

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Michael G. Nettles, Circuit Court Judge

RECEIVED

JUN 23 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

VANESSA LAQUETTA FRAYER,

APPELLANT

APPELLATE CASE NO. 2015-001823

SUPPLEMENTAL RECORD ON APPEAL

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1 going to ask that you bring the documentary evidence and put
2 it in front of the court reporter in one pile.

3 (WHEREUPON, exhibits were reviewed by counselors.)

4 THE COURT REPORTER: We have got State's 1, 2, 3, and 4
5 which are here (placed on table).

6 The defense we had one; but this was not admitted, just
7 marked for identification (held back from table).

8 THE COURT: Is everything that is on the table in
9 evidence?

10 MS. LINDER: Yes.

11 THE COURT: Is there anything on the table that is not
12 in evidence?

13 MS. LINDER: No.

14 THE COURT: All right. Let me hear from defense, Mr.
15 King; is everything on the table into evidence?

16 MR. KING: Yes, Your Honor, except for the muted
17 portions of disk. I don't -- I guess if they want to watch
18 the disk they would ---

19 THE COURT: They would do it ---

20 MR. KING: --- be brought out?

21 THE COURT: That is correct.

22 MR. KING: Yes, Your Honor.

23 THE COURT: Is there anything in that pile that is not
24 in evidence?

25 MR. KING: No, Your Honor.

1 THE COURT: All right. Well, I am going to ask the
2 bailiff to take the documentary evidence to the jury room
3 and tell them to begin deliberations.

4 (WHEREUPON, exhibits were taken by bailiff.)

5 (WHEREUPON, recess 8/12/15, 4:18 p.m.)

6 (WHEREUPON, 8/12/15, 5:20 p.m. resume trial.)

7 THE COURT: The question has been posed the jury would
8 like to watch at least a portion of the video from where the
9 CI enters the house until he leaves. And then they have
10 also said that for scheduling purposes we need to make calls
11 if you are to continue to deliberate tonight.

12 All right. Can you cue that up and get it right before
13 the CI comes in.

14 MR. MAYNOR: Yes, Your Honor, we can get it started.
15 They said they wanted to see when he walks into the house
16 and ---

17 THE COURT: It says a portion of the video from where
18 the CI enters the house until he leaves.

19 MR. MAYNOR: Okay.

20 THE COURT: Which is really only about two minutes.

21 MR. MAYNOR: Yes, it is not long. We will get it cued
22 up and edit the same portions that we edited before.

23 (WHEREUPON, break to cue disk.)

24 THE COURT: Before the jury comes back in I am going --
25 I am not going to keep them here past 6:30. I think what I

1 will -- and explain to them that they have the ability to
2 come, certainly no rush. They have the ability to come back
3 in the morning to deliberate..

4 What is the State's position with regard to that
5 instruction?

6 MR. MAYNOR: Your Honor, I believe it would be fine. I
7 would like to defer to Ms. Linder since this is her case.
8 And she should be back in the room shortly.

9 THE COURT: If she wants to weigh in she needs to be
10 here. All right. What do you think about it?

11 MR. KING: I think we are okay with that, Judge,
12 sending them home at 6:30.

13 THE COURT: Okay. And I am going to tell them that so
14 they can give their family members and friends that
15 instruction that they will be pulling out of here at 6:30
16 and we are going to tell them that the deliberation process
17 is left completely up to them and that they're -- we have
18 all week and that they can come back and continue
19 deliberations as long as is necessary. Okay. All right.

20 We are ready -- we are ready for the jury.

21 (WHEREUPON, jury enters 8/12/15, 5:25 p.m.)

22 THE COURT: Mr. Foreman, ladies and gentlemen of the
23 jury, we have cued up the video to show you the portion that
24 you have requested.

25 And for scheduling purposes you have asked to make

1 phone calls. I need to inform you that we will continue
2 deliberations through 6:30 p.m. So you can let your family
3 members and friends know that you will be departing here at
4 6:30, no later than 6:30.

5 But y'all need to understand that this is very
6 important matter. It is not a matter that needs to be
7 rushed. We have the balance of the week to resolve this
8 matter. Don't feel pressure with regard to time.

9 These are important matters. Involves important
10 matters to the State, to the defendant, and an important
11 matter to y'all. So give it the proper amount of
12 consideration.

13 And in the event there has not been a verdict by 6:30
14 we will come back in the morning. So you can -- and I am
15 going to give the bailiff instructions that allow you to
16 make the necessary phone calls to deal with your family
17 members and friends.

18 Pay very close attention as we have cued up this video.
19 (WHEREUPON, played portion of video requested by jury.)

20 THE COURT: Very good.

21 Mr. Foreman, ladies and gentlemen of the jury, return
22 to the jury room to resume deliberations.

23 (WHEREUPON, jury out to resume deliberations 5:31 p.m.)

24 THE COURT: All right. We will stand at ease.

25 (WHEREUPON, Court's Exhibit 1, jury note, was marked for

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."

June 23, 2016

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