

In Appellant's case, his pre-trial motion to exclude evidence of prior alleged physical abuse was limited to an incident in January or February of 2004. (R. p. 2, lines 6-16). The solicitor agreed that he would not elicit testimony regarding the 2004 incident. (R. p. 2, lines 17-22). Later, during direct examination, the victim testified that she and Appellant began dating around 2003, and thereafter lived together and had a child. (R. p. 3-5). She testified that she decided to leave him while she was pregnant because he was "a little agitated" and they were not getting along. (R. p. 5, line 22 – p. 6, line 1). She stated that to "save the life of her child," she moved away from Appellant. (See R. p. 6, lines 1-5). She stated that at some point thereafter she moved back to her

mother's house because "he had become violent towards [her] in his verbal as well as becoming physical." (R. p. 6, lines 16-18). She told her mother that she felt that Appellant was "going to harm" her. (R. p. 6, lines 19-24). She stated that prior to the incident in question, Appellant had been harassing her and she was afraid that he would probably end up trying to hurt her at some point, because he would not stop calling her and she was afraid "something was going to happen." (R. p. 7, lines 22-25). When Appellant came to the victim's job, the victim's boss told Appellant to stop harassing her at work and made him leave. (R. p. 8-10). The victim further testified that when she realized that there was going to be a problem with Appellant being violent towards her, she chose to try to end the relationship so that there would not be any altercations. (R. p. 10, lines 13-18). There were no objections to any of this testimony. (See R. p. 3-10).

Thereafter, the victim said that there was one time that Appellant "did grab me by my neck," and she stated that there were "physical bruises." (R. p. 10, lines 19-20). As she attempted to explain how this incident led up to the current incident, Appellant objected and moved for a mistrial outside the presence of the jury, arguing that this testimony violated the pre-trial agreement of the State not to elicit testimony about the 2004 incident of prior abuse. (R. p. 10, line 19 – p. 13, line 3). Defense counsel stated that he did not feel that a curative instruction would "do anything." (R. p. 12, lines 13-14). The solicitor responded that the pre-trial agreement was not violated because the victim had not been referring to the 2004 incident in her testimony. (R. p. 13, line 5 – p. 14, line 15). The solicitor stated that he had instructed the victim not to bring up Appellant's prior bad acts, but that the motion *in limine* specifically referencing a 2004

incident may have led her to believe that she could discuss incidents other than the 2004 incident. (R. p. 14, lines 16-23).

The trial court denied Appellant's mistrial motion, finding that the pre-trial agreement was not specifically violated because the victim had not, in fact, testified about the 2004 incident. (R. p. 15, line 24 – p. 16, line 2). The court noted that the victim was discussing the previous occurrence in the context of it leading up to the incident in question, and that it was part of the "background" of the incident. (R. p. 16, line 1-10). The court found that the testimony was not sufficiently harmful to warrant a mistrial, but instructed the prosecutor to avoid any further testimony regarding previous abuse. (R. p. 16, lines 3-8). The solicitor agreed to immediately move on to the incident in question. (R. p. 16, lines 11-17). The court inquired whether Appellant wished for a curative instruction to be given, but defense counsel told the court he would rather just "leave it alone." (R. p. 16, lines 18-21). Appellant did not move to strike the testimony. Appellant presented no arguments in support of his motion other than his contention that the pre-trial agreement was violated.¹ (See R. p. 11-16). When the jury returned, the solicitor did in fact move on with his questioning, and the prior neck-grabbing incident was not thereafter mentioned. (See R. p. 17).

Respondent submits that the trial court considered the proper factors in determining whether a mistrial was warranted, and did not abuse its discretion in denying

¹ Appellant did not specifically argue that the victim's testimony was generally inadmissible under State v. Lyle, 125 S.C. 406, 118 S.E.2d 803 (1923), nor did he argue that the prior acts of abuse were similar to the acts for which Appellant was on trial. (See R. p. 11-16). See State v. Caldwell, 378 S.C. 268, 283, 662 S.E.2d 474, 482 (Ct. App. 2008) (a party may not argue one ground at trial and another ground on appeal); State v. Adams, 354 S.C. 361, 380, 580 S.E.2d 785, 795 (Ct. App. 2003) (Lyle argument not presented to the trial court not preserved).

the mistrial motion. Factors that a trial court should consider in determining the appropriateness of a mistrial include "the character of the testimony, the circumstances under which it was offered, the nature of the case, and the other testimony in the case." State v. Creech, 314 S.C. 76, 82, 441 S.E.2d 635, 638 (Ct. App. 1994) (citation omitted). Here, the trial court first responded to Appellant's sole argument and found that the pre-trial agreement had not been specifically or intentionally violated, because the victim had not testified about the 2004 incident which Appellant's pre-trial motion had addressed. (R. p. 15, line 24 – p. 16, line 1). The court then noted that the victim had, instead, been attempting to testify as to the background of this incident. (R. p. 16, lines 1-10). Although the testimony was cut off by Appellant's objection, the record reflects that it may have been proper under the *res gestae* of the case, or to explain the victim's reactions and why she acted the way she did with respect to the incident in question. (See R. p. 10, line 10 – p. 11, line 3). See State v. Sweat, 362 S.C. 117, 132-33, 606 S.E.2d 508, 516-17 (Ct. App. 2004) (under *res gestae* theory, evidence of other bad acts may be needed to assist the jury in understanding the context of the crime); State v. Edwards, 373 S.C. 230, 233-37, 644 S.E.2d 66, 68-69 (Ct. App. 2007) (victim's statement regarding a prior bad act which she "heard" the defendant committed was admissible where it went to her state of mind and was offered to explain why the victim complied with what the defendant asked her to do rather than resisting).

The court also found that under the circumstances, the limited testimony regarding the previous neck-grabbing incident did not cause sufficient harm to warrant a mistrial. (See R. p. 16, lines 1-4). The record reflects that there had been no objection to other statements by the victim regarding Appellant's prior violent tendencies, including

that he had become physically violent towards the victim in the past and that she felt he was going to harm her. (See R. p. 5-10; p. 6, lines 16-24). Therefore, this particular testimony was cumulative to the un-objected-to testimony, and, accordingly, the court properly found that there was not "that much harm to it." (R. p. 16, lines 3-4). See State v. Schumpert, 312 S.C. 502, 507, 435 S.E.2d 859, 862 (1993) (any error in admission of allegedly improper testimony was harmless where it was cumulative to other unchallenged testimony); State v. Brown, 344 S.C. 70, 75, 543 S.E.2d 552, 554-55 (2001) (where other properly-admitted testimony revealed essentially the same information, improperly-admitted testimony was harmless); State v. Broaddus, 361 S.C. 534, 541-43, 605 S.E.2d 579, 583-84 (Ct. App. 2004), *cert. denied* April 19, 2006 (improper admission of evidence under *res gestae* theory was harmless where it was merely cumulative to other un-objected-to testimony); State v. Richardson, 358 S.C. 586, 596-97, 595 S.E.2d 858, 863 (Ct. App. 2004) (error in admission of improper testimony was harmless where the testimony was cumulative to other similar testimony that was admitted without objection). In addition, the court instructed the solicitor to move on with his questions such that the matter was not emphasized to the jury, and the State did not thereafter attempt to introduce any evidence regarding this prior incident. (See R. p. 16-17). Furthermore, although the court was willing to issue a curative instruction, Appellant declined, thereby acquiescing in the court's ruling. (R. p. 16, lines 18-21). See supra, pages 5-6.

In conclusion, the Respondent submits that the issue raised on appeal was not properly preserved for review, but, in any event, the lower court considered the proper factors and did not abuse its discretion in denying Appellant's motion for mistrial. See

State v. Dawkins, 297 S.C. 386, 394, 377 S.E.2d 298, 302 (1989) (mistrial properly denied where any error was "not of such magnitude to effect the outcome of trial").

CONCLUSION

Based on the foregoing, the Respondent requests that this Court affirm Appellant's convictions and sentences.

Respectfully submitted,

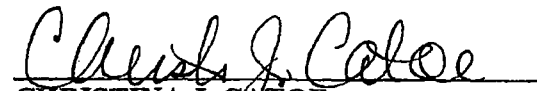
HENRY DARGAN McMASTER
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JOHN W. McINTOSH
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ATTORNEYS FOR RESPONDENT

April 10, 2009

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Georgetown County
The Honorable Paul M. Burch, Circuit Court Judge

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

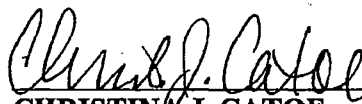
v.

RONNIE W. WILSON,

APPELLANT.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the **Final Brief of Respondent** complies with Rule 211(b), SCACR, and also complies with the South Carolina Supreme Court's August 13, 2007 Order on Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings.


CHRISTINA J. CATOE

Office of the Attorney General
Post Office Box 11549
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ATTORNEYS FOR RESPONDENT

April 10, 2009

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Georgetown County
The Honorable Paul M. Burch, Circuit Court Judge

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

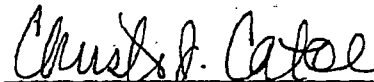
v.

RONNIE W. WILSON,

APPELLANT.

AFFIDAVIT OF SERVICE

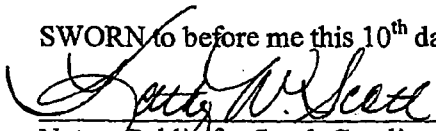
The undersigned attorney hereby certifies that the **Final Brief of Respondent** in the above-referenced case has been served upon **Kathrine H. Hudgins, Esquire**, Division of Appellate Defense, South Carolina Commission on Indigent Defense, Post Office Box 11589, Columbia, South Carolina 29211-1589, this **10th day of April, 2009**.



CHRISTINA J. CATOE

Assistant Attorney General

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3737

SWORN to before me this 10th day of April, 2009.

Notary Public for South Carolina.

My Commission Expires: 2-16-2011

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

The State, Respondent,

v.

Ronnie W. Wilson, Appellant.

Appeal From Georgetown County
Paul M. Burch, Circuit Court Judge

Opinion No. 4723
Submitted May 3, 2010 – Filed August 11, 2010

AFFIRMED

Appellate Defender Kathrine H. Hudgins, of Columbia;
for Appellant.

Assistant Attorney General Christina J. Catoe, of
Columbia, and Solicitor J. Gregory Hembree, of
Conway; for Respondent.

THOMAS, J.: Ronnie W. Wilson appeals his convictions for criminal domestic violence of a high and aggravated nature (CDVHAN) and kidnapping, arguing the trial court erred in refusing to grant a mistrial after a prosecuting witness testified to Wilson's prior bad acts. We affirm.[1]

FACTS

Wilson was indicted for CDVHAN, possession of a weapon during the commission of a violent crime, first-degree burglary, and kidnapping.

In limine, Wilson moved for the exclusion of the victim's testimony referencing alleged prior abuse by Wilson. Specifically, Wilson argued a 2004 incident which the victim mentioned in a videotaped statement could not be introduced. The solicitor acquiesced and stated, "I've spoken to my victim . . . she understands that that would be a prior bad act which could not be elicited on direct examination." However, on direct examination, after describing her relationship with Wilson, when asked if there was anything else the jury needed to know about their relationship, the victim answered:

Other than, you know, I had on several attempts left him . . . when I realized that he, that there was going to be a problem with him being violent towards me I chose to try to end the relationship so that there would not be any altercations.

There was one time that he did grab me by my neck. There were physical bruises

Wilson objected and moved for a mistrial, arguing the parties agreed to exclude evidence of the 2004 incident. The State argued the mistrial motion should be denied because the victim did not reference the 2004 incident [2]. The trial court denied the motion, finding the victim said nothing about 2004 and

Wilson declined such an instruction stating, "I'd rather leave it alone[.]" The jury found Wilson guilty of CDVHAN and kidnapping, and he received concurrent sentences of ten years and twenty-two years, respectively. This appeal followed.

ISSUE ON APPEAL

Wilson argues the trial court erred in failing to grant his motion for a mistrial.

LAW/ANALYSIS

As a threshold issue, the State argues Wilson's allegation that the trial court erred in failing to grant his motion for a mistrial is not preserved. We disagree.

The State maintains that in order for Wilson to preserve his allegation of error, he was required to move to strike the offensive testimony, request or accept the trial court's offer of a curative charge, and then if unsatisfied renew his motion for a mistrial. The State cites State v. Patterson for the proposition that an issue is not preserved where counsel does not move to strike testimony and does not request a curative instruction. 324 S.C. 5, 482 S.E.2d 760 (1997). The State also cites State v. Ferguson to argue that a party moving for a mistrial must make a contemporaneous objection to the sufficiency of a curative charge and/or renew his motion for a mistrial following the instruction. 376 S.C. 615, 658 S.E.2d 101 (Ct. App. 2008). The State further relies on State v. Jones for the general rule that a curative charge is generally considered to cure any error, and thus avers by failing to request or accept the trial court's curative charge, Wilson's argument has in essence been waived. 325 S.C. 310, 479 S.E.2d 517 (Ct. App. 1996). We find the State's argument on appeal misapprehends the law as it pertains to this case.

Appellate courts have recognized that an issue will not be preserved for review where the trial court *sustains* a party's objection to improper testimony and the party does not subsequently move to strike the testimony or for a mistrial. Patterson, 324 S.C. at 18, 482 S.E.2d at 766 (emphasis added); see also State v. Wingo, 304 S.C. 173, 177-78, 403 S.E.2d 322, 325 (Ct. App. 1991) (stating that a motion to strike is necessary where a question is answered before an objection may be interposed, even after the objection has been sustained). The rationale for this rule is clear; without a motion to strike or motion for a mistrial, when the objecting party is sustained, he has received what he asked for and cannot be heard to complain about a favorable ruling on appeal. See State v. Primus, 341 S.C. 592, 604, 535 S.E.2d 152, 158 (Ct. App. 2000) (stating "the cases are legion in holding *if an appellant objects and the objection is sustained* but he does not move for a curative instruction or request a mistrial, he has received what he asked for and cannot be heard to complain on appeal") (emphasis original) overruled on other grounds by State v. Primus, 349 S.C. 576, 564 S.E.2d 103 (2002). When an objecting party is sustained, the trial court has rendered a favorable ruling, and therefore, it becomes necessary that the sustained party move to cure, or move for a mistrial if such a cure is insufficient, in order to create an appealable issue. Moreover, as the law assumes a curative instruction will remedy an error, failure to accept such a charge when offered, or failure to object to the sufficiency of that charge, renders the issue waived and unpreserved for appellate review. See, e.g., State v. White, 371 S.C. 439, 445, 639 S.E.2d 160, 163 (Ct. App. 2006) (indicating a curative charge is generally deemed to cure an allegation of error).

On the other hand, when an objection has been *overruled*, the objecting party has suffered an adverse ruling which can be appealed without any further allegation of error. The South Carolina Supreme Court has stated:

It is argued however that the issue of improper closing argument by plaintiff's counsel was not preserved for review. It is contended that the failure of defendant's counsel to request a curative instruction, a mistrial or new trial after his objection had been *overruled* is fatal. This Court has held in Bowers v. Watkins Carolina Express, Inc., 259 S.C. 371, 376, 192

430 ~~430~~ futile and are not necessary to preserve a timely objection for review. By the same logic it would be both futile and nonsensical for counsel to request curative instructions from a trial court which has already ruled an argument to be proper.

City of Columbia v. Myers, 278 S.C. 288, 289, 294 S.E.2d 787, 788 (1982) (emphasis added); see State v. McFadden, 318 S.C. 404, 410, 458 S.E.2d 61, 65 (Ct. App. 1995) (finding an appellant's allegation of error to be waived because after the trial court sustained the objection to the offensive testimony the sustained party did not thereafter move to strike it). By the same reasoning, in overruling an objection the trial court rejects the allegation of error and rules the evidence proper and admissible. In this vein, because the admission of proper evidence requires no curative charge, an overruled party is under no obligation to accept a curative instruction in order to preserve the issue for our review. See Myers, 278 S.C. at 289, 294 S.E.2d at 788 (labeling motions and further objections made after the trial judge has overruled an objection to be both futile and nonsensical).

Admittedly, shortened statements of the rule on this issue may lend to confusion on the matter. See State v. Watts, 321 S.C. 158, 164, 467 S.E.2d 272, 276 (Ct. App. 1996) ("In rejecting the trial court's offer to strike the testimony or give a curative instruction, [the appellant] waived any complaint he had to the challenged testimony."). In Watts, although the motion for mistrial was denied, the court notes the trial court offered a curative charge. Id. As admissible evidence requires no curative charge, the trial court must have sustained the evidentiary objection which supported the motion for mistrial. Further, the Watts court cites only to Wingo for the specific proposition that an issue is not preserved "where [the] defendant did not move to strike the testimony after his objection was *sustained*." Id. (emphasis added). Additionally, in State v. Tucker, the appellant argued he was deprived of a fair trial because the State allegedly made inappropriate statements in closing argument. 324 S.C. 155, 169, 478 S.E.2d 260, 267 (1996). In responding to this argument the appellate court simply stated: "[i]nitially, Appellant has waived this issue because he refused the trial judge's offer of a curative instruction." Id. Although completely unclear whether any underlying objection was made at all, let alone whether it was sustained or overruled, the court cited specifically and solely to Watts for the much shortened rule statement that "[an appellant] waives objection if [a] curative instruction is refused." Id. However, despite abbreviating the language of the law, these cases make no clear indication of a departure from the established rule and rationale of Myers to warrant application of this rule to circumstances in which an objecting party is overruled.

In this case, Wilson objected to the introduction of the testimony and moved for a mistrial simultaneously. A motion for a mistrial is, by its very nature, both an allegation of error and an allegation of prejudice sufficient to warrant a mistrial. See State v. Harris, 382 S.C. 107, 117, 674 S.E.2d 532, 537 (Ct. App. 2009) ("A mistrial should only be granted when absolutely necessary, and a defendant must show both error and . . . prejudice in order to be entitled to a mistrial."). Although the trial court briefly touched on the issue of prejudice, it overruled Wilson's objection and admitted the testimony. Therefore, because Wilson's objection was overruled, he was not required to make another motion for mistrial or under any obligation to accept a curative charge.

Accordingly, we find Wilson's allegation of error is preserved for our review, and we herein address the merits.

"The decision to grant or deny a mistrial is within the sound discretion of the trial court. The trial court's decision will not be overturned on appeal absent an abuse of discretion amounting to an error of law." Id. (internal citations omitted). A mistrial should only be granted when absolutely necessary, and a defendant must show both error and prejudice in order to be entitled to a mistrial. Id. "Insubstantial errors that do not impact the result of the case do not warrant a mistrial when guilt is conclusively proven by competent evidence." White, 371 S.C. at 447-48, 639 S.E.2d at 164. "The determination of prejudice must be based on the entire record and the result will generally turn on the facts of each case." Id. at 447, 639 S.E.2d at 164.

record on appeal consists of only twenty-five pages, including (1) the *in limine* agreement to exclude prior bad act evidence, (2) the portion of the victim's testimony preceding Wilson's objection, (3) Wilson's objection and the arguments regarding mistrial, and (4) the indictments. The record indicates nothing of whether additional witnesses testified or if other evidence, such as photographs, was admitted. Accordingly, even assuming for the sake of argument that the admission of the testimony was error, we find no indication of prejudice in the record. See id. at 448, 639 S.E.2d at 164 (indicating prejudice must be based on review of the entire record).

CONCLUSION

Because we find no prejudice, the trial court's denial of Wilson's motion for a mistrial is

AFFIRMED.

FEW, C.J., and PIEPER, J., concur.

[1] This appeal is decided without oral argument pursuant to Rule 215, SCACR.

[2] The victim was asked whether the abuse she mentioned occurred in 2004, and she explained it happened after 2004.



The South Carolina Court of Appeals

TANYA A. GEE
CLERK
V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11639
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE (803) 734-1890
FAX (803) 734-1839
www.sccourts.org

September 2, 2010

REMITTITUR

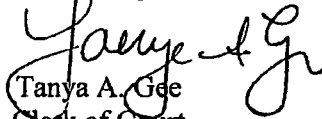
The Honorable Alma Y. White
715 Prince Street Room 221
PO Drawer 421270
Georgetown, SC 29442-1270

Re: The State v. Wilson, Ronnie W.
2007-GS-22-00737

Dear Ms. White:

The above referenced matter is hereby remitted to the lower court. A copy of the judgment of this Court is attached.

Sincerely,


Tanya A. Gee
Clerk of Court

TAG/tf

cc: Appellate Defender Kathrine H. Hudgins
Assistant Attorney General Christina J. Catoe
Solicitor J. Gregory Hembree

STATE OF SOUTH CAROLINA)

In the Court of Common Pleas

County of Georgetown S.C.)2011-CP-22-00614Ronnie W Wilson)

Full name and prison number, if any, of applicant.)

v.)

State of South Carolina)

Name of Respondent)

APPLICATION FOR

POST-CONVICTION RELIEF

INSTRUCTIONS - READ CAREFULLY

In order for this application to receive consideration by the Court, it shall be in writing (legibly, handwritten, or typewritten), signed by the applicant and verified (notarized), and it shall set forth in concise form the answers to each applicable question. If necessary, applicant may furnish his answer to a particular question on the reverse side of the page or on an additional page. Applicant shall make it clear to which question any such continued answer refers.

Since every application must be sworn to under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Applicant should, therefore, exercise care to assure that all answers are true and correct.

If the applicant is taken in forma pauperis, it shall include an affidavit (attached at the back of the form) setting forth information which establishes that applicant will be unable to pay the fees and costs of the proceedings. When the application is completed, the original shall be mailed to the Clerk of Court for the County in which applicant was convicted.

1. Place of detention L.C.I. Darlington North Rm 1125 990 Wisacky
Hwy Bishopville S.C. 29010
2. Name and location of Court which imposed sentence Georgetown General Session Court, Screen Street Georgetown S.C. 29142
3. The indictment number or numbers (if known) upon which and the offense or offenses for which sentence was imposed:
 - (a) Indictment #740 - offense - Kidnapping - J-535319
 - (b) Indictment #737 - CDV-WHAN - J-535314
 - (c) _____
4. The date upon which sentence was imposed and the terms of the sentence:
 - (a) 11/28/07 22 years
 - (b) 11/28/07 10 years
 - (c) _____

FILED
GEORGETOWN COUNTY, S.C.
2011 MAY -4 PM 3:07
ALMA Y. WHITE
CLERK OF COURT

5. Check whether a finding of guilty was made

- (a) after a plea of guilty _____
 (b) after a plea of not guilty I was Found Guilty
 (c) after a plea of nolo contendere _____

6. Did you appeal from the judgment of conviction or the imposition of sentence? Yes

7. If you answered "yes" to (6), list

(a) the name of each Court to which you appealed:

- i. South Carolina Division of Appellate Defense
 ii. 1330 Lady Street Columbia S.C. 29201-3332
 iii. _____

(b) the result in each such Court to which you appealed:

- i. AFFirmed
 ii. _____
 iii. _____

(c) the date of each such result:

- i. September 10, 2010
 ii. _____
 iii. _____

(d) if known, citations of any written opinion or orders entered pursuant to such results:

- i. N/A
 ii. _____
 iii. _____

8. If you answered "no" to (6), state your reasons for not so appealing:

- (a) N/A
 (b) _____
 (c) _____

9. State concisely the grounds on which you base your allegation that you are being held in custody unlawfully:

- (a) Violation of U.S. Constitution Rights 5th, 6th, 12th,
 (b) and 14th Amendments
 (c) _____

10. State concisely and in the same order the facts which support each of the grounds set out in (9)

- (a) Unsign Warrants, Ineffective Assistance Counseling
Prosecutorial misconduct, Perjury, Inflammatory statement
 (b) Impression on the Mind of the Jurors

(c) _____

11. Prior to this application have you filed with respect to this conviction

- (a) any petition in a State Court under South Carolina Law ?

N/A

- (b) any petitions in State or Federal Courts for habeas corpus or post-conviction relief?

N/A

- (c) any petitions in the United States Supreme Court for certiorari other than petitions, if any, already specified in (7) N/A

- (d) any other petitions, motions or applications in this or any other Court?

N/A

12. If you answered "yes" to any part of (11), list with respect to each petition, motion or application:

- (a) the specific nature thereof:

i. N/A

ii. _____

iii. _____

iv. _____

- (b) the name and location of the Court in which each was filed:

i. N/A

ii. _____

iii. _____

iv. _____

- (c) the disposition thereof:

i. N/A

ii. _____

iii. _____

iv. _____

(d) the date of each such disposition:

- i. N/A
- ii. _____
- iii. _____
- iv. _____

(e) if known, citations of any written opinions or orders entered pursuant to each such disposition:

- i. N/A
- ii. _____
- iii. _____
- iv. _____

13. Has any ground set forth in (9) been previously presented to this or any other Court, State or Federal, in any petition, motion or application which you have filed? N/A

14. If you answered "yes" to (13), identify:

(a) which grounds have been presented:

- i. N/A
- ii. _____
- iii. _____

(b) the proceedings in which each ground was raised:

- i. N/A
- ii. _____
- iii. _____

15. If any ground set forth in (9) has not previously been presented to any Court, State or Federal, set forth the ground, and state concisely the reasons why such ground has not previously been presented:

- (a) _____
- (b) _____
- (c) _____

16. Were you represented by an attorney at any time during the course of:

- (a) your arraignment and plea? Yes Yes
- (b) your trial, if any? Yes
- (c) your sentencing? Yes
- (d) your appeal, if any, from the judgment of conviction or the imposition of sentence?
Yes
- (e) preparation, presentation or consideration of any petitions, motions, or application with respect to this conviction, which you filed? _____

17. If you answered "yes" to one or more parts of (16), list:

(a) the name and address of each attorney who represented you

- i. Reuben Goude, 119 1/2 screen street, P.O. Box 706
- ii. Georgetown S.C. 29440
- iii. Katherine Hudgin Appellant Attorney, S.C. Division of Appellate
Defense 1330 hazy street
Columbia S.C. 29201-3237

(b) the proceedings at which each such attorney represented you:

- i. General Session Court Defense Attorney
- ii. Appellant Division - Appellant Attorney
- iii. _____

18. State clearly the relief you seek in filing this application.

VACATE Sentence,

19. Are you now under sentence from any other court that you have not challenged?

N/A

STATE OF SOUTH CAROLINA)

COUNTY OF _____)

VERIFICATION

I, Ronnie Wilson, being duly sworn upon my oath, depose and say that I have subscribed to the foregoing application; that I know the contents thereof; that it includes every ground known to me for vacating, setting aside or correcting the conviction and sentence attacked in this application; and that the matters and allegations therein set forth are true.

Ronnie Wilson

Sworn to and subscribed before me

This 28 day of April, 2011.

[Signature]

L.S.

Notary Public for South Carolina

My Commission Expires 11-4-2015

**APPLICATION TO PROCEED WITHOUT PREPAYMENT
OF COSTS AND AFFIDAVIT
IN SUPPORT THEREOF**

I, _____, hereby apply for leave to proceed in this action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty or perjury that the following facts are true:

- (1) I am the applicant in this action and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of proceeding or give security therefor.

Ronnie W Wilson
Applicant

Sworn to and subscribed before me

This 28 day of April, 2011

[Signature]

L.S.

Notary Public for South Carolina

My Commission Expires: 11-4-2015

STATE OF SOUTH CAROLINA
COUNTY OF GEORGETOWN

Ronnie W. Wilson, # 235803,

Applicant,

v.

State of South Carolina,

Respondent.

IN THE COURT OF COMMON PLEAS
FIFTEENTH JUDICIAL CIRCUIT

2011-CP-22-614

RETURN

Respondent, making its Return to the Application for post-conviction relief filed May 4, 2011, by Ronnie W. Wilson, would respectfully show this Court:

I. – Procedural History

The Applicant is presently confined in the South Carolina Department of Corrections pursuant to convictions from Georgetown County. The Applicant was indicted in July 2007 for criminal domestic violence of a high and aggravated nature (“CDVHAN”) (2007-GS-22-737) and kidnapping (2007-GS-22-740). C. Reuben Goude, Esquire, represented the Applicant. On November 26-29, 2007, the Applicant was tried and convicted pursuant to a jury trial before the Honorable Paul M. Burch. Judge Burch sentenced the Applicant to 22 years for kidnapping and 10 years, concurrent, for CDVHAN. A notice of appeal was timely filed, and Kathrine H. Hudgins, Esquire, represented the Applicant on appeal. The South Carolina Court of Appeals affirmed the conviction on August 11, 2010. See State v. Wilson, 389 S.C. 579, 698 S.E.2d 862 (2010). The case was remitted to the circuit court on September 2, 2010.

Incorporated herein by reference are the records of the Georgetown County Clerk of Court regarding the convictions, the Applicant’s records from the Department of Corrections, the

trial transcript, and the direct appeal records. Respondent reserves the right to amend this Return upon receipt of any relevant materials.

II. – Allegations and Relief Sought

In his Application, Mr. Wilson alleges that his custody is unlawful for the following reason(s):

- (1) Violation of U.S. Constitutional Rights – 5th, 6th, 12th, and 14th Amendments, to include:
 - a. Unsigned warrants;
 - b. Ineffective assistance of counsel;
 - c. Prosecutorial misconduct;
 - d. Perjury; and
 - e. Inflammatory statement – impression on the minds of the jurors.

The Applicant states he is seeking to have his sentence vacated.

III.

In a post-conviction relief action, the applicant bears the burden of proving his or her allegations by a preponderance of the evidence. Stalk v. State, 375 S.C. 289, 297, 652 S.E.2d 402, 405 (Ct. App. 2007) (citations omitted); Rule 71.1(e), SCRPC. “Where ineffective assistance of counsel is alleged as a ground for relief, the applicant must prove that ‘counsel’s conduct so undermined the proper functioning of the adversarial process that the trial cannot be relied upon as having produced a just result.’” Dalton v. State, 654 S.E.2d 870, 873 (Ct. App. 2007) (citing Strickland v. Washington, 466 U.S. 668, 669 (1984); Butler v. State, 286 S.C. 441, 334 S.E.2d 813 (1985)). The proper measure of performance is whether the attorney provided representation within the range of competence required in criminal cases. Id.

A two-pronged test is used to evaluate allegations of ineffective assistance of counsel. Dalton v. State, 654 S.E.2d 870, 873 (Ct. App. 2007). “In order to prove that counsel was ineffective, a PCR applicant must show that: (1) counsel’s performance was deficient; and (2)

there is a reasonable probability that, but for counsel's errors, the result of the trial would have been different." Smith v. State, 375 S.C. 507, 515, 654 S.E.2d 523, 527-28 (2007) (citations omitted). "A reasonable probability is a probability sufficient to undermine confidence in the outcome of the trial." Id. (citations omitted). "Furthermore, when a defendant's conviction is challenged, 'the question is whether there is a reasonable probability that, absent the errors, the fact finder would have had a reasonable doubt respecting guilt. Id. (citations omitted). "There is a strong presumption that counsel rendered adequate assistance and exercised reasonable professional judgment in making all significant decisions in the case." Id. (citations omitted). The applicant must overcome this strong presumption in order to obtain relief. Stalk, supra (citation omitted).

Respondent submits that the Applicant will not be able to meet his burden of proof as to any of his claims. Further, Respondent submits that all allegations other than the ineffective assistance of counsel allegation are improper for PCR and must be summarily dismissed. However, because the allegation of ineffective assistance of counsel may raise questions of fact that the record does not conclusively refute, Respondent requests an evidentiary hearing to fully resolve any issues. See Sharper v. State, 279 S.C. 264, 305 S.E.2d 247 (1983).

IV.

Each and every allegation, claim, or statement contained within the Application not expressly admitted, qualified, or explained is DENIED.

V.

WHEREFORE, having made its Return, the Respondent requests that an evidentiary hearing held.

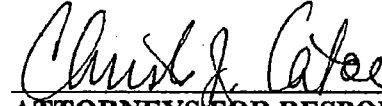
Respectfully submitted,

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June 3, 2011

STATE OF SOUTH CAROLINA
COUNTY OF GEORGETOWN

Ronnie W. Wilson, # 235803,

Applicant,

v.

State of South Carolina,

Respondent.

IN THE COURT OF COMMON PLEAS
FIFTEENTH JUDICIAL CIRCUIT

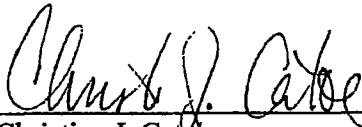
2011-CP-22-614

CERTIFICATE OF SERVICE BY MAIL

1. I am an employee of the Respondent in the above-captioned action.
2. Regular communication by mail exists throughout the State of South Carolina and that this is a proper circumstance of service by mail.
3. I have this day served a copy of the State's RETURN in the above-captioned matter on the following person(s) by depositing in the United States mail, postage prepaid:

Louis Henry Hutto III
Louis H. Hutto III, PA
P.O. Box 1826
Pawleys Island, SC 29585-1826

DATED this 3rd day of June, 2011.


Christina J. Catoe
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STATE OF SOUTH CAROLINA

COUNTY OF GEORGETOWN

IN THE COURT OF COMMON PLEAS
2011-CP-22-00614

Ronnie Wilson,

vs.

State of South Carolina.

)
)
)
)
)
)

TRANSCRIPT OF RECORD

August 27, 2012
Conway, South Carolina

BEFORE:

The Honorable, Thomas A. Russo

APPEARANCES:

BY: T. Andrew Johnson, Sr., Esq.
Attorney for State of South Carolina

BY: Lewis H. Hutto, III, Esq.
Attorney for Ronnie Wilson

Brenda R. Babb
Circuit Court Reporter

2

INDEX

Call of Case	3
Ruling of Court (Under Advisement)	98
Certificate of Reporter	99

<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>

Ronnie Wilson

Mr. Hutto	4			

Mr. Johnson		48		

Reuben C. Goude

Mr. Johnson	77			

Mr. Hutto		88		

EXHIBITS

<u>IDENTIFICATION</u>	<u>I.D.</u>	<u>EVIDENCE</u>

P1- Envelope Containing CD's		75

D1- Two Warrants for Ronnie Wilson J-535319/J-535314		60

Call of Case

3

1 Mr. Johnson: The State calls Ronnie Wilson v.
2 South Carolina. This is 2011-CP-22-614. Mr. Wilson was
3 indicted for criminal domestic violence of a high and
4 aggravated nature, kidnaping, burglary first and possession
5 of a weapon during the commission of a violent crime. He
6 was represented by attorney Reuben Goude. He was tried
7 before Judge Paul Burch and a jury, convicted of kidnaping
8 and CDV, was found not guilty on the burglary first and the
9 possession of a weapon during a violent crime. The
10 sentence was twenty-two years for kidnaping and ten years
11 to be served concurrently for criminal domestic violence.
12 He appealed and the South Carolina Court of Appeals
13 affirmed his conviction. He filed his PCR May 4th, 2011.
14 He's represented today by Mr. Louis Hutto; and in
15 discussing the case with Mr. Hutto this morning, actually
16 just a few minutes ago, Mr. Hutto advised me that he would
17 need to make a motion and I'm not quite sure what the
18 nature is but at this point I'll turn it over to Mr. Hutto.

19 The Court: All right. Mr. Hutto I'll be happy
20 to hear from you, sir.

21 Mr. Hutto: Sorry, Your Honor, Mr. Wilson's
22 asked that I not make that motion at this time. So I won't
23 be making that motion.

24 The Court: All right, well are you ready to
25 proceed then with your case?

Mr. Wilson - Direct Examination by Mr. Hutto

4

1 Mr. Hutto: Yes, Your Honor.

2 The Court: All right, go ahead, sir.

3 Mr. Hutto: All right, if it please the court,
4 Your Honor, I'd like to call Mr. Wilson to the stand.

5 The Court: All right, Mr. Wilson, if you'd
6 come around, sir, and be sworn.

7 **Ronnie Wilson**

8 **being first been duly sworn, testified as follows:**

9 Madam Clerk: Please be seated and state your
10 name for the record.

11 **Direct Examination**

12 **By Mr. Hutto:**

13 A My name is Ronnie Wilson and my number is
14 235803.

15 Q And Mr. Wilson, where do you currently
16 reside?

17 A I'm residing at Lee County.

18 Q And could you tell the Court what you're
19 convicted of?

20 A I was convicted of kidnaping and criminal
21 domestic violence high and aggravated nature.

22 Q And you've petitioned the court for PCR
23 seeking relief from those convictions; is that correct?

24 A Correct.

25 Q And in the petition for relief you named

Mr. Wilson - Direct Examination by Mr. Hutto

5

1 various causes of action that you're seeking here. If you
2 would please, tell the court what your causes of action are
3 sequentially going through the trial.

4 A My first ground are, are based on unsigned
5 warrants and I based it from, well I based it on unsigned
6 warrants and from the cases of Davis v. Sanders and Covert
7 vs. State. I'm coming from Rule 3, disposition of the
8 warrants and it's basically on the magistrate judge, he did
9 not sign the warrants. And in the case of, the case of
10 Davis vs. Sanders the Supreme Court ruled that a warrant
11 that's not signed in the place that is provided -

12 Mr. Johnson: Your Honor, objection. We would
13 ask that the Applicant stick to his claims.

14 Mr. Wilson: That's on my claim, unsigned
15 warrant, unsigned warrant is on my claim.

16 Mr. Hutto: (Continuing)

17 Q You're claiming that the warrant was signed
18 at the time of the arrest?

19 A It was unsigned at the time of the arrest
20 and they handed, the handed me six warrants that was
21 unsigned. And in the case of Davis vs. Sanders -

22 Mr. Johnson: Your Honor, we would ask, objection,
23 Your Honor.

24 The Court: All right. Mr. Wilson, your
25 attorney can argue the legal ramifications of the case,

Mr. Wilson - Direct Examination by Mr. Hutto

6

1 Davis vs. Sanders. I just need to know what your
2 allegations are and in this case I think I understand it.
3 You're saying that upon the service of those warrants on
4 you they had not been signed by a magistrate; is that
5 correct?

6 A Yes, sir.

7 The Court: Okay, all right, and then of
8 course, the case of Davis vs. Sanders speaks for itself,
9 sir. I'm going to let you to continue to answer questions
10 that Mr. Hutto asked you.

11 A All right, sir.

12 The Court: I'm going to hear, I mean, if Mr.
13 Hutto doesn't sufficiently make that argument about, under
14 Davis vs. Sanders I'll hear from you.

15 A All right, sir.

16 The Court: Go ahead, Mr. Hutto.

17 Mr. Hutto: (Continuing)

18 Q Your concerns about the warrants being
19 unsigned?

20 A Yes.

21 Q And what were some of your concerns about
22 being inadequately being represented or violations of your
23 rights?

24 A The next one is, the next one is, there were
25 a lot of perjury statements, inconsistent statements that

Mr. Wilson - Direct Examination by Mr. Hutto

7

1 were made. The prosecutorial witness said a number of
2 things in her testimony while, while, during General
3 Sessions and there was a CD. There was a CD that was not
4 disclosed to the Court that she, her, her statements were
5 totally inconsistent.

6 Q What statements were those, Mr. Wilson?

7 A The statement that she made, one of the main
8 statements that she made she said that, that she went
9 inside Miss Almena Wilson's house, that my brother, Omega
10 Wilson, didn't even know she was inside the house and he
11 was the one that actually opened the door for her. And
12 another statement she made, she made a statement, she said
13 that in the first part of the transcript she said that
14 after the baby was born, after the baby was born, that,
15 that she wanted to kindle our relationship, she wanted to
16 kindle our relationship and then she came right back again
17 in direct examination and she said that, well, after the
18 baby was born that she told me to go on, get on about my
19 business and that me and her couldn't get back together and
20 this was the third. She was constantly, you know, making
21 inconsistent statements. And another statement she made,
22 she made a statement where she stated that I drove her, I
23 drove her from, from, from her house to Sampit and then she
24 came back and said that, well, I couldn't drive her from
25 her house to Sampit because, because of my impaired, my

Mr. Wilson - Direct Examination by Mr. Hutto

8

1 impaired visions, that I couldn't see. That's why I
2 couldn't drive the car. So then there was another
3 statement she made about me assaulting her. She said that
4 I assaulted her after 2004 when, when, when she was asked
5 by Solicitor Beau Bryan when did I assault her, she said
6 after 2004. But on the CD, when you listen to the CD the
7 CD stated by Mr. Cufert, Mr. Culfert said, asked her,
8 specifically say when did Mr. Wilson assaulted you? She
9 said it was January, the latter part of January, the
10 beginning part of February of 2004. And in the CD the CD
11 will show you where Mr. Cufert asked her when was the last
12 time she saw me. She said she didn't saw me till, she
13 didn't saw me till, she didn't saw me again after 2004 of
14 February, she didn't saw me again til 2007. And in her
15 testimony she stated that we was together December 2004.
16 She stated we was together August the 6th when Venetia was
17 born. So all of her, all of her statements that she was
18 making was contradicting, was contradicting the statement
19 she was making in the CD.

20 Q So it's your position that Mr. Goude should
21 have introduced this evidence that showed contradictory
22 statements then; is that correct?

23 A In my position I seen that Mr. Goude, he,
24 he, he didn't do a good job because he, he should have, he
25 should have get the court, first he should have get the

Mr. Wilson - Direct Examination by Mr. Hutto

9

1 court reporter, if he, he knew that this Yarlene was
2 telling, was, was, was inconsistent with her statements, he
3 should have, because he made, he made a statement when he
4 read the CD. He said, Your Honor, he said this, this, this
5 is not what she was saying right here on the CD. And if he
6 knew this he should have pulled all the records out, he
7 should have pulled up where she was making these
8 inconsistent statements and introduced that to the, to the
9 court, which he didn't do that, and he did not. See, he
10 waved the CD around. He said, Your Honor, he said this is
11 something, this is in the transcript, he said this is
12 something we can talk about in the future right here. So
13 he could have asked the Court to let's listen to the CD
14 just to see, to see if he was right, that's to see if he
15 was telling us the truth. But he didn't do that. He just
16 said well I'd rather not do it. And I think that's not
17 showing, you know, you know, where he was really practicing
18 professionally. He failed in his conduct.

19 Q What other causes of action did, or
20 complaints do you have with his representation?

21 A I also have prosecutorial misconduct. In
22 the prosecutorial misconduct we know that the indictments
23 had to go before the Grand Jury. And in the indictment
24 Solicitor Beau Bryan he, under criminal domestic violence
25 with high and aggravated nature he said that I was choking,

Mr. Wilson - Direct Examination by Mr. Hutto

10

1 that I had hold a knife to her throat, that I hold a knife
2 to her throat. And throughout, throughout the transcript,
3 there's some true pages in transcript where he actually had
4 objected to the same thing he had me indicted on. He, he,
5 you know, my lawyers was, my lawyer was arguing that, that
6 there was a knife being held to the throat of the
7 prosecution witness for me to grab but he was objecting to
8 the thing that was on record. And he kept arguing saying,
9 well, Your Honor, there's no where on the record, there's
10 no where in the record that that's been said. And as he
11 continued to do this, he continued to argue this even all
12 the way into the closing argument where he came right back
13 again and said well, he was telling the jury, well, if
14 Ronnie Wilson come in your house with a knife at your
15 throat and, and, and telling you to do this and telling you
16 do that, you would, you would feel, you, you, you would
17 feel, for a better word, disrespected. And he kept using
18 this knife to the throat thing. Well it was like he was
19 using this knife to the throat thing just to get a picture,
20 just to get his point across when my lawyer was never
21 objecting to the knife to the throat thing after he even
22 knew that this man continued, Mr. Beau Bryan keep continued
23 to use knife at the throat. And along with other
24 statements that he was making as far as, you know, me being
25 out in the streets at night and I'm not having a job and

Mr. Wilson - Direct Examination by Mr. Hutto

11

1 these statements, all of these statements right here is
2 misconduct because a lot of things that he was saying, they
3 was, there's no way that he could have known these things
4 that I was out there not working and I was out there
5 getting in trouble. This things, you know, should have
6 been objected to and my lawyer just sit there and allow him
7 to just, just, just pour it on me, you know, things that
8 should never have been said. In the transcript, I have
9 the, I have all the pages and stuff right there that with
10 these, these transcript are located at, the lines located
11 at I have in my paperwork right there and I gave a copy to
12 you, too, as well. And it's a lot of things that he was
13 saying it just didn't, it just didn't add up to my lawyer
14 being the professional and not, and not objecting to the
15 things that he was saying. There's more.

16 Q Continue please.

17 A Your Honor, I don't know if I can, if I can
18 go back on the rules. Can I mention anything about the
19 rules?

20 Q What rule?

21 A On the unsigned warrants.

22 Q Well you can, yeah.

23 A What I want to mention, before I go any
24 further, what I want to mention about the unsigned
25 warrants. My lawyer, I know him ever since he, twenty

Mr. Wilson - Direct Examination by Mr. Hutto

12

1 years in Georgetown and I feel like he, he supposed to have
2 known that under Rule 3, the disposition of the warrants,
3 it actually states that, it actually states that if a
4 warrant is not signed, if it's not signed and the Grand
5 Jury have anything to do with moving the warrant, they
6 would have to make a note on the face of the warrant and
7 they have to file this within the Clerk of the Court. And,
8 and when I read to, when I read to, to ask the Clerk of
9 Court for this piece of information, they tell me that they
10 didn't have anything, anything such as what I was asking
11 for and I have the paperwork, you know, to prove that.
12 They set back and say they don't have such a thing. With
13 this rule I feel like, I feel like my lawyer, my lawyer
14 should have, he should have argue on that but he didn't
15 argued on that. And I wanted to get that, to get that
16 across.

17 Q All right, sir.

18 A There was a lot of inflammatory statements
19 that was being made in my case throughout the closing
20 arguments, and there's numbers, numbers. Your Honor, I
21 have retinal pigmentosa in my eyes where, actually causes
22 me hardly not to read like a warrant. And I was asking
23 that, you know, can my lawyer read, you know, the things
24 that I was trying to point out in case you wanted to see
25 exactly where I was talking about.

Mr. Wilson - Direct Examination by Mr. Hutto

13

1 The Court: In the transcript?

2 A Yes, sir.

3 The Court: All right. There certain areas of
4 the transcript you want to refer me to?

5 A Yes, sir.

6 The Court: In the closing arguments?

7 A In the closing arguments, yes, sir, there's
8 a number of inflammatory statements that were being made
9 and I wanted to point them out to you so that so that, you
10 know, I have put them on the record when you get ready to
11 make a judgment call. And I want to read that out and then
12 there was a couple more things I wanted to say.

13 The Court: Is it in the State's closing
14 arguments?

15 A Yes, sir.

16 The Court: All right.

17 A My lawyer, he has a copy of everything that
18 I gave him as far as the inflammatory statements and also
19 there's a few more things after that.

20 Mr. Hutto: (Continuing)

21 Q Let's focus a little bit on the ineffective
22 assistance of counsel claim, a little bit more, Mr. Wilson.

23 A It's all based upon the ineffective
24 assistance of counsel.

25 Q All right.

Mr. Wilson - Direct Examination by Mr. Hutto

14

1 A It's just in certain sections, it's in the
2 inflammatory statement section right, right at the end of
3 what, what I gave you.

4 Q Chronologically through the, through the
5 trial. Let's move through that a little bit. You had
6 complained he did not provided you with discovery or at
7 trial. Would you address that issue?

8 A Okay, all right. That was what I wanted to
9 address after the inflammatory statements. I wanted the
10 judge to actually hear some of the statements that were
11 being made in the transcript by the prosecutorial witness,
12 I mean, by the Solicitor. I wanted him to actually hear a
13 few of them. Not, I have a whole bunch of them, but being
14 that he's the judge he, he knows where, where I'll be going
15 at with that. And that's the reason why I wanted him to, I
16 wanted to at least put a few of them on the, on the record
17 where the Judge could determine inflammatory statements.

18 Mr. Hutto: Your Honor, is it all right if I
19 let Mr. Wilson look at the notes ---

20 The Court: Yeah.

21 Mr. Hutto: --- that gave me to look at, ask
22 him questions, issues were on that topic?

23 The Court: That's fine.

24 The Witness: (Continuing)

25 A Excuse me, as I say, I have retinal

Mr. Wilson - Direct Examination by Mr. Hutto

15

1 pigmentosa in my eyes and I have a hard time reading and I
2 cannot read it.

3 The Court: All right, get with Mr. Hutto and
4 maybe he can help point out where you're, you're talking
5 about.

6 A If you, Your Honor, allow me to get my, my,
7 my, I have sent him a copy of everything I'm enlarging my
8 words and I can get mine and I can get to it right more
9 quicker, if you'll allow me to get me to get my, my
10 paperwork:

11 The Court: All right, where's his paper work?

12 Mr. Hutto: Here, Your Honor.

13 A I gave my lawyer basically everything I got
14 here so he could have a copy. Okay, Mr. Hutto, I don't
15 know if you want to come here and grab this, this would be
16 more easy for you.

17 Mr. Hutto: I got my copy right here, Mr.
18 Wilson.

19 A Okay. You would have to go in inflammatory
20 statements. I have it titled inflammatory statements.

21 Mr. Hutto: I've got it right here.

22 A Okay, if you would please, would you read
23 that to the Court for me?

24 Mr. Hutto: I'm going to need you to expound on
25 these. These are just kind of cursory notes that you sent

Mr. Wilson - Direct Examination by Mr. Hutto

16

1 to me. But you referenced trial page three hundred fifty-
2 six, lines six and seven.

3 A Yes, sir.

4 Mr. Hutto: I'm not sure what your intent was
5 on this was, Mr. Wilson, to be honest.

6 The Court: It says that "it seems also pretty
7 oblivious that her attacker is the person sitting at that
8 table over there, Ronnie Wilson. So whether some of these
9 scratches are the size of a pimple, or not, I guess is for
10 you to determine as the judges of the facts. However, what
11 I don't think you'll disagree with is that there are
12 scratches on both sides of her face under her nose and
13 under her eye."

14 A Can you read some more please?

15 The Court: Well, I tell you, I'm going to read
16 the transcript.

17 A All right.

18 The Court: If you can tell me the areas that
19 you want read, like for example in this case, you said page
20 three fifty-six, lines three through twelve, I just read
21 that.

22 A Right.

23 The Court: What else is noted?

24 A I have a lot. Can I show you this?

25 The Court: Yeah.

Mr. Wilson - Direct Examination by Mr. Hutto

17

1 A I have it marked Inflammatory Statements
2 like this, about two pages on the Inflammatory Statements.

3 The Court: Do you have a copy of this, Mr.
4 Hutto?

5 Mr. Hutto: Yes, Your Honor, I do.

6 The Court: I don't know if we have a way to
7 make a copy for the Court.

8 A Your Honor, I actually -

9 The Court: On page five here is where Mr.
10 Wilson lists numerous cites to the transcript regarding
11 perjury statements, prosecutorial misconduct statements,
12 and it seems like it would be easy for me if I had a copy
13 of this page and I could refer to those sections. If you
14 would make me a copy of just that right there. I'm going
15 to get them to make me a copy, Mr. Wilson so I'll have all
16 those sites that you mentioned.

17 A All right, sir, all right, sir. There's a
18 few more things, Your Honor, that I, that I forgot to put
19 in.

20 The Court: Cites to the transcript?

21 A No, sir, to the, I forgot to put in this and
22 I forgot to introduce the proof that I have for the
23 unsigned warrants.

24 The Court: I'm going to return that to you.

25 A All right, sir. Okay, Your Honor, may it

Mr. Wilson - Direct Examination by Mr. Hutto

18

1 please the Court?

2 The Court: Yes, sir.

3 A There were six, I need to show you this,
4 Your Honor. These were six warrants that were handed to
5 me, right here, by the Magistrate.

6 The Court: All right.

7 A They were not signed.

8 The Court: Well, all right, sir.

9 The Witness: (Continuing)

10 A All right, sir. The State had argued, the
11 State had argued that those were the original warrants but
12 they said on there "Defendant's Copy". The judge, the
13 Honorable Burch, denied my motion to dismiss these warrants
14 and I felt like that was a error by, on his behalf. I went
15 out of my way, Your Honor, while I was incarcerated for six
16 months and I went and I did some, some research. On
17 Defendant's Copy throughout the County of Georgetown you
18 have Judge Pyatt and then you have another judge that
19 actually signed Defendant's Copy and I went out my way to
20 prove that the Defendant's Copy be signed all the judges.
21 And this is what I wanted to show you right here, Your
22 Honor, on the Defendant's Copy being signed by the judges
23 in Georgetown County; and that there was no excuse for my
24 warrants not to be signed. If the judge wanted to arrest
25 me he would have signed the warrants because he been in the

Mr. Wilson - Direct Examination by Mr. Hutto

19

1 business now for over twenty-seven years. He know what he
2 was doing.

3 The Court: So now this, is this an original?

4 A The -

5 The Court: I mean, I know this says

6 "Defendant's Copy".

7 A You see -

8 The Court: The Magistrate did sign this.

9 A Okay, you see what I have wrote on the
10 front, Your Honor? I have, these are, those are not my
11 warrants. Those are other people's warrants where I had to
12 prove that the judge do, do sign defendant warrants,
13 defendant's copy. So I had to go out my way to get those
14 warrants to prove that the judges in Georgetown County do
15 sign, anytime we go to the Georgetown County jailhouse,
16 they sign our warrants. They don't just lock us up and
17 don't sign our warrants. So that's what they do. So that
18 was my proof to show that all judges do that.

19 The Court: But this is just showing that other
20 warrants were signed.

21 A Yes, sir. And now, what I got here, I have
22 these warrants -

23 The Court: Were these legal, let me just ask,
24 were these legal matters raised on appeal?

25 A Before I was arraigned, you know how we have

Mr. Wilson - Direct Examination by Mr. Hutto

20

1 the preliminary motions, I was, I raised this, I raised
2 this, this is my first time at PCR, but I raised this
3 during General Sessions, I raised the issue that, that,
4 that the six warrants are not signed.

5 The Court: Right, and Judge Burch denied that
6 motion.

7 A Yes, sir.

8 The Court: But then after your conviction you
9 appealed your conviction to the Court of Appeals.

10 A Yes, sir.

11 The Court: Were those issues raised in your -

12 A Yes, sir.

13 The Court: --- appellant -

14 A With my appellant defense?

15 The Court: Right.

16 A Yes, sir. I raised it and I've got, I've
17 got some stuff, some litigation -

18 The Court: The Court of Appeals denied that?

19 A The Court of Appeals did not even look into
20 it and that's what I got. I got a issue on her, too. I
21 got a issue on her too, why she, why didn't she look into
22 that after I told her? I told her to look into it and she,
23 she didn't look into it. She was one of the ones that told
24 me that my lawyer, my trial lawyer, did prejudice me on
25 not, not showing the CD. She told me, well you were

Mr. Wilson - Direct Examination by Mr. Hutto

21

1 prejudice, you know, by the CD not being shown. But as far
2 as she making a oral argument, or as far as she raising the
3 issues on the warrants were not, were not signed, she did
4 not even look into that which was an issue that was
5 objected, which would give her, put her right at the door
6 or at looking at that issue because to my understanding she
7 was only supposed to, the appealing judge was only supposed
8 to, I mean the appealing defense, was only supposed to
9 address issues that were being objected. And this was one
10 of the issues that was being objected so therefore she had
11 all the, she had, she had, all, you know, the right or the
12 way, to go ahead and argue on these issues but she didn't
13 argued on this issue. And I didn't made, I didn't made the
14 argument too long on the appealing defense because she, it
15 was only on one or two objection throughout the whole
16 entire transcript. It was only one or two objections so
17 therefore she didn't have too much to go on. But what she
18 did told me, she did told me that my lawyer prejudiced me
19 by not showing, not asking the Court to show the CD. So
20 therefore when she get ready, when she went into argue
21 about any other objection, she only had a few of them to
22 argue. She only argued just the one where we were talking
23 about the motion and the mind and that's also something I
24 wanted to put on the records too, Your Honor.

25 The Court: All right, sir.

Mr. Wilson - Direct Examination by Mr. Hutto

22

1 The Witness: (Continuing)

2 A These two, this right here I have, Your
3 Honor, is two warrants on the kidnaping and the CDV
4 unsigned, and the original, the original warrants here I
5 have, these are two of warrants that were given to me
6 during General Sessions. And then, you know, I have the
7 two unsigned warrants just to show proof of that. But the
8 one thing I wanted to get across to you, Your Honor, is
9 when you look at the signature, when you look at the
10 signature on the warrants, on the, for the trial and then
11 you look at the signature of the warrants from the
12 Magistrate's, from the Magistrate's signature, they're not
13 the same. And so someone has, someone has signed the
14 warrants, someone has signed some warrants without the
15 Magistrate's, without the Magistrate's authorizing it.
16 It's not his signature. Now I also have that in my claim
17 too that someone has, someone has forged, someone has
18 forged Mr. Robert O'Harriet's [sic] signature, someone has
19 forged his signature. I had asked my -

20 The Court: These are not claims in your
21 application.

22 A I have it in my, I sent, the last time we
23 was here on the 26th I believe, we had the Attorney
24 General, who was representing the State, he asked that I
25 send everything that I was going to argue and I sent my

Mr. Wilson - Direct Examination by Mr. Hutto

23

1 lawyer, what I sent my lawyer would be forgery, someone
2 forged the signature on Judge Robert Harry O'Donald. I
3 sent that to him and that was part of my, one of my
4 grounds. I sent that to him.

5 The Court: All right, sir.

6 Mr. Hutto: Your Honor, that was in the Amended
7 Application for Post Conviction Relief -

8 The Court: All right, I may not have that now.

9 Mr. Hutto: --- on May 24th.

10 Q (Continuing) Mr. Wilson, go back. You had
11 started to talk about the stuff Mr. Goude had failed to
12 provide for you motion for discovery. Now would you
13 address that, please.

14 A Yes, sir, if you'd just give me one second.
15 There's one more thing I need to show the Judge and I'll be
16 through with this. Okay, Your Honor, this is what I did.
17 It was in November, was in November the guy named Travis,
18 and this is the actual signature of Robert Harry O'Donald,
19 and I asked him to give me that warrant right there so that
20 I can prove his signature. So when you look at that
21 signature, this is a routine to take us from off the
22 streets out of society and they bring us into Georgetown
23 County jail, and we have to, Mr. O'Donald will come in and
24 he will call us up, and this is his actual signature. Well
25 when you compare that signature with the signature of the

Mr. Wilson - Direct Examination by Mr. Hutto

24

1 warrants from the trial, they're different, they're not the
2 same.

3 The Court: I'm not a handwriting expert and I
4 can't tell that.

5 A Okay, I just wanted you to look at that.

6 The Court: You submitted this as his signature
7 and then if you compare it to all of these over here, all
8 of these don't look the exact same.

9 A That's exactly why I did that so that you
10 could the difference because all the, all the -

11 The Court: Nobody signs their name the exact
12 same every time.

13 A Okay, but I just wanted to show it to you
14 and get it, get it on the record, Your Honor.

15 The Court: All right, sir.

16 The Witness: (Continuing)

17 A All right, now, back to the motion of
18 discovery. My lawyer, Mr. Reuben Goude, I was asking him
19 to send me the Motion of Discovery. He never, he came to
20 see me one time and him coming to see me he said, okay, Mr.
21 Wilson, I'll get you the Motion of Discovery. So I waited
22 patiently for him to get me the Motion of Discovery. He
23 never got the Motion of Discovery to me. So now, when it,
24 when it got to, the reason why I wanted the Motion of
25 Discovery because if I had know, if I had knew that there

Mr. Wilson - Direct Examination by Mr. Hutto

25

1 was a CD, if I had knew that there was a CD that would have
2 contradict everything the prosecution witness, Miss Felita
3 Graham was saying I myself would have -

4 The Court: That's not going to help me.

5 A I myself would have, would have asked the
6 judge, the court, the General Sessions judge to let us play
7 the CD, if I knew, if I knew this exist. But I didn't know
8 this exists until 2009 wherein I had to write the Supreme
9 Court, the discipline lady, Miss Carveolia [sic] so that I
10 could get Mr. Reuben Goude to send me what he had because
11 he was not, he didn't given me, he give me, he didn't give
12 me what I asked for, the Motion of Discovery. So when we
13 got to General Sessions Court Mr. Burch asked him, did Mr.
14 Wilson ask you to send him the CD, I mean the Motion of
15 Discovery? He told the Court, he said yes, Mr. Wilson, Mr.
16 Wilson did said that. He said generally, generally we
17 usually send our Motions of Discovery but he said in Mr.
18 Wilson's case I just didn't send him nothing. And that,
19 that right there kinda, kinda, you know, take a toll on me
20 because see he, he said generally he usually send so why
21 was he, why did he, why did he just point, why did he just,
22 you know, didn't send me mind when he knew, when he knew I
23 had this, when he knew he had this. And so in that, Your
24 Honor, I feel that prejudiced me as well because I could
25 have, I could have, when you go look back at the rule, the

Mr. Wilson - Direct Examination by Mr. Hutto

26

1 client, the lawyer and clients, the rule of the lawyer and
2 clients relationship you find that the, that the rule gives
3 the lawyer to adhere to some of the things that I have to
4 say to him. And if I ask him for my Motion of Discovery
5 and he, and he, you know, deliberately just didn't give it
6 to me, you know.

7 Q Is there anything else he failed to provide
8 to you you fell prejudiced by?

9 A Well, one thing he didn't provide I don't
10 think he provide professional, professional, you know, his
11 conduct wasn't professional. I don't think he gave me his
12 all. I feel like he could done a whole lot better than he
13 did do.

14 Q Under discovery, just a far as providing you
15 with discovery, is there anything missing on that. I just
16 want to clear that issue up before moving on to anything
17 else.

18 A Well no. It was nothing else besides the
19 Motion that he didn't provide for me, besides he Motion of
20 Discovery, besides that he -

21 Q Continuing on the ineffective assistance of
22 counsel.

23 A All right.

24 Q In the selection of the jury what issues did
25 you have?

Mr. Wilson - Direct Examination by Mr. Hutto

27

1 A Oh, in the selection of the jury issue we,
2 we, we were told we had ten strikes and in ten strikes we
3 only, we only utilized eight strikes. Within the strikes
4 he could have, this lady named, Je-Jemara Grayson, she
5 dated my brother.

6 Mr. Johnson: Objection, Your Honor. I don't
7 see this on either the original Application or the Amended
8 Application unless I'm missing it.

9 Mr. Hutto: This is just expounding on his
10 ineffective assistance of counsel argument.

11 Mr. Johnson: All right.

12 Mr. Hutto: This goes to the ineffective
13 assistance of counsel.

14 Mr. Johnson: I withdraw that objection, Your
15 Honor.

16 The Court: All right, go ahead, sir.

17 The Court: One of the jurors supposedly dated
18 your brother?

19 The Witness: (Continuing)

20 A Yes, sir, yes, sir.. She knew the family,
21 she knew the family. We all went to church together. We
22 went to By The Way, By The Way church together. And her
23 sister married my first cousin. And Jemara Grayson, she
24 say she knew the family. She told the Court that she knew
25 the family. And she told the Court that her husband works

Mr. Wilson - Direct Examination by Mr. Hutto

28

1 for the Sheriff Department. And the Court had stated is
2 there anyone who know the defendant or the victim. Is
3 there anyone who know them, you know, state your claim,
4 where, you know, what's going on with you, where you work
5 at, this and the third. And Ms. Jemara Grayson she did
6 that. Okay, we also had another one named John Fore, he
7 was juror number 41. Jemara Grayson was juror number 52.
8 John Fore did the same thing. Well he didn't know the
9 family but the fact remained that Mr. Reuben Goude knew
10 that Jemara Grayson stated that her husband worked for the
11 Sheriff's Department and he seated the juror. He seated
12 this particular juror where we were trying to keep any,
13 any, any potential juror that could have known anything
14 about the case or read anything in the newspaper. That was
15 my understanding we were trying to keep this type of
16 individual out of, out of the panel. Well he seated this
17 particular juror. And then juror number 50, number 41, he
18 seated this seated this particular juror because he said
19 that he worked he works for the ATF and he seated this
20 particular juror. And we had two more jurors now. We
21 could have, we could have not seated these jurors. But he
22 seated the jurors and so this I think he didn't, he didn't
23 show his interest, you know, in my favor. I don't think he
24 showed his interest in my favor at this point in time, you
25 know, when he seated these two jurors.

1 Q All right, continuing under the topic of
2 ineffective assistance of counsel. You had raised the
3 issue about the CD and the testimony of Ms. Graham. Did
4 the Court offer an opportunity for a curative instruction
5 to the jury regarding that?

6 A Yes the Court did off a curative, asked for
7 him to and he said no, he'd rather not do that. After
8 getting the opinion back from the, the appeal judges, they
9 stated that by Mr. Goude not getting, accepting this
10 curative instruction, they say that, this choice of his was
11 fatal. They say he made a fatal, a fatal decision and he
12 should have known better than that. So if he knew, if I
13 may say Your Honor, that the curative instruction would
14 have shed some light on the issue and bring back a
15 different result, the results would have been probably
16 different where he didn't, he didn't, he didn't make that
17 choice. So I feel that that's also was a strike against
18 his defense as well as, you know, his professionalism. You
19 know, I just feel like, you know, he didn't take the right,
20 the right path here.

21 Q All right, so you've raised for the Court
22 the issues regarding the unsigned warrants. You've raised
23 for the Court the issues of ineffective assistance of
24 counsel. You've raised for the Court the issues of the
25 inflammatory statements of the prosecution and the

Mr. Wilson - Direct Examination by Mr. Hutto

30

1 impression on the mind of the jurors. You've raised the
2 issue of the forgery on the arrest warrants. Is there any
3 other issue at this time that you would like to make the
4 Court aware of in your petition for relief?

5 A There's an issue where I didn't think Beau
6 Bran should have even been the Solicitor. The reason why I
7 say that because I got, nine months prior to, nine months
8 prior this issue, excuse me, nine months prior to this, Mr.
9 Beau Bryan he was trial, trialing in someone who was
10 accusing me the Appellant, for choking her. And he was
11 choked nine months prior to that right in the courtroom and
12 I think that was a conflict of interest because I don't
13 know what was on Mr. Beau Bryan mind because if you get
14 choked out in front of a bunch of people in front of the
15 courthouse, you know, on your job, you know, there's no
16 telling what kind of scar that would leave on your mind.
17 And so he could have been scarred, you know, behind this
18 incident. And so therefore, within that nine months here
19 come another case, probably the only one after that, he,
20 you know, he, he, you know, probably wasn't functioning in,
21 in, in the manner he should have been functioning. Mr.
22 Goude knew about this. Because they had it, I got the, the
23 newspaper clipping right here where they had it on TV.
24 They had it on TV 13, they had it all, you know, all in the
25 newspaper so it wasn't like he didn't know; and he should

Mr. Wilson - Direct Examination by Mr. Hutto

31

1 have asked that Mr. Beau Bryan be dismissed. And I think,
2 you know -

3 Mr. Johnson: Your Honor, we're going to object
4 to this. I understand he's alleged prosecutorial
5 misconduct but I don't think what he's alluding to now
6 falls within that category.

7 The Court: I agree. I sustain the objection.

8 Mr. Hutto: (Continuing)

9 Q All right, Mr. Wilson, is there anything
10 else that you'd like to make the Judge aware of as part of
11 your petition.

12 A Yes, we still have some more issues. If
13 you'd go to ineffective assistance of counsel we were
14 talking about coaching the witness. Are you familiar with
15 that?

16 Q Go ahead.

17 A In coaching the witness, Your Honor, I have
18 that law case on that. Miss Graham constantly was saying
19 she couldn't remember the dates. She couldn't remember the
20 dates and the time of the wedding. And one of the reasons
21 that I wanted my lawyer to subpoena Monica Wilson, who was
22 now Monica Brownson, because Monica Brownson at the time
23 was Monica Wilson would testify that she did told Miss
24 Felita Graham the time and date of the wedding. And you
25 had my lawyer, Mr. Reuben Goude, he knew, he knew my sister

Mr. Wilson - Direct Examination by Mr. Hutto

32

1 Lahoma was, and he, he had my mother, Almena Wilson. He
2 talked with him and they personally told him that they all
3 were together. Now, when you read the law you'll
4 understand, you'll see that the law states that this is
5 grounds that she was being coached by somebody not to say
6 these particular dates. She was being coached not to say
7 these particular dates. And she, she, she just won't say
8 she knew the dates but she had her, her, her wedding
9 clothes she had on lay away. She knew the date she was
10 supposed to get them out. She went as far as telling the
11 Court there about her vomiting. She knew all of these
12 times and dates but all of a sudden she just had a loss of
13 memory because of what date are you supposed to be going to
14 the wedding. So the thing about that, you had all of these
15 people testifying that she was in the midst of these, she
16 was in the midst of all eating but she refused to say the
17 time and the date. She made my mother look bad. She made
18 my sister look bad. She made all these people look bad.
19 All of us were just supposed to be lying on her just
20 because they were my mom and my brothers and my sisters.
21 But we all were together and she knew the time.

22 The Court: Well, Mr. Wilson, how, how is that
23 ineffective assistance of counsel? Mr. Goude can't make -

24 A Okay -

25 The Court: --- force somebody, I can sit here

Mr. Wilson - Direct Examination by Mr. Hutto

33

1 and ask you what did you do yesterday afternoon. You could
2 look at me, even if you knew, you could look at me and say,
3 Judge, I don't remember.

4 A Well -

5 The Court: How is that ineffective assistance
6 of counsel?

7 A This particular issue right here, Your
8 Honor, is not supposed to be up under ineffective
9 assistance of counsel. It's just supposed to be up under
10 coaching the witness.

11 The Court: Well, what proof have you got? The
12 lady said she didn't remember the dates you believe she
13 should have remembered -

14 A Okay.

15 The Court: --- but she said she didn't.

16 A Okay.

17 The Court: What was he supposed to do about
18 that?

19 A Well, Your Honor, you're making a lot of
20 sense, Your Honor and I can't, I can't go over what you
21 say, however, the only proof that I can, that I can tell
22 you, is this, and it's the only one that I could come up
23 with. You getting ready to get married, if you don't mind
24 me saying this, you getting ready to get married. Your
25 wife, you wife you love so, so, so dear, she's telling

Mr. Wilson - Direct Examination by Mr. Hutto

34

1 everybody that you know, she's telling everybody that you
2 ask her, did she tell so and so, did you tell so and so
3 about the time and date? Did she tell so and so and she
4 tells you, yeah, yeah, yeah, I told everybody, I told
5 everybody, and you take her word for it, you take her word
6 for it. It's just your word because you're word is your
7 bond, you know, if you don't stick to your word you have
8 nothing. And you take her word for it and, and I think
9 that's the respect my sister Monica should have gotten
10 because if she told everybody and she told Felita and she
11 should have got that respect and Mr. Goude, he should have
12 looked at it in that, in that, in that, in that avenue.
13 But everybody ain't going to look at things in the same way
14 but we all try to be, we try to be law abiding citizens and
15 we try to be, we try to be honest and we try, we try to
16 live up to our integrity and all this good stuff. And if
17 Monica said she told them then why, why, why, why in the
18 world couldn't he see just like that because she, she went,
19 she went through all this other stuff just to get the
20 wedding together. And that's the only thing that I have on
21 that.

22 The Court: But all I'm saying is, if a witness
23 gets on the stand and you say, do you remember the date, or
24 do you know the date, if I was a witness on the stand
25 somebody said, do you remember the date of your wedding?

Mr. Wilson - Direct Examination by Mr. Hutto

35

1 A Okay.

2 The Court: Well I can tell you the date of my
3 wedding. I know the date.

4 A Okay.

5 The Court: But if I get on the stand and go,
6 no, I don't remember. I mean -

7 A Would you disagree with me if I would tell
8 you this? If I would say, Mr. Goude, Mr. Goude went and
9 found out the name of the place where weddings and things
10 were, where I, where I bought my tuxedo from. Mr. Goude
11 found out that I bought a white car and he found out how
12 much money I paid on the car. He went as far to find out
13 all of this stuff about what job I was on and everything he
14 went and found out was good, but why did Mr. Goude went to
15 the main witness, the one that was going to clear
16 everything up, which was Monica Wilson. He had Almena
17 Wilson sit on the stand who wasn't even home at the time of
18 the alleged incidence. Almena wasn't even around. She was
19 some place nowhere to be found. He had Lahoma Wilson sit
20 up here. He had Rogers Stewart up here.

21 The Court: You know, you're getting off track.
22 We were talking about coaching a witness.

23 A Okay we were talking about coaching a
24 witness. This is what I'm saying. He had all of these
25 people come up here and testify but the coaching the

Mr. Wilson - Direct Examination by Mr. Hutto

36

1 witness coming when she was saying, no, no I don't know the
2 date. No, I don't know the time. If he had to say, I'm
3 going to put Monica Wilson up there and let Monica Wilson
4 get up on the stand and let Monica tell it. Monica, did
5 you tell Felita Graham when the wedding was going to be and
6 let Monica, let Felita look at Monica in the eye and let
7 her deal with the fact that she was lying. Let her look at
8 Monica in the eye when she sit in the house and eat with
9 Monica just, just a, just a couple of weeks previous before
10 the wedding. Let her sit and look Monica, at her, look
11 Monica in the eye and tell Monica you lying. They both can
12 tell me what the time or the day was when you going to
13 lock, you getting ready to lock her brother up for the rest
14 of his life. His three-year-old daughter, he's trying to
15 take care of his little daughter and you going to tell me,
16 you going to sit here and tell me that I didn't tell you
17 the word just to lock my brother because you're mad because
18 he went out at twelve o'clock one night? And all of this
19 comes because I went out, I went out at twelve o'clock one
20 night and she's mad with me. And she's the one that, so if
21 he say put Monica up there, let Monica testify and let's
22 see what she, let's see what Monica says. Monica would
23 have got up there and clear everything up. Monica said,
24 yeah, I did tell and this, this would have -

25 The Court: That doesn't clear anything up.

Mr. Wilson - Direct Examination by Mr. Hutto

37

1 I'll tell you right now, all that is, that just creates an
2 issue of fact. Monica says she told her, she says I don't
3 remember. That's just an issue of fact. That doesn't
4 clear anything up.

5 A Okay, Your Honor, you, you may be right.

6 The Court: Then a jury have to decide which
7 witness to have believed.

8 A Would it be safe, would it be safe to say
9 this, Your Honor, would it be safe that it would have
10 probably, it would have probably, the results of the jury
11 would have been different if, if Monica had got up there
12 and then let the jury decide whether Monica was telling the
13 truth or whether Monica was lying?

14 The Court: I have no idea.

15 A Me either. I was just saying, would it be
16 safe, would it be safe to say -

17 The Court: No, No I don't think that's safe to
18 say.

19 A Okay.

20 The Court: I don't think anybody can answer
21 that question. I don't know what a jury considered when
22 they decided guilt or innocence.

23 A And that's my point. That's my point, Your
24 Honor.

25 The Court: Okay.

Mr. Wilson - Direct Examination by Mr. Hutto

38

1 A There's more. Can we carry on?

2 The Court: Yeah, I'd like to.

3 A Counsel.

4 The Court: Go ahead. I'd like to let him to
5 respond to questions.

6 Mr. Hutto: (Continuing)

7 Q Mr. Wilson, I'll re-ask my same question.
8 What other issues do you want this Court to consider in
9 your Petition for Relief?

10 A I'm going through the, I had, okay. You
11 talk about -

12 The Court: I'm going to, I want a little more
13 direction here. You've got his Application. You've got
14 his allegations. Direct him to those allegations because
15 what you're doing right now, Mr. Hutto, is you're saying,
16 tell the Judge anything you want to tell him and that's why
17 we're getting all down these side streets.

18 Mr. Hutto: Yes, Your Honor.

19 The Court: I mean, I don't, I've got the
20 original Application. I don't have anything amended. We
21 are so far off the original, but I'm assuming we're still
22 on to the amended part, but give, ask questions that, that
23 give some direction.

24 Mr. Hutto: (Continuing)

25 Q One moment please, Your Honor. My attempt

Mr. Wilson - Direct Examination by Mr. Hutto

39

1 here, Your Honor, we have covered the primary topics of, of
2 both of these but I do want to make sure that Mr. Wilson
3 has the opportunity to speak his mind if there are other
4 things he thinks are of concern. I --

5 The Court: No, I don't think he's entitled to
6 do that. I think he's entitled to do. I think he's
7 entitled to address the issues in his Application.

8 Mr. Hutto: Okay, I'll, yes, Your Honor.

9 The Court: I mean, I know what you're saying.
10 I do understand that and often times, you know, I'll have an
11 attorney who, who will do that, but depending on the
12 witness ----

13 Mr. Hutto: Okay.

14 The Court: --- some witnesses will talk all
15 afternoon because --

16 Mr. Hutto: Yes, Your Honor.

17 The Court: --- they just have a lot to say.

18 Mr. Hutto: I'll, if it's all right I'll just
19 go back through the list and see if he can address those
20 specific items then.

21 The Witness: Your Honor, I --

22 The Court: I don't want to go back over the
23 list. I mean, I've heard everything --

24 Mr. Hutto: No, anything --

25 The Court: Anything that he hasn't addressed

Mr. Wilson - Direct Examination by Mr. Hutto

40

1 I'll be more than happy to heard.

2 The Witness: (Continuing)

3 A I haven't addressed, if it please the Court,
4 Your Honor, I understand that I have to show a reasonable
5 probably and show where my lawyer fell below the, the
6 adversary system here. When you go to the transcript, I
7 have this up under ineffective assistance of counsel where
8 Judge Burch, where we made a bad act, we made a bad act
9 motion and the Judge, he told Mr. Reuben Goude, he said, he
10 said I was sitting here, he said I was sitting here almost
11 about to turn around in my chair wondering if you had a bad
12 act motion. He said it's not, it's not my business to
13 remind you did you have a bad act motion and, and then,
14 and, and then watch you go on and on and on and on and
15 remind you did you have a bad act motion and then, and then
16 come back and give you, come back and give you, how he say
17 that thing? He said -

18 The Court: Let's back up, Mr. Wilson. Explain
19 to the Court that that there was a Motion in Limine to,
20 you're talking about Lyle issues, I'm sorry, are we talking
21 about Lyle issues here, prior bad acts?

22 Mr. Hutto: Yes, Your Honor.

23 A Okay. I want to make that sure I get this
24 correct.

25 Mr. Hutto: (Continuing) Let me walk you though

Mr. Wilson - Direct Examination by Mr. Hutto

41

1 just a little bit, Mr. Wilson.

2 Q Your concern is that Mr. Goude did not
3 object, not timely object to the introduction of that
4 evidence; is that correct?

5 A That's correct.

6 Q Did he object to the introduction of the
7 testimony of Miss Graham regarding the prior bad acts?

8 A He object but he base of what I'm trying to
9 explain is where did he fall below that, where he was
10 deficient and not being on time. Well the Judge had to
11 tell him like, you know, what, what are you doing, you
12 know. He didn't object on time and so that, and that, that
13 falls up with him raising the CD and not showing the CD.

14 Q It's part of the whole, the same argument
15 we've been discussing -

16 A Yes.

17 Q --- he failed to introduce the CD a
18 contradictory evidence?

19 A Yes.

20 Q And that he failed to accept the curative
21 instruction from the judge -

22 A Yes.

23 Q --- as far as those statements being
24 introduced?

25 A Yes.

Mr. Wilson - Direct Examination by Mr. Hutto

42

1 Q Correct?

2 A Correct.

3 Q All right.

4 A Your Honor, may I say something? As far as
5 the case laws and the rules, I have them all here, the
6 rules and the case law that I need to go along with
7 everyone of my issues. Are you saying that, I can not, can
8 not put them on the record?

9 The Court: No, I didn't say that. I mean, you
10 can cite the cases but I don't need, here's what I'm
11 saying. You've got a lawyer to argue your legal issues.
12 So, like for example earlier in this testimony you cited
13 Davis v. Sanders and then you wanted to sit there and
14 proceed to tell the court what the holding was in Davis v.
15 Sanders, or Davis versus Sanders and that's not necessary.

16 A All right.

17 The Court: You can cite the cases, I mean, I
18 can look the cases up.

19 A Okay, all right, all right. Okay, okay, on
20 the CD case, Your Honor, the case law that I wanted you to
21 look up is on Bree versus Mallencause [sic] and Quattlebaum
22 versus State and Sweeper versus Washington [sic] and if I
23 may read just a little on a Bree versus, just a tad on
24 Quattlebaum, Quattlebaum versus State where there was a CD
25 and it was withheld from them 30-something months and the

Mr. Wilson - Direct Examination by Mr. Hutto

43

1 Court ruled that they couldn't have done that. I mean,
2 it's essential for me to say that.

3 The Court: Go ahead.

4 A As I say, they didn't disclose the
5 information and the Supreme Court ruled that this, this was
6 unconstitutional in violation of the Fourteenth Amendment,
7 and it's identical to what happened to me in my instant.
8 They didn't disclose a valuable piece of information that
9 could have changed the result and it's a violation of my
10 Fourteenth Amendment. I wanted to say that. I wanted to
11 get that in, Your Honor.

12 The Court: All right.

13 A Your Honor -

14 Mr. Johnson: Your Honor, can we have a
15 question and an answer from him?

16 The Court: Yeah. This open-ended, these
17 questions are, we need some direction in this examination
18 or we're going to be here till tomorrow.

19 Mr. Hutto: Your Honor, I, Your Honor, may I
20 approach?

21 The Court: Yes, sir.

22 (Whereupon, a bench conference was held off the
23 record out of the hearing of the court reporter and the
24 following takes place on the record after the bench
25 conference.)

Mr. Wilson - Direct Examination by Mr. Hutto

44

1 Mr. Hutto: We have covered the topics that
2 were named in your Petition and do you have any other
3 specific -

4 A Yes I do.

5 Mr. Hutto: --- that you need to raise? Please
6 give me the issue itself -

7 A I will.

8 Mr. Hutto: --- and we can address that.

9 A I have it right here in my hand. Here you
10 go.

11 Q Which?

12 A This is on fraudulent of the court issues.
13 I understand that if I had any extra issues I could present
14 that at this point in time and they call me, they call me
15 from Lee County and I didn't had time to sent it to you so
16 I brought it to you. So I thought it would been, you know,
17 it would have been more, more better like that.

18 Q You're saying, further continuing under,
19 under ineffective assistance of counsel that your counsel
20 failed to investigate the case for you properly? What are
21 the issues are you saying he failed to investigate?

22 A Your Honor, I just my lawyer some issues
23 dealing with fraudulent on the court. And it's basically
24 talking the same thing but what it's, what it's showing
25 case law that I just wanted to, wanted to recite a few

Mr. Wilson - Direct Examination by Mr. Hutto

45

1 cases so that you can look it up under fraudulent of the
2 court.

3 Q Well what we need, Mr. Wilson, is for you to
4 focus on is what your counsel was ineffective at. We
5 understand the -

6 A That's a part of it. That's a part of it I
7 just gave you.

8 Q We've gone through the list and I just need
9 you to help me out as to what other issues that he was
10 ineffective at.

11 A As I said earlier I have a retinal
12 pigmentosis in my eyes and I cannot read it and that's the
13 reason why I gave it to you so that you can read it for me
14 because if I could read it I would spoke to it right now
15 and, and, you know, do away with it but because I can't
16 read it I have to depend on you to read it for me.

17 The Court: All right, I'm not going to have
18 you or anyone read to me a bunch of case law. I'm fully
19 capable of reading case law myself.

20 A Okay, then all right.

21 The Court: If you want to cite it and I'll
22 note it -

23 A That's what I'll do, Your Honor, just cite
24 it -

25 The Court: --- and I'll look it up and -

Mr. Wilson - Direct Examination by Mr. Hutto

46

1 A --- just cite it for you.

2 The Court: I don't even, and now we're talking
3 about a fraud on the court which may be in his Amended
4 Application. I don't see it anywhere in this Application.

5 A Your Honor, I was up under the impression
6 that I could of -

7 The Court: Cannot bring up just anything you
8 want to bring up because the State has the right to be made
9 aware of the issues that you're going to raise so that they
10 can prepare for it. So no you can't just, if it's not in
11 your Application you don't have the right to raise it here
12 today.

13 A Okay. All right. There's another issue -

14 Mr. Hutto: (Continuing)

15 Q You've raised the issue of ineffective
16 assistance of counsel. So if there is something else your
17 counsel failed to do for you or did in error for you, you
18 can raise that issue and that's what I want you to address
19 for me.

20 A Well, we were talking about in, well my
21 counsel went, Mr. Reuben Goude, went to talk about the
22 registration card, he went to talk about the registration
23 card, or the car, and the prosecution witness, Felita
24 Graham, stated that in, during her testimony, she stated
25 that, she stated that my name was on the registration down

Mr. Wilson - Cross Examination by Mr. Johnson

47

1 at the Auditor's Department. And Mr. Bryan and Mr. Reuben
2 Goude they waited to look this application up and in doing
3 that, I have it right here, Your Honor, if you would like
4 to look at it, and in doing that the prosecution witness
5 stated that, yes, my name was on the registration form.
6 Then later on she came back and said well, that was not the
7 original. She came back and said well his name was not on
8 the original, on the original form. I'm stating that for
9 the record to show how, again, how, you know, this should
10 have been brought up too because he had, he had the
11 original in his hand which I, which I had a copy of the
12 first original here in my hand. I had this the whole time.
13 Where this could had been the results of the trial could
14 have been different if he had showed that when the
15 registration was being talked about how the prosecution
16 witness, Felita Graham, said the, first his name was on the
17 original and then she came back and said well, his name is
18 not on the original because she had the original. This
19 would have showed that perjury statements was being made
20 right there as well. So I have the original right here in
21 my hand, Your Honor, if you want to see it.

22 The Court: I don't need to see it. You stated
23 why you feel that was prejudicial because he didn't raise
24 it.

25 A All right. What else?

Mr. Wilson - Cross Examination by Mr. Johnson

48

1 Mr. Hutto: Your Honor, I have nothing further
2 at this time -

3 The Court: All right, Mr. Johnson.

4 Mr. Hutto: --- if Mr. Johnson would like to
5 ask some questions.

6 Mr. Johnson: If I could approach the witness,
7 Your Honor.

8 The Court: Yes, sir.

9 **Cross Examination**

10 **By Mr. Johnson:**

11 Q The document you just were referring to, Mr.
12 Wilson, what is that?

13 A Excuse me?

14 Q The car registration you were just referring
15 to, let's take a look at that.

16 A Yeah, it was the original. My lawyer, Mr.
17 Hutto?

18 Q No, you had it. It was one you just had.

19 The Court: You were about to show it to me. You
20 asked me if I needed it.

21 A All right.

22 Q Who's signature is on there.

23 A My name is on it.

24 Q You said there -

25 A Hold up, wait a minute now. See, my eyes re

Mr. Wilson - Cross Examination by Mr. Johnson

49

1 bad. That's why I need my lawyer to help me.

2 Q That's why I'm wondering how you can tell
3 there's a signature on there?

4 A Because my eyes wasn't bad then.

5 Q All right.

6 A See, my eyes wasn't bad then.

7 Q When you find that let me know.

8 The Court: Mr. Hutto, if he needs your
9 assistance visually come help him.

10 Mr. Johnson: I would like to go ahead and ask
11 some questions.

12 The Court: Yeah, go ahead, go ahead.

13 Mr. Johnson: (Continuing)

14 Q Mr. Wilson, while you look through that I'd
15 like to ask you some questions.

16 The Court: Mr. Wilson, Mr. Wilson.

17 The Witness: Yes, sir.

18 The Court: Now I'm trying to be patient but
19 I'm rapidly running out of patience. You held a thing in
20 your hand and you -

21 The Witness: I just give it to him.

22 The Court: --- and you said to me, you said
23 I have it right here if you want to see it, Judge. I said
24 I don't need to see it.

25 The Witness: It's right here, Your Honor, but

Mr. Wilson - Cross Examination by Mr. Johnson

50

1 ---

2 The Court: All right.

3 The Witness: I'm trying to get him to look at
4 it for me but he won't do it. I have it right here in my
5 hand.

6 The Court: Hold on.

7 Mr. Johnson: We can move on to the next
8 question, Your Honor. That's all.

9 The Court: All right, he'll move on. He
10 doesn't need to ask any questions on that.

11 Mr. Johnson: (Continuing)

12 Q Mr. Wilson, I'm going to ask you some
13 questions and I just would ask that you give me the same
14 attention that you gave to your attention; can we do that?

15 A I'm listening.

16 Q All right, sir, and I kind of want to bring
17 this whole proceeding back to ground zero. You're asking
18 for a new trial; is that right?

19 A No, I'm asking for, I'm asking for, I'm
20 asking for release from prison for false imprisonment under
21 the un-signed warrants and I'm asking also for -

22 The Court: Hang on for a minute. I'm going to
23 stop you for just a minute. Remember where you're at -

24 A All right, sir.

25 The Court: I'm going to adjust something right

Mr. Wilson - Cross Examination by Mr. Johnson

51

1 here, Mr. Johnson.

2 Mr. Johnson: Yes, sir.

3 The Court: Mr. Wilson, I want you to listen
4 carefully to what I'm going to tell you because it's
5 important to you.

6 A All right, sir.

7 The Court: When someone files for post-
8 conviction relief -

9 A All right.

10 The Court: I'll explain to you what I have the
11 authority to do, okay?

12 A All right.

13 The Court: The only thing I have the authority
14 to do, if I believe everything that you have alleged in
15 your Application, and if I agree with you on all of that
16 the only thing I can do is send you back to where you were
17 at before this case went to trial, which means all of the
18 charges, even the ones, everything, you go back to the
19 beginning. So you'll still be facing kidnaping charges.
20 You'll still facing criminal domestic violence of a high
21 and aggravated nature charges, okay? All I can do is send
22 you back to before your trial and the State would then re-
23 try your case. I can't just say, you're right, your lawyer
24 was ineffective, you're free to go. I don't have that
25 authority. The only authority I have is to send you back