

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Lancaster County
The Honorable R. Knox McMahon, Circuit Court Judge
APPELLATE CASE NO. 2014-000166

RECEIVED

DEC 29 2015

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DAVID STALK,

APPELLANT

SUPPLEMENTAL RECORD ON APPEAL

RAIA JANE HIRSCH, ESQ.
1720 Main Street, Suite 301
Columbia, SC 29201
(803) 929-0770

ALAN WILSON
Attorney General

JOHN MCINTOSH
Chief Deputy Attorney General

ROBERT M. DUDEK
Chief Appellate Defender
South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1343

DONALD J. ZELENKA
Senior Deputy Attorney General

ALPHONSO SIMON, JR.
Assistant Attorney General
Office of the Attorney General
PO BOX 11549
Columbia, SC 29211

ATTORNEYS FOR APPELLANT

RANDY E. NEWMAN, JR.
Solicitor, Sixth Judicial Circuit
PO BOX 607
Lancaster, SC 29721

ATTORNEYS FOR RESPONDENT

INDEX

INDEX.....	i
PRETRIAL MOTION BY DEFENSE.....	1
PRETRIAL MOTION BY DEFENSE.....	2
TESTIMONY	
ED STOGNER	
Direct Examination by Mr. Barfield.....	3
JASON LEAPHART	
Direct Examination by Mr. Grier.....	4
TIFFANY HEZEL	
Direct Examination by Mr. Grier.....	5
NAOMI ANTHONY	
Direct Examination by Mr. Barfield.....	6
BRIAN SMALL	
Direct Examination by Mr. Barfield.....	7
QUINSHUN EVANS	
Direct Examination by Mr. Barfield.....	8
PHILLIP HALL	
Direct Examination by Mr. Barfield.....	9
NAOMI ANTHONY	
Direct Examination by Mr. Barfield.....	6
TAWANA STALK	
Direct Examination by Mr. Grier.....	17
DAVID STALK	
Direct Examination by Mr. Grier.....	19
CERIFICATE OF COUNSEL.....	21

PRETRIAL MOTIONS

1 MR. BARFIELD: No, sir. I would -- no, sir, nothing
2 else.

3 THE COURT: Mr. Grier, as far as the defendant's
4 position, is it the defendant's position that he was advised
5 of his rights on the 6th -- just leave the 5th out there
6 kind of running wild for a minute for me.

7 MR. GRIER: 5th is irrelevant.

8 THE COURT: But on the 6th he was advised of his
9 rights, that is videoed, and then there was a break, a smoke
10 break and when he comes back he's not readvised and that's a
11 second proceeding?

12 MR. GRIER: It is, Your Honor.

13 THE COURT: All right. Well, then I would -- I do not
14 think I would have to look at the tapes from the 5th.

15 MR. GRIER: I agree. I don't think they're germane to
16 that argument, to my argument.

17 THE COURT: I mean, the Solicitor has laid the
18 foundation for the 5th and you don't disagree with the
19 foundation, that he was Mirandized properly on the 5th.

20 MR. GRIER: On the 5th, yes.

21 THE COURT: So if I look at the tape on the 6th that's
22 the 42 minute tape, correct, Solicitor?

23 MR. BARFIELD: Yes, sir.

24 THE COURT: And then look at the tape on the 11th also.

25 MR. GRIER: Yes, sir.

PRETRIAL MOTIONS

1 THE COURT: If y'all don't have any other evidence and
2 testimony I will do that tonight, the tape on the 11th, that
3 was it?

4 MR. BARFIELD: The tape on the 11th, that was just
5 about all of it. I think you can hear Lieutenant Hall
6 calling for the transport officer to come and get him. I
7 would invite the Court to do this, the tapes are Court's
8 Exhibits, Lieutenant Hall explained that the times don't
9 lineup with what's eastern standard time on our watches, but
10 the counter time I submit is accurate time, the elapsed time
11 is accurate time, so I would invite you --

12 THE COURT: The minutes are right --

13 MR. BARFIELD: The minutes are right, just not the time
14 on the clock. So I would invite you when you watch the
15 tapes from 2/6 of '13 to look at the time at the end of
16 segment one and the time at the beginning of segment two to
17 get a feel for how long elapsed during that smoke break.

18 THE COURT: Right.

19 MR. GRIER: I agree with that, Your Honor. Everything
20 I have seen suggests that that stamp is just -- forget that
21 stamp on that video.

22 THE COURT: I'll take it under advisement, I want to
23 look at that before I rule. Now, any other motions
24 in-camera?

25 MR. GRIER: No, Your Honor. At this point there are

TESTIMONY OF ED STOGNER

1 area.

2 Q. Although it won't mean anything to me, the numbers,
3 what was the longitude and latitude coordinates for the
4 source of this call?

5 A. The latitude was 37 55 00. Longitude was negative

6

7 Q. And on the ground the general vicinity for those
8 readings, those coordinates?

9 A. It came up in the 100 block of _____ Street.

10 Q. Is that in the City of Lancaster?

11 A. Yes, it is.

12 Q. Does the 911 operations center equipment record the
13 tower from which the signal for the call is -- through which
14 the signal for the call is transmitted?

15 A. Yes, sir, it does.

16 Q. Which tower did this call get transmitted through?

17 A. This one came in on the Stewman Lane Tower.

18 Q. Generally where is the Stewman Lane Tower -- first of
19 all, is it in the City of Lancaster?

20 A. Yes, sir, it is. It's down off of South Market Street
21 on Stewman Lane actually about four or five blocks away.

22 Q. Four to five blocks away from what?

23 A. From the area of the North Ferguson.

24 MR. BARFIELD: Permission to publish the recording?

25 THE COURT: Yes, sir.

TESTIMONY OF JASON LEAPHART

1 Q. Let's talk about people first. Were there some people
2 out and about that you and other officers talked to, adult
3 people as potential witnesses?

4 A. After a crime scene was set up, perimeter and all,
5 there were a couple of individuals from the street that --
6 one street down from where . . . that came
7 out --

8 Q. And don't say what anybody said, but do you remember
9 who those people were by names? Do you have names?

10 A. Yes, sir.

11 Q. Who were the people that you were involved in talking
12 to, not what they said but just who they were?

13 A. It was a Huddleston individual and a Darcy.

14 Q. Do we ever know who Darcy is by last name or whether
15 that's first or a last name?

16 A. I'm assuming that's a last name.

17 Q. Okay. Did you see anything around or on the premises
18 of . . . to suggest that something bad had happened
19 there?

20 A. Yes, sir.

21 Q. Just generally describe what you saw.

22 A. There was fresh like purchased merchandise with a
23 convenience store bag laying in front of the house with
24 unopened beverages.

25 Q. Specifically beverage, what kind of beverage was it?

TESTIMONY OF TIFFANY HEZEL

- 1 A. I did not.
- 2 Q. What else did you collect inside the house?
- 3 A. On the back of the blue love seat was a blue wash cloth
- 4 that was appeared to have absorbed suspected blood on it.
- 5 Q. I'm going to show you State's Exhibit 24. What's that
- 6 a picture of?
- 7 A. This is the front door of the residence, this is the
- 8 seat closest to the front door, and right there is blue wash
- 9 cloth that was collected.
- 10 Q. Are you calling that a couch or a love seat?
- 11 A. Love seat.
- 12 Q. I'm going to show you State's Number 25. What's that a
- 13 picture of?
- 14 A. That is the seat closest to the door of the love seat.
- 15 Q. Same seat, same picture, just a different view?
- 16 A. Yes.
- 17 Q. State's Number 26, what's that a picture of?
- 18 A. That is a closeup picture of the wash cloth that was on
- 19 the back of the headrest of that seat.
- 20 Q. Did you collect that wash cloth?
- 21 A. I did.
- 22 Q. Did you do any presumptive testing of that wash cloth?
- 23 A. I did not.
- 24 Q. Do you remember anything about a cordless telephone
- 25 inside of that house?

TESTIMONY OF NAOMI ANTHONY

1 DIRECT EXAMINATION

2 BY MR. BARFIELD:

3 Q. Tell us your name, please, sir.

4 A. My name is Richard L. Anthony.

5 Q. And Mr. Anthony, Kevisis was your son?

6 A. He was.

7 Q. Were you at your house Saturday night and was --

8 A. Yes, I was.

9 Q. And did you see Kevisis when he was there between 8:00
10 and 9:00?

11 A. Yes.

12 Q. Okay. And were you there when your family became
13 aware, or your wife became aware that something had happened
14 with Kevisis?

15 A. Yes, I was.

16 Q. Where did y'all go as a result of getting that
17 information? Well, first of all, what time do you recall it
18 was when you found out something had happened?

19 A. It was possibly between 11:00 and 11:30. We received a
20 knock at our door, as normal I was studying in my study
21 getting ready for ministry, we went to the door and there
22 was an officer from Kershaw, a city policeman, said he
23 needed to talk to us and I immediately went to the door and
24 let him in.

25 Q. Don't tell us what he said, but just as a result of

TESTIMONY OF BRIAN SMALL

1 A. Yes, sir.

2 Q. And what is that?

3 A. That is the projectile that was removed from Kevisis

4 Anthony's head.

5 Q. Were you present when that was all being done?

6 A. Yes, sir.

7 Q. Did you observe what was being done?

8 A. I did.

9 Q. And did you also receive -- did you receive anything
10 else by way of evidence at the autopsy?

11 A. They call it a standard, but it's a test tube with a
12 blood sample in it.

13 Q. And the fired bullet and the test tube with the blood
14 in it, what did you do with those items?

15 A. Took it back to the office and Sergeant Hartley entered
16 it -- pre-logged it into our lab of SLED and then I took it
17 straight to Columbia.

18 Q. Delivered it yourself?

19 A. Yes, I hand delivered it to the SLED lab.

20 Q. Both items?

21 A. Yes, sir.

22 MR. BARFIELD: That's all I have of this witness at
23 this time, please answer anything Mr. Grier may have.

24 THE COURT: Thank you, Solicitor. Mr. Grier?

25 MR. GRIER: Thank you, Your Honor. Beg the Court's

TESTIMONY OF QUINSHUN EVANS

- 1 A. Yes, sir.
- 2 Q. Was he taking steps?
- 3 A. Yes, sir.
- 4 Q. Were his eyes open?
- 5 A. I couldn't tell.
- 6 Q. At some point did you notice anything about him?
- 7 A. When we were in the house I noticed he had a big bump
- 8 on his head and it was bleeding a little bit.
- 9 Q. Stop. What part of his head?
- 10 A. Like towards the back.
- 11 Q. Bleeding a little bit?
- 12 A. Yes, sir.
- 13 Q. Anything else?
- 14 A. No, sir.
- 15 Q. Where was he when he was in the house? Anthony.
- 16 A. He sat on the chair next to the door when you first
- 17 walk in.
- 18 Q. Is that the one that I showed you a little bit ago when
- 19 we talked about the front door?
- 20 A. Yes, sir.
- 21 Q. Again, I'm bouncing around. State's Exhibit Number 24.
- 22 Well, what chair did Anthony sit in?
- 23 A. That chair.
- 24 Q. What happened next?
- 25 A. She told me to go get him a rag so she can try to help

TESTIMONY OF PHILLIP HALL

- 1 Q. What date does it bare?
- 2 A. February 6th of 2013.
- 3 Q. Other than the stuff that's filled in is it the same
- 4 form that you referred to as the State's Exhibit Number 64
- 5 from 2/5 of '13?
- 6 A. Yes, sir, it is.
- 7 Q. Any difference in the form at all?
- 8 A. Other than the dates -- the forms are the same.
- 9 Q. Who was present -- first of all, about what time of day
- 10 was the 2/6 of '13 process going on?
- 11 A. It was 11:54 in the morning, a.m.
- 12 Q. Who was present on 2/6 of '13?
- 13 A. Captain Grant.
- 14 Q. Was the 2/6 of '13 also in two different parts?
- 15 A. Yes, sir, it was.
- 16 Q. And when you say Captain Grant, you're talking about
- 17 male or female?
- 18 A. Male.
- 19 Q. With the city police department?
- 20 A. Yes, sir.
- 21 Q. Let's go ahead and explain this to the jury, who is
- 22 Scott Grant?
- 23 A. Scott Grant is my immediate supervisor, he is the
- 24 captain over special operations.
- 25 Q. Who is Kristen Grant?

TESTIMONY OF PHILLIP HALL

1 A. That is his wife who is a SLED agent for South
2 Carolina.

3 Q. Why is she involved in a Lancaster Police Department
4 homicide investigation?

5 A. She is one of this district's investigators.

6 Q. So you and Scott Grant on 2/6.

7 A. Yes, sir.

8 Q. Let's go through it. Tell the jury what you did with
9 Mr. Stalk on 2/6 of '13 concerning his Miranda rights.

10 A. Same situation, applied --

11 THE COURT: Is this in evidence?

12 MR. BARFIELD: No, let me move it into evidence. Your
13 Honor, at this time I offer the Miranda form from 2/6 of '13
14 as State's 75 (sic).

15 MR. GRIER: No objection.

16 THE COURT: State's 65 in evidence without objection.

17 (The Miranda form was received as State's 65.)

18 Q. I have handed you State's Exhibit 65. Describe for the
19 jury what you did with respect to Mr. Stalk's constitutional
20 rights on 2/6 of '13.

21 A. Again we fill out this form, put his name on top, asked
22 him what year he completed his school, he advised 10th. I
23 asked him if he was under the influence of any drugs or
24 alcohol, he said no. I asked him could he read or write the
25 English language, he said yes and I indicated it by marking

TESTIMONY OF PHILLIP HALL

1 it on the paper here. Again, it happened on February 6th at
2 11:54 a.m. I advised him of his rights. I said, "You have
3 the right to remain silent. Anything you say can and will
4 be used against you in a court of law. You have the right
5 to talk with a lawyer and have him present with you while
6 you're being questioned. If you cannot afford to hire a
7 lawyer one will be appointed to represent you before any
8 questioning if you wish. You can decide at anytime to
9 exercise these rights and not answer questions or make any
10 statements." And I asked him, "Do you understand each of
11 these rights I've explained to you, and having these rights
12 in mind are you willing to talk to us at this time?" And
13 again, I read on his waiver of his rights, it says, "I have
14 read the statement of my rights and understand what my
15 rights are. I am willing to make a statement and answer
16 questions. I do not want a lawyer at this time. I
17 understand and know what I am doing. No promises or threats
18 have been made to me, no threats or coercion of any kind
19 have been used against me." Again, I had him initial each
20 one of his Miranda to the left, at the bottom he signed it
21 under the waiver of rights, and I signed this form.

22 Q. And what time did Mr. Stalk sign the waiver forms?

23 A. 11:58.

24 Q. All right. The same series of questions about 2'6 of
25 '13 as I asked you about 2/5 of '13. First of all, was

TESTIMONY OF PHILLIP HALL

1 there any -- other than the way he was dressed and where he
2 had spent the night before, was there any change in Mr.
3 Stalk's physical condition that you could tell?

4 A. Not that I could see.

5 Q. Again, did he have any injuries to him or complain of
6 any discomfort from a physical standpoint?

7 A. No, sir.

8 Q. Was he restrained in any fashion on 2/6 of '13?

9 A. He was.

10 Q. How was he restrained then?

11 A. He had on a belly belt. We just put chains on the --
12 instead of being handcuffed like this he had a belly chain
13 or a belly belt what we call it.

14 Q. Were his hands restrained?

15 A. To his side, yes, sir.

16 Q. Were his feet restrained?

17 A. I believe he had leg shackles on as well.

18 Q. Could he walk under those circumstances?

19 A. He could.

20 Q. Could he run under those circumstances?

21 A. Short strides if he would have tried.

22 Q. Any other restraints used on him?

23 A. No, sir.

24 Q. Did he at any time ask you -- again, same questions.

25 Did you have any problem understanding him?

TESTIMONY OF PHILLIP HALL

- 1 A. I did not.
- 2 Q. Did he appear to have any problem understanding you?
- 3 A. He did not.
- 4 Q. Did he ask any questions of you concerning his
- 5 constitutional rights?
- 6 A. He did not.
- 7 Q. Did he say or do anything to make you believe he did
- 8 not understand his constitutional rights?
- 9 A. No, sir, he did not.
- 10 Q. Did he invoke any of his constitutional rights, the
- 11 right not to talk, the right to have a lawyer, the right to
- 12 talk to a lawyer before he talked?
- 13 A. No, sir.
- 14 Q. At any time during the conversations with him on 2/6 of
- 15 '13 did he in the middle of it say, "I'm done, I want a
- 16 lawyer, I don't want to talk," anything like that?
- 17 A. No, sir.
- 18 Q. Okay. Did he waive his rights and talk to y'all on 2/6
- 19 of '13?
- 20 A. Yes, sir, he did.
- 21 Q. Did anybody promise him anything on 2/6 of '13 to get
- 22 him to talk?
- 23 A. No, sir, we did not.
- 24 Q. Did anybody threaten him with anything on 2/6 of '13 to
- 25 get him to talk?

TESTIMONY OF PHILLIP HALL

1 A. We did not.

2 Q. Did anybody again use coercion or terrible trickery or
3 anything to get him to talk?

4 A. No, sir, we did not.

5 Q. Did he -- about how long were y'all talking to Mr.
6 Stalk on 2/6 of '13?

7 A. I think that day was probably about 42 to 50 minutes
8 later.

9 Q. You have told us who was present. Did anybody pull out
10 any gun, pull out any baton or do anything of a violent
11 nature to set things off with Mr. Stalk?

12 A. No, sir, we did not.

13 Q. Did Mr. Stalk make any requests on 2/6 of '13?

14 A. He did.

15 Q. Let's go ahead and get into this, we'll get some detail
16 about it later. Well, let me ask you this first, 2/5 and
17 2/6 of '13, did you end up -- were written statements
18 produced as a result of interviews on 2/5 and 2/6 of '13 by
19 David Stalk?

20 A. Yes, sir, they were.

21 Q. Were video recordings produced as a result of the
22 interviews with Mr. Stalk on 2/5 and 2/6?

23 A. Yes, sir, they were.

24 Q. Who else none -- was anybody non-law enforcement
25 present on 2/6 of '13?

TESTIMONY OF PHILLIP HALL

1 conversation and come back and start over, any of that going
2 on on any of these interviews?

3 A. I know on 2/6 he requested a cigarette.

4 Q. We'll get to that in a little bit.

5 A. But other than that everything else was recorded.

6 Q. Well, let's get to that. Did -- I think that's how we
7 got into the Tucker thing, Stalk asked for Tucker. Did
8 Stalk ask for anything else that day other than a cigarette,
9 we'll talk about the cigarette in a minute. Do you remember
10 if he asked for something to drink or eat that day?

11 A. I don't remember. I think he may have asked for a
12 bottle of water or some drink, I can't remember.

13 Q. Did he ask for a cigarette that day?

14 A. He did ask for a cigarette, yes, sir.

15 Q. Had you started smoking between 2/5 and 2/6?

16 A. I did not.

17 Q. Was there a smoker in the house that day?

18 A. There was.

19 Q. Who was it?

20 A. Mr. Tucker.

21 Q. Did Stalk get his cigarette on 2/6?

22 A. He did.

23 Q. We'll get into that in more detail. Did Stalk ask for
24 anything else that y'all denied him that day?

25 A. As far as I know I do not believe so.

TESTIMONY OF PHILLIP HALL

1 Q. Did he ask to contact anybody else on 2/6 other than
2 Tucker?

3 A. No, sir.

4 Q. Did he ever say, "I don't want to talk anymore," or, "I
5 want a lawyer," or anything like that?

6 A. No, sir, he did not.

7 Q. Let's go back to 2/5 of '13, part two of the discussion
8 on 2/5 of '13. Okay. What was the subject matter of part
9 two of the discussion with Mr. Stalk on 2/5 of '13? What
10 were y'all talking to him about?

11 A. We were interviewing him about the murder at 715 Saint
12 Paul Street.

13 Q. Generally speaking in that interview, was there any
14 admission by Stalk that he had any involvement in the death
15 of Kevisis Anthony?

16 A. No, sir.

17 Q. Was there as a result of that interview -- well, let me
18 just go ahead with these. Did the 2/5 of '13 discussion
19 produce a written statement, part two?

20 A. Yes, sir.

21 Q. I'm going to hand you a piece of paper, actually a
22 document, with several pages stapled together. Can you
23 identify what that is?

24 A. This is the statement form that we use at the police
25 department when we do a written statement.

TESTIMONY OF TAWANA STALK

1 babysit and they was going to have a sleepover, because we
2 was supposed to go get their food and bring them something
3 to eat.

4 Q. Now, did you take any of the children down to Ketta's?

5 A. Uh-huh. I took my two, I took my -- at the time my son
6 was ten, at the time my girl was five, my nephew was ten and
7 my niece was two.

8 Q. About what time did you take them down there, do you
9 recall?

10 A. We took them down there, it was like a little after
11 8:00.

12 Q. Okay. Now, what are those children's names?

13 A. , , and .

14 Q. Okay. Well, did you take ?

15 A. No, David took . He took first and
16 when I got finished doing what I was doing I took the other
17 three.

18 Q. Did you see David earlier that day?

19 A. Yeah, I had seen David earlier.

20 Q. Did you see him at Ketta's?

21 A. No.

22 Q. Where did you see him earlier in the day?

23 A. At 1 a.

24 Q. What was going on?

25 A. He was fixin' to take a bath. He said he was going to

TESTIMONY OF TAWANA STALK

1 A. Yes.

2 Q. Okay. And is it accurate to say that that is where
3 David laid his head most nights?

4 A. Every other night, because he had started going with
5 Ketta so he wasn't at my house like he used to be.

6 Q. So he was either at your house or Ketta's house?

7 A. Or either at my Aunt Shell's house, it was between us
8 three.

9 Q. That's fine. And tell me your aunt's real name, what's
10 her name?

11 A. Michelle Stalk.

12 Q. Michelle Stalk? Okay. Where did Michelle live?

13 A. She lives right at my back door in Heath Circle.

14 Q. And your house is just a little ways from Ketta's
15 house, right?

16 A. Uh-huh.

17 Q. And Michelle's house. You've got to say yes or no.
18 Nobody is picking on you but you've got to say yes or no
19 because he's got to type it up.

20 A. Okay. Yes.

21 Q. All of y'all live right there together kind of.

22 A. Yes.

23 Q. When you got called and went to Ketta's house the night
24 of the killing --

25 A. Uh-huh.

TESTIMONY OF DAVID STALK

1 A. I go through a bunch of phones, just by breaking them
2 at work or losing them or something.

3 Q. Okay. Well, how about this (sic) telephone
4 that you had, did you have that phone? Did you have a phone
5 with that number at one point?

6 A. Yes, sir, at one point in time I did.

7 Q. Okay. And --

8 THE COURT: What's that number? ?

9 MR. GRIER: I said ..

10 Q. Did you have a phone number -- did you ever have a
11 phone number of .?

12 A. Yes, sir, that's correct.

13 Q. Okay. Do you recall when you last had that phone
14 number?

15 A. No, sir, I can't recall. It has been awhile.

16 Q. Well, prior to January 26th of 2013, do you recall
17 having that number?

18 A. No, sir.

19 Q. You don't remember it prior to January 26, 2013, having
20 a prior -- before that date did you have that number?

21 A. Yes, sir.

22 Q. Okay. And you -- do you know what happened to the
23 phone with that number?

24 A. Yes, sir. The phone was like -- when I was taking a
25 shower one day I set the phone in the sink, it had water in

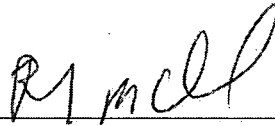
TESTIMONY OF DAVID STALK

- 1 the bathtub, I guess it messed up the battery or whatever.
- 2 Q. What told you that that phone was messed up?
- 3 A. In the back like if it got water damage or something
- 4 you look at it, it got like a little white strip in the back
- 5 and the strip turned pink, you know what I'm saying, and the
- 6 phone was messed up with water damage.
- 7 Q. Is there a way to fix that?
- 8 A. No, sir.
- 9 Q. Did you try?
- 10 A. Yes, sir. I let the phone dry out and it just kept --
- 11 I would charge it up, the whole charge would be like 30
- 12 minutes or so but it would keep cutting off so I got rid of
- 13 it, I threw it away.
- 14 Q. Where did you throw it away at?
- 15 A. At Ketta's house.
- 16 Q. Is that where you took the shower that it got messed
- 17 up?
- 18 A. That's correct.
- 19 Q. All right. How long after it got messed up was it that
- 20 you threw it away?
- 21 A. I would say like two days later, something like that.
- 22 Q. Did you get emotional during your interview on
- 23 February 6th, 2013?
- 24 A. Yes, sir.
- 25 Q. Okay. Why did you get emotional?

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Supplemental Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

December 29, 2015



Robert M. Dudek
Chief Appellate Defender

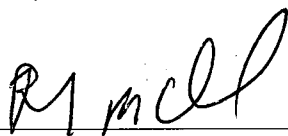
South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Supplemental Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

December 29, 2015



Robert M. Dudek
Chief Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, S. C. 29211-1589
(803) 734-1330

ATTORNEY FOR APPELLANT

RECEIVED
DEC 29 2015
SC Court of Appeals