

ORIGINAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DARLINGTON COUNTY
Court of General Sessions

J. Michael Baxley, Circuit Court Judge

Appellate Case No. 2014-000395

RECEIVED

NOV 18 2015

SC Court of Appeals

The State, ...Respondent.

Damyon M. Cotton, ...Appellant.

AMENDED RECORD ON APPEAL – VOLUME II OF II

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ATTORNEYS FOR RESPONDENT

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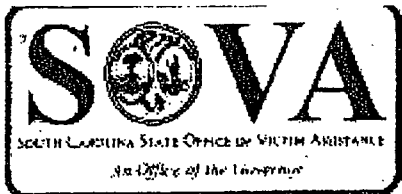
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State of South Carolina
State Office of Victim Assistance
Medical Examination Release Form

In the matter of:

Yasmin Cusack
Patient

226-71-3197
Social Security Number

606 Samboyst
Address

Florence SC 29501
City State Zip

Dr. Raymond Horton
Name of Health Care Provider

SSS E. Cheves St
Federal Tax Number

Florence SC 29501
Address City State Zip

In accordance with South Carolina Victims and Witnesses Bill of Rights, signed into law on June 22, 1984, I hereby voluntarily consent and authorize the South Carolina State Office of Victim Assistance (SOVA) and its authorized agents to receive my medical records. I also authorize SOVA to pay such medical expenses allowed by law to Health Care Providers for routine medical tests and examinations for evidentiary purposes as prescribed by South Carolina Law Enforcement Division (SLED)/South Carolina Hospital Association sexual assault protocol kit.

Dated this second day of February, 2013, at _____, South Carolina.

Yasmin Cusack / Yasmin Cusack
Signature of Patient/Guardian/Responsible Adult

Brandon Peavy
Print Name of Law Enforcement Officer

Darlington County Sheriff Office
Name of Law Enforcement Agency (Do not abbreviate)

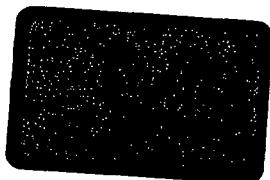
Darlington, SC
Incident Location (County and State)

Health Care Official's Signature (SANE/MD)

[Signature]
Signature of Law Enforcement Officer

2/1/13
Date of Crime

Health Care Provider must attach a copy of **SOVA Sexual Assault Protocol (SAP) Billing Statement** (located in the SLED approved protocol kit) to this Medical Examination Release Form for payment and forward to:



STATE OFFICE OF VICTIM ASSISTANCE
1205 Pendleton Street, Rm. 401
Columbia, South Carolina 29201
Phone: (803) 734-19

**South Carolina Law Enforcement Division
Sexual Assault Examination Protocol**

Name of Hospital: McLeod Regional Medical Center Date: 2/1/13 Time admitted: 2118

- Name: Yasmin Ruth Cusack
- Age: 18 Gender: M/F Ethnicity: Black
- Home address: 606 Samborn St. Florence, SC 29501
- Date of Birth: 7/11/94 Marital status: single
- Parent or Guardian: Grace Cusack

Law Enforcement:

- Agency: Darlington County Sheriff's Office Case Number: _____
- Forensic Exam Requested: ☒ Yes ☐ No If no, describe: _____
- Reporting Officer: Brandon Deavy Time: 2230 2/1/13
- Investigator: _____ Time: _____

Advocacy: •if indicated

- Rape crisis advocate: _____ Notified: _____ Arrival: _____
- Other: _____ Notified: _____ Arrived: _____
- Interpreter: _____ ☐ NA

Persons present during collection of history:

- ☐ Advocate ☒ Family ☐ Law Enforcement ☐ Other: _____

Persons present during medical exam:

- ☐ Advocate ☒ Family ☐ Other: _____

Pertinent medical history:

- LMP 1/16/13 Normal ☒ Yes ☐ No G 0 P 0
- Any recent (60 days) anal-genital injuries, surgeries, diagnostic procedures or medical treatment that may affect the interpretation of current physical findings?
☐ Yes ☒ No If Yes, describe: _____
- Any other pertinent medical conditions or injuries that may affect the interpretation of current physical findings?
☒ Yes ☐ No If Yes, describe: genital herpes (known condition)
- Current medications: ☒ None: _____

Pertinent pre and post assault related history:

- | | No | Yes | Date |
|---|-------------------------------------|--------------------------|----------------|
| • Consensual intercourse within 7 days? | ☒ | ☐ | _____ |
| • Oral | ☒ | ☐ | _____ |
| • Vaginal | ☒ | ☐ | _____ |
| • Anal | ☒ | ☐ | _____ |
| • If yes, was a condom used? | ☐ | ☐ | Describe _____ |
| • Other type of contraception used? | ☐ | ☐ | _____ |

Medications, Social Drugs or Alcohol:

Ingestion of alcohol/drugs by patient: ☒ No ☐ Yes ☐ Unsure

- If yes, ☐ Alcohol ☐ Drugs Time _____ Date _____

Describe: _____

- If yes ☐ Voluntary ☐ Forced ☐ Coerced ☐ Suspected
- Any voluntary use of alcohol 12 hours prior to assault? ☒ No ☐ Yes
- Any voluntary use of drugs 96 hours prior to assault? ☒ No ☐ Yes
- Any voluntary use of alcohol or drugs between time of assault and forensic exam? ☒ No ☐ Yes

Revised June 2008

Initials DDP

Page 1 of 6

SCA1050

RECORD 0464

South Carolina Law Enforcement Division Sexual Assault Examination Protocol

CUSACK, YASMIN RUTH



02/01/13 18 F

HORTON, RAYMOND C GUY

Post assault hygiene/activity:

- Urinated
- Defecated
- Genital or body wipes
- Douched
- Removed tampon/diaphragm
- Brushed teeth
- Mouthwash
- Bath/shower/wash
- Ate or drank
- Vomited
- Changed clothing
- Smoked

No	Yes
☒	☐
☒	☐
☒	☐
☒	☐
☒	☐
☒	☐
☒	☐
☒	☐
☒	☐
☒	☐
☒	☐
☒	☐
☒	☐

Describe:

Assault History:

- Date of assault 2/1/13 Time of assault 1900 (approximately)
- Location of assault "In woods" off Turnpike Road in Darlington, SC
- Any witnesses see the assault? ☐ Yes ☒ No If yes, identify: _____

History of assault per patient:

pt stated assailant picked her up at her home to take her to the movies. pt was taken to the Julia movie theatre in Florence, SC; then taken to K-mart in Florence, and then taken to "the woods" in Darlington, SC off Turnpike road. The pt states the assailant dragged her out of the car, snatched her pants off, breaking her pants zipper and forced her head onto his penis. pt states assailant put on a condom and put his penis inside her vagina. pt states the assailant told her to put on her clothes after they had sex. pt states the assailant gave the pt back her phone and drove her home.

Assailants Name	Age	Gender	Ethnicity	Relationship
#1 Damien	20's	M	Black/African American	friend
#2				
#3				
#4				

Method(s) employed by assailant(s):

- Weapons
- Threatened
- Injuries inflicted
- Types of weapons
- Physical blows
- Grabbing/holding/pinching
- Physical restraints
- Strangulation
- Burns
- Verbal threats of harm
- Other methods

No	Yes
☐	☒
☐	☒
☒	☐
☒	☐
☒	☐
☐	☒
☒	☐
☐	☒
☒	☐
☐	☒
☒	☐

If yes, describe:

gun

Threatened to pull out gun

pt was held down by assailant

pt stated she was choked

threatened to kill her

Revised June 2008

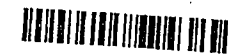
SCA1050

Initials DS

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RECORD 0465

South Carolina Law Enforcement Division
Sexual Assault Examination Protocol



02/01/13 18 F
HORTON, RAYMOND C GUY

Were any injuries inflicted upon the assailant during the assault? ☐ No ☒ Yes
• If yes, describe: scratches noted to left buttock and left thigh.

Is assailant known: to have STD ☒ No ☐ Yes If yes, describe: _____
• Had a vasectomy: ☒ No ☐ Yes Was sterile: ☒ No ☐ Yes
• Alcohol/drug use by assailant ☐ No ☒ Yes ☐ Unsure Time 1845 Date 2/1/13
if yes, ☐ Alcohol ☒ Drugs Describe: marijuana

Contacts Described By Patient

*if more than one assailant, identify number

Penetration of vagina by:

Describe: _____

	No	Yes	Attempted	Unsure
Penis	☐	☒	☐	☐
Finger	☒	☐	☐	☐
Object	☒	☐	☐	☐

Penetration of anus by:

Describe: _____

	No	Yes	Attempted	Unsure
Penis	☒	☐	☐	☐
Finger	☒	☐	☐	☐
Object	☒	☐	☐	☐

Oral copulation of genitals:

Describe: _____

	No	Yes	Attempted	Unsure
Of patient	☒	☐	☐	☐
Of assailant	☐	☒	☐	☐

Non-genital acts:

Describe: _____

	No	Yes	Attempted	Unsure
Licking	☒	☐	☐	☐
Kissing	☒	☐	☐	☐
Suction injury	☒	☐	☐	☐
Biting	☒	☐	☐	☐
Fondle	☒	☐	☐	☐

Other acts:

Describe: _____

	No	Yes	Attempted	Unsure
Other	☒	☐	☐	☐
Masturbation	☒	☐	☐	☐
Photographs	☒	☐	☐	☐

Did ejaculation occur:

Describe: _____

	No	Yes	Unsure
☒ Mouth	☒	☒	☐
☐ Vagina	☐	☒	☐
☐ Anus	☒	☐	☐
☐ Body	☒	☐	☐
☐ Clothing	☒	☐	☐
☐ Bedding	☒	☐	☐
☐ Other	☒	☐	☐

condom used with vaginal ejaculation

Contraception or lubricant used:

Describe type/brand if known: _____

	No	Yes	Unsure
Foam used	☒	☐	☐
Jelly used	☒	☐	☐
Lubricant	☒	☐	☐
Condom used	☐	☒	☐

condom used

Revised June 2008

SCA1050

Initials Ryp
Page 3 of 6

RECORD 0466

South Carolina Law Enforcement Division
Sexual Assault Examination Protocol

CUSACK, YASMIN RUTH



02/01/13 18 F

HORTON, RAYMOND C GUY

General Physical Examination

Describe general physical appearance: healthy female
of childbearing age

Describe general demeanor: ☒ Quiet ☐ Tearful ☐ Trembling ☐ Anxious ☐ Controlled ☐ Angry ☐ Sobbing ☐ Tense

• Response to questions: ☒ Briefly ☐ Reluctantly ☐ Readily

• Eye contact: ☒ Good ☐ Poor

• Describe: _____

c/o Non-genital injury, pain and/or bleeding? ☐ No ☒ Yes, describe scratches noted to left buttock and left thigh

c/o Anal-genital injury, pain and/or bleeding? ☒ No ☐ Yes, describe _____

Genital Examination-Females:

• Exam position used: ☐ Supine ☒ Lithotomy ☐ Lateral ☐ Knee-chest

• Exam methods for genital examination: ☒ Water lubricated speculum ☐ Foley catheter ☐ Toluidine Blue Dye

☐ Colposcope ☐ UV light (Woods light) ☐ Positive ☐ Negative *show location on diagram on page 5

• Presence of sperm: vaginal wet prep: ☐ Motile ☐ Non-motile ☒ None visualized

Genital Examination-Males:

• Circumcised? ☐ Yes ☐ No

• Exam position used: ☐ Supine ☐ Lithotomy ☐ Lateral ☐ Other (describe) _____

• Exam methods for genital examination: ☐ Toluidine Blue Dye ☐ Coloscope ☐ UV light

Strangulation Assessment*: ☐ NA *Note patient history

• Object used on neck: ☐ One hand ☒ Two hands ☐ Forearm ☐ Other _____

• How long was the patient strangled? less than 5 min How many times? 2

• Any loss of consciousness? ☐ Yes ☒ No

• Throat hoarseness? ☐ Yes ☒ No

• Voice at time of exam _____

Drug Facilitated Sexual Assault Assessment*: ☒ NA *Note patient history

• Orientation: ☐ Oriented x 3 ☐ Disoriented; describe _____

• Ability to recall events: ☐ Well ☐ No memory ☐ Lapses of memory loss

• Patient's speech: ☐ Clear ☐ Garbled

• Patient's gait: ☐ Steady ☐ Unsteady; describe: _____

• History of nausea: ☐ Yes ☐ No Vomiting: ☐ Yes ☐ No times? _____

• Other concerning symptoms or assessments: _____

Lab tests performed:

☒ Pregnancy ☐ Positive ☐ Negative ☐ NA

☒ Wet prep/KOH prep

☒ Urinalysis

☒ Gonorrhea Culture site _____

☒ Chlamydia Culture site _____

☐ RPR, syphilis

☐ HIV

☐ Other _____

Radiological studies: _____

Surgical procedure required: ☒ No ☐ Yes, describe _____

Revised June 2008

SCA1050

Initials DAR

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RECORD 0467

South Carolina Law Enforcement Division
Sexual Assault Examination Protocol



02/01/13 18 F

HORTON, RAYMOND C GUY

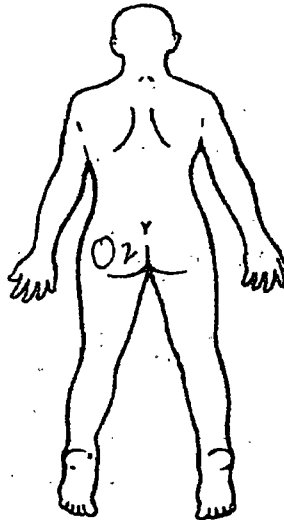
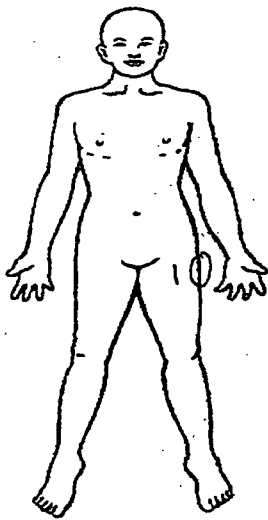


Diagram G

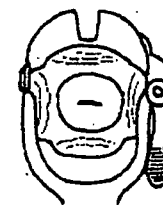


Diagram H



no external
lacer/
abrasions

Diagram I



normal

Diagram C

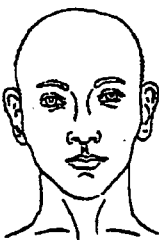


Diagram D

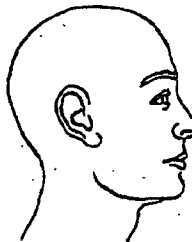
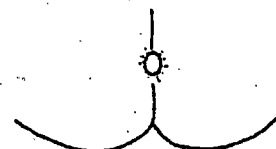


Diagram J



normal

Diagram E

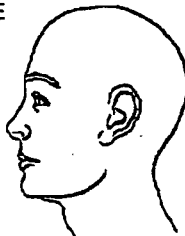
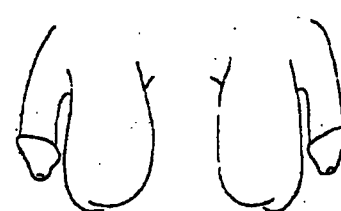
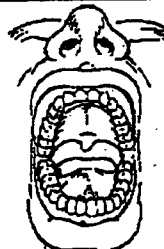


Diagram F



Location #	Description	Location #	Description
1	scratch mark		
2	scratch mark		

Revised June 2008

SCA1050

Initials RS
Page 5 of 6

RECORD 0468

South Carolina Law Enforcement Division
Sexual Assault Examination Protocol

00-30-24-10
CUSACK, YASMIN RUTH



02/01/13 18 F
HORTON, RAYMOND C GUY

Evidence Collected

Clothing collected: describe clothing ☐ NA ☐ Changed clothes ☐ Bathed

☒ Shirt pink shirt and black shirt

☒ Pants blue jeans

☒ Underwear blue and green underwear

☒ Bra yellow bra

☐ Jacket

☐ Belt

☐ Shoes

☐ Other

☐ Debris sheet

DNA Evidence Collected:

Miscellaneous materials

Lick/kiss/suck/bite mark

Oral swab and smear

Fingernail scraping/cuttings

Known DNA/Buccal swab

Combed pubic hairs

Vaginal swab and smear

Rectal swab and smear

Suspected body fluid

No

Yes

Describe

☒

☐

not available

☒

☐

no bite/lick/kiss/suck marks

☐

☒

☐

☒

☐

☒

☐

☒

☐

☒

☐

☒

☒

☐

no evidence of body fluid

Toxicology Evidence Collected:

Blood/grey top

Urine

Vomit

Other

No

Yes

Describe

☒

☐

☒

☐

☒

☐

☒

☐

Photography:

Colposcope

35mm camera

Digital pictures

No

Yes

*Photographs stored with forensic chart

☒

☐

Magnification

☒

☐

of pictures

☒

☐

of pictures

Medications administered:

Gonorrhea prophylaxis:

Chlamydia prophylaxis:

Pregnancy prevention:

Tetanus toxoid: 2/2/13

Other meds:

☒ NA

☒ NA

☒ NA

☐ NA

☒ NA

Discharge Information:

• Time: 0215

Discharged to: Gracie Cusack (mom)

• Accompanied by home

• Admitted to Hospital: ☒ No ☐ Yes/Room Number _____ Admitting MD _____

• Consults: ☐ NA ☐ Yes

Follow-Up:

• Medical:

Date:

• Counselor:

Date:

Signature of Officer receiving Evidence:

• Signature:

Time:

• Agency: Darlington County Sheriff's Office

• Evidence Released: ☐ SLED kit ☐ Clothing ☐ Urine ☐ Other

Signature of SANE/MD

Revised June 2008

SCA1050

Initials DAG
Page 6 of 6

RECORD 0469



This Space Reserved For Lab Receipt Barcode



SLED LABORATORY FORENSIC SERVICES REQUEST

SLED LAB No. L13-01843

Submission: 2 8/22/2013 3:36:00PM

Name of Investigating officer: _____		ORI No: <u>SC0160000</u>
Agency: <u>Darlington County Sheriff's Office</u>	Phone No: <u>398.4501</u>	Agency Case No: <u>2013020022</u>
Fax No: _____	Email: _____	Offense: <u>SEXUAL ASSAULT</u>
Mailing Address: <u>P.O. Box 783</u>		County: <u>Darlington</u>
City / State / Zip: <u>Darlington, SC 29540</u>		Offense Date: <u>02/01/2013</u>
CC: _____		Officer Involved Shooting ☐ Yes
		Rush: ☐ Yes

Is this evidence related to another lab number?

☐ Yes ☒ No

If yes, Lab Number: _____

SLED ITEM No LAB ONLY	Agency Item No.	Description of Evidence	Analysis Requested
3	002	Clothing - (1) pair of blue jeans with a broken zipper (victim)	DNA ANALYSIS
4	003	Clothing - (1) black tank top (victim)	DNA ANALYSIS
5	004	Clothing - (1) neon green/yellow bra (victim)	DNA ANALYSIS
6	005	Clothing - (1) pink tie-dye shirt (victim)	DNA ANALYSIS

Subject(s)	Sex	Race	DOB	SSN
Damien Cotton	M	B	09/05/1992	

Victim(s)	Sex	Race	DOB	SSN
Yasmin Cusack	F	B	07/11/1994	

Comments

Case Comments: CSC 1st.

Submission Comments: On 08/20/13, Solicitor John Holt spoke with the DNA department (Simmons) about this case. The suspect has refused a DNA standard and a court order is being drafted. Solicitor Holt requests that tests for the presence of semen be performed on all the clothing due to the fact oral sex was performed during the incident. The broken zipper area of the jeans is to be tested for potential touch DNA of the suspect. The case is on a court ordered short trial period of less than 120 days per Solicitor Holt.

Printed: 08/22/2013 15:37

Page 1 of 2

RECORD 0470



**SLED LABORATORY
FORENSIC SERVICES REQUEST**

This Space Reserved For Lab Receipt Barcode.

SLED LAB No. L13-01843

Submission: 2 8/22/2013 3:36:00PM

All sealed evidence packages accepted by the laboratory are assumed to contain what they are "said to contain" by the submitter. The laboratory does not conduct a detailed inventory of evidence package contents during the evidence intake process.

Submitted By :

Received By :

A handwritten signature in cursive script, appearing to read "Russ Harrell".

Russ Harrell

A handwritten signature in cursive script, appearing to read "Nikki P. Hughes".

Nikki Perry Hughes
Forensic Technician

Printed: 08/22/2013 15:37

Page 2 of 2

RECORD 0471

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

FORENSIC SERVICES LABORATORY REPORT

NIKKI R. HALEY
Governor



MARK A. KEEL
Chief

April Cooke
Darlington County Sheriff's Office
P.O. Box 783
Darlington, SC 29540

SEROLOGY ANALYSIS

August 23, 2013
SLED LAB: L13-01843
Your Case No: 2013020022
Incident Date: 2/1/2013
[S] Damien Cotton
[V] Yasmin Cusack

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

Mark A. Keel, Chief
South Carolina Law Enforcement Division

SEROLOGY ANALYSIS

Items Submitted:

Results of Examinations:

- | | |
|---|-----------------------------------|
| 1 Sexual Assault Evidence Collection Kit from Yasmin Cusack | |
| 1.1 Smears (vaginal, oral, rectal) | 1.1 No spermatozoa identified. |
| 1.2 Vaginal swabs | 1.2 No semen identified. |
| 1.3 Oral swabs | 1.3 No semen identified. |
| 1.4 Rectal swabs | 1.4 No semen identified |
| 1.5 Fingernail scrapings | |
| 1.5.1 Left hand fingernail scrapings | 1.5.1 Submitted for DNA analysis. |
| 1.5.2 Right hand fingernail scrapings | 1.5.2 Submitted for DNA analysis. |
| 1.6 Pubic hair combings | 1.6 No hair found. |
| 1.7 Victim buccal swabs | 1.7 Submitted for DNA analysis. |



P.O. Box 21398, Columbia, South Carolina 29221-1398 Phone (803) 896-7300 Fax (803) 896-7351

SLED LAB No. L13-01843
August 23, 2013

Page 2 of 2

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

Andrea Simmons

Andrea Simmons
Forensic Serologist



P.O. Box 21398, Columbia, South Carolina 29221-1398 Phone (803) 896-7300 Fax (803) 896-7351



RECORD 0473

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

FORENSIC SERVICES LABORATORY REPORT

NIKKI R. HALEY
Governor



MARK A. KEEL
Chief

April Cooke
Darlington County Sheriff's Office
P.O. Box 783
Darlington, SC 29540

EVIDENCE PROCESSING

February 19, 2014
SLED LAB: L13-01843
Your Case No: 2013020022
Incident Date: 02/01/2013
[S] Damien Cotton
[V] Yasmin Cusack

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

Mark A. Keel, Chief
South Carolina Law Enforcement Division

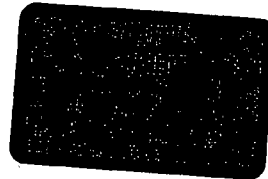
SUPPLEMENTAL REPORT

ITEMS OF EVIDENCE:

Item: 3 Blue jeans

RESULTS:

No semen indicated.



Item: 3.1 Swabs from zipper and button areas

RESULTS:

Item forwarded to the DNA section.

Item: 3.2 Swab from button hole area

RESULTS:

Item forwarded to the DNA section.



P.O. Box 21398, Columbia, South Carolina 29221-1398 Phone (803) 896-7300 Fax (803) 896-7351

Item: 4 Black tank top

RESULTS:

No semen indicated.

Item: 5 Neon green/yellow bra

RESULTS:

No semen indicated.

Item: 6 Pink and white shirt

RESULTS:

No semen indicated.

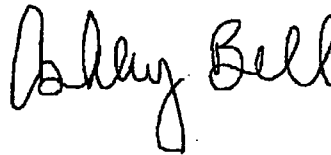
Item: 6.1 Debris from Items 3 through 6

RESULTS:

Item forwarded to the DNA section.

These examinations were conducted by DNA Evidence Processing Technician Betty Butler and were reviewed by Forensic Serologist Ashley Bell in the DNA Casework Department.

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



Ashley Bell
Forensic Serologist



P.O. Box 21398, Columbia, South Carolina 29221-1398 Phone (803) 896-7300 Fax (803) 896-7351

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

FORENSIC SERVICES LABORATORY REPORT

NIKKI R. HALEY
Governor



MARK A. KEEL
Chief

April Cooke
Darlington County Sheriff's Office
P.O. Box 783
Darlington, SC 29540

DNA ANALYSIS
February 18, 2014
SLED LAB: L13-01843
Your Case No: 2013020022
Incident Date: 2/1/2013
[S] Damien Cotton
[V] Yasmin Cusack

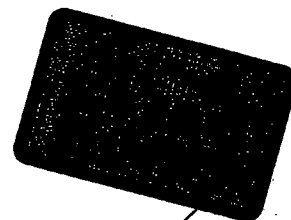
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Mark A. Keel, Chief
South Carolina Law Enforcement Division

DNA ANALYSIS

ITEMS ANALYZED:

- 1.7 Buccal swabs – Yasmin Cusack
- 7 Buccal swabs – Damien Cotton
- 1.5.1 Fingernail scrapings - left hand
- 1.5.2 Fingernail scrapings - right hand
- 3.1 Swabs from zipper and button of Cusack's jeans
- 3.2 Swab around button hole of Cusack's jeans
- 6.1.1 Hair from Cusack's clothes
- 6.1.2 Hair from Cusack's clothes



EXAMINATIONS

DNA analysis was performed on the items above. The results of Short Tandem Repeat (STR) PCR DNA analysis are shown in Table 1.



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RECORD 0476

February 18, 2014

RESULTS

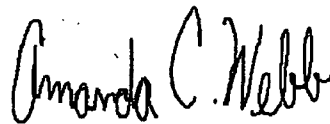
No DNA profile foreign to Yamsin Cusack was developed from items 1.5.1 or 1.5.2.

The partial DNA profile developed from item 3.1 is insufficient for comparison purposes.

The DNA profile developed from item 3.2 is a mixture of at least two individuals. DNA attributable to Yasmin Cusack is present in this mixture. The DNA profile foreign to Yasmin Cusack matches the DNA profile of Damien Cotton and has been entered into the Combined DNA Index System (CODIS). The probability of randomly selecting an unrelated individual having a DNA profile matching the DNA profile foreign to Yasmin Cusack is approximately 1 in 220 million. A DNA type not attributable to Yasmin Cusack or Damien Cotton is also present in this mixture and is insufficient for reliable interpretation.

No DNA profile was developed from items 6.1.1 or 6.1.2.

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



Amanda C. Webb
Forensic Scientist



P.O. Box 21398, Columbia, South Carolina 29221-1398 Phone (803) 896-7300 Fax (803) 896-7351



Table 1 – Identifier

Items	D8S1179	D21S11	D7S820	CSF1PO	D3S1358	TH01	D13S317	D16S539	D2S1338	D19S433	vWA	TPOX	D18S51	D5S818	FGA	Amelogenin
1.7 Yasmin Cusack	12,14	28,30	10,11	8,12	13,15	7,9	8,12	9,12	19,21	13,14.2	16	8	16,19	11,12	21,24	X
7 Damien Cotton	13,16	29,32.2	8,12	12	16,17	6,7	12	11	16,22	13.2,14	16,17	7,9	16,17	8,13	23,25	XY
15.1 Fingernail scrapings – lefthand	(12),14	-	-	(8)	(13,15)	7,(9)	(12)	(12)	-	13	16	8	-	(11)	-	X
15.2 Fingernail scrapings – righthand	(12)	(28,30)	-	-	-	(7)	-	-	-	(13)	(16)	(8)	-	-	-	(X)
3.1 Zipper and button	-	-	-	-	-	-	-	-	-	(13)	(16)	-	-	-	-	(X)
3.2 Button hole	12,13 14,16	28,29 30,32.2	8,10 11,(12)	8,12	13,15 16,17	6,7 9	8,(11) 12	9,11 12	(16),19 (21,22)	13,13.2 14,14.2	16,17	(7),8	16,(17) (19)	(8),11 12,(13)	21,(23) 24	XY
6.1.1 Hair	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
6.1.2 Hair	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

() = alleles between 75 and 149 rfu

- = no results

Bold = major contributor

Inc = inconclusive

RECORD 0478





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Courtney NoWorries Sims like Walmart

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About

Crew Member at Chick-fil-A
Past: Hollister Co.Studies at Wilson High School
2011 to 2015

Lives in Florence, South Carolina

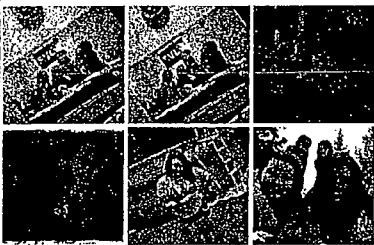
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Married to Blake Turner

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Donovin Adams



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Tia Vanderhall

De'Andre Way

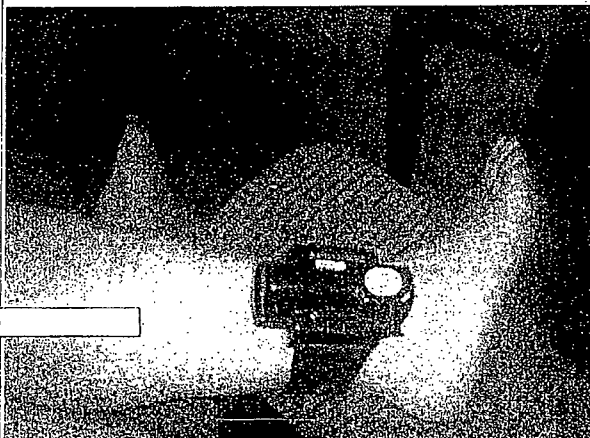
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12 minutes ago · Like

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18 hours ago via mobile

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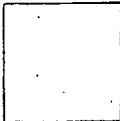
ForeverKnown Alexander Alessandra Segovia Lindsay Briana Sanebury

Places



Daytona Beach, Florida last Tuesday

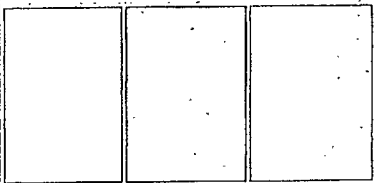
Music 161



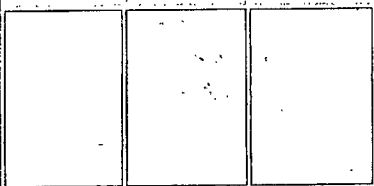
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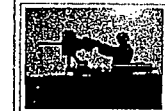
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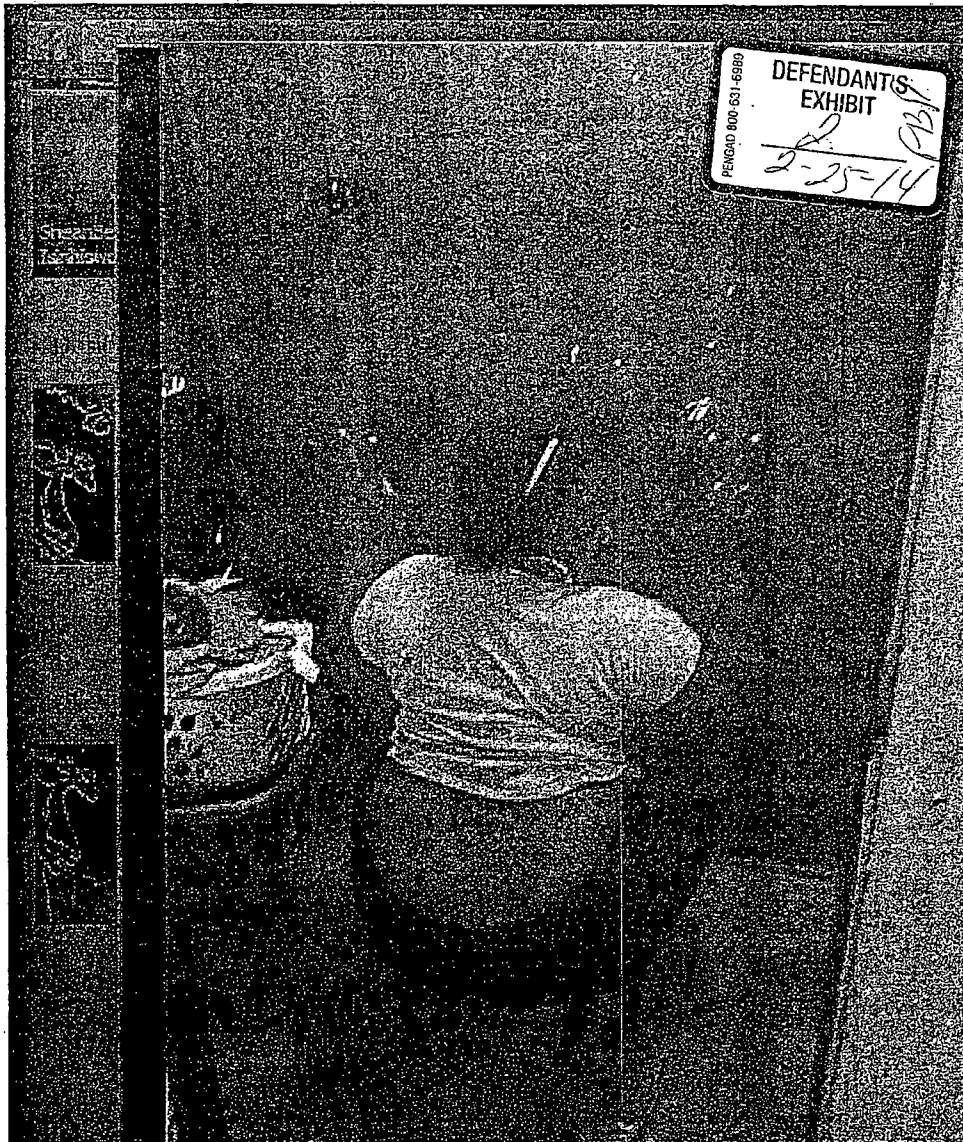
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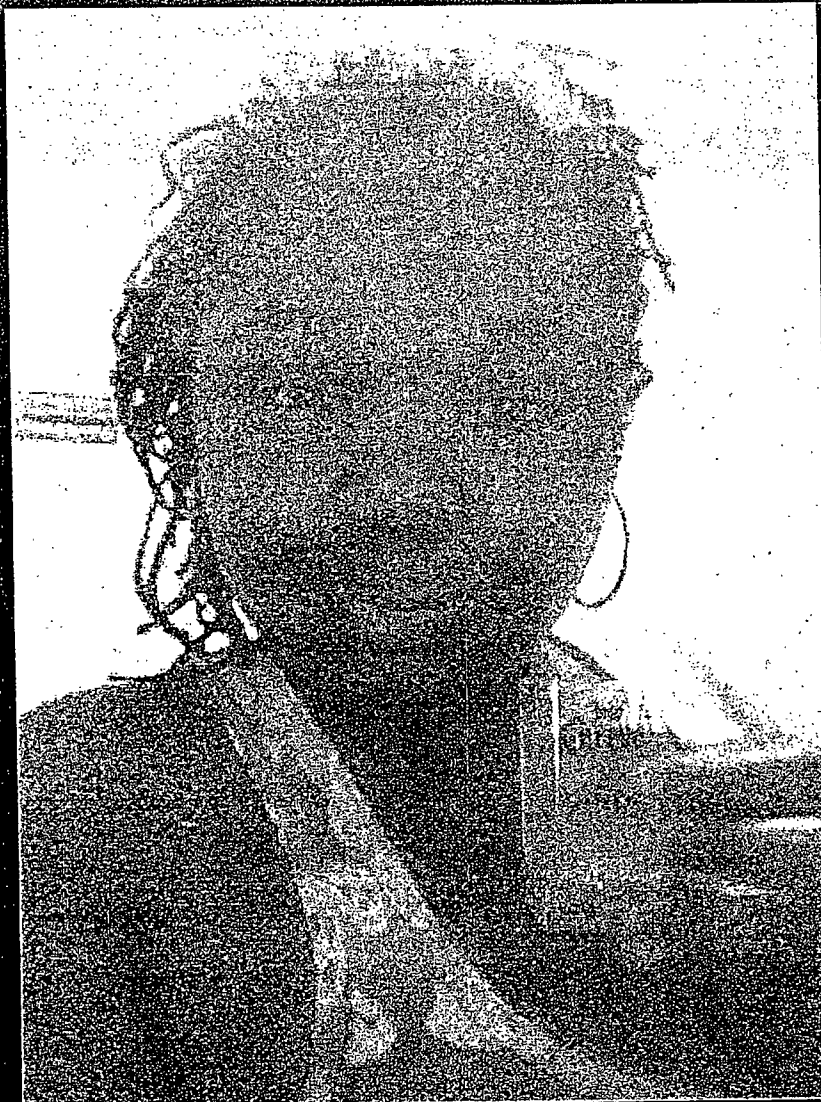
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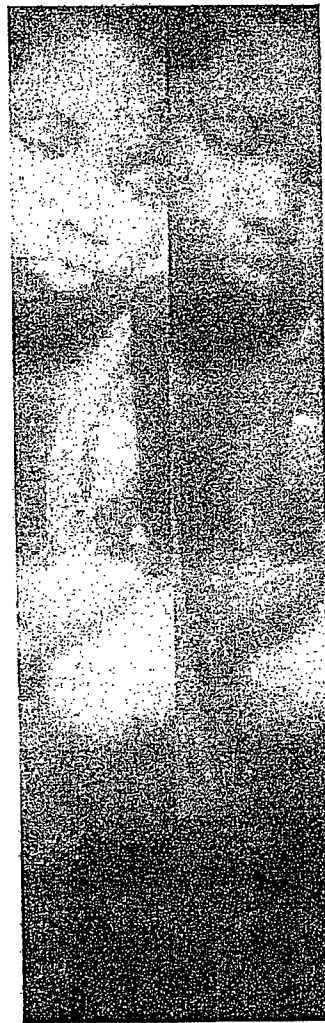
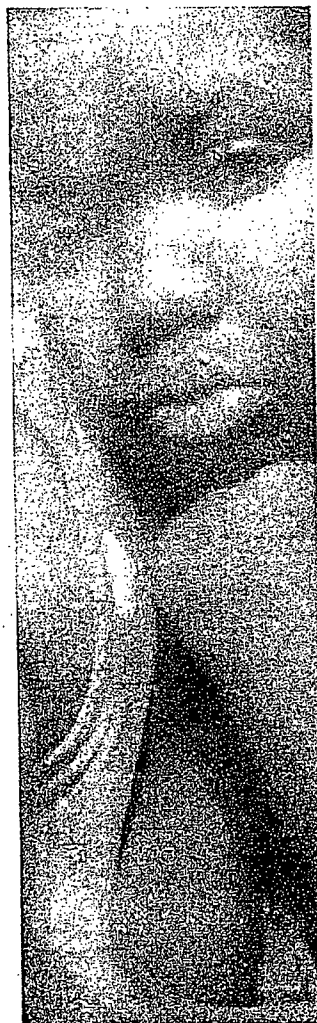
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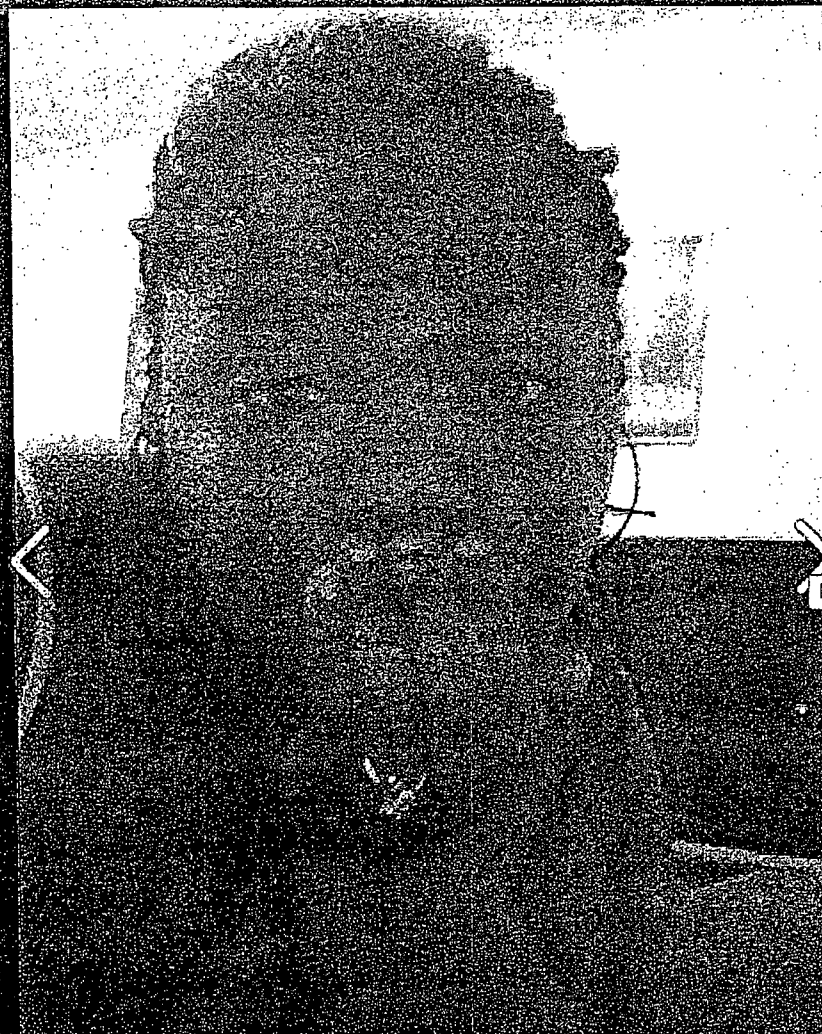
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DARLINGTON COUNTY SHERIFF'S OFFICE

PAGE NO. 1 OF 2 PAGES

VOLUNTARY STATEMENT

STATE OF SOUTH CAROLINA

COUNTY OF Darlington

PERSONALLY appeared before me YASMIN RUTH CUSACK, who states:

"My name is YASMIN RUTH CUSACK My address is 1606 SANBORN ST.

Date of Birth 07-11-1994 Social Security Number: _____ Phone Number 843-260-2039

I completed the 11th grade in school, and I can cannot read and write."

Before answering any questions or making any statements DCSO

a person who identified himself as SGT. K.B. PEAVY
duly warned and advised me, and I know and understand that I have the following rights: That I have the right to remain silent and I do not have to answer any questions or make any statements at all; that any statement I make can and will be used against me in a court or courts of law for the offense or offenses concerning which the following statement is hereinafter made; that I have the right to consult with a lawyer of my own choice before or at anytime during any questioning or statements I make; that if I cannot afford to hire a lawyer, I may request and have a lawyer appointed for me by the proper authority before or at anytime during any questioning or statements that I make, without cost or expense to me; that I can stop answering any questions or making any statements at any time that I choose, and call for the presence of a lawyer to advise me before continuing any more questioning or making any more statements, whether or not I have already answered some questions or made some statements.

I do not want to talk to a lawyer, and I hereby knowingly and purposely waive my right to remain silent, and my right to have a lawyer present while I make the following statement to the aforesaid person, knowing that I have the right and privilege to terminate any interview at any time hereafter and have a lawyer present with me before answering any more questions or making any more statements, if I choose to do so.

I declare that the following voluntary statement is made of my own free will without promise or hope of reward, without fear or threat of physical harm, without coercion, favor, without leniency or offer of leniency, by any person or persons whomsoever.

Y.C. At around 6:34 Damien pull up in my yard and pick me up at my mother. He ask me where do I want to go and I say to the ladies. We pull up to the ladies name Julia and he forced me to have sex with him in the parking lot. I told him no. & He say if I suck his dick he'll take me Valentine shopping. Then we went to K-Mart and he hand me \$15 dollars. I ask him was he going to in the store with me he say no he don't feel like it. So then we left K-Mart then we went to an open road at turnpike road. While we was there he force me to have sex with him and all. So he snatch my pants off and make me zipper. He choke me and threatening and drag me out the car. And force my head onto his dick and then he put the combi on and put it inside me. Then he rush me to put on my clothes, Y.C.

I have read each page of this statement consisting of 2 page(s), each page of which bears my signature, and corrections, if any, bear my initials, and I certify that the facts contained herein are true and correct. I further certify that I made no request for the advice or presence of a lawyer before or during any part of this statement, nor at any time before it was finished did I request that this statement be stopped. I also declare that I was not told or prompted what to say in this statement.

This statement was completed at 2345 P M. on the 02 day of February, 20 13

SWORN TO AND SUBSCRIBED TO BEFORE ME

THIS _____ DAY OF _____, 20 _____

Yasmin Cusack
Signature of person giving voluntary statement

NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: _____

WITNESS: [Signature] 7

WITNESS: [Signature] 7

I certify that I have been given a copy of this statement consisting of 2 pages. Yasmin Cusack

DARLINGTON COUNTY SHERIFF'S OFFICE

PAGE NO. 2 OF 2 PAGES

VOLUNTARY STATEMENT / SUPPLEMENTAL

Vasmin Ruth Cusack

Statement of, Continued

then on the way home he kept asking me is I was gonna
y/c. call the police? I told him to leave me alone. ~~that he was gonna~~
me and all. He do have his money back I had throw it at him
during the time. ~~that he was gonna~~ y/c.

*NO FURTHER
NO FURTHER*

Person giving statement to place initials behind
last word of statement as appears on last page.

Rev. 5/95

Vasmin Cusack

Signature of person giving voluntary statement

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DARLINGTON COUNTY
Court of General Sessions
J. Michael Baxley, Circuit Court Judge

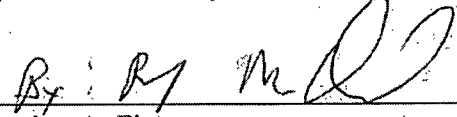
Appellate Case No. 2014-000395

The State, ... Respondent.

Damyon M. Cotton, ... Appellant.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Amended Record on Appeal contains all material proposed to be included by any of the parties and not any other material.



Lesley A. Firestone
Moore & Van Allen, PLLC
78 Wentworth Street
Charleston, SC 29401
firestonelesley@mvalaw.com
Tel: 843-579-7027
Fax: 843-579-8720

Robert Michael Dudek, Esquire
Chief Appellate Defender
PO Box 11589
Columbia, SC 29211

Attorneys for Appellant
Damyon M. Cotton

November 18, 2015
Charleston, South Carolina

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DARLINGTON COUNTY
Court of General Sessions
J. Michael Baxley, Circuit Court Judge

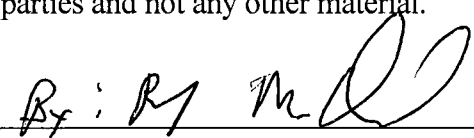
Appellate Case No. 2014-000395

The State, ...Respondent.

Damyon M. Cotton, ...Appellant.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Amended Record on Appeal contains all material proposed to be included by any of the parties and not any other material.



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Moore & Van Allen, PLLC
78 Wentworth Street
Charleston, SC 29401
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Fax: 843-579-8720

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Chief Appellate Defender
PO Box 11589
Columbia, SC 29211

Attorneys for Appellant
Damyon M. Cotton

November 18, 2015
Charleston, South Carolina